EXHIBIT XIII

US Constitution

https://constitution.congress.gov/browse/article-1/section-8/#:~:text=Section%208%20Powers%20of%20Congress&text=The%20Congress%20shall%20have%20Power.Artl.

- **Section 8 Powers of Congress**
  - Clause 1 Power to Tax and Spend
  - **The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;**
    - Artl.S8.C1.1 Taxing Power
    - Artl.S8.C1.2 Spending Power
  - Clause 2 Borrowing Power
  - **To borrow Money on the credit of the United States;**
    - Artl.S8.C2.1 Borrowing Power
  - Clause 3 Power to Regulate Commerce
  - **To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;**
    - Artl.S8.C3.1 Commerce Powers
      - Artl.S8.C3.1.1 Foreign Commerce Power
      - Artl.S8.C3.1.2 Commerce Among the Several States
      - Artl.S8.C3.1.3 Commerce With Native American Tribes: Scope of Authority
      - Artl.S8.C3.1.4 Commerce With Native American Tribes: Restrictions on State Powers

- Artl.S8.C3.1.5 Dormant Commerce Power
  - Artl.S8.C3.1.5.1 Dormant Commerce Power: Overview
  - Artl.S8.C3.1.5.2 Dormant Commerce Power: Select Topics for Consideration
    - Artl.S8.C3.1.5.2.1 State Taxation and the Dormant Commerce Clause

- Clause 4 Naturalization and Bankruptcy
- **To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;**
  - Artl.S8.C4.1 Naturalization Power
    - Artl.S8.C4.1.1 Naturalization Power: Overview
    - Artl.S8.C4.1.2 Naturalization Power: Select Topics for Consideration
      - Artl.S8.C4.1.2.1 Expatriation
  - Artl.S8.C4.2 Bankruptcy Power
    - Artl.S8.C4.2.1 Bankruptcy Power: Doctrine and Practice
      - Artl.S8.C4.2.1.1 Scope of Federal Bankruptcy Power
      - Artl.S8.C4.2.1.2 Restriction on State Bankruptcy Power
- Clause 5 Money
- **To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;**
  - Artl.S8.C5.1 Coinage Power
- Clause 6 Money
- **To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;**
  - Artl.S8.C6.1 Counterfeiting Power
- Clause 7 Post Office
- **To establish Post Offices and post Roads;**
  - Artl.S8.C7.1 Postal Power
    - Artl.S8.C7.1.1 Postal Power: Overview
    - Artl.S8.C7.1.2 Postal Power: Doctrine and Practice
      - Artl.S8.C7.1.2.1 Postal Power: Restrictions on State Power
- Clause 8 Copyrights and Patents
- **To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;**
  - Artl.S8.C8.1 Copyrights and Patents
    - Artl.S8.C8.1.1 Origins and Scope of the Power

EXHIBIT XIV

US Constitution

https://constitution.congress.gov/browse/article-1/section-8/#:~:text=Section%208%20Powers%20of%20Congress&text=The%20Congress%20shall%20have%20Power.ArtI.

Clause 6 Money

- **To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;**
    - ArtI.S8.C6.1 Counterfeiting Power

Clause 10 Maritime Crimes

- **To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;**
    - ArtI.S8.C10.1 Define and Punish Clause
        - ArtI.S8.C10.1.1 Define and Punish Clause: Historical Background
        - ArtI.S8.C10.1.2 Define and Punish Clause: Doctrine and Practice

EXHIBIT XV

MEMORANDUM OF PL

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0-614-1194

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No. 21-mj-498 (GMH)**
	:	
v.	:	MEMORANDUM OF LAW
	:	
TREVOR BROWN,	:	
	:	
Defendant.	:	
	:	
	:	

MEMORANDUM OF LAW OF PUBLIC LAW 80-772,

TITLE 18 UNITED STATES CODE, ACT OF JUNE 25, 1948

FACTS TO BE RECOGNIZED:

- If a different bill passes the House than passes the Senate, can the bill become a law?
- If the President pro tempore of the Senate and the Speaker of the House of Representatives sign a bill into law after Congress has adjourned sine die and is not in open session, can it be considered a law?
- If the President of the United States signs a bill into law which is not passed by both Houses ofCongress, is it a law?
- If a bill signed into law is not placed into the Federal Register as required by law, is it a law?

As shown herein, Public Law 80-772 is not a law, and cannot be used to indict, prosecute, convict, or imprison Petitioner.

Public Law 80-772 which purported to enact Title 18, United States Code, Act of June 25, 1948,Chapter 645, 62 Stat. 683 *et seq.*, and more specifically, Section 3231 thereof, 62 Stat. 826, which purported to confer upon "the district courts of the United States ... original jurisdiction ... of all offenses against the laws of the United States." These legislative Acts violated the Quorum, Bicameral and/or Presentment Clauses mandated respectively by Article I, § 5, Cl. 1, and Article I, § 7, Cls. 2 and 3, of the Constitution for the United States of America. Any federal district court which rendered judgment and ordered commitment under 18 U.S.C. Section 3231, lacked jurisdiction and, therefore thejudgment and commitment order is *void ab initio*. To charge, prosecute, sentence and imprison and placed a Citizen into Executive custody by order of United States District Court acting pursuant to the grant of original jurisdiction purportedly created by Public Law 80-772, Title 18, United States Code, Section 3231, (see 18 U.S.C. § 4082(a) (repealed) and § 3621(a) (enacted Oct. 12, 1984, and effective Nov. 1, 1987)) under *void* judgments and commitment orders undermines the sense of security for individual rights, is against public policy, is unlawful and unconstitutional.

Article I, § 1, commands and declares that "[a]ll legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Article I, § 5, Cl. 1, commands, in relevant part, that "a Majority of each [House of Congress] shall constitute a Quorum to do Business," excepting therefrom permission to "adjourn from day to day" and "to compel Attendance of its Members, in such Manner, and under such Penalties as each House may provide."

Article I, § 7, Cl. 2, commands, in relevant part, that "[e]very Bill which shall have passed both Houses, shall, before it becomes a Law, be presented to the President of the United States."

Article I, § 7, Cl. 3, commands, in relevant part, that "[e]very ... Resolution ... to which the Concurrence of the Senate and House of Representatives may be necessary ... shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the case of a Bill."

Title 1, United States Code, Section 106, Act of July 30, 1947, Chapter 388, Title I, Ch. 2, § 106, 61 Stat. 634, Pub.L. 80-278, provides, in relevant part, that "[w]hen [a] bill ... shall have passed both Houses, it shall be printed and shall then be called the enrolled bill ... and shall be signed by the presiding officers of both Houses and sent to the President of the United States."

The text of the bill, H.R. 3190 as amended, which became Public Law 80-772 (enacting Title 18, United States Code, and especially Section 3231), was passed only by the Senate and never passed by the House of Representatives because the House had no quorum when it presented the bill to the House on a 38 to 6 vote on May 12, 1947, when the House had 435 members. Further, the Senate amended the bill "passed" by the House, sent it back to the House, which voted on the amendments,

but never voted on the amended bill. The bill passed by the Senate but never passed by the House was signed by the Speaker of the House and the President pro tempore of the Senate on

June 22 and 23, 1948. However, Congress had adjourned sine die on June 20, 1948, and was not in open session when the bill was signed. The President signed the bill passed by the Senate but never passed by the House on June 25, 1948. The bill is not a law.

For those reasons, Public Law 80-772 which purportedly enacted Title 18, United States Code, Act of June 25, 1948, Chapter 645, 62 Stat. 683 *et seq.* and Section 3231 thereof, 62 Stat. 826, purporting to confer upon "the district courts of the United States ... original jurisdiction ... of all offenses against the laws of the United States" violates Article I, § 5, Cl. 1, and Article I, § 7, Cls. 2 and 3, and are therefore unconstitutional and *void ab initio.* If the district court which took action against the Petitioner, so without jurisdiction, and the judgment and commitment order is *void ab initio*, and her imprisonment and/or confinement thereunder is fundamentally unconstitutional and unlawful. 18 USC 4001(a) states: "No citizen shall be imprisoned or otherwise confined except pursuant to an act ofCongress.

JUDICIAL NOTICE IS TAKEN OF THE RECORDS OF THE 80th U.S. CONGRESS

H.R. 3190 IN THE FIRST SESSION OF THE 80th U.S. CONGRESS

H.R. 3190 was introduced and committed to the Committee of the entire House of Representatives on the State of the Union of the First Session of the 80th Congress entitled "Crimes and Criminal Procedure." See House Report No. 304 (April 24, 1947), p. 1 See also 94 Cong. Rec.

D556-D557 (Daily Digest) (charting H.R. 3190). H.R. 3190 differed from "five ... bills which ... preceded it ... [because] it constitute[d] a revision, as well as a codification, of the Federal laws relating to crimes and criminal procedure." 93 Cong. Rec. 5048-5049 (May 12, 1947). The bill was intended (1) to revise and compile all of the criminal law, (2) to "restate[]" and "consolidate[]"

"existing statutes," (3) to "repeal" "obsolete, superseded, redundant and repetitious statutes," (4) to coordinate the Criminal Code with the "Federal Rules of Criminal Procedure" formerly enacted, and

(5) to "clarify and harmonize" penalties of the "many acts" passed by Congress which were found to be "almost identical." "The bill was ordered to be engrossed and read a third time, and "passed" the House on May 12, 1947, id.; Journal of the House of Representatives ("House Journal"), May 12, 1947, pp. 343-344 Cong. Rec. D556-D557 (showing H.R. 3190's only passage by the House of Rep. on May 12, 1947), sent to the Senate and there "referred ... to the Committee on the Judiciary." 93 Cong. Rec.

5121, May 13, 1947; Journal of the Senate ("Senate Journal"), May 13, 1947, p. 252. However, the "passage" of the bill, as established by the Congressional record was on a voice vote of 38 to 6, when 435 members were in Congress and no quorum was in session, rendering the bill in violation of Article I, Section 5, Clause I of the Constitution, and *void ab initio*.

As passed and enrolled by the House of Representatives H.R. 3190 included at section 3231, Subtitled "District Courts," the following text:

> Offenses against the United States shall be cognizable in the district courts of the United States, but nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several states under the laws thereof.

H.R. 3190 as passed by the H. of Rep., p. 367, § 3231. See United States v. Sasscer, 558 F. Supp. 33, 34 (D.MD. 1982).

> On July 27, 1947, Congress adjourned without the Senate passing H.R. 3190. See 93 Cong.

Rec. 10439, 10522 (July 26, 1947). On November 17, 1947, Congress reconvened pursuant to a Presidential proclamation. Yet, Congress again "adjourned *sine die* on December 19, 1947," without the Senate passing H.R. 3190. Kennedy v. Sampson, 511 F.2d 430, 444 Appendix n. 4 (D.C. Cir. 1974).

H.R. 3190 IN SECOND SESSION OF THE 80th CONGRESS

The Senate Committee on the Judiciary reported amendments to H.R. 3190 on June 14, 1948, under Sen. Rep. No. 1620. 94 Cong. Rec. 8075 (June 14, 1948); Senate Journal, June 14, 1948, p. 452 (App. 34).[1] Sen. Rep. No. 1620 contained "a large volume of amendments" and "the new Federal Rules of Criminal Procedure [were] keyed to the bill and [were] reflected in part II of [the new proposed] Title 18." Heralding that, upon passage of the amended bill, "[u]ncertainty will be ended," the Senate wanted "the amendments adopted en bloc," including a new jurisdictional section for Title

18. 94 Cong. Rec. 8721. The report contained only the proposed amendments. See Sen. Rep. No.

1620, pp. 1 & 4.

"[T]he amendments were considered and agreed to en bloc" and then "ordered to be engrossed." 94 Cong. Rec. 8721-8722 (June 18, 1948), Senate Journal, June 18, 1948, p. 506 (H.R. 3190, "as amended," passed the Senate). It was moved that "the Senate insist upon its amendments" by the House (94 Cong. Rec. at 8722); and "[o]rdered that the Secretary to request the concurrence of the House of Representatives in the amendments." Senate Journal, supra, p. 506; House Journal, June 18, 1948, p. 688.

The House received the proposed amendments. The Clerk "read the Senate amendments" collectively into the record with which the House concurred. 94 Cong. Rec.

8864-8865 (June 18, 1948); House Journal, June 18, 1948, p. 704 (the "said Senate amendments were concurred in"). Although "[t]he House agreed to the amendments to ... H.R. 3190," Senate Journal, June 18, 1948, p. 510, no action was taken on H.R. 3190 as amended.[2] The Journal of the House of Representatives is devoid of any vote on H.R. 3190 itself on June 18, 1948, and thereafter through adjournment on June

1 The Senate approved its Journal for June 14, 1948. Senate Journal, June 15, 1948, pp. 461-462.

2 The House approved the Journal for June 18, 1948, House Journal, p. 714 (June 19, 1948, approving Journal for "legislative day of ... June 17, 1948" – *i.e.*, calendar day of June 18, 1948); id. at p. 669 (showing Friday, June 18, 1948, as "legislative day of Thursday, June 17, 1948"), and the Senate approved its Journal for June 18, 19 and 20, 1948. Senate Journal, July 26, 1948, p. 593.

20, 1948. Moreover, the official historical chart of H.R. 3190 clearly shows the "*only* passage" by the House of Representatives occurring on May 12, 1947, and specifically references volume 93, page 5048 of the Congressional Record as the recorded date the House passed the bill. 94 Cong. Rec. D556- D557 (Daily Digest). However, as is clearly established by the Congressional record, the vote for passage was 38 to 6, when 435 members were in Congress and a quorum to do business would require a majority of those members to be present for passage. Therefore, with no quorum present, the bill is null and void ab initio.

CONGRESS AGREED BY RESOLUTION TO CONTINUE LEGISLATIVE BUSINESS BY A

SINGLE OFFICER OF EACH HOUSE DURING ADJOURNMENT

On June 19, 1948, the House submitted and agreed to concurrent resolutions H.Con.Res. 218

and 219 and requested concurrence by the Senate. House Journal, June 19, 1948, pp. 771-772; Senate

Journal, June 18, 1948, p. 577. "[T]he Senate [then] passed without amendment these concurrent resolutions of the House."[3] 94 Cong. Rec. 9349 (App. 57). H.Con.Res. 218

"provid[ed] adjournment of the two Houses of Congress until December 31, 1948," id.; see Concurrent Resolutions, Second Session, Eightieth Cong., H.Con.Res. 218, June 20, 1948, 62 Stat. 1435-1436. H.Con.Res. 219

"authorize[ed] the signing of enrolled bills following adjournment," 94 Cong. Rec. 9349, specifically resolving:

> That notwithstanding the adjournment of the two Houses until December 31, 1948, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed bythe two Houses and found truly enrolled.

See Concurrent Resolutions, supra, H.Con.Res. 219, June 20, 1948, 62 Stat. 1436.

[3] The House sat from June 19 through June 20, 1948, adjourning at 6:56 A.M., House Journal, June 19, 1948, p. 775, and approved the Journal of the 19th. House Journal, July 26, 1948, pp. 792-793(reconvention by Presidential Proclamation).

> Congress adjourned on June 20, 1948, pursuant to H.Con.Res. 218. 94 Cong. Rec. 9348, 9169;

House Journal, June 20, 1948, p. 775; Senate Journal, June 20, 1948, p. 578. Both Houses reconvened on July 26, 1948, pursuant to a proclamation of President Truman. Senate Journal, July 26, 1948, p. 593 (showing reconvention); House Journal, July 26, 1948, pp. 792-793 (same).[4]

POST-ADJOURNMENT SIGNING OF H.R. 3190 BY A SINGLE OFFICER OF THE HOUSE

AND PRESENTMENT TO AND APPROVAL THEREOF BY THE PRESIDENT PURSUANT

TO H.Con.Res. 219

With both Houses adjourned, with no quorum, disassembled and dispersed, Mr. LeCompte, theChairman of the Committee on House Administration reported that that committee had found H.R. 3190 "truly enrolled." House Journal, legislative day of June 19, 1948, p. 776 (recorded under heading "BILLS AND JOINT RESOLUTIONS ENROLLED SUBSEQUENT TO ADJOURNMENT").[5] He attached his certificate of enrollment to the original H.R. 3190 passed by the House on May 12, 1947. See H.R. 3190, certified after adjournment as "truly enrolled" (as certified by Richard H. Hunt, Director, Center for Legislative Archives, The National Archives, Washington, D.C.). Although never certified as truly enrolled, the Speaker and President pro tempore respectively signed the Senate's amended H.R. 3190 on June 22 and 23, 1948. 94 Cong. Rec. 9353-9354; House Journal, legislative day June 19, 1948, p. 777; Senate Journal, legislative day June 18, 1948, pp. 578-579. National Archives & Records Adm. Cert., H.R. 3190 signed by House and Senate officers and President Truman. The Senate's amended H.R. 3190 was then presented by the Committee on House

4 The House Journal for July 26, 1948, was approved, House Journal, July 27, 1948, p. 797, and the Senate Journal for July 26, 1948, was approved. Senate Journal, July 27, 1948, p. 593.

5 Mr. LeCompte's announcement was reported upon reconvention by the President's Proclamation onJuly 26, 1948. 94 Cong. Rec. 9363.

Administration to President Truman, on June 23, 1948, who signed it on June 25, 1948[6], at 12:23 P.M. E.D.T., 94 Cong. Rec. 9364-9367; House Journal, legislative day of June 19, 1948,

pp. 778, 780-782; Senate Journal, legislative day of June 18, 1948, pp. 579, 583. National Archives & Records Adm. Cert., H.R. 3190, supra; 94 Cong. Rec. D557 (Daily Digest).

THE SIGNATORIES OF H.R. 3190 KNEW THE ENACTING CLAUSE WAS FALSE WHEN SIGNED

Public Law 80-772 stated that the enactment proceeded "by the Senate and House of Representatives of the United States of America *in Congress assembled.*" See National Archives & Records Adm. Cert., H.R. 3190 as signed into P.L. 80-772, supra. Each signatory knew that no quorum existed at the time of the House vote on May 12, 1947, no quorum existed on June 20, 1948, and neither "House" legislatively existed at that time, and that the legislative process had ceased within the terms of Article I, §§ 5 and 7 on June 20, 1948.

Public Law 80-772 Is Unconstitutional And *Void* Because H.R. 3190 Never Passed Both Houses As Required By Article I, Section 7, Clause 2.

THE LEGAL PRINCIPLES

This case presents a "profoundly important issue,"[7] of the constitutionality of an act of Congress[8] – matters "of such public importance as to justify deviation from normal appellate practice and to require immediate determination by this Court."

Clinton, 524 U.S. at 455 (Scalia, J., and O'Conner, J., joining in part and dissenting in part) (adopting language directly from Sup. Ct. R. 11).[9]

6 That same day President Truman signed into law Public Law 80-773 enacting into positive law Title 28, United States Code. Act of June 25, 1948, Ch. 646, § 1, 62 Stat. 869. That Act positively repealed the former criminal jurisdiction granted to the district courts. id., § 39 *et seq.*, 62 Stat. 991 *et seq.* (positive repeal listing former 28 U.S.C. § 41, ¶ 2 in schedule of repealed statutes).

7 Clinton v. City of New York, 524 U.S. 417, 439 (1998).

8 INS v. Chadha, 462 U.S. 919, 929 (1983).

Although "[a]ll legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives," (Art. I, § 1, U.S. Constitution), "when [Congress] exercises its legislative power, it must follow the 'single, finely wrought and exhaustively considered procedures' specified in Article I." Metropolitan Washington Airports Authority v. Citizens for Abatement of Aircraft Noise, Inc., 501 U.S. 252, 274 (1991) (quoting INS v. Chadha, 462 U.S. at 951). Article I establishes "just how those powers are to be exercised." INS v. Chadha, 462 U.S. at 945.

An act of Congress "does *not* become a law unless it follows each and every procedural step chartered in Article I, § 7, cl. 2, of the Constitution." Landgraf v. USI Film Products, 511 U.S. 244, 263 (1994) (citing INS v. Chadha, 462 U.S. at 946-951 (emphasis added)); Clinton, 524 U.S. at 448 (noting requisite "steps" taken before bill may "'become a law'" and holding that a procedurally defective enactment cannot "'become a law' pursuant to the procedures designed by the Framers of Article I, § 7, of the Constitution").

The Constitution requires "three procedural steps": (1) a bill containing its *exact text* was approved by a majority of the Members of the House of Representatives; (2) the Senate approved *precisely the same text*; and (3) *that text* was signed into law by the President. "If one paragraph of *that text* had been omitted at *any one of those three stages*, [the] law [in question] would *not* have been validly enacted." [10] Clinton, 524 U.S. at 448 (emphasis added). Between the second and third "procedural steps," the bill "... shall ... be presented to the President..." Article I, § 7, Cl. 2.

9 Clinton, 524 U.S. at 447, "twice had full argument and briefing," as did INS v. Chadha, 462 U.S. at 943- 944 ("The important issues have been fully briefed and twice argued.") "[T]he

importance of the question," Metropolitan Washington Airports Authority v. Citizens for Abatement of Aircraft Noise, Inc., 501 U.S. 252, 263 (1991), has always been noted. Wright v. United States, 302 U.S. 583, 586 (1938) ("the importance of the question"); Pocket Veto Case, 279 U.S. 655, 673 (1929) ("the public importance of the question presented"); Missouri Pacific Railway Co. v. Kansas, 248 U.S. 276, 279(1919) ("the importance of the subject").

10 "All legislative Powers herein granted shall be vested in a Congress of the United States, which shallconsist of a Senate and House of Representatives." Art. I, § 1 of the Constitution.

The text of H.R. 3190 passed by the House of Representatives was the text as it existed on the date of passage – *i.e.*, May 12, 1947. Whereas, the text of the bill passed by the Senate on June 18, 1948, was H.R. 3190 "as amended." Senate Journal, June 18, 1948, p. 506. Thus, no bill passed the House on May 12, 1947 since no quorum existed and no quorum existed on June 20, 1948, rendering the bills passed by the respective Houses invalid and neither bill ever "became a law." Clinton, 524

U.S. at 448.

PERMITTING POST-AJOURNMENT LEGISLATIVE BUSINESS PURSUANT TO H.Con.Res.

219 VIOLATED THE QUORUM, BICAMERAL AND PRESENTMENT REQUIREMENT OF

ARTILE I OF THE CONSTITUTION

After Congress adjourned on June 20, 1948, pursuant to H.Con.Res. 219, a single officer ofeach House of Congress signed *a bill* purporting to be H.R. 3190 on June 22-23, 1948, 94 Cong. Rec.

9354; House Journal, legislative day of June 19, 1948, p. 777; Senate Journal, legislative day of June 18, 1948, pp. 578-579, and presented *that bill* to the President, who signed it on June 25, 1948. 94 Cong. Rec. 9365-9367. Thus, the post-adjournment signature "provision [of H.Con.Res. 219] was an important part of the legislative scheme," leading to the enactment of Public Law 80-772, without which it would never have "become a Law." Bowsher v. Synar, 478 U.S. 714, 728 (1986). Public Law

80-772 *falsely* stated it was "enacted" while both Houses were "in Congress assembled," when in fact Congress was not in session. See National Archives & Records Adm. Cert., H.R. 3190 as signed into P.L. 80-772.

"... [A] Majority of each [House] shall constitute a Quorum to do Business ..." Art. I, § 5, Cl. 1. "Every Bill which shall have passed [both Houses], shall, before it becomes a Law, be presented to the President of the United States; If he approves he shall sign it ..." Art. I, § 7, Cl. 2. "Every ... Resolution ... to which the Concurrence of [both Houses] may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him ..." Art. I, § 7, Cl. 3.

The bill signed was the Senate's amended H.R. 3190 – a bill never certified as "truly enrolled," *compare* Pub.L. 80-772, Enactment Clause & signature pages *with* H.R. 3190, certified as "truly enrolled," supra, and H.Con.Res. 219 never authorized the signing of *unenrolled* bills after adjournment. See H.Con.Res. 219, supra, 62 Stat. 1436.

Article I, § 5, Clause 1 mandates a quorum of both Houses of Congress "to do Business." This constitutional requirement has been enforced by practice, Rules of the Houses, custom, Supreme Court holdings and duly enacted statutes.

1 U.S.C. § 101 requires every "enacting clause of all Acts of Congress" to state: "'Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.'" Although the bill after passage by "both Houses" must be "enrolled" following which it "shall be signed by the presiding officers of both Houses and sent to the President of the United States,"[11] 1
U.S.C. § 106, the actual procedure is regulated by House rules and established practice. Following passage the "chairman of the Committee on House Administration ... affixes to the bills examined a certificate that the bill has been found truly enrolled,"[12] House Doc. No. 769, supra, Stages of a Bill, § 983, No. 16, p. [483] (App. 79), after which the "enrolled bill is first

laid before the House of Representatives and signed by the Speaker ... after which it is transmitted to the Senate and signed by the President of that body." Id., No. 17, p. [484][13].

11 1 U.S.C. § 106 contains an exception for enrollment "[d]uring the last six days of a session," but no exception for enrolling, signing or presenting a bill to the President otherwise than during the sitting ofboth Houses.

12 Formerly, the "chairman of the Committee on Enrolled Bills" performed this critical task in the legislative business of enacting a bill, which has always required the enrolled bill to be "placed before the House and signed by the Speaker." See House Doc. No. 355, 59th Cong., 2nd Sess., Hinds' Precedents of the House of Representatives, Ch. XCI, § 3429, notes 3 & 5, p. 311 (G.P.O. 1907). See House Doc. No. 769, supra, Preface, p. [VI] ("The rulings of the Speakers of the House and of the Chairman of the Committee of the Whole are to the rules of the House what the decisions of the courts are to the statutes ... [which are] embodied in the monumental work[s] of Hinds and Canon.").

13 The Supreme Court not only takes judicial notice of the legislative history of a bill, Alaska v. American Can Co., 358 U.S. 224, 226-227 (1959), but will both judicially notice and "h[o]ld" Congress and its legislative committees "to observance of its rules." Yellin v. United States, 374 U.S. 109, 114 (1963).

The Supreme Court in Marshall Field & Co. v. Clark, 143 U.S. 649 (1892), defined the essence of this procedure:

> *The signing* by the Speaker of the House of Representatives, and, by the President of the Senate, *in open session, of an enrolled bill is an official attestation by the two houses* of such bill as one that has passed Congress. It is *a declaration by the two houses*, through their presiding officers, *to the President*, that a bill, thus attested, has received, in due form, *the sanction of the legislative branch* of the government, and that it is delivered to him in obedience to the constitutional requirement that all bills which pass Congressshall be presented to him.

143 U.S. at 672 (emphasis added). 1 U.S.C. § 106 codified this implicit constitutional requirement. Reading 1 U.S.C. §§ 101 and 106 together requires that all acts must occur at least through presentment to the President while Congress is in session. That the enrolled bill must be "laid before the House" prior to signing by the Speaker and *then* "transmitted to the Senate" before the signing by the President of that body concludes that the respective Houses *must be in session during this transaction.*[14]

An "adjournment terminates the legislative existence of Congress." Pocket Veto Case, 279 U.S. at 681. "'Th[e] expression, a "house," or "each house," [when] employed ... with reference to the faculties and powers of the two chambers ... always means ... the constitutional quorum, assembled for the transaction of business, and capable of transacting business.'" 279 U.S. at 683, quoting I Curtis' Constitutional History of the United States, 486 n. 1. Moreover, the term "'House'" means "the House in session," 279 U.S. at 682, and "'as organized and entitled to exert legislative power,' that is, the legislative bodies 'organized conformably to law for the purpose of enacting legislation.'" Id. (quoting Missouri Pacific Railway Co. v. Kansas, 248 U.S. 276, 281 (1919)). See also House Doc. No. 355, supra, Hinds' Precedents, § 2939, p. 87 ("The House is not a House without a quorum") (App. 87).

14 "[T]he Constitution has left it to Congress to determine how a bill is to be authenticated as having passed" and "the courts accept as passed all bills authenticated in the manner provided by Congress." United States v. Munoz-Flores, 495 U.S. 385, 391 n. 4 (1990) (citing Field & Co. v. Clark, 143 U.S. 649 (1892), in which case the Court established the so-called "enrolled bill rule" – a rule not applicable in this case, but a ruling that supports Petitioners' claims.)

No "attestation" or "declaration by the two houses ... to the President," Field & Co., 143 U.S. at 672, that H.R. 3190 had "passed" Congress during the adjournment was possible because no such "houses" constitutionally existed. See also United States National Bank of Oregon v. Independent Insurance Agents of America, 508 U.S. 439, 455 n. 7 (1993) (noting that the rule established in Field & Co., 143 U.S. at 672, made statutory by 1 U.S.C. § 106 turned upon "the 'enrolled bill,' signed in open session by the Speaker of the House of Representatives and the President of the Senate"). Longstanding precedence of the House affirms this. House Doc. No. 355, supra,

Hinds' Precedents, Vol. IV, § 2951, pp. 90-91 (upon "disclos[ure] ... that there is not a quorum .., [t]he House thereby becomes constitutionally disqualified to do further business") (excepting from disqualification the exceptions stated in Art. I, § 5, Cl. 1) (emphasis added) (App. 88-89); id., § 3458, p. 322 ("The Speaker may not sign an enrolled bill in the absence of a quorum.") (App. 93); id. at § 3486, pp. 332-333 (recognizing enrollment and presentment to the President to be legislative business required to be completed before adjournment) (App. 95-96); id. at § 3487, p. 333 n. 3 (presentment to the President is legislative "business" which must be completed before adjournment) (App. 96); id. at § 4788, p. 1026 ("The presentation of enrolled bills" to the President of the United States is a "transact[ion]" of "business" of the "House.") (App. 100).

Once a bill has passed the House of Representatives it must be printed as an "engrossed bill" which then "shall be signed by the Clerk of the House ... sent to the other House, and in that form shall be dealt with by that House and its officers, and, if passed, returned signed by said Clerk." 1 U.S.C. §

106. In the immediate case H.R. 3190 was passed by the House of Representatives on May 12, 1947, engrossed and sent to the Senate and there referred to the Senate's Committee on the Judiciary. See 93 Cong. Rec. 5048-5049, 5121; Senate Journal, May 13, 1947, p. 252. However, it was not dealt with nor passed "in that form."

Instead, amendments were proposed which were "agreed to en bloc," read into the record and "ordered to be engrossed," 94 Cong. Rec. 8721-8722. Then, "the [amended] bill was read the third time and passed." 94 Cong. Rec. 8722; Senate Journal, June 18, 1948, p.

506. The House then concurred in the amendments en bloc. 94 Cong. Rec. 8864-8865; House Journal, June 18, 1948, p. 704.[15]

"The House in which a bill originates enrolls it," House Doc. No. 769, supra, Stages of a Bill, No. 15, p. [483] (App. 79), and, in the case of House bills, the "chairman of the Committee on House Administration ... affixes to the bills examined a certificate that the bill has been found truly enrolled," Id., No. 16, p. [483], after which it is "laid before the House ... signed by the Speaker [then] transmitted to the Senate and signed by the President of that body." Id., No. 17, p. [484]. Unequivocally, "[t]he Speaker may not sign an enrolled bill in the absence of a quorum." House Doc. No. 355, supra, Hinds' Precedents, § 3458, p. 322. *Cf.*, id., § 2939, p. 87 ("The House is not a House without a quorum.").

The constitutional "quorum" issue is precluded from the Field & Co.'s "enrolled bill rule" by its terms – *i.e.*, "[t]he signing ... in open session, of an enrolled bill," 143 U.S. at 672 (emphasis added), which in any case only applies in "the absence of [a] constitutional requirement binding Congress." United States v. Munoz-Flores, supra, 495 U.S. at 391 n. 4. Moreover, just as "§ 7 gives effect to all of its Clauses in determining what procedures the Legislative and Executive branches must follow to enact a law," id., 495 U.S. 386 (emphasis by Court), so too does Article I, § 5, Cl. 1 "provid[e] that no law could take effect without the concurrence of the prescribed majority of the Members of both Houses," INS v. Chadha, 462 U.S. at 949-950, as to all legislative "Business." *Cf.* United States v. Ballin, 144 U.S. 1, 3-5 (1892) (to determine whether constitutionally mandated quorum was present for

[15] < This contravenes the procedures of the House of Representatives for the 80th Congress. "When a bill with Senate amendments comes before the House, the House takes up each amendment by itself ...." House Doc. No. 769, Stages of a Bill in the House, § 983, No. 13, p. [483].

legislative action the Court "assume[s]" the Journals of the Houses are to be considered to decide the issue).

The bill signed by the Officers of the Houses presented to and signed by the President of the United States was the Senate's amended bill, which never passed the House. H.Con.Res. 219 only "authorized [the] sign[ing] [of] enrolled bills ... duly passed by the two Houses and found truly enrolled," H.Con.Res. 219, supra, 62 Stat. 1436, voiding the signatures on the amended bill.[16]

Having not been enrolled, certified as truly enrolled, or signed by the Speaker of the House with a quorum present, the bill was rendered constitutionally void. House Doc. No. 769, supra, Constitution for the United States, § 55, p. [19] ("[w]hen action requiring a quorum was taken in the ascertained absence of a quorum ... the action was null and void") (App. 74); House Doc. No. 355, supra, Hinds' Precedents, §§ 3497 & 3498, pp. 344-345 (such a bill is "not in force" and is "not a valid statute") (App. 97-98). *Cf.*, id., Hinds' Precedents, § 2962, p. 94 (to vacate legislative act "the absence of a quorum should appear from the Journal") (App. 90).

Art. I, § 7, mandates that a bill that has passed both Houses "shall before it becomes a Law, be presented to the President of the United States ...," Art. I, § 7, Cl. 2; INS v. Chadha, 462 U.S. at 945, which "can only contemplate a presentment by the Congress in some manner, [because] ... [a]t that point the bill is necessarily in the hands of the Congress." United States v. Kapsalis, 214 F.2d 677, 680 (7th Cir. 1954), cert. denied, 349 U.S. 906 (1955) (emphasis added). Thus, presentment is clearly part of the legislative procedure required as essential to enactment of a bill as law. INS v. Chadha, 462 U.S. at 945, 947, 951; La Abra Silver Mining Co. v. United States, 175 U.S. 423, 454 (1899) ("*After a bill*

[16] < On July 26, 1948, "Mr. LeCompte, from the Committee on House Administration, reported that that committee had examined and found" that H.R. 3190 had been "truly enrolled." 94 Cong. Rec. 9363. The version of H.R. 3190 certified as "truly enrolled" by Mr. LeCompte, is the House version passed on May 12, 1947, with the text of the original § 3231 – the text of which was never passed by the Senate – to which his certificate of enrollment is attached. The statutory mandate after final passage and printing to "call[]" the bill in such final form "the enrolled bill," 1 U.S.C.
§ 106, Act of July 30, 1947, Ch. 388, Ch. 2, 61 Stat. 634, is determined by the certificate "affixe[d] to the bill," House Doc. No. 769, Stages of a Bill, supra, No. 16, all of which is required ***before*** the "sign[ing] by the presiding officers of both Houses and sen[ding] to the President of the United States." 1 U.S.C. § 106.

has been presented to the President, *no further action is required by Congress* in respect of that bill,unless it be disapproved by him. ...") (emphasis added). See House Doc. No. 355, supra, Hinds' Precedents, Vol. IV, § 4788, p. 1026 (recognizing that "the presentation of enrolled bills" to the President is a "transact[ion]" of "business" of "the House"); id., § 3486, p. 332 (recognizing presentment required prior to adjournment); id., § 3487, p. 333 note 3 (when bill is enrolled or signed by presiding officers "too late to be presented to the President before adjournment" signing and presentment must continue at next session as a "resumption of [legislative] business"). Clearly presentment is part of the constitutionally mandated "Business," Art. I, § 5, Cl. 1, to be "exercised in accord with [the] single, finely wrought and exhaustively considered, procedure" "prescri[bed] ... in Art. I, §§ 1, 7." INS v. Chadha, 462 U.S. at 951.

The "draftsmen" of the Constitution "took special pains to assure these [legislative] requirements could not be circumvented. During the final debates on Art. I, § 7, Cl. 2, James Madison expressed concern that it might easily be evaded by the simple expedient of calling a proposal a 'resolution' or 'vote' rather than a 'bill.' As a consequence, Art. I, § 7, Cl. 3, ... was added." INS v. Chadha, 462 U.S. at 947 (citing 2 Farrand, supra, 301-302, 304-305).

Whether actions authorized under a resolution are "an exercise of legislative powers depends not on their form but upon 'whether they contain matter which is properly to be regarded as legislative in its character and effect.'" INS v. Chadha, 462 U.S. at 952 (quoting S. Rep. No. 1335, 54th Cong., 2d Sess., 8 (1897)). "If the power is legislative, Congress must exercise it in conformity with the bicameralism and presentment requirements of Art. I, § 7." Metropolitan, 501 U.S. at 276. See also Bowsher v. Synar, 478 U.S. at 756 (Stevens, J., concurring) ("It is settled, however, that if a resolutionis intended to make policy that will bind the Nation, and thus is 'legislative in its character and effect,' S. Rep. No. 1335, 54th Cong., 2d Sess., 8 (1897) – then the full Article I requirements must be observed. For 'the nature or substance of the resolution, and not its form, controls the question of its disposition.' Ibid.").

"'Congress," of course, "cannot grant to an officer under its control what it does not possess.'" Metropolitan, 501 U.S. at 275 (quoting Bowsher v. Synar, 478 U.S. at 726). Congress does not possess the "'capab[ility] of transacting business" and is not "entitled to exert legislative power,'" when its "legislative existence" has been "terminate[d]" by an "adjournment." Pocket Veto Case, 279 U.S. at 681-683 (citations omitted). "The limitation of the power of less than a quorum is absolute," House Doc. No. 355, supra, Hinds' Precedents, Vol. V, Ch. CXL, § 6686, p. 851 (App. 102), and includes the signing of an enrolled bill by the Speaker of the House, id., Vol. IV, Ch. XCI, § 3458, p. 322, and presentment to the President of the United States. id., Ch. XCII, §§ 3486, 3487 & 3497, pp. 332, 333 note 3, 344 & 345 (App. 95-98). Wright v. United States, 302 U.S. 583, 600 (1938) (Stone, J., concurring) ("The houses of Congress, being collective bodies,

transacting their routine business by majority action are capable of acting only when in session and by formal action recorded in their respective journals, or by recognition, through such action, of an established practice.") Thus, "Congress," as defined by the Constitution and Supreme Court, never "presented" *any* version of H.R. 3190 to the President of the United States.

Whether the action taken under H.Con.Res. 219 was an "exercise of legislative power" depends upon whether it was essentially "legislative in purpose and effect." INS v. Chadha, 462 U.S. at 952. "In short, when Congress '[takes] action that ha[s] the purpose and effect of altering the legal rights, duties, and relations of persons ... outside the Legislative Branch,' it must take that action by the procedures authorized in the Constitution." Metropolitan, 501 U.S. at 276, quoting INS v. Chadha, 462 U.S. at 952-955. "If Congress chooses to use a [] resolution ... as a means of expediting action, it may do so, if it acts by both houses and presents the resolution to the President," Consumer Energy Council of America v. F.E.R.C., 673 F.2d 425, 476 (D.C. Cir. 1982), aff'd mem. sub nom., Process Gas Consumers Group v. Consumer Energy Council of America, 463 U.S. 1216 (1983).

The inescapable conclusion as to the "purpose and effect" of H.Con.Res. 219 was to enact *a bill* the text of which at the time of adjournment on June 20, 1948, had not been passed by both Houses, enrolled, certified as "truly enrolled," or signed by the officers of the Houses or presented to the President of the United States with quorums sitting. In other words, H.Con.Res. 219 unconstitutionally permitted post-adjournment legislative business to proceed without Congress and upon an unpassed bill. Congress did not follow the

procedures mandated by Art. I, § 7, Cl. 2 and attempted to supersede the quorum requirements of Art. I, § 5, Cl. 1 *via* a concurrent resolution to carry forth legislative business with no legislature. The 80th Congress surreptitiously provided a bill, the text of which had never passed either House "'mask[ed] under ... [the] indirect measure,'" Metropolitan, supra, 501 U.S. at 277 (quoting Madison, The Federalist No. 48, p. 334 (J. Cooke 1961 ed.)), of a resolution purporting to authorize continuing legislative action during adjournment with no quorum and no Congress of an extra-congressional bill. Public Law 80-772 did not "become a Law" as required by the constitutional procedures mandated under Article I, § 5, Cl. 1, and Article I, § 7, Cls. 2 and 3, and is unconstitutional and *void ab initio*.

"[W]hen action requiring a quorum was taken in the ascertained absence of a quorum ... the action [is] null and void," House Doc. No. 769, supra, Constitution for the United States of America, § 55, p. [19] (citing Hinds' Precedents, Vol. IV, § 2964), and "a bill ... not actually passed [although] signed by the President [is to be] disregarded [requiring] a new bill [to be] passed." House Doc. No.
769, § 103, p. [34] (citing Hinds' Precedents, Vol. IV, § 3498) (App. 75).

THE FACTS AND LAW ARE JUDICIALLY NOTICED

Courts Must Take Judicial Notice Pursuant to FRE 201

Courts must take judicial notice of facts that are "not subject to reasonable dispute," such as when they can be "accurately and readily determined from sources whose accuracy cannot reasonablybe questioned." Fed.R.Evid. 201(b)(2). Judicial notice of such documents is appropriate "at any stage
of the proceeding," FRE 201(d),

If it is Subject to Judicial Notice, Then it is Taken as True

The facts and law listed herein were judicially noticed in No. 15-806, Moleski v. United States,and become the judicially noticed facts and law of this case.

In *Veney v. Wyche*, 293 F.3d 726, 730 (4th Cir. 2002), citing *Sprewell v. Golden State Warriors,*266 F.3d 979, 988 (9th Cir. 2001) "Nor must we '*accept as true allegations that contradict matters properly subject to judicial notice* or by exhibit.'"

Judicial Notice is Proof being Superior to Evidence

"In *Southern Cross Overseas Agencies v. Wah Kwong Shipping Group Ltd.*, 181 F.3d 410, [426](3d Cir.1999), we noted that judicial proceedings constitute public records and that courts may take judicial notice of another court's opinions. *Id.* at 426. * *

In *Beadnell v. United States*, 303 F.2d 87, 89 (1962) "Proof of facts judicially known was unnecessary. FN 5 (cites omitted)." See *Mills v. Denver Tramway Corp.*, 155 F.2d 808, 811 (10th Cir.1946).

Judicial Notice is Taken of the Facts in this Case

- 93Cong.Rec.5049: there is no record of any quorum being present during the May 12, 1947vote on the H.R. 3190 Bill in the House of Representatives.
- Verified letter from Jeff Trandahl, Clerk, U.S. House, 6/28/2000: "Dear Mr. Degan: Thank you for your letter requesting information on Title 18. In response to your inquiry, Congress was in session on June 1, 3, 4, 7-12 and 14-19, 1948, however, Title 18 was not voted on at this time...."

- Verified letter from Karen Haas, Clerk, U.S. House 8/30/3006: "Yes, the Speaker of the House

  did sign bill HR 3190 in the absence of a quorum.

- Verified letter from Karen Haas, Clerk, U.S. House, 9/11/2006: "After conducting a thoroughexamination of the journals, I found no entry in the journal of the House of any May 12, 1947

  vote on the H.R. 3190 bill.... The Senate took no action on the H.R. 3190 bill prior to the December 19, 1947 sine die adjournment. Page 5049 of the Congressional Record, 80th Congress, 1st Session indicates 44 Members voting 38 to 6 to amend H.R. 3190 on May 12, 1947. Therefore, by counting the total yea and nay vote a quorum was not present.

  According

  to House Rules, when less than a majority of a quorum votes to pass a bill, the journal must

  show the names of Members present but not voting. I found no record of any names for the

  May 12, 1947 vote...."

- Verified letter from Nancy Erickson, Secretary of the Senate, 3/09/2009"....Thank you for yourrecent letter requesting confirmation on the status of H.R. 3190 from the 80th Congress. I asked the

  1947 *sine die* adjournment.

- Verified letter from Lorraine Miller, Clerk, dated August 24, 2010: "Thank you for contacting the Office of the Clerk. Our office has conducted research of the House Journal and the Congressional Record in regards to HR 3190 and the voice vote that

was taken on May 12, 1947. After researching these official proceedings of the US House of Representatives we have

been unable to find the names of the 44 Members who responded to the voice vote....

- Independently verified Memorandum from Harley G. Lappin: "From: 'Harley G. Lappin'

≤ HYPERLINK "mailto:Harley.lappin@usdoj.gov"Harley.lappin@usdoj.gov. Sent: Monday, July 27, 2009 3:17 PM. Logo for U.S. Departmentof Justice.(independently verified by 2 witnesses with over 1,800 witnesses available)

- "Attention all Department Heads, there has been a large volume of inmate Requests for Administrative Remedies questioning the validity of the Bureau's authority to hold or classify them under 18 U.S.C. §§ 4081, et seq., (1948). On the claim that Public Law 80-772 was neverpassed or signed in the presence of a Quorum or Majority of both Houses of Congress as required by Article I, § 5, Clause 1 of the Constitution. Although most courts have, thus far, relief on Field v. Clark, 143 U.S. 649 (1892) to avoid ruling on the merits of these claims, however, there have been some which have stated that they were not bound by the Field case, but these cases did not involve any Quorum Clause challenge. So out of an abundance of caution, I contacted the Office of Legal Counsel, the National Archives and the Clerk of the

House of Representatives to learn that there is no record of any quorum being present during the

May 12, 1947 vote on the H.R. 3190 Bill in the House (See 93 Cong.Rec. 5049), and the record

is not clear as to whether there is was any Senate vote on the H.R. 3190 Bill during

any session of the 80th Congress. There is only one Supreme Court case that says in order for any bill to be

valid the Journals of both Houses must show that it was passed in the presence of a Quorum. See United States v. Balin, Joseph & Co., 144 U.S. 1, 3 (1892). The Clerk of the House states

that the May 12, 1947 vote was a *'voice vote.'* But the Parliamentarian of the House states that avoice vote is only valid when the Journal shows that a quorum is present and that it's unlawful for the Speaker of the House to sign any enrolled bill in the absence of a quorum. On May 12, 1947, a presence of 218 Members in the hall of the House was required to be entered on the Journal in order for the 44 Member 38 to 6 voice vote to be legal. It appears that the 1909 version of the Federal Criminal Code has never been repealed. Therefore, in essence, our only true authority is derived from the 1948 predecessor to Public Law 80-772. "Although adjudication of the constitutionality of congressional enactments has generally been thought to be beyond the jurisdiction of federal administrative agencies, this rule is not mandatory," according to the Supreme Court in the case of Thunder Basin Coal Co. v. Reich, 510 U.S. 200, 215 (1994). Therefore, the Bureau under the advice of the Legal Counsel feels that it is in the best interest of public safety to continue addressing all of these Administrative Remedy Requestby stating that only the Congress or courts can repeal or declare a federal statute unconstitutional. Signature. Harley G. Lappin. Director, Federal Bureau of Prisons."

Petitioner has multiple witnesses who verified the Lappin Memorandum, based on the studyconducted by the Department of Justice. This study proves that Petitioner was illegally confined.

Judicial Notice of the Law

• *United States v. Ballin, Joseph & Co.*, 144 U.S. 1, 3 (1892)((in order for any bill to be valid theJournals of both Houses must show that it was passed in the presence of a Quorum).

• *City of Wichita v. U.S. Gypsum Co.*, 72 F.3d 1491, 1496 (10th Cir. 1996) ("A matter of law my be judicially noticed as a matter of fact, that is, the court can look to the law, not as a rule governing thecase before it, but as a social fact with evidentiary processes.").

• Article I, Section 5, Clause 1 of the Constitution: "Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to dobusiness; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

• *State Oil Co. v. Khan*, 522 U.S. 3, 20 (1997)("it is this Court's prerogative alone to overrule its ownprecedent").

• *Carol Ann Bond v. United States*, 131 S.Ct. 2355 (2011), Ginsburg, concurring opinion, with whomJustice Breyer joins.

• A different bill (Public Law 80-772) was passed by the House in the First Session of the 80th Congress Than by the Senate in the Second Session

Two separate and distinct bills were passed to authorize Public Law 80-772 to be enacted.

• Article I, Section 7 of the Constitution:

> "All Bills for raising Revenue shall originate in the House of Representatives; but theSenate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; if he approves he shall sign it, but if not he shall return it, with his Objections to that House inwhich it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House ofRepresentatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds

of the Senate and House of Representatives, according to the Rules and Limitationsprescribed in the Case of a Bill."

If a different bill passes the U.S. House...

If a different bill passes the U.S. House of Representatives than the Senate, is the bill void and of nolegal effect. What is the proper Constitutional provision and supreme court law to support that judgment.

Three Law Professors and 26 of their top law students at the Pritzker School of Law at Northwestern University in Chicago were tasked with the research to determine if Public Law 80- 772/H.R. 3190/Title 18 were enacted into law as required by the Constitution and the Supreme Court.The group was headed by Professor Justin Rosenthal and concluded its research in July/August, 2018.Each member of the group, acting independently, came up with same conclusion. **No law exists to**

indict, prosecute, or confine anyone pursuant to Title 18. The results were confirmed by DeanKimberly Yuracho. Those persons are available as witnesses.

"The challenge in [any current criminal case] goes to the subject-matter jurisdiction of the courtand hence the power to issue the order[s]," United States Catholic Conference v. Abortion Rights Mobilization, Inc., 487 U.S. 72, 77 (1988), committing Petitioner to imprisonment in Executive custody. Thus, the "question is, whether ...the action is judicial or extra-judicial, with or without the authority of law to render [the] judgment," Rhode Island v. Massachusetts, 37 U.S. (12 Pet.) 657, 718 (1838), and to issue the commitment orders.

Subject-matter jurisdiction means "'the courts' statutory or constitutional *power* to adjudicate the case," United States v. Cotton, 535 U.S. 625, 630 (2002), quoting Steel Co. v. Citizens For A Better Environment, 523 U.S. 83, 89 (1998); Rhode Island v. Massachusetts, 37 U.S. (12 Pet.) at 718 ("Jurisdiction is the power to hear and determine the subject-matter in controversy between parties to a suit, to adjudicate or exercise any judicial power over them."); Reynolds v. Stockton, 140 U.S. 254, 268 (1891) ("Jurisdiction may be defined to be the right to adjudicate concerning the subject matter in a given case."). "Subject-matter limitations on federal jurisdiction serve institutional interests by keeping the federal courts within the bounds the Constitution and Congress have prescribed." Ruhrgas AG v. Marathon Oil Co., 526 U.S. 574, 583 (1999).[17]

"'Without jurisdiction the court cannot proceed at all in any cause ... and when it ceases toexist, the only function of the court is that of announcing the fact and dismissing the cause.'" Steel Co.

[17] < "Federal courts are courts of limited jurisdiction ... Jurisdiction of the lower federal courts is further limited to those subjects encompassed within a statutory grant of jurisdiction." Insurance Corp. of Ireland Ltd. v. Compagnie des Bauxite de Guinea, 456 U.S. 694, 701 (1982); Kline v. Burke Constr. Co., 260 U.S. 226, 234 (1922) (all lower federal courts "derive[] [their] jurisdiction wholly from the authority of Congress"); United States v. Hudson & Goodwin, 11
U.S. 32, 33 (1812) (federal courts "possess no jurisdiction but what is given to them by the power that creates them."). United States v. Hall, 98 U.S. 343, 345 (1879) (federal "courts possess no jurisdiction over crimes and offenses ... except what is given to them by the power that created them"); Hudson & Goodwin, 11 U.S. at 33-34. See also, *e.g.*, United States v. Wiltberger, 18 U.S. 76, 95-105 (1820) ("the power of punishment is vested in the legislative, not the judicial department," criminal statutes are to be construed strictly, "probability" cannot serve to "enlarge a statute" and an offense not clearly within the terms of a statute precludes federal court jurisdiction).

v. Citizens, 523 U.S. at 94, quoting Ex parte McCardle, 74 U.S. (7 Wall.) 506, 514 (1869); Willy v.

Coastal Corp., 503 U.S. 131, 137 (1992) ("lack of subject-matter jurisdiction ... precludes further adjudication"). This Court has asserted over and over that "[t]he requirement that jurisdiction be established as a threshold matter 'spring[s] from the nature and limits of the judicial power of the United States' and is 'inflexible and without exception.'" Steel Co., 523 U.S. at 94-95, quoting Mansfield, C. & L.M.R. Co. v. Swan, 111 U.S. 379, 382 (1884); See also Insurance Corp. of Ireland,

Ltd., 456 U.S. at 702.

Because subject-matter jurisdiction "involves a court's power to hear a case, [and thus] can never be forfeited or waived ... correction [is mandatory] whether the error was raised in district court" or not. United States v. Cotton, 535 U.S. at 630 (citation omitted); Steel Co., 523 U.S. at 94-95 (citing cases). When a district court did "not have subject-matter jurisdiction over the underlying action ... [its] process[es] [are] void and an order of [punishment] based [thereupon] ... must be reversed." United States Catholic Conf., 487 U.S. at 77; Willy v. Coastal Corp., 503 U.S. at 139 ("[T]he [punishment] order itself should fall with a showing that the court was without authority to enter the decree."); Ex parte Fisk, 113 U.S. 713, 718 (1885) ("When ... a court of the United States undertakes, by its process ... to punish a man

... [respecting] an order which that court had no authority to make, the order itself, being without jurisdiction, is void, and the order punishing ... is equally void.")

Habeas corpus review "is limited to the examination of the jurisdiction of the court whose judgment of conviction is challenged." INS v. St. Cyr, 533 U.S. 289, 311-314 (2001); Bowen v. Johnston, 306 U.S. 19, 23 (1939). A "court 'has jurisdiction to render a particular judgment *only when the offense charged is within the class of offenses placed by the law under its jurisdiction.*'" 306 U.S. at 24 (emphasis added). If it is found that the court lacked jurisdiction to try petitioner, then any judgment would be *void ab initio*. Ex parte Yarbrough, 110 U.S. 651, 654 (1884).

Petitioner has established that the text of H.R. 3190 signed by respective House officers and the President of the United States: (1) failed to pass the House of Representatives because no quorum was present when the House voted 38 to 6 to pass the bill on May 12, 1947, and (2) that the legislative process continued after Congress adjourned by single officers of each House acting pursuant to H.Con.Res. 219 without quorums in either House, all of which violated Article I, Section 5, Clause 1; Article I, Section 7, Clause 2, and/or Article I, Section 7, Clause 3 – and any of which rendered Public Law 80-772 unconstitutional and *void ab initio*. Marbury v. Madison, 5 U.S. 137, 180 (1803) ("a law repugnant to the constitution is void; and ... courts, as well as other departments, are bound by that instrument"). Therefore, because "the offense[s] charged ... [were] placed by the law under [the] jurisdiction," of the respective district courts below pursuant to 18 U.S.C. § 3231 of Public Law 80-

772, which is unconstitutional, and "void, the court was without jurisdiction and the prisoner[s] must be discharged." Yarbrough, 110 U.S. at 654. Since Public Law 80-772 has never been enacted as required by Article I, Section 5, Clause 1, and Article I, Section 7, Clauses 2 and 3 thereof, rendering *void ab initio* the jurisdiction by which the respective district courts acted to convict, enter judgment, and order Petitioner imprisoned in Executive custody, the district courts' actions were "'*ultra vires,*'" Ruhrgas AG, 526 U.S. at 583 (quoting Steel Co., 523 U.S. at 101-102), and "*coram non judice.*" Rhode Island

- Massachusetts, 37 U.S. (12 Pet.) at 720.

Any conviction and judgment thereupon "being without jurisdiction, is void, and the order punishing ... is equally void." Ex parte Fisk, 113 U.S. at 718; United States Cath. Conf., 487 U.S. at 77; Willy v. Coastal Corp., 503 U.S. at 139. This is precisely the office and function of *habeas corpus* – *i.e.*, to "examin[e] ... the jurisdiction of the court whose judgment of conviction is challenged," Bowen v. Johnston, 306 U.S. at 23, and where, as here, a court is clearly "without jurisdiction ... the prisoner ... must be discharged." Ex parte Yarbrough, 110 U.S. at 654. See also Ex parte Lange, 85U.S. (18 Wall.) 163, 166 (1874).

CONCLUSION

In summary, the bill passed by the House and the bill passed by the Senate for Public Law 80- 772 in the 80th Congress are different. Both Houses did not sign the same bill and the President signed a bill passed by the Senate but not the House.

THIS IS ACTUAL AND CONSTRUCTIVE NOTICE:

NO LAW EXISTS FOR PUBLIC LAW 80-772 THEREFORE NO LAW EXISTS TO INDICT,

PROSECUTE, OR CONFINE ANYONE PURSUANT TO TITLE 18.

Any district court orders to indict, prosecute, and commit Petitioner to executive custody pursuant to § 3231 (of the unconstitutional *public law 80-772*) undermines the sense of security for Petitioner's individual rights, is against public policy, is issued *ultra vires*, is unconstitutional and *coram non judices,* and imprisonment and/or confinement is unlawful and there is no evidence to the contrary.

Respectfully Submitted,

Facts and Law That Have Already Been Judicially Noticed in the Supreme Court and Apply to Any Court Now

In David Moleski v. United States, 14-571, Supreme Court, judicial notice was taken of thefacts and law of the case the case docketed 11/7/14; Government waived 11/21/14. Judicial notice was taken on 12/30/14 and is required to be accepted by any court.

- **Courts May Take Judicial Notice Pursuant to FRE 201**

Courts may take judicial notice of facts that are "not subject to reasonable dispute," such as when they can be "accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b)(2).

Petitioner seeks judicial

notice of public records which can be confirmed by reference to publicly available information.Judicial notice of such documents is appropriate "at any stage of the proceeding," 201(d),

- **2. <u>If it is Subject to Judicial Notice, Then it is Taken as True</u>**

In *Veney v. Wyche*, 293 F.3d 726, 730 (4th Cir. 2002), citing *Sprewell v. Golden State Warriors,* 266 F.3d 979, 988 (9th Cir. 2001) "Nor must we "*accept as true allegations that contradictmatters properly subject to judicial notice* or by exhibit.""

In *Hutchinson v. State of Indiana*, 477 N.E.2d 850, 854 (Sup.Ct. Ind. 1985) "Judicial notice excuses the party having the burden of establishing a fact from the necessity of producing formalproof."

- **3. <u>Judicial Notice is Proof being Superior to Evidence</u>**

In *State v. Main*, 37 A. 80, 84 (Sup.Ct.Err.Conn. 1897) "Judicial notice takes the place of proof, and is of equal force. As a means of establishing facts, <u>it is therefore superior to evidence</u>.In its appropriate field, it displaces evidence, since, as it stands for proof, it fulfills the object which evidence is designed to fulfill, and makes evidence unnecessary." "In *Southern Cross Overseas Agencies v. Wah Kwong Shipping Group Ltd.,* 181 F.3d 410, [426] (3d Cir.1999), we

noted that judicial proceedings constitute public records and that courts may take judicial notice of another court's opinions. *Id.* at 426. * * * We explained that a court may take judicial notice of another court's opinion to use it as proof that evidence existed to put a party on notice of the facts underlying a claim. *[Ibid. Southern Cross at 428].*"

In *Beadnell v. United States*, 303 F.2d 87, 89 (1962) "Proof of facts judicially known was unnecessary. FN 5 (cites omitted)." See *Mills v. Denver Tramway Corp.*, 155 F.2d 808, 811 (10thCir. 1946).

- **Judicial Notice is Taken of the Facts in this Case**

Petitioner takes judicial notice of the following as judicially noticed in the Supreme Court:

- **93Cong.Rec.5049: there is no record of any quorum being present during the May 12,1947 vote on the H.R. 3190 Bill in the House of Representatives.**
- **Verified letter from Jeff Trandahl, Clerk, U.S. House, 6/28/2000 to Charles R. Degan, "Dear Mr. Degan: Thank you for your letter requesting information on Title 18. In response to your inquiry, Congress was in session on June 1, 3, 4, 7-12 and 14-19, 1948, however, Title 18 was not voted on at this time...."**
- **Verified letter from Karen Haas, Clerk, U.S. House 8/30/2006: "Yes, the Speaker of theHouse did sign bill HR 3190 in the absence of a quorum.**
- **Verified letter from Karen Haas, Clerk, U.S. House, 9/11/2006: "After conducting a thorough examination of the journals, I found no entry in the journal of the House of any May 12, 1947 vote on the H.R. 3190 bill.... The Senate took no action on the H.R. 3190 bill prior to the December 19, 1947 sine die adjournment. Page 5049 of the Congressional Record, 80th Congress, 1st Session indicates 44 Members voting 38 to 6 toamend H.R. 3190 on May 12, 1947. Therefore, by counting the total yea and nay vote a quorum was not present. According to House Rules, when less than a majority of a quorum votes to pass a bill, the journal must show the names of Members present but not voting. I found no record of any names for the May 12, 1947 vote...."**

- **Verified letter from Nancy Erickson, Secretary of the Senate, "....Thank you for your recent letter requesting confirmation on the status of H.R. 3190 from the 80th Congress.I asked the Senate Historian's office to review the correspondence you enclosed, and they were able to verify that no action was taken by the Senate on H.R. 3190 prior to the December 19, 1947 *sine die* adjournment.**

- **Verified letter from Lorraine Miller, Clerk, dated August 24, 2010: "Thank you for contacting the Office of the Clerk. Our office has conducted research of the House Journal and the Congressional Record in regards to HR 3190 and the voice vote that was taken on May 12, 1947. After researching these official proceedings**

  of the US House of Representatives we have been unable to find the names of the 44 Members who responded to the voice vote.... This letter is in the Clerk's Library.
- **Independently verified Memorandum Harley Lappin from Harley G. Lappin: "From: 'Harley G. Lappin' ≤ HYPERLINK "mailto:Harley.lappin@usdoj.gov"Harley.lappin@usdoj.gov. Sent: Monday, July 27, 2009 3:17 PM.Logo for U.S. Department of Justice.**

"Attention all Department Heads, there has been a large volume of inmate Requests for Administrative Remedies questioning the validity of the Bureau's authority to holdor classify them under 18 U.S.C. §§ 4081, et seq., (1948). On the claim that Public Law80-772 was never passed or signed in the presence of a Quorum or Majority of both Houses of Congress as required by Article I, § 5, Clause 1 of the Constitution.

Although most courts have, thus far, relief on Field v. Clark, 143 U.S. 649 (1892) to avoid ruling on the merits of these claims, however, there have been some which have stated that they were not bound by the Field case, but these cases did not involve any Quorum Clause challenge. So out of an abundance of caution, I contacted the Office of Legal Counsel, the National Archives and the Clerk of the House of Representatives to learn that there is no record of any quorum being present during the May 12, 1947 vote on the H.R. 3190 Bill in the House (See 93 Cong.Rec. 5049), and the record is not clear as to whether there is was any Senate vote on the H.R. 3190 Bill during any session of the 80th Congress. There is only one Supreme Court case that says in order for any bill to be valid the Journals of both Houses must show that it was passed in the presence of a Quorum. See United States v. Balin, Joseph & Co., 144 U.S. 1, 3 (1892). The Clerk of the House states that the May 12, 1947 vote was a *'voice vote.'* Bu the Parliamentarian of the House states that a voice vote is only valid when the Journal shows that a quorum is present and that it's unlawful for the Speaker of the House to sign any enrolled bill in the absence of a quorum. On May 12, 1947, a presence of 218 Members in the hall of the House was required to be entered on the Journal in order for the 44 Member 38 to 6 voice vote to be legal. It appears that the 1909 version of the Federal Criminal Code has never been repealed. Therefore, in essence, our only true authority is derived from the 1948 predecessor to Public Law 80-772.

"Although adjudication of the constitutionality of congressional enactments has generally been thought to be beyond the jurisdiction of federal administrative agencies, this rule is notmandatory," according to the Supreme Court in the case of Thunder Basin Coal Co. v.Reich, 510 U.S. 200, 215 (1994). Therefore, the Bureau under the advice of the Legal Counsel feels that it is in the best interest of public safety to continue addressing all of these Administrative Remedy Request by stating that only the Congress or courts can repeal or declare a federal statute unconstitutional. Signature. Harley G. Lappin.

Director, Federal Bureau of Prisons."

- Judicial Notice Is Taken of the Law of the Case

- *United States v. Ballin, Joseph & Co.*, 144 U.S. 1, 3 (1892)((in order for any bill to be valid the Journals of both Houses must show that it was passed in the presence of aQuorum).

- Article I, Section 5, Clause 1 of the Constitution: "Each House shall be the judge of theelections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to

day, and may be authorized to compel the attendance of absent members, in suchmanner, and under such penalties as each House may provide.

- ***State Oil Co. v. Khan*, 522 U.S. 3, 20 (1997)("it is this Court's prerogative alone tooverrule its own precedent).**

- ***Carol Ann Bond v. United States*, 131 S.Ct. 2355 (2011), Ginsberg, concurring opinion,previously cited, infra.**

08/10/2014 [redacted]

KAREN L. HAAS
CLERK

GERASIMOS C. VANS
DEPUTY CLERK

H-154 THE CAPITOL

Office of the Clerk
U.S. House of Representatives
Washington, DC 20515-6601

August 30, 2006

According to the House Journal, House Concurrent Resolution # 219 was agreed to by the House on June 19, 1948, and passed by the Senate without amendment. The names of those House Members who agreed to H.Con.Res. 219 were not entered in the House Journal. The House Journal and the Congressional Record of June 19, 1948 states that H.Con.Res. 219 was agreed to by unanimous consent, but it does not state whether a quorum was present.

H.Con.Res. 219 was not sent to President Truman for his approval or disapproval. Yes, the Speaker of the House did sign bill HR 3190 in the absence of a quorum. Attached is a copy of pages 771-72 from the House Journal and page 9348 from the Congressional Record of June 19, 1948. We hope the provided information has answered your questions.

Sincerely Yours,

Karen L. Haas

Karen L. Haas
Clerk, U.S. House of Representatives

[redacted]

08/10/2014 [redacted]
CLERK

Office of the Clerk
U.S. House of Representatives
Washington, DC 20515-6601

September 11, 2006

Thank you for contacting the Office of the Clerk.

After conducting a thorough examination of the journals, I found no entry in the journal of the House of any May 12, 1947 vote on the H.R. 3190 bill, although pages 343-344 of the Journal of the House of Representatives from the 1st Session of the 80th Congress indicates that the bill was amended, purportedly passed, and transmitted to the Senate for concurrence. The Senate took no action on the H.R. 3190 bill prior to the December 19, 1947 sine die adjournment.

Page 5049 of the Congressional Record, 80th Congress, 1st Session indicates 44 Members voting 38 to 6 to amend H.R. 3190 on May 12, 1947. Therefore by counting the total yea and nay vote a quorum was not present.

According to House Rules, when less than a majority of a quorum votes to pass a bill, the journal must show the names of Members present but not voting. I found no record of any names for the May 12, 1947 vote. I hope this information has answered your questions.

Sincerely Yours,

Karen L. Haas

Karen L. Haas
Clerk, U.S. House of Representatives

[redacted]

[redacted]

NANCY ERICKSON
SECRETARY

SUITE S-312
THE CAPITOL
WASHINGTON, DC 20510-7102
(202) 224-2627

United States Senate

OFFICE OF THE SECRETARY

March 9, 2009

Mr. Wayne E. Matthews
713 Bonnie Meadow Lane
Ft. Washington, MD 20744

Dear Mr. Matthews:

Thank you for your recent letter requesting confirmation on the status of H.R. 3190 from the 80th Congress.

I asked the Senate Historian's office to review the correspondence you enclosed, and they were able to verify that no action was taken by the Senate on H.R. 3190 prior to the December 19, 1947 *sine die* adjournment. I have enclosed relevant pages from the *House Journal* and *Congressional Record* for your reference.

Sincerely,

Nancy Erickson
Secretary of the Senate

NE:rwp

Enclosures

LORRAINE C. MILLER
CLERK

DEBORAH M. SPRIGGS
DEPUTY CLERK

ROBERT F. REEVES
DEPUTY CLERK

MARIA A. LOPEZ
DEPUTY CLERK

H-154 THE CAPITOL

Office of the Clerk
U.S. House of Representatives
Washington, DC 20515-6601

August 24, 2010

Thank you for contacting the Office of the Clerk.

Our office has conducted research of the House Journal and the Congressional Record in regards to HR 3190 and the voice vote that was taken on May 12, 1947. After researching these official proceedings of the US House of Representatives we have been unable to find the names of the 44 Members who responded to the voice vote. We have included pages from the House Journal and the Congressional Record that shows the proceedings of that day as far as the quorum is concerned. The text of HR 3190 passed on May 12, 1947 it was debated, engrossed and the motion was laid on the table. HR 3190 was passed by the House and Senate on June 18, 1948 and became Public Law 80-772 on June 25, 1948. The House Convened on December 19, 1947 for daily business the start of a new session of Congress was January 6, 1948. We hope the provided information and documentation will aid in your research.

Legislative Resource Center

Office of the Clerk

US House of Representatives

Lappin Memorandum

Harley G. Lappin

From: "Harley G. Lappin" ≤ HYPERLINK "mailto:harley%2Clappln@usdoj.gov"harley.lappln@usdoj.gov HYPERLINK "mailto:harley%2Clappln@usdoj.gov"≥ HYPERLINK "mailto:harley%2Clappln@usdoj.gov" Sent: Monday, July 27, 2009 3:17 PM

Attention all Department Heads, there has been a large volume of inmate Requests for Administrative Remedies questioning the validity of the Bureau's authority to hold or classify them under 18 U.S.C, §§ 4081, et seq., (1948). On the claim that Public Law 80-772 was never passed or signed In the presence of a Quorum or Majority of both Houses of Congress as required by Article I, § 5, Clause 1 of the Constitution, Although most courts have, thus far, retied on Field v. Clark, 143 U.S. 649(1892) to avoid ruling on the moots of these claims, however, there have been some which have stated that they were not bound by the Field case, but those cases did not involve any Quorum Clause challenge. So out of an abundance of caution, I contacted the Office of Legal Counsel, the National Archives and the Clerk of the House of Representatives to learn that there is no record of any quorum being present during the May 12, 1947 vote on the H.R. 3190 Bill in the House (See 93 Cong. Rec. 5049), and the record is not clear as to whether there was any Senate vote on the H,R. 3190 Bill during any session of the 80th Congress, There is only one Supreme Court case that says in order for any bill to be valid the Journals of both Houses must show that it was passed In the presence of a Quorum. See United States v. Ballin, Joseph & Co., 144 U.S. 1, 3 (1892). The Clerk of the House states that the May 12, 1947 vote was a 'voice vote,' but the Parliamentarian of the House states that a voice vote is only valid when the Journal shows that a quorum is present and that it's unlawful for the Speaker of the House to sign any enrolled bill in the absence of a quorum. *On* May 12, 1947, a *presence* of 218 members in the hall of the House was required to be entered on the Journal in order for the 44 Member 38 to 6 voice vote to be legal. It appears that the 1909 version of the Federal Criminal Code has never been repealed. Therefore, in essence, our only true authority is derived from the 1948 predecessor to Public Law 80-772. "Although adjudication of the constitutionality of congressional enactments has generally been thought to be beyond the jurisdiction of federal administrative agencies, this rule is not mandatory," according to the Supreme Court in the case of Thunder Basin Coal Co. v. Reich, 510 U,S, 200,215 (1994), Therefore, the Bureau under the advice of the Legal Counsel feels that it is in thebest interest of public safety to continue addressing all of these Administrative Remedy Requestsby stating that only the Congress or courts can repeal or declare a federal statute unconstitutional.

Harley G. Lappin, Director

I, Trevor Andrew Brown, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Done this ~~28th~~ 31st day of May, 2022, duly sworn within the venue jurisdiction of the United States of America recognized as separate from jurisdiction of the United States found by reference Title 28 U.S. Code 1746 (1).

Trevor Andrew Brown, State Citizen of Michigan, All Rights Reserved.

NOTARY JURAT.

JAN J. GILLIS
Notary Public, State of Michigan
County of Lapeer
My Commission Expires 10/29/2024
Acting in the County of Lapeer

EXHIBIT XVI

5 Code of Federal Regulations, Part 2635

https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635, link to ecfr.gov. "

Subpart A - General Provisions

§ 2635.101 Basic obligation of public service.

(a) Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

(b) General principles. The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

(1) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.

(5) Employees shall put forth honest effort in the performance of their duties. My NOTE, honesty is one basic premise, doing things properly which is what these U.S.Attorney characters get paid to do and all know they are held to higher standards of knowledge and duties because they signed a fidelity bond when the took the job and ratified their honesty when the took the paycheck.

(6) Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government. My NOTE, the Attorneys for the government bound the government when they acted and represented that their acts were acts of the United States Government.

(11) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

EXHIBIT XVII

" §4. Misprision of felony

70.) Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 684 ; Pub. L. 103–322, title XXXIII, §330016(1)(G), Sept. 13, 1994, 108 Stat. 2147 .)

Historical and Revision Notes

Based on title 18, U.S.C. 1940 ed., §251 (Mar. 4, 1909, ch. 321, §146, 35 Stat. 1114).".

EXHIBIT XVIII

Yick Wo v. Hopkins, 118 U.S. 356,

https://www.supremecourt.gov/DocketPDF/20/20A67/157759/20201015104516219_Appendix%20FINAL.pdf

" When we consider the nature and the theory of our institutions of government, the principles upon which they are sup- [118 U.S. 356, 370] posed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power. *Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts.* And the law is the definition and limitation of power. It is, indeed, quite true that there must always be lodged somewhere, and in some person or body, the authority of final decision; and in many cases of mere administration, the responsibility is purely political, *no appeal lying except to the ultimate tribunal of the public judgment, exercised either in the pressure of opinion, or by means of the suffrage.* But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts bill of rights, the government of the commonwealth 'may be a government of laws and not of men.' *For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself."* Emphasis added.

EXHIBIT XIX

Adickes v. Kress & Co., 398 U.S. 144

https://file.loc.gov/storage-services/service/ll/usrep/usrep398/usrep398144/usrep398144.pdf

"A party seeking summary judgment on the basis that no evidence supports a claim must negate all the possible inferences by which a jury could find in favor of the opponent. A plaintiff must counter defense arguments under Federal Rule of Civil Procedure 56(e) only once the defendant disproves the original complaint."

https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title28-section2674&num=0&edition=prelim

Title 28 US Code § 2674

"The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages. "

Title 42 US Code § 1986

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case;… "

https://uscode.house.gov/view.xhtml?req=(title:42%20section:1986%20edition:prelim)%20OR%20(granuleid:USC-prelim-title42-section1986)&f=treesort&edition=prelim&num=0&jumpTo=true

EXHIBIT XX

COOPER V. PATE, 378 U.S. 546,

https://www.sccourts.org/opinions/htmlfiles/SC/25068.htm

The Court must accept the allegations and pleadings as true

EXHIBIT XXI

Title 28 US Code § 2674

https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title28-section2674&num=0&edition=prelim

The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages.

If, however, in any case wherein death was caused, the law of the place where the act or omission complained of occurred provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons respectively, for whose benefit the action was brought, in lieu thereof.

With respect to any claim under this chapter, the United States shall be entitled to assert any defense based upon judicial or legislative immunity which otherwise would have been available to the employee of the United States whose act or omission gave rise to the claim, as well as any other defenses to which the United States is entitled.

With respect to any claim to which this section applies, the Tennessee Valley Authority shall be entitled to assert any defense which otherwise would have been available to the employee based upon judicial or legislative immunity, which otherwise would have been available to the employee of the Tennessee Valley Authority whose act or omission gave rise to the claim as well as any other defenses to which the Tennessee Valley Authority is entitled under this chapter.

EXHIBIT XXII

42 U.S. Code § 1986.

https://www.govinfo.gov/app/details/USCODE-2009-title42/USCODE-2009-title42-chap21-subchapI-sec1986

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case;… "

I, Trevor Andrew Brown, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Done this 28th day of May, 2022, duly sworn within the venue jurisdiction of the United States of America recognized as separate from jurisdiction of the United States found by reference Title 28 U.S. Code 1746 (1).

Trevor Andrew Brown, State Citizen of Michigan, All Rights Reserved.

NOTARY JURAT.

Done this 31 day of ~~June~~ May, 2022.

JAN J. GILLIS
Notary Public, State of Michigan
County of Lapeer
My Commission Expires 10/29/2024

Trevor Andrew Brown
39603 Neston st.
Novi Mi, 48377
Tboy.esr@gmail.com
310-614-1194

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No. 21-mj-498 (GMH)
	:	
v.	:	ORDER TO CLERK
	:	
TREVOR BROWN,	:	EXECUTION ON FEDERAL
	:	
Defendant.	:	CIVIL RULE 65.1
	:	
	:	

ORDER ON FEDERAL CIVIL RULE 65.1

YOU WILL: Recognize Seal Holders duties of the Clerk of the Article III United States District Court for the District of Columbia, duties to promptly send Acceptance of Fiduciaries Duties secured by law, right held by Trevor Andrew Brown, to each federal public servant identified in fully incorporated by the execution of contract for services, Acceptance of Fiduciary Duties.

YOU WILL: Access all federal databases identifying and locating federal public servants, verifying access points, addresses, emails, fax numbers qualifying as notice and proper service among federal public servants to the Fiduciaries herewith appointed.

YOU WILL: Inform both the United States Treasury and the federal office in care and custody of employment records for each appointed Fiduciary and include access point and instructions for access to full files held in care of the Clerk of Court.

YOU WILL: Provide Trevor Andrew Brown via U.S. Post, court certified copies of all Rule 65.1 actions by the Seal holder.

Done this _____ day of June, 2022.

_____

Article III Judicial Officer.
Colleen Kollar-Kotelly

Trevor Andrew Brown
39603 Neston st.
Novi Mi. 48377
Tbov.est@gmail.com
810-614-1194

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No. 21-mj-498 (GMH)**
v.	:	MOTION FOR EXECUTION FEDERAL
TREVOR BROWN,	:	CIVIL RULE 65.1
Defendant.	:	

MOTION FOR EXECUTION FEDERAL CIVIL RULE 65.1

Trevor Brown, misidentified defendant in the above entitled criminal action, moves the court to endorse and serve the Clerk, the annexed fully incorporated Praecept to Clerk of Court immediately.

1.) Every citizen holds the absolute right to recognize any or all public servants, both state and federal governments, fiduciary obligations required by law. Any public servant refusing or tampering with the Acceptance of Fiduciary Obligations required by Article VI of the Constitution, in context of public records pledging fidelity to the People, creators and exclusive beneficiaries of all governments operating in the States United and federal territories, commits a breach of public trust, breach of oath and breach of employment contract. These breaches are acts attacking the governments administrations of the People's powers memorialized in the People's constitutions as controlled by the States United Declaration of Rights and the national Bill of Rights.

2.) In the event the court refuses or fails for any reason whatsoever to Order the Clerk to execute Civil Rule 65.1, the court will admit it does not recognize its inherent jurisdiction and that the dismissal of the criminal case no. **1:21-mj-00498** is mandatory as stated in Trevor Brown"s motion to dismiss.

3.) In the event the court fails or refuses to issue the Declaratory Judgment formally presented for acceptance and execution the court is without jurisdiction and must issue the remedy and reliefs demanded by Trevor Andrew Brown. If not, then the court is either enticing a citizen to engage in servitude recognized by arguing with a public servant who's duties have been called to account, or, practicing slavery over one considered to be a subject to " no law" as declared by the care takers at the Archives and Congress.

I, Trevor Andrew Brown, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Done this 28th day of May, 2022, duly sworn within the venue jurisdiction of the United States of America recognized as separate from jurisdiction of the United States found by reference Title 28 U.S. Code 2671 (1).

Trevor Andrew Brown, State Citizen of Michigan, All Rights Reserved.

NOTARY JURAT.

JAN J. GILLIS
Notary Public, State of Michigan
County of Lapeer
My Commission Expires 10/29/2024

39603 Neston st.
Novi Mi. 48377
Tboy.est@gmail.com
810-614-1194

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No. 21-mj-498 (GMH)**
	:	
v.	:	ORDER
	:	
TREVOR BROWN,	:	(Proposed)
	:	
Defendant.	:	
	:	
	:	

FINDING OF FACT CONCLUSION OF LAWS.

Trevor Brown approached the court under pleading entitled Motion to Dismiss, Lack of Jurisdiction, Declaratory Judgement, Tort settlement.

1.) The court out of an abundance of caution reviewed the motion and the full docket records in case no. **1:21-mj-00498.** , as its duty as a full Article III judicial power court of Constitutional inferior jurisdiction legislative court.

2.)The court performed extreme due diligence in review of Trevor Andrew Brown's Motion to Dismiss. Particularly the exhibits which all qualify as full faith and credit public documents the court must accept as true. The lone exception to this fact is the Memorandum of law which the court recognizes as ratified completely by public record evidence contained in the official Memorandum, issued by director of the Bureau of Prisons, which identifies the Legal counsel for the National Archives, Clerk of the House of Representatives, and the dispositive fact; " There is only one Supreme Court case that says in order for any bill to be valid the Journals of both Houses must show that it was passed In the presence of a Quorum. See United States v. Ballin, Joseph & Co., 144 U.S. 1, 3 (1892). ", declarations " there is no law "!

3.) This court recognizes that all three branches of government, Legislative, the House Clerk, the Executive, Bureau of Prisons and this court's ultimate superior in the Judicial branch all agree. There is no valid law under which Trevor Brown may be prosecuted.

4.)These public records are dispositive and binding on the court.

5.) Further the troubling issues Brown presents relating to proper and complete identification of a defendant or one in Brown's position as being identified as the same exact legal person as defendant TREVOR BROWN, requires the court to act. The court has no proper evidence from which to properly identify who or what is being charged.

6.) Mr. Brown is perfectly correct in his declaration that Congress is not granted powers under the Constitution to legislate over the American People, nor legislate identification of the People as either subjects nor objects over which legislative force could be applied. Ours is a government based on informed consent.

7.) Mr. Brown has clearly stated he refuses to consent to a fatally defective process implemented by the United States Attorneys Office for the District of Columbia.
This lack of consent declaration is clearly dispositive which requires the plaintiff to produce evidence to cancel Mr. Brown's standing on the laws, facts and procedures required to be administered by this court.

8.) Mr. Brown's self identification, duly sworn, on proper venue, is not challengeable by this court without dispositive evidence negating Mr. Brown's duly sworn declarations. No such evidence has been provided to the court by the U.S. Attorney's Office. Thus, the court can not positively identify Trevor Andrew Brown as the named defendant TREVOR BROWN.

9.) The court is now required to address the TORT charges presented by Trevor Andrew Brown. The court has a statutory duty to exercise and apply the jurisdiction given to the court by Congress which Trevor Andrew Brown invoked through his Motion to Dismiss, Lack of Jurisdiction, Declaratory Judgment and Tort Settlement.

10.) Mr. Brown's Tort Invoice supported by his Motion to Dismiss and the public record facts in care and custody of this court require a determination that the Torts were committed by public officers for which the United States Government stands as underwriter and surety to make Mr. Brown whole. The statutes provided by Mr. Brown bind the court to this decision based on the facts on record.

11.) Mr. Brown's demand for Declaratory Judgment places this court in the dispositive position. This court nor any other federal court created by Congress as an inferior tribunal, nor any Executive or Legislative branch action, hold any Constitutional power or authorities to circumvent, nullify, repeal, modify, limit or alter in any manner whatsoever, the Constitution for the United States of America or it's controlling Bill of Rights. The court is not aware of any fact, law or procedure verified by public record, nor does the court believe any evidence exists, indicating the Constitution, its Bill of Rights have ever been suspended. Nor is there any public

record indicating equality under the law has ever been suspended and the laws do not apply equally to public servants.

12.) Therefore, the court has no option but to declare that the Constitution and Bill of Rights are valid and in full force and effect in this instant matter. Further, that Mr. Trevor Andrew Brown is a beneficiary of the Constitution and Bill of Rights. Mr. Brown holds the contract rights to demand every federal public servant to properly recognize his standing at capacities, and comply with all the law and procedures all the time, everywhere in the States United.

13.) More to the point, the court finds, Mr. Brown holds the property right as a State Citizen of Michigan to demand the United States Attorneys and their employer and surety party, the United States Government, to account and specific performance of the law applied to the facts represented in Mr. Brown's Motion to Dismiss.

14.) This court recognizes that Mr. Brown, in a very confusing set of circumstances, has actually supplied the absolute protection of the law to any judicial officer operating under the United States and its court system. When this court or any other federal court or any other public officer of the Executive or Legislative branch stands under the laws as written and properly verified and executes the laws, We as a class of public servants are completely protected from all attacks from any standing or capacity whatsoever. Honorable execution of the law and the procedures is what every public servant gets paid to perform. There is no excuse or defense for failures to do so.

15.) The court commends Mr. Brown and expresses his sincere appreciation for informing the court of relevant material facts and law.

THEREFORE: The court orders the following to be processed and served on the plaintiff parties and Trevor Andrew Brown.

1. The plaintiff, the United States of America, through its representative, the United States Attorney's Office, for the District of Columbia , failed to properly invoke the jurisdiction of this court.
2. Criminal action, case no. **1:21-mj-00498** is dismissed.
3. Plaintive, the United States of America, and all of his agents under respondent superior control of the United States District of Columbia United States attorneys office committed Torts of an indefensible nature.
4. The Clerk of the court is to prepare an order, under seal of the court, to the United States Attorney's Office, for the District of Columbia, ordering payment of the full amount ledgered in Mr. Brown's Tort Invoice, within 10 days of receipt of this order, and provide the court proof of payment, receipt by Mr. Brown, and the release of liability for the United States endorsed by Mr. Brown.
5. The Clerk will inform the office of the United States Attorney for the District of Columbia, under court seal, that it will entertain no more motions or actions in this matter, criminal action no. **1:21-mj-00498** until that office provides all of its proper authority and the invocation of the full and proper jurisdictions of this court, on record at the clerk's office for the court's review.

Done this _____ day of June, 2022.

_____

Article III, Judicial Officer Colleen Kollar-Kelly

Name Trevor Brown
Address 39603 Neston st. Novi Mi 48377
Phone 810-614-1194
Email Tboy.est@gmail.com

May 31, 2022

RE: DEMAND FOR PROPER REPRESENTATION.
DEMAND FOR ELECTRONIC FILING.
ACCEPTANCE OF FIDUCIARY DUTIES.

REF: MOTION TO DISMISS FOR LACK OF JURISDICTION.
DULY SERVED, Date May 31, 2022
BY: **Time:**

TO: Name of attorney: Todd Shanker
Michigan State BAR # P65112
Address 613 Abbott st, Detroit Mi 48226
Phone 248-770-2197
Email Todd_Shanker@fd.org

Dear Mr. Todd Shanker

I approach you as trustee to my legal and political rights, appointed by U.S. Magistrate G Michael Harvey.

YOU WILL: File the duly served to you, Motion to Dismiss, Lack of Jurisdiction, Declaratory Judgment, TORT Settlement, via electronic filing portal to the U.S. District of Columbia, criminal case no. 1:21-mj-00498 , today April 31, 2022 and provide me proof of filing that day.

This is an ORDER from the beneficiary to the manager or trustee of the representative resulting trust created by the court to protect my rights and properly execute federal law providing me or any defendant attached by the United States with COMPETENT COUNSEL in a criminal matter.

Second ORDER: YOU WILL: Provide copy of this letter and my complete Motion to Dismiss to PreTrial Services, Mr. Hardy immediately with advisory that once a proper challenge to jurisdiction is presented to any court officer or other public servant affecting

my situation is presented, the court is without jurisdiction as are all other acts by public servants. Jurisdiction must be proved on record before it lawfully exists and you and every public servant knows this is true.
You will inform Mr. Hardy at PreTrial Services that I have reserved all my rights and the legal coercion you and he are applying to me is absolutely unsupported by any legitimate government function. More to the point completing any government documents under threat, duress or coercion voids the documents and attaches personal liability to the conspirators.
See; Ahlers V, Schebil, 188 F3d 580. (6th Cir. 2004) Civil conspiracy is an agreement between two or more persons to injure another by unlawful action. The unlawful action in this instant matter is the utter and proved lack of jurisdiction as represented in my Motion to Dismiss.
See; Jencks V. US, 353 US 657. "The interest of the United States in criminal prosecution is not it shall win a case but that justice will be done". Mr. Todd Shanker , Justice means full disclosure of jurisdiction on the record when I demand it as in my Motion to dismiss. More to the point you and the Pretrial Officer Hardy know this is true and now have orders from the Supreme Court to know and act accordingly.

Being identified as my legal representative on the court records by appointment, with or without my consent, created a trust to which you have the high Fiduciary duties.

Thus, my Acceptance of Fiduciary Duties identifying you Mr. Todd Shanker as fiduciary, annexed as fully incorporated herewith which is being filed via Certified US Post as I write along with my Motion to Dismiss.

Being that the U.S.. District Court in District of Columbia, it's Magistrate G. Michael Harvey, in criminal case no. 1:21-mj-00498 , constructed the resulting trust is the recognition of obligations owed by the United States Government to every criminal case subject defendant, properly identified or not.

The obligation of the federal government and the court is to ensure a defendant in a criminal case has COMPETENT COUNSEL. That means, as you very well know because of your higher knowledge and duties of the special class of legal professionals, you are to assist me in properly understanding the legal system and performing services so that I may access the laws and procedures with which to defend myself. That's the definition of defendants counsel.

Check the following for verification of my positions.
Cuyler v. Sullivan446 U.S. 348. Sixth amendment entitles a defendant to representation by conflict free counsel.

US v. McKee, 192 F3d535. Kastigar hearing to determine if the government's evidence was obtained in violation of the defendant's fifth amendment and sixth amendment rights.
Mitchell V Mason, 325 F3d 732. The pre-trial. Constitutes a "critical.period " in criminal proceedings because it encompasses counsel's constitutionally imposed duty to investigate the case.
Krilich V. Federal Bureau of Prisons, 346 F3d 157. The confidentialities of attorney-client relationship is entitled to protection even where the client is a prisoner.

More to the point you Mr. Todd Shanker took the job and it is assumed you will take the paycheck which means you have obligations to both me as the beneficiary of a trust and to your paymaster the United States via its agent the U.S. District Court in District of Columbia. As required, I will access discovery to find out how much you have been paid for your services and the competency standards in the employment contract.

You Mr. Todd Shanker , BAR # P65112 , have breached your fiduciary trust duties to me. I cite two instances, which is more than enough to establish the breach.
1. You have been advised repeatedly of my agreement with PreTrial Services, Demetrius D. Hardy , that I had the right to have produced to me and on the record, the oath of office for every public servant having effect on the charges against me. Before I engage with any other process due.
You have repeatedly pontificated to me that my belief founded on the law was incorrect. More to the point, attempting to entice me to believe that I do not have the absolute right to demand proof, oaths of public servants officers, is an enticement into involuntary servitude through deception acted out by court officers.
2. Your continued overbearing browbeating and misleading behaviors uttering that I could not stand on the Bill of Rights, could not demand proof of jurisdiction before engaging in any other process with the court or other public servants is a premium act of deceit. You know and should have always known because you claim to be a legal expert, that I, in particular and every defendant, holds the absolute right to demand PROOF OF AUTHORITY.
Yet your texts, letters and conversations show fairly conclusively you failed in your fiduciary duties to advise me of ALL relevant facts, laws, procedures I could apply for defending my rights.
More to the point, my requests for your assistance under your contract as court appointed representative for me have not only been ignored, you used my request to you to try and sell me false information affecting my legal political rights over and over.

This letter will be filed at the court in criminal case no. 1:21-mj-00498

You and Mr. Hardy at PreTrial Services please govern yourselves accordingly.

Trevor Andrew Brown
39603 Neston st.
Novi Mi, 48377
Tboy.est@gmail.com
810-614-1194

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FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No. 21-mj-498 (GMH)**
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v.	:	**PRAECIPE TO THE CLERK**
	:	
TREVOR BROWN,	:	
	:	
Defendant.	:	
	:	
	:	

YOU WILL FILE THE FOLLOWING DOCUMENTS

1.) MOTION TO DISMISS PAGES 1-33

2.) EXHIBIT I-XXII

3.) ACCEPTANCE OF FIDUCIARY OBLIGATIONS , FORM 56

4.) MOTION & EXECUTION OF FEDERAL CIVIL RULE 65.1

I, Trevor Andrew Brown, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Done this 31st day of May, 2022, duly sworn within the venue jurisdiction of the United States of America recognized as separate from jurisdiction of the United States found by reference Title 28 U.S. Code 1746 (1).

Trevor Andrew Brown, State Citizen of Michigan, All Rights Reserved.

NOTARY JURAT.

JAN J. GILLIS
Notary Public, State of Michigan
County of Lapeer
My Commission Expires 10/29/2024
Acting in the County of Lapeer

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	:	
TREVOR BROWN,	:	
	:	
Defendant.	:	
	:	
	:	

PRAECIPE TO THE CLERK

1.) YOU WILL AFTER DOCKETING SEND ME A FILE STAMPED COPY.