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Letter from a Petitioner in Mexico to Geraldine Ferraro

Geraldine Ferraro

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Under guarantee of the First, Ninth and Tenth Amendments to the Constitution of the United States, Pro Se Petitioner [redacted] hereby submits this petition for redress of the grievances that the United States, through various of its officials and officers, has unconstitutionally taxed [redacted] a certain amount of money, not for support of Government but only in retaliation against [redacted], thereby denying due process and equal protection of the law of the Constitution to [redacted], only because he exercised his constitutionally protected right to challenge arbitrary and excessive powers exercised by the United States in derogation of his constitutionally protected rights.

The First Amendment to the Constitution protects [redacted] right to so challenge any arbitrary and excessive exercise of power by the United States that affects [redacted], and specifically prohibits the United States from abridging that right by any such "tax", or in any other manner, by whatever name such abridgement might be called.

The power delegated to the United States to tax and spend is limited and restricted by the Constitution to only the extraction and expenditure of monies to cover the costs of only the exercise of only those powers delegated.

Any power to place any abridgement on the right to petition for redress of grievances is explicitly prohibited by the First Amendment to the Constitution, in plain English words; which, among other things, is an explicit limitation and restriction on the congressional power to regulate the courts.

The First Amendment prohibition of any abridgements on the right to petition for redress of grievances is an explicit limit and restriction on the taxing power.

The Ninth Amendment protection of the right;
"That every freeman ought to find a certain remedy by recourse to the laws for all injuries and wrongs he may receive in his person, property, or character. He ought to obtain right and justice freely without sale, completely and without denial,
promptly and without delay, and that all establishments, or
regulations contravening these rights, are oppressive and unjust."
places an explicit limit and restriction on the exercise of the
power to regulate the courts, so that no regulation of the courts
will either "deny or disparage" this right.
Each and every right "retained by the people" through protection
of the Ninth Amendment constitutes a limit and restriction not
only on every power that Congress has been granted, but, on every
power of every department, agency, official and officer of the
United States, to preclude their being denied or disparaged.
The Tenth Amendment, in recognition that all power and all
sovereignty rests primarily in the people, very simply prohibits
the exercise of any power by the United States that has not been
delegated to it by the people, in the Constitution; in the manner
prescribed by the people.
There is no constitutional grant of power that can be found
whereby any fees or costs can be imposed on any individual by the
courts, either to redress a grievance or to defend himself from
being charged by Government of any violation of any law.
Such fees and costs "taxed" by the courts can only, as admitted,
inhibit and prohibit the constitutionally protected right of
recourse to law in the courts.
The power of taxation cannot, constitutionally, be exercised by
the courts.
The courts have no business, authority, nor jurisdiction, in the
legislative processes.
It is none of the courts business whether or not any part of the
Constitution, or any statute found to be in pursuance of the
Constitution, is good, bad, or otherwise.
The courts only business, authority, and jurisdiction, in relation
to the law of the Constitution, and all statutes found to be in
pursuance of the Constitution, is to declare what those laws are
when their jurisdiction is properly invoked.
The courts do not have any business, authority, nor jurisdiction,
as does the President, to recommend or veto any laws.
The courts have no legislative nor executive authorities.
The courts are only to judge whether or not statutes are validly
pursuant to the Constitution, whether or not the Constitution or
statutes found to be valid have been violated, provide remedies for wrongs, and assess penalties for violations.

And since the Constitution prohibits the courts from finding one in violation of a law that does not exist; no one can be found guilty of violation of any statute, constitutionally, before that statute has first been found to be validly pursuant to the Constitution.

The Constitution is the law which delegates to the United States the power and authority to make implementing provisions and regulations through proper legislative processes, but none of these implementing provisions and regulations can be made by other than those invested with legislative powers by the Constitution; and even those vested by the Constitution with these legislative powers cannot, constitutionally, make any implementing provisions or regulations, for whatever purpose, that contravene in any manner any part of the law of the Constitution.

The courts have certain constitutional responsibilities and duties which Congress may constitutionally implement with regulations, but no regulation of Congress can, constitutionally, authorize the courts to act in contravention to these constitutional commands.

All of these facts can be supported by previous Supreme Court decisions interpreting the law of the Constitution, but, unlike the British constitution from which our laws evolved, the Constitution of the United States of America is not based on any "common law" custom, usages or judicial decisions, but is a written predetermined set of consistent principles.

Federal judges are to declare what the law is, but it is not their declaration that makes it so.

The courts cannot give "advisory" judgments on the law, which would seem to prohibit their public speeches on what the law is, where no case or controversy is being determined.

Federal judges do not have "life" tenure. In very plain unambiguous English words, the Constitution states, "The judges, both of the supreme and inferior courts, shall hold their office during good behavior" which is plain enough that judges shall not hold their office during bad behavior. Termination of good behavior is termination of the office.

Neither do federal judges have an undiminished salary for "life"; but only "during their continuance in office", which is only during their good behavior.
The Constitution does not, of course, require that federal judges be inhumanly perfect in the exercise of their duties, but, there is a vast difference between honest mistakes of judgment and arbitrary actions contrary to basic, fundamental, written and well-settled principles, that any judge can only be grossly negligent in not being aware of. Such arbitrariness and negligence is not "good behavior".

The Constitution does not "grant" any rights to any individual. The Constitution "protects" all rights of every individual.

The United States has no authority to use its taxing power to penalize for not following its regulations; not even regulations lawfully made in pursuance of the Constitution.

In violation of the Constitution, the "tax" levied on, and collected from, did not go to the United States Treasury, but was deposited in the "Misc Acct" of an agency of the United States in no wise connected with the Treasury; where it might be withdrawn and spent in violation of the constitutional requirement that withdrawal and expenditure of "tax" money can only be done according to a specific appropriation of that "tax" money, by a specific law of the United States made in pursuance of the Constitution.

This "tax" was unconstitutionally imposed only to coerce him from any further exercise of a constitutionally protected right.

When was later attempting to again exercise this same constitutionally protected right, he was sent a form pertaining to this "tax" which was too obviously only an unlawful intimidating threat.

This "tax" deprives of the natural rights of all men on which his constitutional protections are based, including, but not limited to, his right of property.

When any department, agency, official or officer of the United States exercises any power not within its domain as an instrument for circumventing a protected right, it has no insulation from judicial review.

Neither in reference to the Government of the United States or of any of its officers, has the English maxim, that the King can do no wrong, any existence in the United States.

Questions of whether or not the United States has exceeded its delegated powers, even if concerning a political right, are not
political questions; and can easily be resolved by resort to the
Constitution.

Under express provisions of Article III and the First Amendment of
the Constitution of the United States of America, this court not
only has the power but it is its duty:

1. to uphold the Constitution, including, but not limited to,
assigning this case to other than judge [redacted], who,
because of his bad behavior, and deprivation of constitutional
protections of [redacted], has abdicated his previous judicial
authority, at least in any matter pertaining to Mr. Yates.

2. to declare challenged arbitrary and excessive actions of the
United States to be in violation of the Constitution.

3. to enjoin by injunction any further exercise of such
arbitrary and excessive actions against [redacted].

4. to order return of all unlawful "taxes" with interest and
money damages appropriate to [redacted].

5. to provide all other appropriate remedies allowed by law.

This complained of "tax" was claimed to be due and payable by the
United States and vigorously opposed by [redacted], yet, ignoring
opposition of [redacted], the United States ordered [redacted] to
pay, and received payment of, this "tax" to which they had no
lawful right.

This petition demanding redress through recourse to the law of the
Constitution is not any request for an advisory opinion.

Since what [redacted] was penalized for, with this "tax", has never
yet been settled and [redacted] continues in his attempts to resolve
the matter; the threat of being so injured again, having already
been made once, cannot be ignored.

This question is not moot.

This court does not have to await any blessing of the other two
departments of the Government of the United States, nor either one
of them, before carrying out its constitutional duty to remedy
these wrongs.

The constitutional provision explaining that the laws of the
United States are not to be construed as the law of the land unless
in pursuance of the Constitution, is a direct prohibition on this
court or any other court from making any judgment of law based on
any law of the United States, without first having determined,
according to the Constitution, that such law is pursuant to the
Constitution.

This is not a controversy between individuals that can be resolved
by resort to any unwritten changeable common law procedures.
This is not a case of an individual accused by the United States that must be resolved in accordance with the protections afforded one so accused.

This is a case of an individual challenging unconstitutional actions of the United States, that can only be resolved according to the rules of the Constitution that the United States must follow.

No provision of the Constitution allows the United States to protect themselves by placing any inhibitive costs on the right to invoke the power of this or any other federal court for a judgment on and remedy for their arbitrary and excessive actions.

Nor does any provision of the Constitution prohibit the right of from enjoining the United States by injunction from any further violation of his natural rights, that supersede the Constitution, or his constitutional protections of those natural rights.

The United States of America was only begun on the conditions, that not one of the previously documented declared rights and protections of each individual could be violated by any exercise of those powers delegated to the United States, and the injunction enjoining the United States from making any law contrary to those declared rights and protections.

If those rights and protections do not exist, and if the United States cannot be enjoined by injunction to cease and desist from any further specific violations of any one of those rights and protections, then these limiting restrictions upon which the beginning of the existence of the United States of America was conditioned have not been met, and, therefore, the United States of America does not, lawfully, exist; except as a lawless violence through brute force.

It is a documented truth that the United States declared that the minimum number of nine States had ratified the Constitution, which would have lawfully placed the United States into existence. But, there was never the minimum number of nine States that ratified the Constitution without the above stated conditions, which also is documented truth.

The allegations forming the complaint of, and the complaint itself, in case number in this court, and the refused appeal of that case, along with the same in case number in this court, and the refused appeal of that case, have not been, and cannot be, shown by the Constitution to be untrue, without merit, or undeserving of a judgment in their favor.
In such cases the burden of proof, constitutionally, is clearly on the United States. The federal judges involved in those cases, not to mention other officers and employees of the United States, clearly exhibited and even documented a complete lack of constitutionally required "good behavior".

But, even if those suits had been deserving of the treatment they have received, still has the constitutional protections of the First, Ninth and Tenth Amendments to so challenge, and to receive the still refused accounting for their actions from the United States, without being charged in any manner for the exercise of this right, or in any other manner being retaliated against.

With all proper respect for the judicial department of the United States as established by, and as in conformity with, the Constitution, but in view of the past unlawful practices of this court, in the person of judge [redacted], hereby admonishes this court that while it is its duty to declare what the law is, it is not the declaration of any mere mortal judge that makes it so.

The injunctive condition placed on the United States from the beginning, in addition to the unqualified and unambiguous provisions of the Constitution itself, clearly explain that ours is a government of laws and not of men.

In view of the past arbitrariness, chicanery, and obvious disregard for truth of this court, in the person of judge [redacted], hereby enjoins this court to make this judgment without delay and with a detailed written explanation of the law of the Constitution on which its judgment is based.

The well documented facts of the above mentioned previous cases in this court clearly demonstrate that judge [redacted] is negligently lacking in the most basic primary fundamental Knowledge of the Constitution and, even more important, seriously lacking in personal integrity.

Due to such obvious and well documented lack of constitutionally required "good behavior", it would be absurd to suppose that [redacted] could receive a fair trial from judge [redacted] on this or any other constitutional issue.

[redacted] intentionally does not refer to any implementing statute of the United States, because no law of the United States is relevant to the resolution of this matter. This is a matter over which the lawmaking authority of the United States has no control.
The right to remedy for wrongs is all encompassing; the United States' lawmaking authority can add nothing to it. And in clear unambiguous language the Constitution prohibits the United States' lawmaking authority from abridging it.

To petition for redress of grievances or call Government to account for their actions and demand a court judgment based on the law of the Constitution, not common law precedents, customs, or usages; are inviolable rights of protected by the First, Ninth, and Tenth Amendments to the Constitution.

It is not some sort of game or lottery where can be charged to pay for the chance to win, nor can Government charge any penalty by declaring that he has lost the "game". Any rule or regulation of the United States to the contrary is beyond the constitutional powers of the United States to enact.

Government is at all times amenable to the people, and the people, each and every individual, has the unabridgeable right to call Government to account for not faithfully adhering to the rules set down in the Constitution, in any manner.

For Government to claim, and the courts to uphold, that the United States can only be called to account, if they give their "sovereign" permission, not only denies the Constitution, but, returns us to the same situation as before the Constitution was written, where, the King can do no wrong.

It seems that maybe the United States recognized the unabridgeable right of an individual to recourse to law, in both the Federal Rules of Civil Procedure (whatever they ambiguously refer to) and the Federal Rules of Appellate Procedure, in ordering that those procedures should be ignored, if need be, in the interest of truth and justice. (All Government and all Government procedures are supposed to be "civil", i.e., neither religious nor military, aren't they?)

But, notwithstanding whether or not the United States has recognized this right in their implementing statutory enactments, the right is protected by the Constitution; and the duty is imposed upon the federal courts by the Constitution to give a written judgment based only on the Constitution.

There is no need to aver any facts that the court is already aware of, nor is there any need for the submission of any evidence that the court already has in their files.

Recourse to law is demanded with remedies for all wrongs found thereby.

There is no need for trial or any other delaying tactics.

There is no constitutional requirement that the United States be
given any hearing or such, which hearing or such, in any event, can not change the law of the Constitution on which this matter must be determined.

has such protections, and more, from any charges that Government might make against him, but, the Constitution can be searched in vain for even one word indicating Government has such protections from his petitions for redress.

All that is required of this court is a declaration of what the law of the Constitution applicable to this matter is, and award of remedies for all wrongs found to exist.

However, if there are other matters that the court finds should be included that would require a trial, then, in event of trial, demands the constitutional protection of a jury to determine all facts, weigh all evidence, and determine amount of monetary damages to be awarded; and, that he be awarded sufficient legal counsel to protect him from the well-documented custom of United States Attorneys practices of chicanery and disregard for truth.

In the event of trial, and in view of the past practices of this court, in the person of judge , demands that all attorneys representing the United States be held to the same requirements of truthful and non-frivolous pleadings and arguments, under the same penalties, as apply to and/or his counsel; and that and/or his counsel have the same and equal privileges, and access to, the court, in all respects, as have attorneys for the United States.

This court and all other federal courts are required, by the Constitution, to be independent of the other two departments of the Government of the United States: insists and demands on no less.

WHEREFORE: Under the duty imposed by the Constitution and Oath of office, this court must:

1. Immediately issue an injunction enjoining any further action by the United States to "tax" or otherwise charge , by whatever name such charges may be called, for exercising his right to invoke the power and duty of the courts for redress of grievances.

2. Immediately order the return of such unlawful "taxes" and charges, with interest, and the payment of money damages to which Mr. Yates is obviously entitled.

3. Immediately declare such "taxes" or other charges to be unlawful abridgements of ' rights.

4. Immediately award any and all other relief to which is entitled.
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CC:
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