

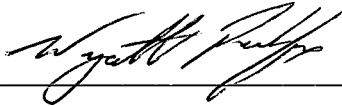
No. _____

IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF HABEAS CORPUS AD SUBJICIENDUM

APPENDIX

This appendix consists of 25 pages, from judgment orders of the Ninth Circuit Court of Appeals, Docketing Notices, Judgment Orders from the United States District Court, and unanswered writs applied for in the State of Alaska's Supreme Court and Trial Courts.



Wyatt North Redfox #729305

Spring Creek Correctional Complex

3600 Bette Cato Road

Seward, AK 99664

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 18 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

WYATT NORTH REDFOX,

Petitioner - Appellant,

v.

ARLANDO HERNANDEZ,
Superintendent,

Respondent - Appellee.

No. 25-4025

D.C. No. 3:24-cv-00285-SLG
District of Alaska,
Anchorage

ORDER

Before: CANBY and SANCHEZ, Circuit Judges.

The request for a certificate of appealability is denied because appellant has not shown that “jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see also* 28 U.S.C. § 2253(c)(2); *Gonzalez v. Thaler*, 565 U.S. 134, 140-41 (2012); *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Any pending motions are denied as moot.

DENIED.

App. P. 1



Molly C. Dwyer
Clerk of Court

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

FILED

JUN 27 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number: 25-4025
Originating Case Number: 3:24-cv-00285-SLG
Short Title: Redfox v. Hernandez

Dear Appellant/Counsel

The Clerk's Office of the United States Court of Appeals for the Ninth Circuit has received a copy of your notice of appeal and/or request for a certificate of appealability.

No briefing schedule will be set until this court and/or the district court determines whether a certificate of appealability should issue.

Absent an emergency, all other requests for relief in this matter will be stayed pending a determination on the request for a certificate of appealability.

All subsequent letters and requests for information regarding this matter will be added to your file to be considered at the same time the cause is brought before the court.

The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case. Motions filed along with the notice of appeal in the district court are not automatically transferred to this court for filing. Any motions seeking relief from this court must be separately filed in this court's docket.

You must file a Disclosure Statement (Form 34) within 14 days of this notice if your case: (1) involves a non-governmental corporation, association, joint venture, partnership, limited liability company, or similar entity; (2) is a bankruptcy case; (3) is a criminal case involving an organizational victim; or (4) involves review of state court proceedings. See Ninth Circuit Rule 26-1.1.

App. P. 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

WYATT NORTH REDFOX,

Petitioner,

v.

SUPERINTENDENT ARLANDO
HERNANDEZ,

Respondent.¹

Case No. 3:24-cv-00285-SLG

ORDER OF DISMISSAL

On December 27, 2024, Wyatt North Redfox, a self-represented prisoner, filed a document titled, "Common Law Writ of Habeas Corpus," an affidavit, and a motion for expedited consideration.² Mr. Redfox seeks "a common law writ of habeas corpus within the jurisdiction of the District Court for the Territory of Alaska, and pursuant to *Ex parte Milligan*, 71 U.S. 2 (1866)."³ He challenges his criminal convictions in *State of Alaska v. Redfox*, Case Nos. 4EM-18-00207CR and 3AN-22-07248CR and his pending criminal charges in Case No. 3AN-24-03077CR. Since this case was filed, Mr. Redfox has filed five additional motions, a notice, a

¹ The proper respondent in a habeas case is the person who has custody over the petitioner, such as the superintendent of the facility where he is confined. *Rumsfeld v. Padilla*, 542 U.S. 426, 434-435 (2004). See also Rule 2(a), Rules Governing Section 2254 Cases in the United States District Courts. Thus, it is appropriate to designate Anchorage Correctional Complex Superintendent Arlando Hernandez as Respondent.

² Dockets 1-2.

³ Docket 1 at 1.

App. P. 3

"temporary agreement for release," and a letter.⁴ In these filings, Mr. Redfox includes allegations of retaliation by correctional facility staff following his legal actions and claims regarding his conditions of confinement.⁵ He repeats his request for expedited release and seeks a "writ of error" because the Court did not "expeditiously consider whether [he] can be discharged from custody."⁶ Mr. Redfox also seeks to add two additional prisoners who he indicates wish to be attached to the "current common law suit to further inquire into the competency of the tribunal which orders their current detention."⁷

Upon review, for the reasons explained in this order, the petition at Docket 1 is DISMISSED and all motions are DENIED. Further, because it plainly appears from the petition that Mr. Redfox is not entitled to habeas relief and his civil rights complaints must be brought as a separate action, this case must be dismissed without leave to amend.

The Court takes judicial notice of the Courtview records of the Alaska Court System.⁸

⁴ Dockets 4-12.

⁵ See, e.g., Docket 8 (emergency motion for temporary relief claiming he has been "facing some sort of retaliation by facility staff members" since filing this case); Docket 8 at 1 (claiming he was moved from Juliet module to Kilo module without reason, but also claiming there was "unbearable" heat and "sweating windows" in the Juliet module); Docket 8 at 2 (claiming correctional staff are taking his incoming mail).

⁶ Docket 9 at 1.

⁷ Docket 5.

⁸ Judicial notice is the "court's acceptance, for purposes of convenience and without requiring a party's proof, of a well-known and indisputable fact; the court's power to

DISCUSSION

I. A non-attorney may only represent his own interests

At Docket 5, Mr. Redfox filed a motion in which he attempts to add Steve Claudy Lapitre and Michael Charles Redfox as co-petitioners to the “current common law suit to further inquire into the competency of the tribunal which orders their current detention.”⁹ A non-attorney self-represented litigant may represent only his own interests¹⁰ and has “no authority to appear as an attorney for others than himself.”¹¹ Therefore, the motion at Docket 5 is DENIED. The Court only considers the claims affecting Mr. Redfox personally.

II. Writ of Habeas Corpus

A writ of habeas corpus allows an individual to test the legality of being detained or held in custody by the government.¹² The writ is “a vital ‘instrument for the protection of individual liberty’ against government power.”¹³ Federal habeas

accept such a fact.” Black’s Law Dictionary (12th ed. 2024); *See also United States ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc.*, 971 F.2d 244, 248 (9th Cir. 1992) (“[W]e may take notice of proceedings in other courts, both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue”) (internal citations and quotation marks omitted.). Publicly available records of the Alaska Court System may be accessed online at <https://courts.alaska.gov/main/search-cases.htm>.

⁹ Docket 5.

¹⁰ 28 U.S.C. § 1654.

¹¹ *See Simon v. Hartford Life, Inc.*, 546 F.3d 661, 664 (9th Cir. 2008) (non-attorney plaintiff may not attempt to pursue claim on behalf of others in a representative capacity). *See also* Fed. R. Civ. P. 11 (filings that do not include the original signature of the filing self-represented party cannot be considered by the Court).

¹² *Rasul v. Bush*, 542 U.S. 466, 474 (2004).

¹³ *Gage v. Chappell*, 793 F.3d 1159, 1167 (9th Cir. 2015); *quoting Boumediene v. Bush*,

corpus petitions are governed by specific statutes and rules, rather than common law. Many of these rules went into effect in 1996 as part of the Antiterrorism and Effective Death Penalty Act (AEDPA), which amended the federal habeas statutes that apply to state prisoners.¹⁴ Federal courts have general habeas jurisdiction under 28 U.S.C. § 2241 ("Section 2241"). But the authority of federal courts to grant habeas relief to state prisoners under Section 2241 is limited by 28 U.S.C. § 2254 ("Section 2254"), which is the exclusive vehicle for habeas petitions by state prisoners who are in custody pursuant to a state court judgment.¹⁵ Section 2241 applies to habeas petitions by state prisoners who are not in custody pursuant to a state court judgment, such as pretrial detainees.¹⁶

Federal habeas cases filed by state inmates—whether a convicted prisoner or a pretrial detainee—must also comply with the Rules Governing Section 2254 Cases in the United States District Courts ("Section 2254 Rules")¹⁷ and the District of Alaska Local Habeas Corpus Rules.¹⁸ A petition for a writ of habeas corpus must

553 U.S. 723, 743 (2008).

¹⁴ 28 U.S.C. § 2241, *et seq.*

¹⁵ *Stanley v. Baca*, 137 F.Supp.3d 1192 (C.D. Cal. 2015).

¹⁶ *See Stow v. Murashige*, 389 F.3d 880 (9th Cir. 2004).

¹⁷ Rules Governing Section 2254 Cases in the United States District Courts ("Section 2254 Rules"). *See also* Local Habeas Corpus Rule 1.1(c)(2) ("Except as otherwise specifically provided by statute, rule or order of the court... the Rules Governing Section 2254 Cases in the United States District Courts, apply to all petitions for habeas corpus relief filed in this court.").

¹⁸ https://www.akd.uscourts.gov/sites/akd/files/local_rules/habeas_corpus.pdf.

be filed on the Court's form,¹⁹ and a petitioner may only challenge one state court judgment or pretrial proceeding in each habeas petition.²⁰ A "petition must name as respondent the state officer who has custody."²¹

Under Rule 4 of the Section 2254 Rules, a federal court is required to conduct a preliminary review of all petitions for writ of habeas corpus filed by state prisoners. A court must dismiss a petition if it "plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court."²² Allegations in a petition that are vague, conclusory, palpably incredible, or unsupported by a statement of specific facts, are insufficient to warrant relief and are subject to summary dismissal.²³ Rules 2(c) and 4 require a statement of all grounds for relief and the facts supporting each ground; the petition should state facts that point to a real possibility of constitutional error and show the relationship of the facts to the claim.²⁴ The legal claims in a petition must be based on rights

¹⁹ District of Alaska Local Habeas Corpus Rule 2.1(a)(1). See also Rule 2(d), Rules Governing Section 2254 Cases in the United States District Court ("The petition must substantially follow either the form appended to these rules or a form prescribed by a local district-court rule.").

²⁰ See Rule 2(e), Rules Governing Section 2254 Cases in the United States District Courts ("A petitioner who seeks relief from judgments of more than one state court must file a separate petition covering the judgment or judgments of each court.").

²¹ Rule 2(a), Section 2254 Rules.

²² Rule 4, Section 2254 Rules.

²³ See, e.g., *Jones v. Gomez*, 66 F.3d 199, 204-05 (9th Cir. 1995); *James v. Borg*, 24 F.3d 20, 26 (9th Cir. 1994); *Hendricks v. Vasquez*, 908 F.2d 490, 491 (9th Cir. 1990).

²⁴ See Habeas Rule 4, Advisory Committee Notes to 1976 Adoption; *O'Bremski v. Maass*, 915 F.2d 418, 420 (9th Cir. 1990) (as amended).

guaranteed by the United States Constitution or federal statutes.²⁵

Here, the Petition is not filed on the Court's form; it does not name the proper respondent; and it challenges three separate state criminal cases. Further, the claims are not unsupported by a statement of specific facts, and the Court finds the claims to be frivolous because they lack legal merit and are manifestly insufficient as a matter of law. Finally, civil rights claims may not be included in a habeas action.

Mr. Redfox challenges his criminal convictions in *State of Alaska v. Redfox*, Case Nos. 4EM-18-00207CR and 3AN-22-07248CR and his pending criminal charges in Case No. 3AN-24-03077CR. Each of these cases was brought in an Alaska state court charging Mr. Redfox with various sections of Title 11 of the Alaska Statutes.²⁶ Mr. Redfox claims that the Alaska criminal statutes are invalid because the Michie Publishing Company "closed" in 2020 and so "[i]n essence,

²⁵ But see *Stone v. Powell*, 428 U.S. 465, 489-495 (1976) (holding "that where the State has provided an opportunity for full and fair litigation of a Fourth Amendment claim, the Constitution does not require that a state prisoner be granted federal habeas corpus relief on the ground that evidence obtained in an unconstitutional search or seizure was introduced at his trial.").

²⁶ See Case No. 3AN-24-03077CR, Party Charge Information (Charge 1: AS11.56.320(a)(4)(A): Escape 3-Rels Misd Electronic Monitor, Date of Offense 03/20/2024); Case No. 3AN-22-07248 CR, Party Charge Information (Charge 1: AS11.41.230(a)(1): Assault In The 4th Degree - Recklessly Injure, Charge Disposition: Defendant Convicted on Charge, Guilty After Trial 02/27/2024) (Charge 2: AS11.46.484(a)(1): Crim Mischief 4-Prop Dam \$250-\$749, Charge Disposition: Dismissed by Prosecution CrR43(a) 02/27/2024); Case No. 4EM-18-00207CR, (Charge 1: AS11.41.210(a)(1): Assault 2 - Injury w/ Weapon, Intent, Charge Disposition: Charge Dismissed by Prosecutor 12/18/2019) (Charge 2: AS11.41.220(a)(1)(B): Assault 3- Cause Injury w/ Weap, Charge Disposition: Guilty Conviction After Guilty Plea 12/18/2019).

the charges [brought against him] . . . all are by the military law" and "[civilians cannot be tri]ed by "military tribunals."²⁷

Mr. Redfox's claims are legally without merit. The legal validity of state statutes is based on their enactment by the state legislature, not on their publication. In other words, a publisher may facilitate access to the law, but the legal authority of the statutes remains with the legislature.²⁸ If a publishing company responsible for printing state statutes goes out of business, the validity of the state statutes themselves is not affected. Further, despite Mr. Redfox's contention that it went out of business, the Michie Publishing Company is now a subsidiary of LexisNexis,²⁹ the official publisher of the Alaska Statutes.³⁰

Further, Mr. Redfox was not tried by a military tribunal. He was tried by the State of Alaska. States have the inherent authority to charge individuals with criminal offenses under their own statutes based on their sovereign police powers, which are preserved by the Tenth Amendment and recognized by the United

²⁷ Docket 1, 1-1 at 2.

²⁸ See *Wheaton v. Peters*, 33 U.S. 591 (1834) (holding that judicial decisions cannot be made private property, as this would allow an individual to control access to the law, which is contrary to public policy); see also Alaska Stat. §01.05.006, Adoption of Alaska Statutes; *Legislative Process in Alaska*, the Alaska State Legislature, <https://akleg.gov/docs/pdf/Legislative-Process-in-Alaska.pdf>.

²⁹ See Publishers: Michie Products, LexisNexis, <https://store.lexisnexis.com/en-us/publishers/michie.html>.

³⁰ The 14-volume print version is available for purchase on LexisNexis's website and available at all Alaska Court System law libraries and many public libraries. The Alaska Statutes (1993 - current) are also available online on the Alaska Legislature's website.

States Supreme Court.³¹ This authority allows states to define and punish criminal conduct within their borders.³²

Mr. Redfox's reliance on *Ex parte Milligan*, a case decided by the Supreme Court in 1866, is misplaced.³³ In *Ex parte Milligan*, the Supreme Court held that it is unconstitutional to try civilians by military tribunals unless there is no civilian court available.³⁴ The Supreme Court also addressed the issue of martial law, stating that martial law cannot be applied when civil courts are open and operating.³⁵

Unlike Milligan, Mr. Redfox was not charged and tried under the Uniform Code of Military Justice ("UCMJ")³⁶ by a military tribunal, and he is not detained in

³¹ U.S. Const. Amend. X. See also *Mayor, Aldermen and Commonalty of City of New York v. Miln*, 36 U.S. 102 (1837) (holding states can prosecute any individual found within their jurisdiction for offenses committed within their jurisdiction against their criminal law).

³² See, e.g., *Bond v. U.S.*, 572 U.S. 844 (2014) (noting that the states have broad authority to enact legislation for the public good, including the punishment of local criminal activity, which is a clear example of traditional state authority).

³³ In *Ex parte Milligan*, 71 U.S. 2 (1866), the petitioner, Lambdin P. Milligan, was a citizen of Indiana who was arrested by military authorities during the Civil War and tried by a military commission on charges including conspiracy against the government and aiding the enemy. Milligan filed a petition for a writ of habeas corpus, arguing that the military commission had no jurisdiction to try him because he was a civilian and the civil courts in Indiana were open and operational. The Court concluded that Milligan's trial by a military commission was unconstitutional, and he was entitled to be discharged from military custody.

³⁴ *Ex parte Milligan*, 71 U.S. at 120.

³⁵ *Id.* at 124-125.

³⁶ Military law, or the Uniform Code of Military Justice ("UCMJ"), 10 U.S.C. §§ 801-940 (1958) is a system of laws and regulations that governs the conduct of members of the armed forces. It is distinct from civilian law, with its own set of crimes and punishments

a military detention facility. Instead, Mr. Redfox was charged and tried in the Alaska state courts under Alaska criminal statutes. Mr. Redfox is currently detained at the Anchorage Correctional Complex in the custody of the Alaska Department of Corrections ("DOC"). Mr. Redfox's references to "martial law" are also misplaced,³⁷ as martial law is not presently imposed in Alaska.³⁸ Martial law involves the temporary suspension of ordinary law and the imposition of direct military control over normal civilian functions due to an emergency, such as a war. In the absence of such conditions, state courts continue to function, and legal proceedings are conducted under the established state laws. Hence, any claims of improper detention based on the premise of martial law are frivolous.

III. Civil Rights Claims under 42 U.S.C. § 1983

When success of a petitioner's claim would not necessarily lead to his immediate or earlier release from confinement, the claim does not fall within "the core of habeas corpus" and the claim must be brought as a separate case under 42 U.S.C. § 1983 ("Section 1983").³⁹ "A habeas court has the power to release a

designed to maintain discipline and efficiency within the military. Military law is administered by military tribunals and is equally in force in peace and in war.

³⁷ See Docket 2 at 1

³⁸ The federal government has not declared martial law since 1944. The last time a state declared martial law was in Maryland in 1963 during the Civil Rights Movement. See, e.g., *Duncan v. Kahanamoku*, 327 U.S. 304 (1946). Since then, martial law has been limited to specific, localized situations, often in response to natural disasters or civil unrest, where temporary military assistance was deemed necessary.

³⁹ *Nettles*, 830 F.3d at 935.

prisoner but has no other power.”⁴⁰ To the extent Mr. Redfox is seeking to pursue civil rights claims based on the conditions of his confinement or any other civil rights claims, such as retaliation or access to the courts, such claims cannot proceed in a habeas action. Instead, Mr. Redfox must pursue such claims, if at all, in a separate Section 1983 action.

To properly commence a civil rights action, a prisoner litigant must file a complaint, a civil cover sheet, and either pay the filing fee of \$405.00 or file a completed application to waive prepayment of the filing fee.⁴¹ Prisoner litigants requesting to waive prepayment of the filing fee must include a statement from their prison trust account for the past six months.⁴² Federal law only allows the Court to waive a prisoner’s *prepayment* of the fees associated with civil lawsuits. Prisoners must pay the filing fee incrementally until paid in full, regardless of the outcome of the action.

If Mr. Redfox seeks to pursue a civil rights case, he must file a complaint that complies with the Federal Rules of Civil Procedure, the District of Alaska’s Local Civil Rules, and all Court orders. To assist self-represented prisoners in filing a complaint that complies with applicable court rules, the District of Alaska has prepared a form Section 1983 complaint for this purpose. Under the Prison

⁴⁰ *Douglas v. Jacquez*, 626 F.3d 501, 504 (9th Cir. 2010) (citation omitted).

⁴¹ Alaska Local Civil Rule 3.1.

⁴² Alaska Local Civil Rule 3.1(c)(3).

Litigation Reform Act, a federal district court must screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity.

If a civil rights complaint is dismissed as frivolous, malicious, or for failure to state a claim and this case is closed, it will count as a "strike" under 28 U.S.C. §1915(g), which may limit a plaintiff's ability to bring future cases under Section 1983 in federal court. Currently, Mr. Redfox has one strike, entered in Case No. 3:21-cv-00143-JMK.

IV. Motion for Courtesy Copies

At Docket 4, Mr. Redfox filed a motion seeking "a courtesy copy of the Common Law Writ of Habeas Corpus." To the extent Mr. Redfox seeks a copy of the Court's template habeas petition or civil rights complaint forms, they are available on request from the Clerk's office. The motion at Docket 4 is DENIED.

V. Motions for Expedited Consideration

The filing of "emergency motions" is disfavored and is properly confined to only limited circumstances.⁴³ Mr. Redfox's motions at Dockets 2, 8, and 11 fail to establish an emergency that warrants expedited consideration and are therefore DENIED.⁴⁴

⁴³ *Cardoza v. Bloomin' Brands, Inc.*, 141 F. Supp. 3d 1137, 1140 (D. Nev. 2015) (citing *In re Intermagnetics America, Inc.*, 101 B.R. 191, 193-194 (C.D. Cal. 1989)).

⁴⁴ See District of Alaska Local Civil Rules 5.1(f)(2) and 7.1(e).

VI. Writ of Error

At Docket 9, Mr. Redfox filed a document titled "Writ of Error," in which he complains that he has not been discharged from custody. Historically, a writ of error was a legal instrument used to review the judgment of a lower court by a higher court. In modern federal practice, the writ of error has been replaced by the appeal process. Appeals are the primary method for seeking review of a lower court's decision.

No appealable orders were entered in this case before the instant Order of Dismissal. Therefore, the motion at Docket 9 is **DENIED**. To the extent Mr. Redfox seeks to appeal this order to the Ninth Circuit Court of Appeals, the Court finds Mr. Redfox has not made a substantial showing of the denial of a constitutional right, such that this Court will not issue a certificate of appealability. Mr. Redfox may request a certificate of appealability from the Ninth Circuit Court of Appeals.

IT IS THEREFORE ORDERED:

1. The petition for a writ of common law habeas corpus at **Docket 1 is DISMISSED without leave to amend.**
2. The motions for expedited consideration at **Dockets 2, 8, and 11 are DENIED.**
3. The motion for courtesy copies at **Docket 4 is DENIED.** The Court's template forms are available upon request from the Clerk's office.
4. The motion to file an amended petition for a writ of habeas corpus at

Docket 5 is DENIED.

5. The motion for a writ of error at **Docket 9 is DENIED.**
6. The Clerk of Court is directed to enter a Final Judgment and terminate this action.
7. A Certificate of Appealability shall not be issued by this Court because Mr. Redfox has not made a substantial showing of the denial of a constitutional right.⁴⁵

DATED this 12th day of May 2025, at Anchorage, Alaska.

/s/ Sharon L. Gleason
SHARON L. GLEASON
UNITED STATES DISTRICT JUDGE

⁴⁵ 28 U.S.C. §2253(c)(2). *See also Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (holding a certificate of appealability may be granted only if the applicant made a "substantial showing of the denial of a constitutional right," *i.e.*, a showing that "reasonable jurists could debate whether . . . the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further.") (internal quotations and citations omitted)).

App. P. 15

Wyatt North Redfox #729305
Anchorage Correctional Complex West
1300 East 4th Avenue
Anchorage, AK 99501

District Court for the Territory of Alaska

In the matter application of
a common law writ of habeas
corpus for,

Wyatt North Redfox,

Petitioner.

Case No. 3:24-cv-00285-SLG

Common Law Writ of Habeas Corpus

I, Wyatt North Redfox, the Petitioner, in propria persona, petitions this Honorable Court to issue a writ of habeas corpus at common law, in order to test the jurisdiction of the sentencing court that so orders to hold the body of Wyatt North Redfox in the case name and numbers of "STATE OF ALASKA vs. WYATT NORTH REDFOX, 3AN-24-03077 CR; 3AN-22-07248 CR; and 4EM-18-00208 CR." Petitioner is held at Anchorage Correctional Complex West, 1300 East 4th Avenue, Anchorage, AK 99501 by virtue of judicial restraint in the above mentioned case name and numbers.

Petitioner requests a judicial officer, or judge, issues this common law writ of habeas corpus within the jurisdiction of the District Court for the Territory of Alaska, and pursuant to Ex parte Milligan, 71 U.S. 2 (1866). The following supports the petitioner's position and is supported by an affidavit or declaration.

"I hereby certify that a true copy of the foregoing was served on the United States Attorney General and Alaska Attorney General by ☒ mail on: December 19, 2024 "

By: Wyatt North Redfox

Ex Parte Milligan:

The question is - does a civil court have jurisdiction over a military tribunal?

Discussion:

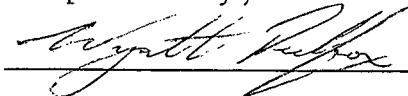
Civilians cannot be tried by presidentially commissioned courts or military tribunals when civil courts are in operation. Lambdin P. Milligan in 1866 was released from custody on a writ of habeas corpus, after being sentenced to hang after being found guilty for "Conspiracy against the Government of the United States; Affording aid and comfort to rebels against the authority of the United States; Inciting insurrection; Disloyal practices; and Violation of the laws of war." There is a clear and unanimous decision in the good-standing case of Ex parte Milligan, 71 U.S. 2, 122 (1866) that held Milligan's rights were infringed and required to be released from custody when he was tried for the accusations placed against him. The U.S. Supreme Court's opinion held that "One of the plainest constitutional provisions was, therefore, infringed when Milligan was tried by a court not ordained and established by Congress, and not composed of judges appointed during good behavior.

Note: It is clear that in America, there is no court that has been "ordained and established by Congress, and composed of judges appointed during good behavior." See TITLE 28. JUDICIARY AND JUDICIAL PROCEDURE (Sec. 1 - 5001) > Part I. Organization of Courts (Chs. 1 -23) > CHAPTER 13. Assignment of Judges to Other Courts (Sec. 291 - 297) and the history of the enactment of June 25, 1948. U.S. Code, title 28., 62 Stat. 869. ("AN ACT To revise, codify, and enact into law title 28 of the United States Code

entitled "Judicial Code and Judiciary".""); also found under
United States Statutes at Large > 80th Congress, 2d Session >
Public Law 80-733 > Chapter 646"

WHEREFORE, the petitioner, Wyatt North Redfox, and by prayer
for this petition, demands for relief from a judge that an order
is granted to release petitioner from said custody "STATE OF
ALASKA, DEPARTMENT OF CORRECTIONS, of ANCHORAGE CORRECTIONAL
COMPLEX WEST" or any other restraint or custody of which Wyatt
North Redfox may be held in the connection to the case(s) mentioned
above.

Respectfully,

 12/19/24

Wyatt North Redfox #729305
Anchorage Correctional Complex West
1300 East 4th Avenue
Anchorage, AK 99501

District Court
for the
Territory of Alaska.

} ss, AFFIDAVIT/BY: Wyatt North Redfox
DECLARATION

Case No. _____

I, Wyatt North Redfox, declare under the penalty of perjury to the following information to the best of my belief:

- (1) I am a United States citizen;
- (2) I have not been enrolled within the land and naval forces;
- (3) I have read the United States Constitution and understand it to the best of my knowledge and belief;
- (4) The United States District Court, for the District of Alaska is granted supposed congressional authority under 28 U.S.C.S § 81A;
- (5) 28 U.S.C.S. § 81A was directed under the authority of the presidential document Ex. Or. No. 10867 of February 20, 1960, 25 Fed. Reg. 1584;
- (6) The "Supreme Court of the United States" appears to have its virtue of power through the purported political acts of Harry S. Truman of June 25, 1948. See United States Code Service > TITLE 28. JUDICIARY AND JUDICIAL PROCEDURE (§§ 1 - 5001) > Part I. Organization of Courts (Chs. 1 - 23) > CHAPTER 1. Supreme Court (§§ 1 - 6);
- (7) August 3, 2024, a two page common law writ was sent to the Nesbett Court House via mail, the state court refused to issue the common law writ;
- (8) October 8, 2024, another common law writ of habeas corpus was filed in open court at the Nesbett Court House in front of Superior Court Judge Andrew Peterson, a copy sent to the Supreme Court, 303 K Street, Anchorage, AK 99501, and provided in copy to the Alaska Attorney General, Treg Taylor, and the State of Alaska, District Attorney's Office of Anchorage. On October 22, 2024, the writ was filed in Superior Court Judge, Catherine M. Easter's court of Case No. 3An-24-03077 CR. As of the date below, no issuance of the writ was made.

(9) In each case name and number, "STATE OF ALASKA v. WYATT NORTH REDFOX, 3AN-24-03077 CR; 3AN-22-07248 CR; and 4EM-18-00207 CR", the petitioner is either, charged, tried, or convicted, by state enacted statutes under Title 11. Criminal Law, which all appear to published law by "The Michie Company" as set out in AS 01.05.006, which noted, The Michie Company has been permanently closed since the year of 2020. In essence, the charges, tried, and conviction of Wyatt North Redfox of the charges under its Title, all are by the military law, which is "the rules and regulations made by the legislative power of the State for the government of its land and naval forces." See Kent's Comentararies, vol. 1, p. 341, note A.;

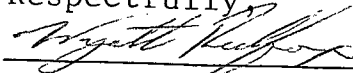
(10) Black's Law Dictionary (8th ed. 2004) define MILITARY LAW as "The branch of public law governing military discipline and other rules of service in the armed forces. • It is exercised both in peacetime and in war, is recognized by civil courts, and includes rules far broader than for the punishment of offenders. Also termed military justice. "military Law ... is largely, but not exclusively, statutory in character, and prescribes the rights of, and imposes duties and obligations upon, the several classes of persons composing its military establishment; it creates military tribunals, endows them with appropriate jurisdiction and regulates procedure; it also defines military offenses and, by the imposition of adequate penalties, endeavors to prevent their occurrence." George B. Davis, A treatise on the Military Law of the United States 1 (3d ed. 1915)." at Page 3146;

(11) any other matters or information, Wyatt North Redfox preserves the right to address the issues, either by objection to opinions, or by writ of error.

FURTHER YOUR DECLARANT SAYTH NAUGHT,

Done this 19th day of December, 2024, at Anchorage.

Respectfully,



Wyatt North Redfox.

Wyatt North Redfox #729305
Anchorage Correctional Complex West
1300 East 4th Avenue
Anchorage, AK 99501

IN THE COURTS OF LAW OF ALASKA IN ANCHORAGE

In the matter of:

Wyatt North Redfox,

Petitioner

Case No. _____

COMMON LAW WRIT OF HABEAS CORPUS

The Petitioner, Wyatt North Redfox, in propria persona, is currently being held at Anchorage Correctional Complex West, 1300 East 4th Avenue, Anchorage, Alaska 99501 and requests from a judge to issue a common law writ of habeas corpus granting petitioner relief for release of Wyatt North Redfox.

The Petitioner requests the Honorable judge to issue an Order directing that the body of Wyatt North Redfox be brought before the judge at 825 West 5th Avenue, Anchorage, AK 99501 of the Nesbett Court House on the date of October 21, 2024 at the time specified by the judge in order to test the jurisdiction of the sentencing court by common law writ of habeas corpus. See Flanigan v. State, 3 P.3d 372, 375-376, 2000 Alas. App. LEXIS 77 (Alaska Ct. App. 2000).

The Petitioner is held by Order of said court "STATE OF ALASKA" in relation to case numbers "3AN-24-03077 CR: 3AN-22-07248 CR; and 4EM-18-00207 CR." Petitioner Redfox alleges that the court that Orders to hold the body of said Petitioner, Wyatt North Redfox, does not have jurisdiction of the subject-matter or of the party, and therefore cannot, any further, hold the Petitioner.

The following supports Petitioner's position.

MILLIGAN, EX PARTE

The question is - does a civil court have jurisdiction over a military tribunal?

CONCLUSION

Unanimous decision for Milligan, Lambdin P. Milligan, who was sentenced to death by military commission in Indiana during the so-called Civil War for disloyalty. He was released via Habeas Corpus from Federal Court in 1866. Civilians cannot be tried by Presidentially created military commissions when the civil courts are still in operation.

AN EXCERPT FROM EX PARTE MILLIGAN: "One of the plainest constitutional provisions was, therefore, infringed when Milligan was tried by a court not ordained and established by Congress, and not composed of judges appointed during good behavior." Ex parte Milligan, 71 U.S. 2, 122 (1866).

NOTE: Courts operating in America today were not ordained and established by Congress, nor composed of judges appointed during good behavior. The United States/UNITED STATES judicial system only has its existence by purported political acts created by Harry S. Truman on June 25, 1948, five days after Congress adjourned and was not in session. See CONGRESSIONAL RECORD HOUSE, page 9367, left hand column, H.R. 3214.(AN ACT To revise, codify and enact into law title 28 of the United States code entitled "Judicial Code and Judiciary".); see also TITLE 28. JUDICIARY AND JUDICIAL PROCEDURE (§§ 1-5001) > Part I. Organization of Courts (Chas. 1 - 23) > CHAPTER 13. Assignment of Judges to Other Courts (§§291 - 297); and the history of the enactment

of June 25, 1948. U.S. Code, title 28., 62 Stat. 869; also see United States Statutes at Large > 80th Congress, 2d Session > Public Law 80 - 733 > Chapter 646.

WHEREFORE the Petitioner, Wyatt North Redfox, in propria persona PRAYS:

1. that the body of WYATT NORTH REDFOX is Ordered and brought before the Court (or judge) at 825 West 5th Avenue, Anchorage, Alaska 99501, Nesbett Court House, safe and in good condition;
2. direct the officer of Anchorage Correctional Complex West, or Superintendent in charge that holds said petitioner, Wyatt North Redfox, to show cause by what authority do they have to hold said petitioner in order to test the jurisdiction of the sentencing court on the subject-matter or of the party or both, and if no jurisdiction is given to the sentencing court to hold the petitioner;
3. Order the "STATE OF ALASKA, DEPARTMENT OF CORRECTIONS" or any officer that hold custody of the body of WYATT NORTH REDFOX to be released from custody.

VERIFICATION:

I, Wyatt North Redfox, hereby verify that the information contained within this common law writ of habeas corpus is true to the best of my knowledge and belief: Wyatt North Redfox

WYATT NORTH REDFOX
ANCHORAGE CORRECTIONAL COMPLEX WEST
1300 EAST 4TH AVENUE
ANCHORAGE, ALASKA 99501

I hereby certify that a true copy of the foregoing was sent by mail to:
Attorney General ☒ Clerk of Court ☒ District Attorney's Office ☒
Wyatt North Redfox on October 8, 2024

Wyatt North Redfox #729305

Anchorage Correctional Complex East

1400 East 4th Avenue

Anchorage, AK 99501

COMMON LAW WRIT

I, *Wyatt North Redfox*, currently held at Anchorage Correctional Complex East, 1400 East 4th Avenue, Anchorage, Ak 99501,

apply for a writ to a judge requesting for an order to be released from the custody of the said State court "STATE OF ALASKA" to be held in relation to the following cases which holds the petitioner: 3AN-24-03077 CR; 3AN-22-07248 CR; and 4EM-18-00207 CR.

The following authority supports the petitioners request, who makes this request *in propia persona*, and without the assistance of counsel.

Milligan, Ex parte

Civilians cannot be tried by Presidentially commissioned courts or military tribunals when civil courts are in operation. Lampdon P. Milligan in 1866 was released from custody on a Writ of Habeas Corpus, after being sentenced to hang after being found guilty for "Conspiracy against the Government of the United Staets; Affording aid and confort to rebels against the authority of the United States; Inciting insurrection; Disloyal practices; and Violation of the laws of war."

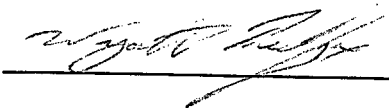
The decision of the United States Supreme Court held in Ex parte Milligan, 71 U.S. 2, 122 (1866) held that *Milligan's* rights were infringed and required to be released from custody when tried for the accusations against him. In the U.S. Supreme Court's opinion held that "*One of the plainest constitutional provisions was, therefore, infringed when Milligan was tried by a court not ordained and established by Congress, and not composed of judges appointed during good behavior.*"

It is clear that in America, there is no court that has been "ordained and established by Congress, and composed of judges appointed during good behavior." See "TITLE 28. JUDICIARY AND JUDICIAL PROCEDURE (Sec. 1 -5001) > Part I. Organization of Courts (Chs. 1 - 23) > CHAPTER 13. Assignment of Judges to Other Courts (Sec. 291 -

297)." and the History of the enactment of June 25, 1948. U.S. Code, title 28., 62 Stat. 869. ("AN ACT To revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary"."); *also found under* "**United States Statutes at Large > 80th Congress, 2d Session> Public Law 80-733 > Chapter 646**"

WHEREFORE, the petitioner, *Wyatt North Redfox*, and by prayer for this petition, demands for relief to a judge the an order is granted to release petitioner from said custody "STATE OF ALASKA, DEPARTMENT OF CORRECTIONS, of ANCHORAGE CORRECTIONAL COMPLEX EAST" or any other custody of which Wyatt North Redfox may be held in connection to the case said above.

Sincerely,

 8/3/24

Wyatt North Redfox #729305

Anchorage Correctional Complex East

1400 East 4th Avenue

Anchorage, AK 99501

Subscribed and Sworn before me on _____ at _____, by
_____.

My Commission Expires: _____

"I hereby certify that a true copy of the foregoing was served on the DA, PD, COURT by [x] Mail on _____"