

25-6192
Case No. _____

ORIGINAL

SUPREME COURT OF THE UNITED STATES

Carl NATHANiel Merkle

Petitioner,

vs.

Johnny W. Thomas, (a sham) Chapter 7 Trustee

Respondent.

FILED

SEP 18 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit from case 25-50062 (prior 23-50692 & 22-50216. Where I won 23-50692 via SCOTUS 24-6088, twice, by a most bizarre means: 1) on docketing, and 2) via Petition in Denial.) In turn, those three 5thC cases originated from USDC 5:21-cv-1278-jkp Jason K. Pulliam presiding. And in turn, that originated from an appeal of the 12/6/21 oral order of USBC 16-50026-cag Chief Bankruptcy Judge Craig A. Gargotta.¹

PETITION FOR A WRIT OF CERTIORARI

Submitted Under Oath, Under Penalty of Perjury², by:

Carl Nathaniel Merkle, CPA retired, In Pro Se, a victim of crimes committed by USA
Investigative Accountant. God's Fraud Auditor. Prophet.

4446 Bayliss, San Antonio, TX 78233

Telephone: 210-596-4088, Email: carlmerkle@icloud.com

*Friend of the July 4, 1776 Supreme Judge of the World ("Supreme Judge"),
the USA's Isaiah 33:22 king, judge and lawgiver. A kingdom of above.*

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¹ Gargotta, a criminally behaving bankruptcy judge who most likely took a bribe from David Gragg, approved a fraudulent confirmed plan of Chapter 11 reorganization on 3/28/17 under objection, starting the still ongoing "Adversary Procedures." ... (See rest of this footnote in Petition in SCOTUS case 24-6088, where I won by a most bizarre means: a Petition in Denial affirming Dkt 14 in USDC 5:21-cv-1278-jkp.) It's as if the fate of the nation hangs in the balance on the outcome of SCOTUS review of this case. Gargotta kidnapped me on 12/6/21, that's a matter for jury trial, not an appeal.

² This Oath to tell the truth is made under penalty of perjury per US and Texas laws. It is also made under Oath to the "Supreme Judge of the World", the "God of the Founding Documents": the 1) July 4, 1776 Declaration of Independence, 2) the US Constitutions, and 3) the Texas Constitution (collectively "the covenants"). Isaiah 33:22 was James Madison's inspiration for Articles I-III of US Constitution. This is a constitutional law and criminal law case. A "conspiracy against rights" case.

I. QUESTION PRESENTED

1) Question Presented (where USA Title 11 System is OC):

Is Merkle's surviving Chapter 11 bankruptcy case (in hidden 5thC 20-50025) now a ripe Article III of the US Constitution bankruptcy case ready to proceed to discovery and jury trial in USDC case 5:20-cv-502³ as an 18 USC Chapter 13, Civil Rights, §241 "conspiracy against rights" case, free of sanctions?

2) Prefatory Statement: I, Carl Nathaniel Merkle, am a victim of many crimes committed by the USA against a Chapter 11 bankruptcy ("BK") filer. I filed BK for proper purpose on 1/4/16 to stop an illegal foreclosure scheduled for 1/5/16 of my then sole and primary personal residence and planned form of retirement income due to Denis Stratford, Esq's 2015 theft/embezzlement/misapplication of my hazard insurance (fiduciary property). An accounting fraud done by organized crime ("OC"): theft by 3 or more people. Misapplication showed my loan (unsecured) as delinquent when in fact it was current and fully performing using proper accounting: my accounting. My accounting must be used per doctrine of interpretation against the draftsman. I'm an accounting and auditing expert. Stratford's crimes became the USA's crimes via BK judge Craig A. Gargotta's fraudulent July 14, 2017 FRCP 12(b)(6) order that was a virtual copy and paste of David Gragg's Motion to Dismiss for 12(b)(6), causing a fraudulent set of Fed.R.Evid.201 "judicially noticed facts" to emerge, fueling years and years of "frauds upon the court". I fully agree with this truthful ¶ written by 22-50216-to-25-50062 referring USDC judge, Jason K. Pulliam:

Stating that his bankruptcy case is "an 'organized crime' case, since inception, fraudulently converted to Chapter 7 on March 18, 2020, which then started the 2020, 2021, and 2022, crimes by the 'Gang of 7' revealed in ¶ 3 of the Notice of Appeal (NOA). Withdrawal of reference is mandatory." ECF No. 11 at 1 (found within caption). That same document identifies the Bankruptcy Judge and trustee as "enforcers for organized crime and members of the 'Gang of 7.' *Id.*

³ This still open "sealed" USDC "whistleblower case", opened 4/23/20, complains of OC and has a jury demand. See <https://tinyurl.com/WhistleblowerStatement> on YouTube recorded 5/25/20. But I'm gagged, a 1st Amendment right violation, intended and used by judges, clerks, and DOJ to conceal their role in the crimes, OC. And conceal my demand for jury trial, free and clear of any sanctions. Sanctions are part of an OC plot: "Gragg's scam with gag plot" ("GSWGP") the focus of 23-50692 & 25-50062.

3) Existence of GSWGP caused the following 8/5/25 illegal and fraudulent order, a continuation of GSWGP, to be posted in the Texas Ten Commandments case, where USDC Judge Fred Biery was the human Article III judge. (But where USA's July 4, 1776 Supreme Judge is orchestrating events behind the scenes.) The US Court System "gagged" Supreme Judge too via cases like *Stone v Graham* (1980), *Everson v Board of Ed* (1947), etc. I'm His spokesman, a prophet. All sanctions against me must be removed by either 5thC en banc panel or SCOTUS judges. And ultimately *Stone v Graham* (1980), *Everson v Board of Ed* (1947), etc. be overturned.

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RABBI MARA NATHAN, on Behalf
of Herself and on Behalf of her Minor
Child, M.N., *et al.*

Plaintiffs,

v.
ALAMO HEIGHTS INDEPENDENT,
SCHOOL DISTRICT, *et al.*

Defendants.

CIVIL ACTION NO. SA-25-cv-00756-FB

ORDER DENYING LEAVE TO FILE AMICUS BRIEF

Before the Court is the Motion of Carl N. Merkle, Pro Se, for Leave to File Amicus Brief in the above styled and numbered cause, filed on July 15, 2025. (Docket no. 34). Due to prior litigation history and warnings, prefilling injunctions previously imposed on Mr. Merkle have been expanded. *See e.g., In re: Carl N. Merkle*, No. 21-CV-01278-JKP, unpub. ord. (W.D. Tex. Apr. 11, 2022), expanded at unpub. ord. (W.D. Tex. May 24, 2022); *Merkle v. Thomas*, No. 20-CV-1060-OLG, unpub. ord. at 11-12 (W.D. Tex. Mar. 23, 2021); *Merkle v. Gragg*, No. SA-19-CV-640-XR, 2020 WL 2611858, at *8 (W.D. Tex. May 22, 2020); *appeal dismissed*, No. 20-50471, 2020 WL 7233072 (5th Cir. Oct. 14, 2020). In his motion for leave, Mr. Merkle states that "the prefilling injunction and all others are being ignored." (Docket no. 34 at page 1). The Court will deny the motion for leave.

IT IS THEREFORE ORDERED that the Motion of Carl N. Merkle, Pro Se, for Leave to File Amicus Brief (docket no. 34) is DENIED.

It is so ORDERED.

SIGNED this 5th day of August, 2025.


FRED BIERY
UNITED STATES DISTRICT JUDGE

This case is now 5thC 25-50695, as of 8/27/25. Also, a "fraud upon the court" case, in part because of this.

II. LIST OF PARTIES AND RELATED CASES

A. List of Parties – Statutory “Criminal Street Gang” members:

1) List of “Gang of 7” (“Go7”) and “Gang of 30” (“Go30”) members.

Numbers in brackets represent number of “Gang of 30” (“Go30”) member listed in Corporate Disclosure Statement in Dkt 7 of 5thC case 25-50062. All Go7 are attorneys, “officers of the Court”. The Go7 are the “Identifiable Leaders” of the rest of the statutory “criminal street gang” (“CSG”) Go30, pursuant to Texas Penal Code (“TPC”) Chapter 71, Organized Crime, §71.01(d). Go7 consistently engaged in criminal conduct in violation of American Bar Association (“ABA”) and Texas Disciplinary Rules of Professional Conduct (“TDRPC”) Rule 8.04 Misconduct, including “dishonesty, fraud, deceit and misrepresentation” and “setting up judges” to commit crime among other violations and crimes of “moral turpitude”.

a) Go7, all are spiritually, morally and ethically bankrupt, includes:

Denis Stratford (1), **Bradley Gordon** (2), **David Gragg**^{SAB} ⁴ (3), **Natalie Wilson**^{SAB} (4), **Patrick Autry**^{SAB} (5), **Craig A. Gargotta** CSGJ, SAB (6), **Johnny W. Thomas** CSGDOJ, SAB (7). (All Go7, must face at least civil jury trial brought by me – no settlement. I want all to be eventually arrested. They committed the perfect crime since no one has been arrested, yet. Dkt 33¶5 prophesied this fact.)

— Proverbs 1:18-19 – These people set an ambush for themselves; ...the fate of the greedy.

⁴ The reference SAB above means San Antonio Bankruptcy Bar Association (“SAB”). SAB is a “club of crooks.” Gragg is a board member of SAB. Gragg is local “identifiable leader” of Go7/Go30; Stratford the national “identifiable leader,” per TPC §71.01(d). Gargotta’s courtroom is an elaborate swindle prop. Gargotta committed the same theft/embezzlement crime as Stratford by adopting his accounting in his July-October 2017 orders. Gargotta is the “identifiable leader” of a “criminal street gang” of now 22 federal judges (“CSGJ” or CSGJ), in Title 11 administrative system because appeals cases were closed and sent to him. There’s over a 90% likelihood that Gargotta took a bribe from Gragg. Gragg did not even have a contract with the client he alleged to represent: Pilgrim REO, LLC (“Pilgrim”)! It’s a complete and utter scam, with zero basis in true fact and true law, once true fact and true law are used. Instead, the fraudulent Fed.R.Evid.201 facts used fueled years of OC, RICO crimes. It aroused the anger of God, the 1776 Supreme Judge, the Dkt 33¶5 “King of the Universe”.

Isaiah 33:22 paraphrased: “*The LORD is our king, judge and lawgiver.*” The July 4, 1776 Supreme Judge is the Isaiah 33:22 king, judge and lawgiver, the cornerstone of the US Constitution. On July 4, 1776 (and 17 September 1787) USA’s citizens traded human King George III for a “spiritual king,” a kingdom of above, not of this world. I contend that the Founding Documents are a Joshua 24 style “covenant relationship.” Now a breached covenant. Article VI is the “freedom from religion” clause, except on bad behavior. See Danbury Baptist Letter of 1/1/1802 2nd¶, 1st sentence about “actions only.”

b) Rest of **Gang of 30** (**“Go30”**), presently consists of a list of 60 individuals of mostly USA employees and agents who were “set up” by the Go7 to commit crime against me. Judges allowed themselves to be “set up” to commit crime by concealing my allegations of crime. That fact allowed the RICO crimes and constitutional law violations to continue, preventing arrests of the Go7. And prevented jury trial to proceed in 20-502 free and clear of any sanctions. Go30 aided and abetted **GSWGP** the subject of the 23-50692 & 25-50062 appeals, where a 12+ case string of “frauds upon the court” now exists. And where via 5thC orders of 11/4/22, 7/12/24, 7/24/25 & the Title 11 appeals process from USBC to 5thC is deeply criminogenic and incapable of complying with law and constitutions. Because statutorily under TPC Chapter 71, a CSG of 22 federal judges has emerged where Gargotta is their identifiable leader and where DOJ is complicit in the crimes. The remaining Go30 can do TPC §71.05 Renunciation Defense during the present Negotiations Period⁵. Remaining Go30 list was removed in a 2nd attempt at 23-50692 Petition becoming SCOTUS 24-6088 and is included in Dkt 7 of 25-50062. Also, at ROA.25-50062.4906-5261, a 354-page package that became the 50 pages in 24-6088.

2) **Corporate Parties, at risk.** Dkt 7 the Corporate Disclosure Statement in 25-50026 lists 25 organizations at risk of lawsuit, liable under Doctrine

Proverbs 29:24 – If you assist a thief, you only hurt yourself.

⁵ See <https://tinyurl.com/5thC23-50692-Negotiations> for documentation making a TPC §71.05 Renunciation Defense (“RD”) available to all non-Go7 members of the Go30 and their respective employers, along with documentation of Dkt 33¶5 (miraculously appearing on a page with a bates stamp ending in 1776) and of prophecy that opponents would be throwing their wealth at me, like the Egyptians threw their wealth at the Israelites. Plus, prophecy in scripture that is being fulfilled via this case. I consider the RD to be like the 1 John 1:5-10 Repentance Defense (“RD”) that Jesus, the Supreme Judge, makes available to all of us sinners. He wipes the slate clean if we will confess our sins. My case has shown that sinners hardened against God are unwilling to confess sin and turn from it to obtain restoration with God. Leaving them open to God’s anger. Politics will not solve our nation’s problems. Only Jesus can. But that requires a nationwide repentance by “We the People” who are called by God’s name: i.e. Christians. See 2 Chronicles 7:14. It contains God’s promise “to heal our land” if we will do what it says: humble ourselves, pray, seek God’s face, turn from our wicked ways. Prayer, (a controversial topic as I write this because of a transgender shooting of praying Catholic school children), is Trump endorsed. See <https://www.whitehouse.gov/america250/america-prays/>. The rededication of USA as “One Nation Under God”, begs the question, “Which God?” Answered here.

of Respondent Superior for actions of Go30 members. I desire to “settle out of court” with most or all of them. See <https://tinyurl.com/5thC25-50062-Dkt7>. For instance, the first party listed, the USA I am asking for \$3.5 billion (negotiable) to restore integrity⁶ before the next stages of litigation. USA can recover that via the rest of the listed corporate parties. This concerns the “local component of my case” only. Not the “national component” where the numbers are much higher. Virtually all recovery above \$10 million goes to charitable organizations providing the hands and feet for “God’s work”. (See back of lawsuit in 5:19-cv-640-xr (“**19-640**”), the \$100 million lawsuit against Gragg, et al, the first case appealed to 5thC.) Only these 5 corporate parties are listed in this Petition, where 25-50062 Dkt 7 lists the rest of them.

- a) United States of America (*which clearly makes this an Article III case*).
- b) Pilgrim REO, LLC (shill used in a shell company RICO scheme – received stolen property in form of ownership of a (unsecured) note “fraudulently shown as secured and delinquent.” It was current when proper accounting used.)
- c) Pilgrim Grantor Trust (entity hazard insurance check made out to also).
- d) Capital Crossing Servicing Company, LLC (“**CCSC**” or “**Capital Crossing**”).
- e) TPG Capital Group.⁷ (Equity advisor for Pilgrim REO, LLC and Pilgrim Grantor Trust. Provided CCSC money for the illegal foreclosure/RICO scam.)

Proverbs 22:22-23 – Don’t rob the poor just because you can or exploit the needy in court. For the LORD is their defender. He will ruin anyone who ruins them. Psalm 118:8 NLT – It is better to take refuge in the LORD than to trust people.

“Indeed, I tremble for my country when I reflect that God is just: that his justice cannot sleep forever ... that it may become probable by supernatural interference!” ~ Thomas Jefferson, Notes on the State of Virginia

⁶ USA Court System must “restore integrity with the Supreme Judge” first. It is presently “out of integrity” as evidenced by sanctions issued against me like shown on page 2 of 40, having zero true basis in true fact and true law. It does so by doing what 1 John 1:5-10 says. In essence what 2 Chronicles 7:14 says. Is it “just coincidence” then that the fraudulent July 14, 2017 order = 7/14/17 appealed in 5:17-cv-713-dae correlates to 2 Chronicles 7:13-7:14? Where both of those verses are on page “i” of my book: “*KIDNAPPED by a criminally behaving bankruptcy judge. Revealing the spiritual cause of many of the 2 Chronicles 7:13 plagues since March 2020 that dominate headline news.*” See ROA.23-50692.2959. Book is publicly available at <https://tinyurl.com/KIDNAPPEDv32-ROA>.

⁷ An SEC registered equity advisor that lacks sufficient internal controls over compliance with laws and regulations. Should pay at least 1% of assets under management for its role in the crimes and failure to make course adjustments. If it does not know about this case, then it lacks internal controls. If it does know about the case, then it lacks internal controls. This case should not have gone on this long and this far, but for poor internal controls by all corporate parties listed above.

B. List of Related Cases

1. A Massive String of 12+ Key Frauds Upon the Court Exists

3) Due to GSWGP, the subject of 5thC 25-50062 & 23-50692, massive white-collar OC occurred in my USBC 16-50026 Chapter 11 case and in 5:19-cv-640-xr (“19-640”) the \$100 million lawsuit against Gragg, et al filed 6/10/19, closed 11/26/19. 16-50026 was an OC scene at inception. Opened 1/4/16. Fraudulently converted to “sham” Chapter 7 on 3/18/20 by a fraudulent court per TPC Chapter 37. Closed 11/22/22. Xavier Rodriguez’s 11/26/19 12(b)(6) order in 19-640, used Gargotta’s fraudulent and disputed Fed.R.Evid.201 so called “judicially noticed facts” that got there by trickery on the morning of June 20, 2017⁸. And in that 19-640 order, Rodriguez issued a “threat of sanctions”, building on the sanction threats of USDC 17-713 & 18-588 appeals judges Farrer and Ezra, thus starting GSWGP, and this massive string of 12+ “frauds upon the court,” provable to a jury:

A massive list of “frauds upon the court” committed by Go7, aided by Go30 (DOJ) members:

Originating USDC Case (sort order)	5 th Cir Case #. 8 cases.	ROA Range	# Unique ROA Pages	Is ROA Complete?	Crime Alleged?	5 th Circ Adjud- icated?
Phase 1 of Gragg’s Scam – unlawful debt collection and barratry scam						
17-713-dae ¹	n/a	n/a	n/a	No	Yes	No
18-588-dae ¹	n/a	n/a	n/a	No	Yes	No
19-640-xr	20-50045	.1-.4332	4,332	No	Yes	No
19-740-xr	20-50014	.1-.2874	2,874	No	Yes	No
19-790-xr	20-50024/25	.1-.4560	4,560	No	Yes	No
Phase 2 of Gragg’s Scam – unlawful debt collection and barratry scam						
19-640-xr	20-50471	.1-.7460	3,128	No	Yes	No
20-381-fb ²	n/a	n/a	n/a	No	Yes	No
20-541-xr	20-50813	.1-.2442	2,442	No	Yes	No
20-1060-olg	21-50761	.1-.3130	3,130	No	Yes	No
21-1070-olg ²	n/a	n/a	n/a	No	Yes	No
21-1278-jkp	22-50216	.1-.1898	1,898	No	Yes	No
21-1278-jkp	23-50692	.1-.4719	2,821	No	Yes	?
21-1007-olg	Total		25,185	No	Yes	?

⁸ 2 Chronicles 20:17 speaking to me says: “*You will not even need to fight. Take your positions; then stand still and watch the LORD’s victory. He is with you ... Do not be afraid or discouraged. Go out against them ... for the LORD is with you!*”. For rest of nation see 2 Chronicles 20:15-26. Especially verse 20 for a 20/20 vision. History repeats itself ~ Ecclesiastes 1:9.

4) USDC 17-713-dae and 18-588-dae are now easy to prove to a jury “frauds upon the court,” that used fraudulent “judicially noticed facts.” Where Fed.R.Evid.201 requires jury trial when disputed “judicially noticed facts” exist. Like page 2 of 40 too.

5) A “withdrawal of the reference” was set up in 5:19-mc-790-xr (“**19-790**”) on July 8, 2019. My Chapter 11 BK case has been withdrawn since then in 20-50024/20-50025. And Gargotta has statutorily been a “fraudulent court” since then.

2. GSWGP now includes 36 closed cases – All Unnecessary and Unreasonable Litigation Caused by Gragg’s Lawfare/Barratry.

6) Case list emerging from USBC 16-50026, caused by the barratry scam of Gragg and Gargotta, GSWGP, where there is over a 90% probability that Gargotta took a bribe from Gragg, to award the attorneys fees he did award, in a situation where Gragg had no contract with Pilgrim REO, LLC the client Gragg alleged he represented⁹. Gragg submitted a fraudulent proof of claim, 6-4, in August 2020, requesting \$340,000 in attorneys’ fees. It’s pure fraud. Frauds upon the court by OC. And it’s never been adjudicated in a court of competent jurisdiction, by jury.

Summary of All Cases Arising from Gragg’s Barratry Scam in USBC 16-50026						
Court	# Cases listed on case list	+ hidden cases (1 sealed)	Total cases	Minus closed cases (all frauds upon the court)	Still open cases	Still open case #
USBC	5	0	5	-5	0	
USDC	19	1	20	-19	1	20-502
5thC	9	2	11	-9	2	20-50025, 25-50695
State	3	0	3	-3	0	Plan to file new*
Total	36	3	39	-36	2	
SCOTUS	n/a	n/a	0*	-3	1	4 th attempt**

* See cover of draft state court lawsuit on page 30 of 40.

** 4th attempt concerning 21-1278 (1 from jail, 1 in 22-50216 & 23-50692 & now).

⁹ Gragg’s unsigned contract, part of the June 20-21, 2017 “sham claims objection hearing” trial exhibits, was with Capital Crossing Servicing Company, LLC (“**Capital Crossing**” or “CCSC”). Not with Pilgrim REO, LLC (“**Pilgrim**”). CCSC did not present a contract with Pilgrim either. CCSC committed an embezzlement / theft crime. Not one Go7 member had a contract with Pilgrim. It was a complete and utter scam in violation of TRCP 1, 11-13 and requires that all moneys collected be returned to me. It is a complete and utter violation of what I call Rule #1: FRBP 1001, and FRCP 1001 and TRCP 1. The Court System is supposed to be a “gatekeeper against fraud” but became thieves and fraudsters instead. See *In RE: Gilbreath*. As gatekeepers against fraud (insurance), all moneys stolen by USA (Court System & DOJ), must be returned prior to any USA jury re-trial against Pilgrim/CCSC.

3. 9 Cases (+2) at 5thC – All Are Frauds Upon The Court.

7) 25-50062 plus 8 cases at 5thC from 9/2/24 Pacer search inquiry on 'Carl Merkle.' Missing is 20-50025, an open case showing as "Case under seal" plus 1¹⁰.

This is the "surviving Chapter 11 case" a hidden "withdrawal of reference" case open since 1/9/20. Its existence made Gargotta a "fraudulent court" per TPC Chapter 37 from 2019 and beyond.

Case Selection Page				
Case Number Title	Opening Date	Last Docket Entry	Originating Case Number Origin	
20-50025 Case Under Seal				

Two open cases are 20-50025 (hidden) and 25-50695 (Ten Commandments)

Case Selection Page				
Case Number Title	Opening Date	Party	Last Docket Entry	Originating Case Number Origin
20-50014 Pilgrim REO v. Merkle	01/07/2020	Carl Nathaniel Merkle (also known as Carl Nathan Merkle)	08/05/2020 08:43:57	0542-5 : 5-19-CV-740 Western District of Texas, San Antonio
20-50024 Merkle v. Pilgrim REO	01/09/2020	Carl Nathaniel Merkle (also known as Carl Nathan Merkle)	05/14/2024 13:20:41	0542-5 : 5-19-MC-790 Western District of Texas, San Antonio
20-50045 Merkle v. Gragg	01/21/2020	Carl Nathaniel Merkle (also known as Carl Nathan Merkle)	05/14/2020 09:52:00	0542-5 : 5-19-CV-640 Western District of Texas, San Antonio
20-50471 Merkle v. Gragg	06/11/2020	Carl Nathaniel Merkle (also known as Carl Nathan Merkle)	10/14/2020 09:59:33	0542-5 : 5-19-CV-640 Western District of Texas, San Antonio
20-50813 Merkle v. Gragg	09/24/2020	Carl Nathaniel Merkle	03/03/2021 14:56:22	0542-5 : 5-20-CV-541 Western District of Texas, San Antonio
21-50761 Merkle v. Thomas	08/16/2021	Carl Nathaniel Merkle	02/08/2022 14:45:17	0542-5 : 5-20-CV-1060 Western District of Texas, San Antonio
22-50216 Merkle v. Thomas	03/25/2022	Carl N. Merkle	12/09/2022 16:38:45	0542-5 : 5-21-CV-1278 Western District of Texas, San Antonio
23-50692 Merkle v. Thomas	09/26/2023	Carl N. Merkle	08/05/2024 10:28:52	0542-5 : 5-21-CV-1278 Western District of Texas, San Antonio
25-50062 (presently appealed)				

¹⁰ The open "20-50025 Case Under Seal" is a "withdrawal of reference" "preserved and untouched Chapter 11 case" where crimes were alleged in cases 20-50014 to 20-50045 when set up on 1/9/20. Plus, Texas Ten Commandments case in 25-50695 from 25-756-FB. That's trap prophesied by the King of the Universe in Dkt 33¶5 referenced scripture: Psalm 64 and Proverbs 12:13-15 NLT. All lower court judges are apparently waiting for SCOTUS direction on how to proceed now that the "sham Chapter 7 case" is closed. My role as the modern-day Prophet Nathan to US Court System is partially established by aka above. Prior to that I was never known as Nathan in my life. See 2 Samuel 11-12. And see Psalm 32 and 51 for how King David felt after he confessed his sin. US Court System now needs to "confess their sins" against the Supreme Judge, the USA's Isaiah 33:22 king.

8) Listing of all other cases, in three courts (USBC, USDC, state) arising from and associated with USBC case 16-50026, the OC scene. Which means that they are “directly related to the case in this Court” as “frauds upon the court” in GSWGP.

a) 5 Cases at USBC. (All now closed.) 16-50026 (lead case) is an OC scene.

Name	Case No.	Case Title	Chapter / Lead BK case	Date Filed	Party Role	Date Closed
Merkle, Carl (pty) (1 case)	<u>19-05028-cag</u>	Pilgrim REO, LLC v. Merkle	<i>Lead BK: 16-50026-cag</i> Carl N Merkle	05/28/19	Intervenor	02/04/20
Merkle, Carl N (pty) (3 cases)	<u>16-50026-cag</u>	Carl N Merkle	7	01/04/16	Debtor	11/22/22
	<u>17-05013-cag</u>	Merkle v. Lew	<i>Lead BK: 16-50026-cag</i> Carl N Merkle	02/20/17	Plaintiff	07/10/17
	<u>19-05084-cag</u>	Merkle v. Thompson	<i>Lead BK: 16-50026-cag</i> Carl N Merkle	12/30/19	Plaintiff	10/23/20
Merkle, Carl N. (pty) (1 case)	<u>17-05041-cag</u>	Pilgrim REO, LLC v. Janie J. Merkle	<i>Lead BK: 16-50026-cag</i> Carl N Merkle	05/30/17	Intervenor	01/10/19

CREDCOUN, SMBUS, DEBTED, CONVERTED, DeBN-Yes, CLOSED

**U.S. Bankruptcy Court
Western District of Texas (San Antonio)
Bankruptcy Petition #: 16-50026-cag**

Assigned to: Chief Bkrpcy Judge Craig A Gargotta
Chapter 7
Previous chapter 11
Original chapter 11
Voluntary
Asset

Date filed: 01/04/2016
Date converted: 03/18/2020
Date terminated: 11/22/2022
341 meeting: 04/28/2020
Deadline for objecting to discharge: 06/22/2020

Fraudulent conversion! Fraud vitiates everything. See USA v Throckmorton. Is why Johnny Thomas is labeled a “sham” Chapter 7 Trustee. Thomas engaged in pure OC, theft.

b) 20 Cases at USDC. (All closed except 5:20-cv-502 (“20-502”)). An OC scene.

i) One open Article III of US Constitution case that pleads crime.

Case under seal. Opened 4/23/20 during Phase 2 of GSWGP. I want to unseal it and convert it from a “sealed Whistleblower case” to an unsealed 18 USC §241 “conspiracy against rights” case, having zero sanctions and unlimited discovery. Against Go7 and any unrepentant Go30.

1) 5:20-cv00502-XR, Merkle v USA, et al, filed 04/23/20, status OPEN.

Proverbs 22:29 – Do you see any truly competent workers? They will serve kings (like USA's *Isaiah 33:22 King Jesus*) rather than working for ordinary people.

ii) 19 Closed cases, in 3 different Groups. Most, Title 11 only cases. Judges concealed crime allegations as crimes were discovered. Concealing crime is crime: 18 USC §4, TPC Ch 31.

(1) Group 1: 6 closed cases that are part of the 2016 to 2019 “provable to a jury” “Frauds Upon the Court”: The Start of Phase 1 of “Gragg’s scam with gag plot” (“GSWGP”).

2) 5:17-cv-00713-DAE, (“17-713”) *Carl Merkle v. Pilgrim REO, LLC, et al*, filed 07/31/17, closed 08/07/19. Appeal of Gargotta’s July 14, 2017 12(b)(6) opinion published as *In re Merkle*, 574 B.R. 641 (Bankr. W.D. Tex. 2017). The fraudulent 7/14/17 order established a disputed set of summary judgment Fed.R.Evid.201 judicially noticed facts that’s fueled years of “frauds upon the court”. Dkt 68 in 23-50692 attacks this opinion. Three key synchronicities: 1) July 14, 2022 (my release from jail connected to my 12/6/21 kidnapping, the subject of this appeal/Petition), and 2) July 14, 2024 (Trump acknowledged God saved his life from an assassin the day before – connected to 5thC one word “affirmed” 7/12/24 opinion appealed), and 3) July 14, 1789 Bastille Day (correlates to USA Revolutionary war).

3) 5:17-cv-00801-DAE, (“17-801”) *Merkle v. Pilgrim REO, LLC et al*, closed 03/21/19.

4) 5:17-cv-00802-DAE, (“17-802”) *Carl N. Merkle v. Pilgrim REO, LLC, et al*, closed 03/21/19.

5) 5:17-cv-01026-DAE, (“17-1026”) *Merkle v. Pilgrim REO, LLC et al*, filed 10/12/17 closed 03/21/19.

6) 5:17-cv-01063-FB, (“17-1063”), *Pilgrim REO, LLC v. Merkle et al* filed: 10/20/2017, closed 07/16/2018. (Not an appeal case – a moved state case.)

7) 5:17-cv-01138-DAE, (“17-1138”) *Merkle v. Capital Crossing Servicing Company, LLC et al*, filed 11/08/17, closed 03/21/19.

NOTE: All the above Group 1 cases, except 6) were consolidated into 17-713 by time 17-713 was closed on 8/7/19. Synchronicity: 400-year anniversary of slaves imported to Jamestown.

(2) Group 2: 4 closed cases involving Go7’s 2019 “fraud upon Judge Xavier Rodriguez.” – The end of Phase 1 of GSWGP. (Note: Rodriguez knows he’s being scammed and sets up two “withdrawal of reference” cases at 5thC. Sets trap by issuing warning.)

9) 5:19-cv-00640-XR, ("19-640") *Merkle v Gragg, et al*, filed: 06/10/2019, closed 11/26/2019. Was a \$100 million civil lawsuit with a jury demand filed on 6/10/19 just 5 days after Gargotta refused to recuse himself after I reported on crime I had discovered. Both 17-713 and 18-588 were closed into this case on 8/7/19. Lawsuit plead criminal law statutes violated by individuals and organizations. 19-640 was closed on November 26¹¹, 2019 via a fraudulent 12(b)(6) order that uses a fraudulent set of Fed.R.Evid.201 judicially noticed facts, that are Embezzlers' facts that got there via trickery in Gargotta's fraudulent July 14, 2017 12(b)(6) order. Rodriguez's 11/26/19 12(b)(6) order is published as *Merkle v. Gragg, CIVIL NO. SA-19-CV-00640-XR (W.D. Tex. Nov. 26, 2019)*. Gag plot started in 19-640 11/26/19 order is a subject of GSWGP and of 23-50692. Two orders appealed. First in Phase 1 of GSWGP, became 5thC 20-50045. 2nd in Phase 2 of GSWGP, became 20-50471. See also Dkt 33 at Appendix G.

10) 5:19-cv-00740-XR ("19-740") *Pilgrim REO, LLC; et al. v. Merkle; et al*, filed 06/24/2019, closed 11/26/2019. Case became 5thC 20-50014.

11) 5:19-mc-00790-XR, ("19-790"), *In Re: Carl N. Merkle, Debtor*. Filed 07/08/19, closed 11/26/19. Withdrawal of Reference case opened 7/8/19. See cover setting up and closing this case in Motion Exhibit 1 Affidavit Supplement at pages 24-29. Case became 5thC 20-50024 (visible) and 20-50025 (hidden). Gargotta has been a statutory "fraudulent court" per TPC Chapter 37, ever since this case was set up on 7/8/19. It's the Dkt 33¶5 prophesied trap as referenced in the scriptures cited. See page 31 of 40.

12) 5:19-cv-01214-XR, ("19-1214") *Merkle v. Thompson*, filed: 10/10/2019, closed 11/26/2019.

Editorial Commentary on Group 2 of GSWGP cases: Synchronicity associated with November 26, 2019 fraudulent 12(b)(6) order is CV19, a 2 Chronicles 7:13 plague, a Judges 2:10-23 style plague. It appeared in Wuhan China around that date. USBC 16-50026 became pure OC from 11/26/19 on out.

(3) Group 3: 8 Appeals Cases Opened Subsequent to 3/18/20 sham Chapter 7 Conversion Hearing, All Closed, as Title 11, where Judges Concealed Crime alleged – Phase 2 of GSWGP, Pure OC.

¹¹ Synchronistically, or coincidentally, November 26 is the date that the Petition becoming SCOTUS 24-6088 is dated. That's the anniversary date of the first Thanksgiving Day proclaimed by George Washington the year he was elected, and the first under the US Constitution dated 17 September in the Year of our Lord 1787. Now a constitution under attack by evil. Like what is occurring in the 10 Commandments cases in Louisiana, Texas and Arkansas where plaintiffs are trying to "gag God also." So, God, your boss, the Supreme Judge, sent me, a prophet, to speak to you.

13) **5:20-cv-00381-FB**, (“20-381”) *Merkle v. Merkle*, filed 03/25/20, closed 01/31/21.) Appeal of the fraudulent Chapter 7 conversion.

14) **5:20-cv-00541-XR**, (“20-541”) *Merkle v. United States of America*, filed: 05/01/2020 closed 08/31/2020. (Case transfer by DOJ from state court case 2020-ci-06681).

15) **5:20-mc-00586-FB**, (“20-586”) *Merkle et al v. Thomas et al*, filed 05/11/20, closed 05/21/20. (A fake/trick withdrawal of reference). Closed by interlocutory order I was not allowed to appeal. It fooled Thomas.

16) **5:20-cv-01060-OLG**, (“19-1060”) *Merkle v. Thomas*, filed 09/08/20, closed 03/23/21. Became 5thC case 20-50761 that I was kidnapped for to close.

17) **5:21-cv-01007-OLG**, (“21-1007”) *Merkle v. Thomas*, filed 10/18/21, closed 05/26/22. About a nearly \$205,000 aggravated robbery on 10/5/21.

18) **5:21-cv-01278-JKP**, (“21-1278”) *Merkle v. Thomas*, filed 12/23/21, closed 04/11/22. Is the subject of this Petition for Writ of Certiorari (“Petition”).

19) **5:22-cv-00482-FB**, (“22-482”) *Merkle v. United States Marshals Service, Deputy Marshal Mike Parsley et al*, filed: 05/16/2022 closed 06/01/2022.

20) **5:25-cv-00756-FB**, (“25-756”) *Rabbi Mara Nathan v Alamo Heights Independent School District*. I filed an Amicus Brief in here at the request of the Supreme Judge of the World, as His anointed spokesman. A motion denied because of the fraudulent “gag orders” against me, see page 2 of 40. Case brought appears to be barratry scam too. See Dkt 34 in that case.

c) **3 Cases in State Court.** (All closed and transferred to either USDC or USBC. Transfers by Merkle’s opponents were illegal, and concealed crime.)

1) **2016-CI-13558**, *Pilgrim REO LLC vs Janie J Merkle*, fraudulently opened by Gordon 8/12/16, closed 5/30/17. Ultimately it became 5thC 20-50014.

2) **2017-CI-14953**, *Carl Markle vs James Stanley, et al*, opened 8/14/17, transferred on or about 10/10/19. Ultimately it became 5thC 21-50761. I was kidnapped on 12/6/21 to close that 21-50761 case.

3) **2020-ci-06681**, *Carl N. Merkle vs David S. Gragg, et al*, opened 4/6/20, transferred by DOJ to USDC :20-cv-00541-XR 5/1/20. Ultimately it became 5thC 20-50813.

9) The above litigation is my defense against a demonically inspired Go7, who “set up” the rest of the Go30 to commit crime: concealment of “alleged crime”, meaning “said crime” per AIII. All Go7’s lawfare/barratry was unnecessary & illegal.

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IV. INDEX TO APPENDICES

Per July 2019 Guide For Prospective Indigent Petitioners For Writs Of Certiorari:

APPENDICES:

APPENDIX A – 5thC Order of 7/24/24 (25-50062). It is ambiguous as to whether it is “Affirming” Dkt 14 (Appendix B), or Dkt 38 (Appendix C).

APPENDIX B – USDC Order of April 11, 2022, Dkt 14. This is the order approved by SCOTUS via its Petition in Denial in case 24-6088.

APPENDIX C – USDC Order in case 21-1278 of January 14, 2025, Dkt 38. Conceals crime allegations. Conceals spiritual nature of case. Is libelous.

APPENDIX D – USDC Orders of Fred Biery. Lies. One of 8/5/25, Dkt 50, in Ten Commandments case *Rabbi Mara Nathan v Alamo Heights Independent School District*. Plus, a 6/1/22 Dkt 3 in Habeas Corpus case, where God, not a human judge released me by telling me to pay the \$7,500. Both orders conceal crime allegations and conceal spiritual nature of case. Both are libelous. Both should be overturned by SCOTUS at same time as App C. See <https://tinyurl.com/BieryLied>, Dkt 1-4 & 3¶1.

APPENDIX E – Statutory language of 18 USC §241 “conspiracy against rights”. (See <https://tinyurl.com/18USC241>.) Same comment as Appendix F.

APPENDIX F – USA’s Founding Documents as electronic exhibits since was returned to me in the 354-page package I sent that is now ROA.25-50062.4906-5261. So, see: <https://tinyurl.com/USA-TX-FoundingDocs>.

APPENDIX G – Electronic exhibit “Dkt 33” “miracle version” showing bates stamp of 1774 to 1779: <https://tinyurl.com/Dkt33-ROA>. Where ¶5 (shown on page 31 of 40) starts on page bates stamped “1776.” What are statistical odds but for God?

APPENDIX H –Transcript of Kirk Cameron’s explanation of the National Monument to the Forefathers, the nation’s largest granite monument, located in Plymouth, MA. Electronic exhibit at: <https://tinyurl.com/Transcript-M2F>. Source: Motion to Stay Mandate in 25-50062. Is Forefathers vision for a free & just society. A way that worked, but abandoned/forgotten, especially by the left.

APPENDIX I – 24 minutes. Opening sermon on 9/13/25, just three days after Charlie Kirk was martyred: <https://tinyurl.com/CBC-9-13-25>. Start at 36 minutes.

V. TABLE OF AUTHORITIES

<u>CASES</u>	<u>Page</u>
12(b)(6) Guidance in Western District of Texas Pro Se Guide	Not cited (“NC”). ¹²
Guide to Contract Interpretation, Reed Smith, July 2014 (Interpretation against the draftsman.)	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Page numbers will not be included on any authority listed. </div>
In re Gilbreath, 395 B.R. 356 (2008) – fraudulent claims when objected to. Judge role to be gatekeeper against fraud.	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Page numbers will not be included on any authority listed. </div>
Holloway vs Wells Fargo, Case 3:12-cv-02184-G-BH Document 11 Filed 02/26/13 – pro se claimants Opportunity to Amend	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Page numbers will not be included on any authority listed. </div>
Local Loan Co. v. Hunt, 292 U.S. 234, 244 (1934) – purpose of bankruptcy per Supreme Court	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Page numbers will not be included on any authority listed. </div>
United States v. Throckmorton, 98 U.S. 61 (1878) – fraud vitiates everything	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Page numbers will not be included on any authority listed. </div>
Seaboard Factors, as used in SEC cases, for organizations to do their own internal reviews over their own employees and agents' compliance with laws and regulations.	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Page numbers will not be included on any authority listed. </div>
Other cases (and law) cited in the above cases and Guide to Contract Interpretation. Case law concerning misprision of felony. (Am not citing <i>Stone v Graham</i> (1980), <i>Everson v Board of Ed</i> (1947) even though mentioned on page 2 of 40.)	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Page numbers will not be included on any authority listed. </div>

STATUTES AND OTHER AUTHORITIES

Single most important law.¹³

¹² In these Tables, not all cases, laws, and constitutional law provisions are necessarily mentioned in the body of the section starting at VI. Opinions Below. They are included here, because these are key cases, or statutes or constitutional law provisions cited in the inferior courts. Massive fraud occurred. There is zero basis in true fact and true law for what has gone on. It is all a complete and utter scam run by criminally behaving attorneys and “Title 11 only judges”.

¹³ The single most important law, for purposes of this Petition is 18 USC Chapter 13 (Civil Rights), §241 “Conspiracy Against Rights”. (Appendix E). Merkle demands a jury trial, a constitutional right (state and federal) that he has been denied so far, by a criminally behaving Title 11 system via the USBC 16-50026 case closed 11/22/22. Now a “court of law” needs to pick up the case as Title 18. And restitution paid, in advance, for the utter failure of the Title 11 system and its appeals system.

STATUTES AND OTHER AUTHORITIES

FOUNDING AND CONSTITUTIONAL DOCUMENTS	
July 4, 1776 Declaration of Independence	
Opposed to Tyranny, Complaint that no jury trials Invokes the Laws of Nature and Nature's God (¶1), Creator (¶2), Supreme Judge of the World (last ¶), divine Providence (last ¶) ¹⁴ .	
Merkle's complaint that Judge Gargotta and Johnny Thomas do not have Merkle's consent and do not have just powers or any powers that Merkle recognizes. There has been a long train of abuses and usurpations. See SCOTUS 24-6088.	
US Constitution	
Preamble as "ordained and established", is a government of "We the People", (not of judges.) To ... establish justice ... and secure the Blessings of Liberty to ourselves and our Posterity. (Plus 4 other clauses, in a "covenant with God".)	
Separation of Powers Articles I, II and III	
Article III, Section 2 – jury trial required if "said crimes"	
Amendment VII – Jury trial required	
Amendment XIV – shall not deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.	
Texas Constitution. Many rights violated. Some examples:	
Article 1 – § 15 Jury trial required	
Article 1 – § 18, No person shall ever be imprisoned for debt.	
Article 1 – § 19 No citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land. (The absolute lawlessness of the San Antonio judges angered the "God of the Founding Documents." Plagues ensued.)	

¹⁴ Where divine Providence exists, divine Discipline exists also. See Hebrews 12:7 and Proverbs 3:11-12 NLT. Many plagues I claim stem from my BK case (spiritually), where Supreme Judge has been my Article III judge as human judges and clerks failed over and over to what is right and lawful. The USA Court System via Gargotta and Thomas and CSGJ harmed a Prophet of God Most High. Gargotta is in "utter contempt" of the Word of God as the "Word of God" is embedded in US and Texas Constitutions and laws, criminal law statutes. See Genesis 12:17-20, 20, 26:1-11. 2 Samuel 11-12. Especially, 2 Samuel 12:14b. History repeats itself (Ecclesiastes 1:9), because the "spiritual battle" is the same in the war between good and evil. (Ephesians 6:12). A war for souls over the two paths of life: good and evil, between the two spiritual kingdoms that rule the entire earth via "thought transfer": light and darkness. (See 2 Corinthians 10:5, Colossians 1.)

CONSTITUTIONAL LAW VIOLATIONS USA and Texas

See Appendix F Electronic Exhibits

<p>Key Law Requiring Writ of Certiorari:</p> <p>Article III of the US Constitution – jury trial required for “said Crimes”, USA is a party, citizens of different states, and a Title 11 administrative trial court judge, a Chief Bankruptcy Judge, not on “good behavior” engaged in OC. From 2020-2022, statutorily, per state law, Gargotta was a “fraudulent court” engaged in a consistent long-term pattern of behavior involving “dishonesty, fraud, deceit and misrepresentation”, aiding and abetting attorney run unlawful debt collection and barratry scams. Committed two violent first-degree felonies (aggravated kidnapping and aggravated robbery) to conceal his crimes in 5thC 21-50761 and failed to recuse himself where conflicts existed. And he committed “provable to jury” “frauds upon the court” “setting up” fellow US judges to commit crime, thus creating a statutory CSG of 22 US Judges (“CSGJ”) that includes the US Supreme Court (per 18 USC Chapter 96 and Texas law). Gargotta statutorily conspiratorially, stole Merkle’s hazard insurance money and ultimately embezzled \$1.5 million from Merkle, and denied Merkle of numerous constitutional rights, like trial by jury, fair trials and due process of law. The attorney run unlawful debt collection and barratry scam has zero basis in true and true fact due to judicial use of fraudulent so-called Fed.R.Evid.201 “judicially noticed facts” that got there by trickery in a fraudulent 7/14/17 12(b)(6) order thus creating a FEAR-based judicial record (<u>False Evidence Appearing Real</u>). Concealing crime and allegations of crime, is a crime.</p>	
<p>US Constitution violations by USA and Go7, 30.</p> <p>Article III</p> <p>Sec 1 – SC & inferior courts, good behavior required</p> <p>Sec 2, Cl 1 – Subjects of jurisdiction (USA a party, citizens of different states).</p> <p>Sec 2, Cl 3 – Trial of all “said Crimes” (alleged crimes) by Jury (makes no distinction between crimes prosecuted civilly with private right of action, or criminally by government) in State where alleged crimes committed (Texas).</p> <p>Amendment I – Religious and political freedom and right to freedom of speech and to petition Government for redress of grievances (i.e. alleged crimes, and improper use of sanctions initiated by Go7 to shut up opponents).</p>	

Amendment IV – right to be secure in persons and effects against unreasonable seizures of persons and effects.	
Amendment V – No person shall be deprived of liberty or property without due process of law.	
Amendment VI – has not started yet due to failures by CSGJ and FBI and DOJ and US Marshals and SAPD.	
Amendment VII – Jury trial required. Jury to determine facts. Not judges using vehemently disputed so called judicially noticed Fed.R.Evid.201 facts that got there by trickery on June 20, 2017 as evidenced by the fraudulent July 14, 2017 12(b)(6) order that is a cut and paste of defendants' motion to dismiss and does not use Merkle's facts. Started the FEAR-based ("False Evidence <u>A</u> ppearing <u>R</u> eal) judicial record, which is libel against Merkle.	
Amendment VIII – in retrospect, Gargotta's 2017 – 2022 deceptive orders, fraudulent orders, based on slander and libel inflicted "cruel and unusual punishments".	
Amendments IX and X – powers retained by the people and to the states. (ie. Gargotta created bad state law, harming Texans, via fraudulent judicial orders not appealed, on purpose to lock in a provable to jury fraud upon the court.)	
Amendments XIII – slavery and involuntary servitude prohibited. Merkle became slave of US Trustee organization (DOJ), doing their work for them since they utterly failed in their duties, their mission to detect fraud.	
Amendment XIV, Sect 1 – shall not deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. (Gargotta and USBC Title 11 appeals system in USDC is a "deep state" "secret government" stealing from citizens and then denying them basic constitutional rights).	
Amendments XV, XIX, IV, XXVI – Basic principle: The right of citizens to vote shall not be denied or abridged ... (Merkle's 7-month unlawful detainment without any due process of law, by a criminally behaving judge who lacked any true legal authority to do what he did, denied and abridged that right, along with 2020 stolen presidential election, the national component of case). Appeals judge Fred Biery is a part of that crime by lying in 22-482-FB Dkt 3¶1 as compared to Dkt 1-4. App D link. San Antonio judges are not trustworthy. They consistently lie. They conceal alleged judicial and attorney involvement in crime. All San Antonio lifetime judges. It's a rotten apple barrel there.	

<p>Texas Constitution Article I Bill of Rights violations by USA and Go7/30 or provisions and rights of relevance to reform a criminally behaving government. (See App F.) Many rights violated. Some examples:</p>	
<p>§ 2 – The people have at all times the inalienable right to alter, reform or abolish government¹⁵ in such a manner as they may think expedient.</p>	
<p>§ 3 – Equal rights</p>	
<p>§ 3a – Equality under the law</p>	
<p>§ 4 – public office holders [must] “acknowledge the existence of a Supreme Being”.</p>	
<p>§ 5 – Witnesses are not disqualified to give evidence in any Courts on account of his religious opinions.</p>	
<p>§ 6 – Freedom of worship. A right to worship Almighty God according to the dictates of their own consciences. Or maintain any ministry against his consent. (Where Gargotta is alleged to be a ministry [of government, of a deceptive and cruel government] to which Merkle does not consent.)</p>	
<p>§ 8 – Freedom of speech; libel. In all indictment for libels, the jury shall have the right to determine the law and the facts, under the direction of the court.</p>	
<p>§ 9 – The people shall be secure in persons, houses and possessions from all unreasonable seizures.</p>	
<p>§ 11 – bail. All prisoners shall be bailable by sufficient sureties.</p>	
<p>§ 11a – defines Aggravated Robbery and Aggravated Kidnapping as violent offenses.</p>	
<p>§ 12 – The writ of habeas corpus is writ of right and shall never be suspended. Remedy is supposed to be speedy and effectual. But I sat in prison for 7 months, until the Supreme Judge released me – thereby pinpointing the 210-area code (San Antonio / Bexar County) as object of God’s anger.</p>	

¹⁵ I am focused on a “single branch of government.” A “deep state secret government” creating very bad Texas law by Title 11 system judicial decree, by misinterpreting Texas law, stating fraudulent facts, and harming Texas citizens. A secret government that has no accountability, as the facts of this case will show. Some form of “citizens oversight group” needs to be formed since US Trustee / DOJ and Appeals process is completely ineffective in curbing white collar crime and corruption running rampant through the SABJS. Where crimes were committed by a “gang of judges”. The Go7 needs to eventually be severely punished. It should not have gone this far. This bad. It is a total breakdown in “internal controls” over compliance with laws and constitutions in the Title 11 system.

§ 13 – Excessive bail and excessive fines shall not be required or imposed, nor cruel or unusual punishment inflicted. Every person shall have remedy by due course of law.	
§ 14 – Double jeopardy only applies with court of competent jurisdiction. (The Title 11 court was not a court of competent jurisdiction for Merkle's complaint about "misapplication of hazard insurance". In fact, under state law, USBC was a fraudulent court. Merkle's BK case has been an Article III of the US Constitution case, since inception, due to Denis Stratford's theft/embezzlement of Merkle's hazard insurance by OC. The same crime Gargotta committed.)	
§ 15 – "The right of trial by jury shall remain inviolate." Provides for "temporary commitment, for observation" "of mental [state] of persons not charged with a criminal offense, for a period of time not to exceed ninety (90) days". Merkle was unlawfully and unconstitutionally held 221 days until the \$7,500 ransom demand/unlawful debt collection was paid. (The Supreme Judge released Merkle, not human judges.)	
§ 18 – "No person shall ever be imprisoned for debt."	
§ 19 – "No citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land."	
§ 27 – Citizens have a right to apply to those invested with the powers of government for redress of grievances.	
§ 28 – No power of suspending laws in this State shall be exercised except by the Legislature.	
§ 29 – Bill of Rights excepted from powers of government and inviolate	
§ 30 – Rights of crime victims to be treated with respect	
§ 31 – Funds for compensation to victims of crime	
Texas Constitution Article II The Powers of Government violation by USA and Go7	
§ 1 – The Separation of Powers of Government among three departments was violated when Gargotta's 2017 orders became law in 2019 based on fraudulent facts and misinterpretation of law and contract after Merkle refused to appeal Ezra's fraudulent August 7, 2019 orders in order to have a "provable to a jury" "fraud upon the court" case in a jury trial under criminal law statutes, as reflected in those crimes plead in 19-640. Crimes that have gone ignored so far by judges. Like how George Soros funded DA's ignore crime.	

TITLE 18 - FEDERAL CRIMINAL STATUTES

18 USC Codes (Article III and Amendment VII of US Constitution)

**THREE MAIN TITLE 18 LAWS FOR WHICH MERKLE HAS A PRIVATE
RIGHT OF ACTION AS A CIVIL LITIGANT IN 5:20-CV-502. AND FOR WHICH
MERKLE DEMANDS A JURY TRIAL FOR CIVIL RIGHTS VIOLATIONS!**

18 USC Chapter 13—Civil Rights¹⁶	
§ 241. Conspiracy against rights	
§ 242. Deprivation of rights under color of law	
§ 245. Federally protected activities	
§ 246. Deprivation of relief benefits	
§ 247. ...Obstruction of persons in the free exercise of religious beliefs	
§ 249. Hate crime acts	
18 USC Chapter 96, Racketeer Influenced and Corrupt Organizations (RICO)	
For unlawful debt collection. Including the \$7,500 unlawful debt collection check dated 7/11/22 where I was released on 7/14/22. This law makes the entire US Court System liable, all the way up to the Supreme Court (and including 5 th Cir judges), for the criminal acts by Thomas & Gargotta. There is a lack of sufficient internal controls (to prevent and detect such crimes) and poor Tone from the Top.	
18 USC Chapter 47, Fraud and False Statements,	
§1001 Statements or entries generally	
§1031 Major fraud against the United States	

¹⁶ My case going forward in 20-502 is an Article III and Amendment VII of the US Constitution case and Texas Constitution Article 1, §15 case. All three constitutional laws require jury trial. I have a private right of action under 18 USC Chapters 13, 47 and 96 in that order of priority for me. Plus, under common law tort for Misprision of Felony and Accessory after the fact. I also have a private right of action under all Texas Penal Codes (“TPC”), state criminal law statutes. No one is above the law. Not one attorney, judge or DOJ employee or agent has immunity from the law. So, that includes attorneys, judges, US Trustees, US Marshals, FBI, DOJ, and any state agencies that ignored my pleas. Such as SAPD, San Antonio City Council, Bexar County Commissioners, Bexar DA and Sheriff, etc. Crime is dramatically up in my county and in the nation due to abject government failure on a grand scale. The only thing that will fix things, is a return to the Supreme Judge of the World, who is Jesus Christ of Nazareth. Where the “fear of God” the “fear of the law” gets instilled in those government officials via civil prosecution by “We the People” whose civil rights involving “wholesome laws” are enforced. Former DOJ pursued cases under unrighteous law, FACE act, and arrested praying Christians at abortion clinics. That was absolutely disgusting and demonic! What about the rights of the unborn child? Abortions should not be used for birth control. Use self-control instead.

TEXAS PENAL CODES (TPC) - STATE CRIMINAL LAW STATUTES

TPC'S FOR WHICH MERKLE HAS A PRIVATE RIGHT OF ACTION AS A CIVIL LITIGANT IN 5:20-CV-502. AND FOR WHICH MERKLE DEMANDS A JURY TRIAL! FREE AND CLEAR OF SANCTIONS.

Key Codes Primarily Focused On. (Others were violated.)

TITLE 11 ORGANIZED CRIME	
Chapter 71 Organized Crime	
§71.01 Definitions	
§71.01(d) Definition of Criminal Street Gang	
§71.02 Engaging in Organized Criminal Activity	
§71.05 Renunciation Defense	
TITLE 5. OFFENSES AGAINST THE PERSON	
Chapter 20 Kidnapping, Aggravated Kidnapping	
§20.02 and §20.04(a)(1)(3)(5)(6) and (b)	
TITLE 7 OFFENSES AGAINST PROPERTY	
Chapter 29 Robbery	
§29.03 Aggravated Robbery	
Chapter 31 Theft, many subsections	
Chapter 32 Fraud, many subsections, including	
§32.01 Definitions	
§32.03 Aggregation of Amounts Involved in Fraud	
§32.45 Fraud, Misapplication of Fiduciary Property	
§32.42 Deceptive Business Practices.	
§32.42(b)(12)(B) Fraud Deceptive Business Practices in connection with a sale of real estate (i.e. fraudulent claims).	
TITLE 8 OFFENSES AGAINST PUBLIC ADMINISTRATION – See transcript of 3/22/22 at ROA.25-50062.5099-5107.	
Chapter 36 Bribery and Corrupt Influence	
§36.06 Obstruction or Retaliation	
Chapter 37 (Perjury and Other Falsification), many sections	
§37.08 False report to law enforcement (both US Marshals and SAPD observer, re: kidnapping on 12/6/21 via oral order.)	
§37.13 Record of A Fraudulent Court – Gargotta's court has been a fraudulent court since at least July 2019.	
Chapter 38 Obstruction of Governmental Operation	
§38.12 Barratry	
Chapter 39 Abuse of Office	

TITLE 18 - FEDERAL CRIMINAL STATUTES
18 USC Codes (Article III and Amendment VII of US Constitution)

TITLE 18 LAWS VIOLATED FOR WHICH MERKLE DOES NOT HAVE A PRIVATE RIGHT OF ACTION BUT MIGHT BE ABLE TO PLEAD NEAR EQUIVALENT AS CIVIL TORT OFFENSES, ESPECIALLY FOR 18 USC CHAPTER 1 PROVISIONS!

Key Codes Identified (Others were violated)

18 USC Chapter 1 General Provisions	<p>None of these laws are a focus of mine since I do not have a private right of action to plead them. But they are included to show the DOJ and DA's abject failure to take any action whatsoever against any Go7. It's no wonder that the USA is going to hell in a handbasket, because of the absolute failure of the entire law enforcement structure involving my case. Local and national.</p>
§ 3 Accessory after the fact	
§ 4 Misprision of felony – concealing crime and concealing allegations of crime is a crime	
§ 16 Crime of violence defined	
18 USC Chapter 9 Bankruptcy¹⁷	
§152 false oaths and claims	
§153 embezzlement against estate	
§157 bankruptcy fraud (includes "attempted fraud")	
§158 Designation of US Attorneys and agents of FBI to address abusive reaffirmations of debt and materially fraudulent statements	
18 USC Chapter 19 — Conspiracy	
§371, Conspiracy to commit offense or to defraud United States	
§372, Conspiracy to impede or injure officer	
§373, Solicitation to commit a crime of violence	
18 USC Chapter 31 Embezzlement and Theft – (anywhere embezzlement is mentioned)	
§645 Court officers generally	
§657 Lending, Credit and Insurance Institutions	
18 USC Chapter 65, §1341 – Frauds and swindles	
18 USC Chapter 95, Racketeering,	
§ 1951. Interference with commerce by threats or violence (extortion)	
18 U.S. Code CHAPTER 113—STOLEN PROPERTY	
§ 2314. Transportation of stolen goods, ... moneys, ...	
§ 2315. ... receipt of stolen goods, securities, moneys, ...	

¹⁷ It is pretty bad when a Chief Bankruptcy Judge violates criminal law statutes he is obliged to make sure are not violated. Judges are supposed to be gatekeepers against fraud (In RE: Gilbreath). Gargotta is a Liar, a Fraudster, Slanderer, Gangster, kidnapper, tyrant, and Swindler instead. It's appropriate that 5thC referred case to SCOTUS on 7/2/24 & 7/24/25 via a one word order where they committed crime: concealing allegations of crime, by not being clear which order is "Affirmed".

PROFESSIONAL RULES AND OTHER LAWS (NON-CRIMINAL) VIOLATED BY ATTORNEYS AND JUDGES (A SAMPLE)

AN FULL INTERNAL INVESTIGATION, A TYPE OF SEABOARD FACTORS REVIEW, MUST BE DONE BY HONEST INVESTIGATIVE JUDGES RESPONSIBLE FOR OVERSEEING PROFESSIONAL AND JUDICIAL COMPLIANCE WITH LAWS AND REGULATIONS

Fed.R.Evid 201 ¹⁸ Judicially noticed facts. Disputed, fraudulent and FEAR- based.	
RULE #1 – About attorney fees: FRBP 1001, FRCP 1, TRCP 1 Others were violated (ie. SC Rule 8)	
Code of Conduct for United States Judges (violated) - Judicial Canons 1, 2, 3, 5	
Fed.R.App.P. Rule 10(e)(1)	See note ¹⁹
Federal Rules of Bankruptcy Procedure (selected items)	
FRBP 1129 (as used improperly by Go7 in a plot)	
FRBP 3001 (for fraudulent and contested claims)	
FRBP 5004 Disqualification and related 28 USC 455	
FRBP 8018.1 (AIII Court) Review of a Judgment that the BK Court Lacked the Constitutional Authority to Enter.	
FRBP 9011, FRCP 11 and TRCP 13	
11 U.S. Code § 501 - Filing of proofs of claims or interests	
11 U.S. Code § 502 - Allowance of claims or interests	
FRCP 56 – Summary Judgment / FRCP 12(b)(6)	
FRCP 60 - Relief from a Judgment or Order - fraud	
28 U.S.C. §157(d)	
Texas BUSINESS AND COMMERCE CODE	
Chapter 17 (Deceptive Trade Practices Act)	
Sec. 17.44 – purpose ... to protect consumers against false, misleading, and deceptive business practices, unconscionable actions	
TRCP Rule 1, 11, 12, 13	
Cooley on Torts	
Civil Justice for Victims of Crime	

¹⁸ Although not addressed in this brief, this is a key issue that caused the many “frauds upon the court”. Gargotta virtually copied and pasted Gragg and Wilson’s version of the facts from their May 18, 2017 Motion to Dismiss for 12(b)(6) into his 7/14/17 12(b)(6) order establishing a fraudulent set of Fed.R.Evid.201 judicially noticed facts that fueled years of frauds upon the court. They are not Merkle’s facts. They are Embezzlers’ facts. It has been a complete and utter sham since then.

¹⁹ This rule is part of what makes 5th Circuit appeals criminogenic in OC crime cases involving officers of the Court and USA insiders.

BIBLE / SCRIPTURE AUTHORITY

As the Ten Commandments are symbolic of, all governmental authority comes from God and continues through God. All authority on heaven and on earth is vested in the Supreme Judge, the USA's Isaiah 33:22 king, judge and lawgiver, as Matthew 28:18-19 says. This land was dedicated to the Kingdom of God in 1607 by Robert Hunt, and this nation was founded in 1776 on a Judeo/Christian ethic.

Both federal and state constitutions provide religious liberties.

This case is part of a national and global Ephesians 6:11-12 spiritual "battle for the soul of the nation" as the graphic at ROA.21-50761.2477 illustrates.

<https://tinyurl.com/ROA-2477>. And that battle between "two spiritual kingdoms" (see page 33 of 40) includes both local and national components of my case.

As of now a great falling away occurred and the nation and world are experiencing plagues under "natural law" by "Nature's God". (A Judges chapter 2 cycle.) The God of the Bible is: "Nature's God", Creator, Supreme Judge of the World, and divine Providence (and discipline) as the July 4, 1776 Declaration of Independence indicates. And is "Lord" in Article VII of US Constitution.

The nation is experiencing mild 2 Chronicles 7:13 plagues, relative to the soon coming Revelation 9 plagues. I assert that USA is Ephraim. And that I see USA in scripture from Genesis to Revelation, but few have this insight. Isaiah 33:22 says: "*For the LORD (YHWH) is our judge, our lawgiver, and our king. He will care for us and save us.*" YHWH is Jesus Christ. Jesus is YHWH.

The mild plagues are intended to "wake up" the wise bride of Jesus Christ. But about half the Christian population is "woke" – the devil's version of being awakened. Whatever God has, the devil has a counterfeit. A revival started on February 8, 2023 at Asbury in Kentucky, spreading out like fire.

The Bible is the best-selling book of all time and is the world's greatest authority on spiritual, moral and ethical behavior, and cause of such behavior. Our Founding Fathers envisioned a free and just society under the word of God as indicated by the nation's largest granite monument. Formerly known as Pilgrim's Monument and also known as Faith Monument, is now called Monument to the Forefathers. See <https://tinyurl.com/MonumentToTheForefathers>. A 5-minute video where the Monument is explained to a small group of people by Kirk Cameron. Everyone in USA, especially judges, should watch that short video.

The cause of all crime (wholesome law) is sin – but not all sin is crime.

My BK case became a "Psalm 78:1-2 type of parable," created by the Supreme Judge, comparing my "financial bankruptcy" filed for proper purpose to stop an illegal foreclosure with the "spiritual, moral and ethical (i.e. character) BK" of all Go7 members and of the deficient Title 11 System appeals processes.²⁰

²⁰ Last item in this table.

VI. OPINIONS BELOW

TO THE HONORABLE UNITED STATES SUPREME COURT JUSTICES, and,

TO THE HONORABLE AND GLORIOUS "SUPREME JUDGE OF THE WORLD", THE KING OF THE UNIVERSE AND KING OF THE UNITED STATES OF AMERICA:

A. Opening Statement by a Citizen whose Constitutional Rights were violated by Organized Crime operating in the Title 11 System²¹.

1) Joyfully, singing praises and thanksgiving to the Supreme Judge of the World ("Supreme Judge")²², my King, my Judge and my Avenger, comes now a persecuted child and prophet of Almighty God, *Whistleblower* and *Plaintiff* in open (since 4/23/20) sealed whistleblower case USDC 5:20-cv-502 ("20-502") and *Debtor* in a surviving 5thC 20-50025 Chapter 11 "withdrawal of reference" BK case, *Investigative Accountant*, Carl Nathaniel Merkle ("Merkle"), CPA retired, in pro se. I'm under Oath, under penalty of perjury, to tell the truth. GSWGP harmed me. The bankruptcy judge most likely took a bribe from David Gragg to commit the multiple felonies he committed against me that appeals systems then covered up via GSWGP.

²¹ **A More Descriptive Title:** Opening Statement by A Citizen, a Prophet, Whose Constitutional Rights, Many, Were Violated by Organized Crime ("OC"), RICO, Operating in the Title 11 Bankruptcy ("BK") Administrative System. Where the Identifiable Leader of a Statutory "Criminal Street Gang" of 22 US Judges ("CSGJ") Per Texas Law, is now Chief BK Judge Craig A. Gargotta. He confirmed a fraudulent Chapter 11 plan of reorganization, then embezzled my hazard insurance, then ultimately stole \$1.5 million and kidnapped me. So, the Supreme Judge, the nation's Isaiah 33:22 King, took over, allowing many 2 Chronicles 7:13 plagues, Judges 2:10-23 style plagues to occur costing the nation trillions of dollars in damages, and dominating headline news.

²² The Supreme Judge is the Highest Court in the Land. Above SCOTUS. He's invoked in the last ¶ of July 4, 1776 Declaration of Independence ("DOI"). He's the USA's Isaiah 33:22 King. A kingdom not of this world, a kingdom of above. Isaiah 33:22 was James Madison's inspiration for drafting Articles I to III of US Constitution. Via Founding Documents, a Joshua 24-style covenant was made by our nation's forefathers with Him that brought "blessings of Liberty." All governmental authority comes from Him and continues through Him. He's the ultimate Article III ("AIII") judge. He's been "my AIII judge" ever since BK judge Gargotta, a statutory "fraudulent court" per TPC Chapter 37 has been engaged in open criminal behavior since 3/18/20. That date is when Gargotta fraudulently converted my Chapter 11 ("Ch11") to a "sham Chapter 7" ("Ch7") engaged in OC.

I want my constitutionally guaranteed jury trial in 20-502 against the USA and Go7 free and clear of any sanctions or other injunctions. Prior to that trial, the USA must pay me for what USA judges allowed to be stolen from me to both: 1) restore integrity, and 2) since they are "guarantors". See *In RE: Gilbreath*. Instead of being "gatekeepers against fraud," a CSGJ emerged that are fraudsters and thieves instead, breaching the covenants, thereby arousing the wrath of God, divine Discipline. Where divine Providence exists, divine Discipline exists also. Hebrews 12:7 NLT, Deut 28.

2) I'm a victim of violent crimes (aggravated kidnapping and aggravated robberies) GSWGP committed by the demonically inspired "Gang of 7" ("Go7") aided by the demonically deluded "Gang of 30" ("Go30") of mostly USA employees. This Petition does not "stand alone." It is an addendum to the Petition in SCOTUS 24-6088 where I won by the most bizarre means: a Petition in Denial approving Dkt 14 in USDC case 21-1278. (Appendix B.) Dkt 14 removed all sanctions. I could see that fact after the 354-page package I sent (ROA.25-50062.4906-5261.) was cut by SCOTUS to just 50 pages (ROA.25-50062.4784-4835.). Those 50 pages were docketed on 12/6/24, but date stamped on cover sheet shows as received on 10/7/24.

3) Interestingly,²³ and one of many signs of supernatural involvement by the "God of the Founding Documents" in my BK case, is that the 12/6/24 docketing date is the exact 3-year anniversary of 12/6/21. 12/6/21 is when consistently criminally behaving bankruptcy judge Craig A. Gargotta kidnapped me to close then open 5thC 21-50761 that painted Gargotta as an enforcer for OC with a then "criminal street gang" of 7 US judges. Gargotta (and rest of Go7) engaged in a long-term pattern of behavior involving "dishonesty, fraud, deceit and misrepresentation," setting up appeals judges to commit crime. Gang grew to 22 under USDC Judge Jason Pulliam.

4) By issuing a fraudulent oral order on 12/6/21 saying I was in contempt of court, "a fraudulent judge"²⁴ Gargotta used US Marshals to do physical work²⁵ of kidnapping me with a plan to close then open 5thC appeals case 21-50761.

²³ Interestingly, the cover stamp date of October 7, 2024 was the one-year anniversary of Hamas attacking Israel, starting the Israel/Hamas war that has been going on since then. So, two amazing "date coincidences," I call them synchronicities, with this docketing of my 24-6088 case:

<https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/24-6088.html>

²⁴ Gargotta, a fraudulent judge, lacked jurisdiction from day one of my bankruptcy case, due to the existence of OC. The theft/embezzlement of my hazard insurance by Denis Stratford done by OC. David Gragg represented the loan servicer who committed three crimes in attempting to foreclose on my then sole and primary personal residence and planned form of retirement income: 1) Theft / embezzlement / statutory fraud misapplication of my hazard insurance a TPC Chapter 32 fraud, §32.45 misapplication of fiduciary property crime, and TPC Chapter 31, theft / embezzlement crime, and TPC Chapter 71, organized crime violation since three or more people were involved in the crime.

²⁵ From jail, where I was kidnapped to, a Petition for Writ of Habeas Corpus was filed. Fred Biery became the judge in that case. Biery lied in that 22-482-FB case too. The record on appeal at 5thC was never completed. This is an example. See case file at <https://tinyurl.com/BieryLied>.

a) 21-50761 painted Gargotta as an enforcer for OC (updated now for 9/10/25):

16-502265-caj-ds21578-JK Filed 02/24/24 Entered 02/25/22 11:29:30 AM to
Supplemental Pg 117 of 237
Case: 21-50761 Document: 00516108527 Page: 14 Date Filed: 11/19/2021

REMEMBER THE ALAMO, and Charlie Kirk

Enforcer for Organized Crime	Enforcer for Kansas City Crime Family
Administrative Bankruptcy Judge C. Gargotta	C. "Mad Dog" Gargotta

DRAIN THE SWAMP!

The Nine following cryptic words could now describe Merkle's case and the National Case, once understood. And they could represent a battle cry against the tyranny upon us all due to stolen election in which Merkle's case is a "spiritual source" just like it is the "spiritual source" of the CV19 virus God sent as a "parable" to wake up his bride:

Remember the Alamo! And Charlie Kirk!
Drain the Swamp!
Let's Go Brandon!

On 9/10/25, an assassin's bullet sliced through Charlie Kirk's neck in front of a crowd and cameras turning Charlie Kirk into a martyr for the Christian faith. A symbol of bravery under fire. A "shot heard round the world." One of three that I tie synchronistically to this case: 1) April 19, 1775, 2) July 13, 2024 and 3) September 10, 2025. A "Turning Point" in American History. Became headline news. Seems to be sparking a revival. Time will tell. Charlie pointed out that Christ said, "upon this rock I will build my Ecclesia." Ecclesia is a secular Greek term.

See <https://tinyurl.com/UTSA-CharlieKirk-Vigil>. Crowd estimate: 5,000+ people.

22-50216.603 ...

b) Stolen 2020 election is part of "national component" of my case. I'm focused now on "local component": the \$1.5 million theft, kidnapping and gagging.

c) 21-50761 was also the opening of "negotiations" for what USA stole from me by OC. Ask then: \$10.8 million, CSGJ=7. Ask now: \$3.5 billion, CSGJ=22.

16-500265ca1-d021578-JKF filed 02/24/2024 Entered 02/25/2024 11:29:32 AM Adv 1550 to
Supplemental Pg 104 of 237
Case: 21-50761 Document: 00516108527 Page: 1 Date Filed: 11/19/2021

Case No. 21-50761

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

In the Matter of: Carl Merkle

Debtor

Carl N. Merkle,

Appellant

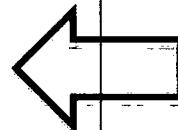
v.

Johnny W. Thomas,

Appellee

On Appeal from the United States District Court, Western District of Texas, No. 5:20-CV-1060-OLG, Honorable Chief Judge Orlando Garcia, presiding as a Title 11 Judge. Case arising from Bankruptcy Case 16-50026, Bankruptcy and Trial Court Judge Craig Gargotta presiding under Title 11.

**BRIEF FOR APPELLANT
AND OPENING OF NEGOTIATIONS WITH THE FIFTH CIRCUIT FOR
THE US COURT SYSTEM AND US TRUSTEE TO PAY MERKLE AN
INTEGRITY RESTORATION FEE OF \$10.8 MILLION OR SOME
NEGOTIATED AMOUNT, TO HEAR MERKLE'S CASES FOR THE \$1.5
MILLION THE USA STOLE FROM MERKLE'S BANKRUPTCY ESTATE
BY AIDING AND ABETTING ATTORNEYS' BANKRUPTCY FRAUD.**



Submitted Under Oath, by:
Carl Nathaniel Merkle, CPA, In Pro Se
White Collar Crime and Forensic Investigative Accountant
4446 Bayliss, San Antonio, TX 78233
Telephone: 210-596-4088, Email: carl.merkle@gmail.com

[Link to Table of Contents: i](#)

22-50216.590
217

5) CSGJ grew from 7 to 22, due to kidnapping and appeals failures. In another Biery case, the Texas Ten Commandments ("10C") case, I disclosed my plan to sue 5 USA employees in state court for kidnapping, etc. 7/4/25 v = 249th US year.

12) Cover of Exhibit D, unfiled state court lawsuit draft. Friend of Supreme Judge.

CAUSE NO. _____

CARL N. MERKLE,
Plaintiff,
v.
CRAIG A. GARGOTTA
DENIS STRATFORD (Article III)¹
DAVID GRAGG¹
ORLANDO L. GARCIA
JASON K. PULLIAM
KEVIN EPSTEIN
SUSAN L. PAMERLEAU
(The Core Judicial and Federal Law
Enforcement Co-Conspirators that
Aided and Abetted the "Go7" organized
crime syndicate.)
Primary Defendants.

IN THE DISTRICT COURT
BEXAR COUNTY, TEXAS
— JUDICIAL DISTRICT

SEE: IMPORTANT NOTICE TO
STATE COURT CLERKS AND
JUDGES, on following page. Do not
allow anyone to move this case to
the federal court system.

PLAINTIFF'S ORIGINAL PETITION WITH JURY DEMAND

Submitted Under Oath, as True and Correct, Under Penalty of Perjury², by:

Carl NATHANiel Merkle, CPA retired, In Pro Se
Crime Victim. Investigative Accountant. God's Fraud Auditor. Prophet.
<https://tinyurl.com/MonumentToTheForefathers>, and
<https://tinyurl.com/TransformedByScripture>, and
Metaphysical laws (laws of nature) listing: <https://tinyurl.com/SOSv10-ROA>
4446 Bayliss, San Antonio, TX 78233
Telephone: 210-596-4088, Email: carlmerkle@icloud.com (phone)
or drake.slayer.2020@gmail.com (laptop)

Friend of the July 4, 1776 Supreme Judge of the World, the USA's Isaiah 33:22 King, Judge, and Lawgiver. He has been hammering the USA with 2 Chronicles 7:13 plagues, a series of Judges 2:10-23 plagues, visible since March 18, 2020 where my properly filed Chapter 11 case was converted to a sham Chapter 7 case and then USA employees engaged in pure organized crime.

¹ These two-striken individuals are national and local “identifiable leaders” of the “Gang of 7” (“Go7”) and “Gang of 30” (“Go30”). They are “original embezzlers.” Of the five “Primary Defendants” listed, only Gargotta is a Go7 member. All other USA employees are “Go30” members who are offered the Texas Penal Code (“TPC”) §71.05 Renunciation Defense. Struck through defendants are or will be named in US District Court (“USDC”) case 5:20-cv-502 (“20-502”) when I get permission to proceed there without any sanctions – see filings in US Court of Appeals for Fifth Circuit cases 23-50692 (closed, then I won in SCOTUS case 24-6088) and 25-50062 (still open).

² This Oath to tell the truth is given under penalty of perjury per US and Texas laws, is made under Oath to the "God of the Founding Documents", the 1) July 4, 1776, Declaration of Independence, 2) US Constitution, and 3) Texas Constitution (collectively, the "Founding Documents" or "Covenants").

Draft dated on 249th anniversary of USA independence! Next day were two front page articles I link as a synchronicity showing in Dkt 34 of 25-756-FB. One involves the Texas 10 Commandments case. Another involves a synchronicity, a 2 Chronicles 7:13 plague, the deadly Kerr County floods.

6) An early 2020 prophecy by the “1776 Supreme Judge”, the USA’s Isaiah 33:22 king, judge and lawgiver, is in “miracle document” “Dkt 33” of case 19-640. 19-640 where GSWGP started, is the \$100 million lawsuit against Gragg, et al that was closed on 11/26/19 by a 12(b)(6) order that uses “Embezzlers’ facts,” so called Fed.R.Evid.201 “judicially noticed facts,” and not the facts plead in that lawsuit. The closure, and original source of the “judicially noticed facts” is a “judicial fiction” starting on 7/14/17, the date of Gargotta’s 12(b)(6) order where Gargotta stole my hazard insurance money by adopting Denis Stratford’s accounting, when Gargotta was required to use “my accounting”. Gargotta admitted to his crimes on 10/5/21 when he started his “kidnapping plot.” Now a jury in state court will need to decide.

7) Dkt 33¶5, on a page “1776” in a Dkt 6-7 in 20-502, written by my opponents, in the undisputed part, states (where this part is in SCOTUS 24-6088):

1., p. 3 (“Merkle contends that he was hired by the King of the Universe to bring justice to the San Antonio bankruptcy judicial system...”); *id.* at 2, 4 (“Merkle is very grateful for what this Court has done so far in setting up Merkle’s opponents in this case that will allow Almighty God working through the judicial systems, to fulfill one of his promises to Merkle, as prophesied in Psalm 64, NLT, and in Proverbs 12:13-15 NLT.”); *id.* at 21 (“If Judge Gargotta rules wrongly, then Merkle will just appeal, and Merkle will win in the long run since Merkle is fighting ‘from victory not for victory’ and God has already promised Merkle that the ‘battle and victory belong to the Lord’ and

that Merkle’s opponents would be throwing their wealth at him like the Egyptians threw their wealth at the Israelites when they left slavery and bondage in Egypt to go on a journey to an abundant land the Lord would show them.”); *id.* (“Merkle hears God’s voice, listens and obeys. Merkle knows from direct experience that Janie listens to the voice of lies and dismisses the voice of God.”)

8) So, “Dkt 33” + “CSG 22 US Judges” = Isaiah 33:22 the cornerstone of the US Constitution. God, USA’s hidden King, is TANGIBLY revealing himself to USA via many miracles, signs and wonders associated with this case! I speak for Him.

9) USA human judges gagged the 1776 Supreme Judge too via bad judicial orders in *Stone v Graham* (1980) and *Everson v Board of Education* (1947) described in recent headline news and OpEd I penned below. See key docs in the following public access directory: <https://tinyurl.com/10Commandments-AmicusBrief>. I dispute both the order shown at page 2 of 40, and Biery's 8/20/25 order. They're based on lies.

San Antonio Express-News

EXPRESSNEWS.COM • THURSDAY, AUGUST 21, 2025 • VOL. 160, NO. 329 • \$3.00

Judge blocks Commandments law

S.A. federal jurist clears way for lawsuits to proceed, rules measure unconstitutional

By Elizabeth Zavala
staff writer

A federal judge in San Antonio has blocked a new state law that requires public schools to display a poster of the Ten Commandments in public school classrooms beginning Sept. 1.

U.S. District Judge Fred Biery issued a 35-page ruling Wednesday following more than 12 hours of hearings Friday and Monday. He wrote that the law was "plainly unconstitutional" and children exposed to what he called was a state-approved

Christian version of the 10ified document was coercive.

"For those who disagree with the court's decision, and who would do so with threats, vulgarities and violence, grace and power unto you!" Biery wrote in his conclusion. "May human-kind of all faiths, beliefs and non-beliefs be reconciled one to another Amen."

The case is expected to be appealed to the 5th Circuit Court of Appeals.

At least two lawsuits involving similar laws in other states are also making their way

through the court system.

Biery said the founders of the nation were clear regarding religion and its relationship to the government, and cited the section of the First Amendment that deals specifically with this: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Biblical teachings say that the Ten Commandments are a set of religious and ethical principles that were presented to Moses by God on Mount Sinai, following the exodus of the Israelites from Egypt.

Defendants have said the Ten Commandments are a founding

document.



U.S. District Judge Fred Biery ruled that Senate Bill 1 was unconstitutional. The case is expected to be appealed.

A22 WEDNESDAY, AUGUST 27, 2025

SAN ANTONIO EXPRESS-NEWS | EXPRESSNEWS.COM

OPINION

San Antonio Express-News

Marc Duvoisin
EDITOR-IN-CHIEF

Josh Brodsky
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JJ Velasquez
MANAGING EDITOR, EXPRESSNEWS.COM

ANOTHER VIEW

Ten Commandments case about states' rights, not religion

By Carl Merkle
FOR THE EXPRESS-NEWS

 Texas is bound by the U.S. Constitution, which was not judicially created by law. That's why I have a problem when judges create law rather than legislators.

There are three branches of government at the federal and state levels for a reason.

I contend that U.S. District Judge Fred Biery lacked true jurisdiction to rule in the Ten Commandments case — a complaint brought by 16 families, regarding the new state requirement to post the Ten Command-

ments in public school classrooms.

This is a states' rights issue (Amendment X), not a religious one (Amendment I). In substance, it's more a political and emotional issue than a legal religious one.

Opponents of Senate Bill 10 in their complaint filed July 1 argue "Under this precedent, permanently posting the Ten Commandments in every Texas public-school classroom — rendering them unavoidable — is plainly unconstitutional."

Posting the Ten Commandments in public school classrooms, however, is not "plainly unconstitutional" or "plainly unconstitutional" when strong knowledge of the founding doc-

uments — the Declaration of Independence, U.S. Constitution and Texas Constitution — exists, along with robust knowledge of U.S. history and the Bible.

The opponents' ignorance of these key areas of knowledge caused an unnecessary legal battle.

Still, Biery started his order with these words: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." And he then wrote: "State legislatures are also bound pursuant to the Fourteenth Amendment. *Everson v. Board of Ed.*, 330 U.S. 1, 8 (1947)."

Thereby, Biery turned "constitutional language" into "judicially created law" by citing

Everson v. Board of Ed. He ignored Amendment X. Amendment XIV is about due process.

Attorney General Ken Paxton called Biery's order a flawed decision. Paxton is correct.

The Texas Constitution preamble starts with this: "Humbly invoking the blessings of Almighty God, the people of the state of Texas do ordain and establish this constitution."

Additionally, three of Ten Commandments form a basis for Texas' and the United States' criminal law statutes — prohibitions against murder, theft and perjury.

To see the politics at work behind the scenes, all one must do is look at the organizations supporting the complaint: the

ACLU, Freedom from Religion Foundation, and Americans United for Separation of Church and State. All liberal, left-leaning organizations. Biery is a Democratic judge.

I consider this a "constitutional law issue" first and foremost to be a states' rights issue. Not a religion issue because Congress made no law; a state Legislature did.

I assert that Biery lacked true jurisdiction.

There has never been a U.S. constitutional amendment taking away such power.

Carl Merkle is a retired CPA who administers the private Facebook Group "Our Founding Fathers Served Jesus."

10) Pulliam's latest order, Dkt 38, after I informed him in Dkt 37 of my SCOTUS win in 24-6088 and of his role in the crimes as member of CSG22J resulted in a brand-new monetary sanctions order that I call an "in substance" "aggravated robbery," concealing this disclosure of the two spiritual kingdoms that rule the earth:

Case 5:21-cv-01278-JKP Document 37 Filed 12/26/24 Page 34 of 55

Kingdom Of:	DARKNESS	LIGHT
King	Satan Devil Lucifer	Father / Son - Jesus / Holy Spirit
Method of Operation	LIES	TRUTH
State of Being	Secular, Earthly, Unspiritual, Demonic	Holy, Sacred
Customary Actions	EVIL	GOOD
Fruit	Sin: Liars, Steal, Kill and Destroy. Disguise as angel of light.	Righteousness: Love, Joy, Peace, Patience, Kindness, Goodness, Faithfulness, Gentleness and Self Control, etc.
Walk in	Foolishness, Wickedness	Wisdom and Integrity
Power	Illusion. Tyranny and Oppression. Fear Mongering.	Has All Authority Justice and Righteousness Strong and Courageous Not afraid. But fears the Lord.
Strength works best in	Human power structures	Weakness
Messengers	Demons (fallen angels), False Prophets.	Angels, Prophets, Teachers, etc.
Rule of Law	Lawless	Royal Law of Love Scripture - "The Word of God" (the essence of which can be summarized in 5 words: Love God and Love Others.)

44) See <https://tinyurl.com/SCOTUS-Question12> at page 56 of 129 for source. All that file is incorporated herein by reference. It may be filed later, just to get it officially on the record.

45) My opponents lie in Dkt 33¶1 reflects that demonic spirits are involved. Where Ephesians

6:12 tells us the underlying cause of the criminal behavior: Now <https://tinyurl.com/ROA-25-50062-Q12>

Ephesians 6:12 – ¹² For we are not fighting against flesh-and-blood enemies, but against evil rulers and authorities of the unseen world, against mighty powers in this dark world, and against evil spirits in the heavenly places.

46) The Trump 7/13/24 assassination attempt occurred at 6:11 pm. Leading many on social media to note what Ephesians 6:11 says: "Put on all of God's armor so you will be able to stand against all the strategies of the devil." God's armor are character traits. Shown on next chart.

Dated 12/25/24, Christmas/Hanukkah 2024

33 of 47

Not included because I have only 7 pages left to finish this Petition.

a) Look up The Old Deluder Satan Act of 1647. And see Motions to Stay Mandate.

B. Opinions Below

11) Instructions for this section states: "In the space provided, indicate whether the opinions of the lower courts in your case have been published, and if so, the citation for the opinion below." Publications seem irrelevant to me, since I won at SCOTUS before, now all lower court opinions, for SCOTUS and jury purposes, per FRBP 8018.1 are just "proposed findings of fact and law." All USDC opinions to date have been Title 11 opinions, published or not. And all are fraudulent. So, what follows is my best attempt at complying with this section's instructions.

12) All decisions by 5thC judges in cases 22-50216, 23-50692, and 25-50062 *In the Matter of Carl N. Merkle, Carl N. Merkle vs Johnny W. Thomas, Chapter 7 US Trustee*, by the Bankruptcy Appellate Panels of the United States Court of Appeals are unpublished.

13) 5thC opinion is attached at Appendix ("App") A. It conceals my allegations of crime, thus is crime (see 18 USC §3 & §4) unless App B is order Affirmed, not App C. Again, see the two Motions to Stay Mandate.

VII. JURISDICTION

14) SCOTUS has appellate jurisdiction. The jurisdiction of this Court is invoked under 28 USC §1254(1) and AIII of the US Constitution. This Court's appellate jurisdiction is over a "Title 11 'judges only' system" that went awry and committed, by OC, a slew of Title 18 crimes and TPC crimes and many state and federal constitutional law violations against a Ch11 filer. One who properly filed for BK protection due to an attempted illegal foreclosure (turned RICO and barratry scam) caused by Stratford's "accounting crime," the "misapplication of fiduciary property." The BK judge aided and abetted Stratford's crimes by approving a fraudulent Ch11 Plan of Reorganization, conducting a sham claims objection trial, then issuing a fraudulent summary judgment FRBP 12(b)(6) order using Embezzlers' facts, rather than my facts, now reflected in plain English in 5thC case 20-50014 Appellant's Brief, or the appendix to my book: *KIDNAPPED by a criminally behaving bankruptcy judge*. <https://tinyurl.com/KIDNAPPEDv32-ROA>. Gargotta lacked jurisdiction and refused to recuse himself when confronted.

VIII. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

15) See Table of Authorities and 24-6088. A slew of state and federal constitutional law and criminal, civil and common laws were violated by the Go7, aided and abetted by rest of Go30. Pulliam's Dkt 38 order imposing a \$1,000 so called "contempt of court" "fine" or "sanction" was an "in substance theft / robbery", done without due process, requiring a jury trial, not an appeal. What's being appealed here is to get all sanctions issued against me to be clearly and unambiguously removed.

16) So, this section in this Petition focuses on exposing the "God of the Founding Documents," contained/hidden in those founding documents. I contend they are a Joshua 24 style covenant relationship the Founders made between "We the People" and the "Creator God" invoked therein. He is not Brahma invoked by the 117th Congress by a woke Methodist Minister after the 2020 stolen election.

17) Judges violated the "covenants," the constitutions made with the Supreme Judge. He got angry. Plagues logically ensued. Logical for Bible students. Illogical for those who think God and Satan are fairytales. However, enough has happened that I believe I can prove the "existence of God" in a "court of law" in a "trial by jury," based on what has happened in my properly filed Chapter 11 turned "sham" Chapter 7, where "the God of the Founding Documents" became my Article III judge and hammered the nation in a long string of plagues, synchronicities, as CSGJ's harmed me. Where Pulliam's 1/14/25 Dkt 38 is synchronistically linked to the out-of-control California wildfires, contained shortly after Trump installed as President.

18) July 4, 1776 Declaration of Independence invokes God as follows: 1) "Nature's God" in ¶1, 2) "Creator" in ¶2, 3) "Supreme Judge of the world" in last ¶, and 4) "divine Providence" in last ¶. It closes with: "And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred honor." So, it is a "sacred" and not "secular" document. (See for example, Michael Medvid and his "American Miracle" book and movie.) Where divine Providence exists, divine Discipline exists too. Hebrews 12:7 NLT, Proverbs 3:11-12, Judges 2:10-23, Deuteronomy 28.

19) U.S. Constitution invokes God three ways, from most obvious to least obvious: 1) Dating, dated 17 September in the year of our Lord 1787 (pinpoints Jesus Christ as USA's God), a dating distinctly different than July 4, 1776. 2) A Preamble "ordained and established" between "We the People" and the "Creator God invoked in Declaration" for the "six blessings" listed.²⁶ All blessings come from God and can be taken away. (See Deuteronomy 28, which I consider to be a "law of nature" by "Nature's God" and not necessarily just "Levitical Covenant."). 3) Isaiah 33:22 as James Madison's inspiration for drafting Articles I to III of the US Constitution.

20) The US Constitution became the most successful and longest running constitution in modern world history because of the God invoked therein, and a population who turned their hearts towards the Lord via "revivals." In contrast, the French Revolution that occurred around the same time, both where Thomas Paine had some involvement in sparking the Revolutions, has had multiple constitutions due to the godless nature of the governments. That's why a 7/14 pattern emerged.

21) The Texas Constitution Preamble says: "Humbly invoking the blessings of Almighty God, the people of the state of Texas do ordain and establish this constitution." US & Texas Constitution is not secular, but is not denominational.

22) The first three judges: Gargotta, Ezra and Rodriguez form a "Catholic Mafia"²⁷ engaged in omertá that harmed me and violated the purpose of a bankruptcy as set forth by SCOTUS in the process. Biery is part of Mafia too, as a lost Protestant.

23) I have asked for and still have not had a jury trial because of GSWGP. That's my demand. The failure to have jury trial is a constitutional law violation. A breach of the covenant with the Supreme Judge. Repentance is required.

²⁶ Psalm 33:12 NIV says: "Blessed is the nation whose God is the LORD." Deuteronomy 28 points out "blessings and curses." The Democrat Party officially kicked God out of their platform in August 2019, coincidentally the same time that USDC Judge David Ezra in 17-713 on August 7, 2017 closed the July 14, 2017 to October 2107 appeals, in a very deceptive way, a provable to a jury "fraud upon the court." The 400-year anniversary of the importation of slaves to Jamestown was August 7, 2017. So, it is synchronistic with the 1619 Project that became the CRT agenda, a child indoctrination tool touted by the Democrats. The opposite force was the 1776 Project. See <https://tinyurl.com/1619v1776> for ROA.21-50761.3093-3104.

²⁷ First 3 judges are all affiliated with St. Mary's law school. I learned during my unconstitutional confinement that the Italian Mafia is controlled by Jesuits a branch of RCC.

IX. STATEMENT OF THE CASE

24) For background and details of this section, I refer to 24-6088. The confirmed plan was fraudulent. A “sham” claims objection trial was then held. A “fraud upon the court” occurred. Then my properly filed Chapter 11 was fraudulently converted to sham Chapter 7. A retrial of the claims objection must now be heard in a “court of law”, in a “trial by jury.” USA stole \$1.5 million, then kidnapped and gagged me. The following quote by USDC judge Jason Pulliam is still accurate.

Stating that his bankruptcy case is “an ‘organized crime’ case, since inception, fraudulently converted to Chapter 7 on March 18, 2020, which then started the 2020, 2021, and 2022, crimes by the ‘Gang of 7’ revealed in ¶ 3 of the Notice of Appeal (NOA). Withdrawal of reference is mandatory.” ECF No. 11 at 1 (found within caption). That same document identifies the Bankruptcy Judge and trustee as “enforcers for organized crime and members of the ‘Gang of 7.’ *Id.*

25) After I observed in SCOTUS 24-6088 the case was docketed with 50 pages out of the 354 pages sent, I went back to Pulliam and told him I had won, there were no more sanctions. He got angry. Pulliam ignored what occurred by SCOTUS’ docketing of the case. (See ROA.25-50062.5189-5192; or ROA.23-50692.2347-2350; or ROA.25-50062.2348-2351.) Insisting in his 1/14/25 four-page Dkt 38 (ROA.25-50062.4855-4858.) (App C), an order that is libelous and conceals my allegations of crime, the following argument summarized in two lines:

- a) In November 2022²⁸, the Court received notice that the Fifth Circuit Court of Appeals dismissed Merkle’s appeal for lack of jurisdiction. (ROA.25-50062.4856.)
- b) On August 5, 2024, the Court received notice that the Fifth Circuit affirmed the September 2023 order appealed by Merkle²⁹. (ROA.25-50062.4857.)

²⁸ On 11/4/24 5thC issued opinion. The “oral order” is one for jury trial (page 30 of 40) not appeals system. My Appellant’s Reply Brief was due 11/7/24 and was emailed then. On 11/22/24 USBC 16-50026 closed. So, now we are in a “negotiations period,” pre-unsealing of 20-502.

²⁹ Because, as a pro-se litigant, I did not know that a “Stay of Mandate” was needed to avoid this issue. The Louisiana Ten Commandments case (headline news) essentially showed me to file a Motion for Stay of Mandate.

26) Four key comments are the statement of whole case. They are:

- A. USBC 16-50026 was an Organized Crime Scene at the Start.**
- B. The Aggravated Kidnapping to Close 5thC 21-50761 and gag plot, part of “Gragg’s scam with gag plot” was used to conceal crime.**
- C. USA’s King Got Angry as prophesied in Dkt 33¶5.**
- D. It’s time to repent and turn to the God of Founding Documents.**

27) SCOTUS 24-6088 contains the history for A to C above. Where the following footnotes are from the 24-6088 Petition.

³⁴ Executed during Thanksgiving Week 2024, on the 235th Anniversary of George Washington’s first proclaimed Thanksgiving Day under the new US Constitution dated 17 September in the Year of our Lord, 1787. The longest running and most successful constitution in modern history. Where November 26, 2024 is also the 5th anniversary of fraudulent 11/26/19 12(b)(6) order in 19-640, at the end of Phase 1b of GSWGP, and the first of a string of 8 “frauds upon the court” appealed from USDC to 5thC. I allege it was the “spiritual cause” of CV19, committed by a member of a “San Antonio Catholic Mafia.” One of first group of judges, where three have a relationship with St. Mary’s University. All engaged in omertá, concealing the alleged crimes of a “fellow judge/s” and attorneys.

³⁵ See <https://tinyurl.com/1789ThanksgivingProclamation>. Proclamation starts: “Whereas it is the duty of all Nations to acknowledge the providence of Almighty God, to obey his will, to be grateful for his benefits, and humbly to implore his protection and favor, ...” 40 represents testing & wilderness.

Dated 11/26/2024, 5th anniversary of GSWGP Ph 1b, a burden. 40 of 40

25-50062.5157

28) Since US Court System has been lawless so far and breached the covenants (constitutions of USA and Texas) made with “Nature’s God,” I contend that the USA is operating under “laws of nature.”³⁰ See Deuteronomy 28 for the blessings and curses that apply to a “covenant nation” like USA is (and scattered physical Israel). I contend that USA is “spiritual Ephraim” (which is a long bible study there’s no room to go into) joined with “spiritual Judah”. Ephraim has 1st-born rights of Jacob. Physical Jews do not. USA is experiencing a Judges 2:10-23 series of plagues.

³⁰ My Study of Success, Success leaves tracks brochure (ROA.23-50692.4709-4711) lists 31 principles discovered by Napoleon Hill that are proven to bring success, whether used 1) God’s way, or 2) Satan’s way. They fall under three laws of nature, as I see them: 1) law of being, 2) law of the harvest, and 3) law of attraction and repulsion. Brochure at <https://tinyurl.com/SOSv10-ROA>. My opponents (Go7/Go30) used them with deception and corruption and got success so far, Satan’s way. I’ve used them with honesty and integrity, and will eventually get success, God’s way. God promised me over \$3 billion right after 11/26/19 12(b)(6) order in 19-640. I did not believe God then, but I do now! That 11/26/19 12(b)(6) order doesn’t even come close to giving 6/10/19 lawsuit plead facts.

29) 2 Chronicles 7:13 plagues started at 17-713 (Hurricane Harvey). What the Supreme Judge (God) is doing is building Psalm 78:1-2 types of parables. Psalm 78:1-2 starts off saying (paraphrased): “I’m going to speak to you in a parable, I’m going to tell you stories our ancestors told.” And then it just goes on to recount Israel’s history with no meaning of the parable. Then, in Matthew 13, Jesus tells a parable of four soils, and his disciples asked him “what is the meaning of the parable, and why did he always speak in parables?” He said he always spoke in parables so that those who are not listening will not understand. I’ve been gifted with interpretation of parables as they show up in unusual circumstances of life. I cannot create circumstances. I observe them and ask the meaning. God often gives me an answer.

30) So, God created in my case a “Deuteronomy 33:5 vs Judges 17:6 and 21:25 parable.” Dkt 33¶5 = Deuteronomy 33:5. Judges 17:6 (like 1776) about Samson says same thing as Judges 21:25 about my kidnapping in 2021, and SCOTUS 24-6088 in 2025, where I was 67 years old, correlating to 20-502 Dkt 6-7 at page 1776. I’m 68 years old today, correlating to Micah 6:8 as I’ve come back to you. USA king is Isaiah 33:22 king, judge and lawgiver, the 1776 “Nature’s God.” USA became a Derek Chauvin-like Uncle Sam(son) with his knees pressed against my financial neck while I gasp “*I can’t financially breathe*” and while USA’s Uncle Sam(uel), the king, has been hammering the nation with plague after plague, so much that Pastor Jack Hibbs prayed on 7/14/24 at <https://tinyurl.com/ACallToSolemnAssembly>; “*We are gasping for our breath as a nation.*” (Prayer at 7:00 to 8:30 in video.) God is establishing his Kingdom on earth through the USA, a Deuteronomy 33:5 kingdom first! Ephesians 2:8-10, Romans 10:8-13 and 2 Peter 1:2-11 NLT show the way to that kingdom.

31) So, 2 Chronicles 7:14³¹ RD (footnote 5) must now start with SCOTUS.

³¹ 2 Chronicles 7:14 is a prophecy about Christianity in the Old Testament: “My people called by my name.” The name “Christians” first started at Antioch as recorded in the New Testament book of Acts. The Old Testament is what the Jews call the Tanakh. The “Christian Bible” I read daily, the 66 book Bible has the exact same Old Testament/Tanakh that the Jews use, except that the order is a little different. The New Testament is the exact same books as the Catholic Bible. The Catholic Bible contains some apocrypha in their Old Testament.

As to the claim by plaintiffs expert in the Texas Ten Commandments case, there is no such thing as a “Christian version of the Ten Commandments.” They are Levitical Law. Biblically, we are under a new covenant (Hebrews 13:8) and the “Rule of Law” via the “sacred Founding Documents.” A rule of law covenant now breached by US Court System and Democrat Party, both in August 2019, before 2020 stolen election plague that God allowed.

32) RD will take the form of SCOTUS officially overturning all sanction orders issued against me, like Biery summarized on page 2 of 40 herein³².

X. REASONS FOR GRANTING THE PETITION

33) 8 reasons are given at ROA.25-50062.4937-4938. Most important is:

This is a constitutional law case concerning a slew of constitutional right violations (including need for jury trials, fair trials, due process of law, and freedom of speech and others including the Texas Civil Right that “no person shall ever be imprisoned for debt.”) Many more violations occurred.

34) All gag orders must be removed. The “inferior courts” failed in their duties. Continued existence of any gag order makes each SCOTUS judge personally liable for the RICO theft crimes summarized at ROA.25-50062.4929.

XI. CONCLUSION

35) The Petition for a writ of certiorari should be granted because the answer to the Question Presented, is: yes. The crimes are now ripe to prosecute: 1) civilly, by a victim of crime, and 2) criminally by relevant government prosecutors. I seek extensive and unlimited discovery in the next stages of civil litigation.

36) Supreme Judge is LOVE and does not rejoice about injustice but rejoices whenever the truth wins out. 1 Corinthians 13:6 NLT. Please issue the Writ.

#

Dated as of and executed on: 17 September in the Year of our Lord 2025.

Respectfully submitted,

CARL NATHANIEL MERKLE, CPA retired, In Pro Se

dba Drake Slayer (aka Dragon Slayer – Revelation 12)

Investigative Accountant. God's Fraud Auditor. Prophet.

Kidnapped and Jailed for Jesus! King Jesus! Judge Jesus! Psalm 37!

<https://tinyurl.com/TransformedByScripture> (*Constitution of Kingdom*)

<https://tinyurl.com/SOSv10-ROA> (*Laws of Nature both kingdoms use.*)

4446 Bayliss St., San Antonio, TX 78233. Telephone: (210)-596-4088 (text first)

Email: carlmerkle@icloud.com or drake.slayer.2020@gmail.com

By: /s/ Carl Nathaniel Merkle

CARL NATHANIEL MERKLE, CPA retired In Pro Se



³² A \$250,000 victim of crime assistance payment, as required by law, will help too. Proverbs 3:27-28 NLT. Another recent victim of crime was prophesied about by Kim Clement: <https://tinyurl.com/KClement-Healing>. Charlie Kirk's wife, now widow. Morality/Repentance/training is the answer to 2nd Amendment issues. Not gun control.

I. NOTARY PUBLIC AFFIDAVIT

State of TEXAS
County of BEXAR

BEFORE ME, the undersigned authority, personally appeared Carl Nathaniel Merkle, who, being by me duly sworn, deposed and says "The testimony I gave to The US Supreme Court and to The United States Court of Appeals in the Fifth Circuit and to the US District Court any other relevant parties, in the above document and any attached exhibits is true and correct and can be used as evidence in a Court of Law. Within the space allotted, I promised to tell the truth, the whole truth and nothing but the truth, so help me God, the God of Abraham, Isaac and Jacob, under penalty of perjury."



Carl Nathaniel Merkle

Subscribed and sworn (or affirmed) before me, on this 17th day of September 2025.

By _____

