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No.

In The
Supreme Court of the United States

David Schied,
Petitioner - Appellant
And

Patricia Kraus, in behalf of David Schied,
Petitioner

v.

Midland County Sheriff Gerald Nielson,
Respondent

On Petition for Writ of Certiorari
From The United States Court of District Court for the Eastern District of Michigan
and
United States Court of Appeals for the Sixth Circuit

PETITION FOR WRIT OF CERTIORARI

David Schied
Sui Juris
PO Box 1378
Novi, Michigan 48376
248-347-1684

QUESTIONS PRESENTED

1. *Do state and/or federal government entities, including judges and others have a right to commit crimes and to either blatantly or constructively use "color of law" to violate constitutional rights of private persons with impunity(?)... or are these "state actors" to be held accountable for their employment conduct by the stripping away of their entitlement claims of being awarded various forms of government "immunity" for their actions in office?*
2. *Does the Appendix of Exhibits pertaining to this case present enough evidence to show that Michigan and United States government officials, the overwhelming majority being members of the State BAR of Michigan, have been committing a chain of unconstitutional offenses – against Petitioner, against other private persons residing in Michigan, and against both the spirit and the letter of the laws enacted by state legislators and Congress – sufficient enough to be considered **CRIMES**, and enough to warrant a multitude of investigations by independent grand juries of citizens, in regard to the activities of state and federal judges, prosecutors, and other "law enforcement" personnel?*

SUPREME COURT OF THE

2013 JUN 10 10:00

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LIST OF PARTIES

Petitioner is *sui juris* and *forma pauperis*. Contact information for him is located on the cover page of this Petition and below:

David Schied – *Sui Juris*
PO Box 1378
Novi, Michigan 48376
248-347-1684

The Respondent's attorneys are unknown since throughout the lower court proceedings the Respondent has failed altogether to file a response or even an appearance of counsel. The ONLY legal assistance the Defendant/Appellant Sheriff Gerald Nielson has received thus far in the lower courts has been provided by the court officials and the state and federal judges themselves. Therefore, the only address known for contacting the Respondent Gerald Nielson is listed as follows and as originally served in the lower court filings (without a returned response):

Midland County Sheriff Gerald Nielson
2727 Rodd St
Midland, MI 48640
(989) 839-4600

JURISDICTION STATEMENT

Federal courts:

The date on which the United States Court of Appeals decided my case was on 2/20/13.

The jurisdiction of this Court is invoked under 28 U.S.C. §§1251, 1254 and §1257(a).

Petitioner appeals the final order of dismissal entered February 20, 2013 by the United States Court of Appeals for the Sixth Circuit. Appellant timely filed his "*Notice of Appeal*" in this case, along with his *Motion(s) for Permission to Appeal in Forma Pauperis* and his *Affidavit(s) Accompanying Motion for Permission to Appeal in Forma Pauperis*.

The Court also has jurisdiction under the 5 U.S.C. § 702 (*Right of Review*).

The jurisdictional basis for petitioner's original Petition for Writ of Habeas Corpus complaints is that while operating in his government capacity, Midland County Sheriff Gerald Nielson did intentionally ignore and disregard Petitioner's civil rights and constitutionally protected rights for whom the Respondent otherwise had the duty to protect. Jurisdiction is also found in that while operating in their government capacities, U.S. District Court Magistrate Judge Steven Whalen, U.S. District Court Judge Denise Hood, the Clerk for the U.S. Circuit Court for the Sixth Circuit Deborah Hunt, and all of the judges for the Sixth Circuit Court of Appeals, while operating in their government capacities, did intentionally ignore and disregard Petitioner's civil rights and constitutionally protected rights for whom these government officers otherwise had the duty to protect.

This court has subject matter jurisdiction to consider this Petitioner's claim of violation of Federally guaranteed unalienable Rights under 28 U.S.C. § 1331, which places the U.S. Supreme Court in the position of Jurisdiction over claims of Federal Questions and claims of violation of common law, constitutionally guaranteed and protected Fundamental Rights, which are also enforced against violation by State actors pursuant to statutory law as well, including but it is not limited to Title 42 U.S.C. § 1983; and; Title 18 U.S.C. § 1964(c) (*Racketeer Influenced and Corrupted Organizations Act*), (hereafter "RICO").

The jurisdictional basis for petitioner's appeal relies upon 28 U.S.C. §1343(a)(3) as it provides jurisdiction of the United States with issues involving equal rights of U.S. citizens, involving any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress, and any redress of a deprivation of those rights under color of any State law, statute, ordinance, regulation, custom or usage. 28 U.S.C. §1343(a)(4) additionally provides for the recovery of damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights.

The Jurisdiction of the Supreme Court in cases against individuals who are Officers and Officials of the State acting under color of law in regards to State Statue and Constitutional Provisions, and where claims of violations of federally guaranteed Rights challenge the constitutionality of as state law is well established

in the history of the District and Federal Courts in the cases of *Ex parte Young*, 209 U.S. 123 (1908), *Scheuer v. Rhodes*, 416 U. S. 232 (1974), and even more exhaustively in the case of *Sterling v. Constantin*, 287 U.S. 378 (1932)(*infra*).

Petitioner's original Complaint was submitted along with at least five (5) sworn and notarized Affidavits, established as part of the official record. These victim and eyewitness "crime reports" put the U.S. District Court, the Sixth Circuit Court, and now this U.S. Supreme Court on notice that the Respondent, as well as others employed as "law enforcement" officers in the executive and judicial branches of Michigan government, have been and are now being reported to have committed crimes of Title 18, U.S.C., §242, DEPRIVATION OF RIGHTS UNDER COLOR OF LAW, Title 18, U.S.C. §241, CONSPIRACY AGAINST RIGHTS, Title 18, U.S.C., §246, DEPRIVATION OF RELIEF BENEFITS. The Jurisdiction of this Court to issue Orders for remedy by temporary and permanent injunction is well established by the cases of *Ex parte Young* and *Sterling v. Constantin* (*supra*). Jurisdiction for Declaratory relief is upheld by the Declaratory Judgment Act, and this case seeks remedies under 28 U.S.C. §§ 2201 and 2202.

Petitioner has repeatedly notified the United States courts that he relies upon Title 18, U.S.C. § 3771, RIGHT OF CRIME VICTIMS TO REASONABLE PROTECTION FROM THE ACCUSED. Petitioner has also repeatedly reminded these Courts that under Title 18, U.S.C. § 3332 ("Powers and Duties of the Special Grand Jury")

"It shall be the duty of each such grand jury impaneled within any judicial district to inquire into offenses against the criminal laws of the United States alleged to have been committed within that district. Such alleged offenses may be brought to the attention of the grand jury by the court or by any attorney appearing on behalf of the United States for the presentation of evidence. Any such attorney receiving information concerning such an alleged offense from any other person shall, if requested by such other person, inform the grand jury of such alleged offense, the identity of such other person, and such attorney's action or recommendation."

Petitioner relies upon federal statute 42 U.S.C. § 1988 (Proceedings in Vindication of Civil Rights) which maintains the following:

"(a) Applicability of statutory and common law: The jurisdiction in civil and criminal matters conferred on the district courts by the provisions of titles 13, 24, and 70 of the Revised Statutes for the protection of all persons in the United States in their civil rights, and for their vindication, shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where they are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offenses against law, the common law, as

modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of such civil or criminal cause is held, so far as the same is not inconsistent with the Constitution and laws of the United States, SHALL be extended to and govern the said courts in the trial and disposition of the cause, and, if it is of a criminal nature, in the infliction of punishment on the party found guilty.

In addition to the above jurisdiction of this court given by the RICO and Civil Rights Statutes that vest this Court with jurisdiction over the broad and expansive common law crimes against the Petitioner's Rights, the matter of "*unalienable*" Rights under common law are well within the jurisdictional duty of this Court to decide as they:

"...are of great magnitude, and the thousands of persons interested therein are entitled to protection from the laws and from the courts equally with the owners of all other kinds of property, and the courts having jurisdiction, whether Federal or State, should at all times be open to them, and, where there is no adequate remedy at law, the proper course to protect their rights is by suit in equity in which all interested parties are made defendants."

Ex parte Young, supra, at p. 126

The Jurisdiction of the federal courts to holding government officers accountable to tort claims, and extending the waiver of sovereign immunity toward law enforcement officers as extended to "acts or omission...that arise within the scope of their employment" and that pertain to such acts as "*assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights.*" (See reference to 28 U.S.C. §2680 in the 3/27/13 decision by Justice Clarence Thomas in U.S. Supreme Court case of "*Millbrook v. United States*".) The Jurisdiction of the federal courts to make findings of money damages against the Respondent is well established in *Scheuer v. Rhodes*, 416 U.S. 232 (1974).

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

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- 2) Fifth Amendment to the U.S. Constitution (*due process*)
- 3) Sixth Amendment to the U.S. Constitution (*trial by jury*)
- 4) Seventh Amendment to the U.S. Constitution (*facts tried by jury*)
- 5) Ninth Amendment to the U.S. Constitution (*limits of enumerated rights*)
- 6) Tenth Amendment to the U.S. Constitution (*rights not delegated are reserved*)
- 7) Thirteenth Amendment to the U.S. Constitution (*bars against peonage;
servitude only for the rightfully convicted*)
- 8) Fourteenth Amendment to the U.S. Constitution (*equal protection of laws*)
- 9) 42 U.S.C. § 1981(a) (*full and equal benefit of all laws*)
- 10) 42 U.S.C. § 1983 (*deprivation of rights under color of law*)
- 11) 18 U.S.C. § 3 (*Accessory after the fact*)
- 12) 18 U.S.C. § 4 (*Misprision of felony*)
- 13) 18 U.S.C. §§241 and 242 “[{*Conspiracy to...*) *Deprive of Rights using ‘Color of Law’*]”
- 14) 18 U.S.C., Chapter 96 (*Racketeering Influenced and Corrupt Organizations*)
- 15) 18 U.S.C. §1962(d) – (*Conspiracy to violate the RICO Act*)
- 16) 18 U.S.C. § 3771 (*Crime Victims’ Rights*)
- 17) 18 U.S.C. §3332 (*special grand jury to inquire and duty of prosecutor to report by
citizen request*)
- 18) 28 U. S. C. §§1346(b), 2671–2680 (Federal Tort Claims Act, or FTCA)
- 19) Michigan Constitution, Art. I, §24, William Van Regenmortor Crime Victims’ Rights
Act (MCL 780.751 through 780.775) and Constitutional Amendment (*right to
reasonable protection from “the Accused”*)
- 20) MCL §15.243(1) of Michigan’s *Freedom of Information Act* (Act 442 of 1976)

- 21) MCL 18.351 – [*Crime Victim’s Compensation Board (definitions) in defining a “crime”*]
- 22) MCL 761.1 – (“*indictment*” is a “*complaint*” defined as “*formal written accusation*”)
- 23) MCL 764.1(a) – (*magistrate’s duty to issue a warrant upon complaint*)
- 24) MCL 767.3 – (*complaint constitutes “probable cause” for judge’s inquiry*)

JUDGMENTS, ORDERS, AND OPINIONS SOUGHT FOR REVIEW

EXHIBIT(S) #1 (A, B and C) – On 2/20/13, the Clerk of U.S. Court of Appeals for the Sixth Circuit filed the “Order” (“Exhibit 1A”) in denial of Petitioner David Schied’s and Patricia Kraus’ appeal of the district court judgment to dismiss a previously filed “Petition for a Writ of Habeas Corpus” challenging what is deemed by the federal courts as a “*conviction*” and 30-day sentence for criminal contempt of court, a charge for which there was no case number, no due process hearing, no prosecutor, no transcript, no videotape, and otherwise no records. The judgment Order upheld the lower U.S. District Court’s denial of a grand jury investigation into government misconduct based on the judicial claim that “*as a private citizen [he cannot] sue for enforcement of criminal laws.*”

The Court of Appeals found no conflict of interest, no “*extrajudicial bias*” or no “*deep seated favoritism or antagonism*” in U.S. District Court judge Denise Page Hood’s ruling to dismiss Petitioner’s initial filing despite that Petitioner had previously named Judge Hood as a criminal in association with an earlier RICO racketeering and corruption case, as having previously committed treasonous crimes from the bench, and despite that Petitioner had a “*Judicial Misconduct complaint*” pending against Judge Hood in the Sixth Circuit. NOTE: This judicial misconduct complaint against Judge

Hood is STILL UNRESOLVED. (See “EXHIBIT #1B” as a copy of the entirety of the Judicial Misconduct complaint #06-10-90067 against Judge Denise Page Hood.)

“EXHIBIT #1C,” being a copy of Patricia Kraus’ original “Application for a Writ of Habeas Corpus Under 28 U.S.C. §2242” as filed on 6/26/12, which as referenced in the Petition itself, included attachments of six (6) supportive sworn and notarized victim and witness Affidavits. On its face, this “*Application...*” proves the FRAUDULENCE of both the Sixth Circuit Court and the lower U.S. District Court’s claims that the “[*Petitioner David Schied*] was able to prosecute the case on his own behalf” and that “[*Petitioner David Schied*] had not demonstrated that he first exhausted his state court remedies” as the basis for the Sixth Circuit’s unconstitutional denial of due process in this instant case before the U.S. Supreme Court. (See p.2 para 3-4 of “Exhibit 1A”.) Patricia Kraus’ “*Application...*” to the U.S. District Court clearly demonstrates Affidavits were provided to the U.S. District Court on this date, including a “*Ground One*” level of evidence, a supporting Affidavit of David Schied, altogether showing the following as cited below in quotes:

- a) “*David Schied was a quiet person, merely observing within the courtroom, having no matters of his own pending as proof of their lacking and in clear absence of all jurisdiction... There is no valid court order to restrain David Schied, but if one exists said order is void ab initio, having been entered by a judge lacking not only the authority, but in clear absence of all jurisdiction.*”
- b) “[*David Schied was*] being held on orders [*that*] have never [*been*] obtained and have been denied and not provided... Mr. David Schied has acted with due diligence to obtain information into his illegal restraint, there being no answer in response to a writ pursuant to MCR 303(N)(1)(2), when on Thursday, June 21, 2012, I, Patricia Kraus attempted to acquire any and all orders, judgments, and court records, i.e., Record of Actions, transcripts, digital video, audio/visual, hearing records. Witnesses, as well as David Schied and I, Patricia Kraus, have used exhaustive efforts to acquire hearing, sentencing notices, and transcripts to show that David Schied has committed no act that

precipitated this horrific experience, where alleged contempt does not exist. Any order that may exist, is hidden from view, is void ab initio and is extrinsic fraud on the court”

- c) *“[A challenge to the decision or action of Mr. Schied being falsely imprisoned by the Midland County Sheriff was made] in the Midland County 42nd Judicial Circuit Court...Immediately after the above illegal restraining, on Tuesday, June 12, 2012...Cornell Squires petitioned for a ‘Writ of Habeas Corpus’ on behalf of David Schied in Midland Circuit Court [which was] assigned to Chief Judge Jonathan Lauderbach [and subsequently] DENIED. Julie Moe, Clerk of Midland County Circuit Court, [then] told Mr. Squires he would receive a call with a date for a ‘Show Cause’ [hearing]. Subsequently, Mr. Squires received a call from Ms. Moe with the date of the Show Cause [hearing] set for 34 days after his filing of the petition, and 38 days after [Mr. Schied’s] illegal detention (July 16, 2012). Mr. Squires notified Ms. Moe...that this denies Mr. Schied due process [to no avail].”*
- d) *“[A first appeal was made]...on June 21, 2012...in the Wayne County 3rd Judicial Circuit [as a] ‘Claim of Appeal as of Right’ [with a] ‘Request for Immediate Consideration’ pursuant to Michigan Court Rules...[an] Emergency Motion [was filed] ‘Requesting Bond Pending Appeal as of Right’ and ‘Request for Entry of an Order Granting a Stay of Proceedings of the 30 Day Criminal Sentence for Contempt of Court’ pursuant to Michigan Court Rules...[whereby] the Wayne County Appeals Clerk Manager...refused to accept David Schied’s ‘Claim of Appeal’ and ‘Motion for Emergency Bond Hearing Pending Appeal’ [while claiming] only a lawyer can file an appeal.”*
- e) *“[A second appeal was made]...on June 22, 2012...in the Wayne County 3rd Circuit Court’s Frank Murphy Hall of Justice, 1441 St. Antoine St., Detroit, Michigan, [as a] ‘Claim of Appeal as of Right’ [with a] ‘Request for Immediate Consideration’ pursuant to Michigan Court Rules...[an] Emergency Motion [was filed] ‘Requesting Bond Pending Appeal as of Right’ and ‘Request for Entry of an Order Granting a Stay of Proceedings of the 30 Day Criminal Sentence for Contempt of Court’ pursuant to Michigan Court Rules...[whereby] the [clerk of the court] refused to accept David Schied’s appeal [and]...Wayne County Chief Criminal Judge Timothy Kenny’s bailiff told [Cornell] Squires to go to Redford [Township] to file [a] complaint [against 17th District Court judge Karen Khalil] with the Judicial Tenure Commission [and to file a second complaint] with the Region 1 Court Administrator’s Office.”*
- f) *“On Friday, June 22, 2012, I, Patricia Kraus petitioned the Midland District Court with an ‘Ex-Parte Complaint for Issue of a Writ of Habeas Corpus’ on behalf of David Schied [which was] assigned to presiding Judge Michael Beale. Julie Moe, Clerk of Midland County Court filed the complaint [while] demanding a \$150 filing fee and...I,*

Mrs. Kraus was thereafter threatened, humiliated and harassed and was in fear for [my] safety and well-being, when off the record by instructions from Judge Beale upon Ms. Moe's return, Julie Moe slanderously accused me of committing criminal acts of practicing law without a license, and that [I] was an instigator, all of which caused [me] extreme emotional distress [and] humiliation. I was in fear for my own safety and well-being. I, Mrs. Kraus, was taken into the courtroom of Judge Beale who 'on the record denied the ex-parte complaint for issuance of a Writ of Habeas Corpus, incorrectly identifying it as a 'motion' [and associating this new filing] with the prior [Application for] Writ."

- g) *"Karen Khalil, a judge of the 17th Judicial District (Redford) has exhibited clear retaliation against Mr. Schied as he has one (1) case pending in the Michigan Supreme Court with 'Demand for Criminal Grand Jury Investigation'. Judge Khalil was also aware that Mr. Schied had filed two other cases 'on appeal' that needed to be filed in the Michigan Supreme Court in a timely manner (between 6-15 days). She was also aware of another (4th) pending case scheduled for June 28, 2012 against Redford Township in Wayne County Circuit Court...This Honorable (U.S. District) Court has the authority and jurisdiction to show cause all state actors, who have participated in the illegal restraint of David Schied, and show cause why they should not be held in contempt of this court for the intentional, malicious, arbitrary and capricious constitutional violations of David Schied's substantive and procedural due process rights [including]...Violating David Schied's 4th Amendment rights to be secure in his person illegally detaining him without probable cause...Violating David Schied's 5th Amendment rights by depriving Mr. Schied of liberty and property without due process of law...Violating David Schied's 8th Amendment rights by inflicting cruel and unusual punishment and denying bail...Violating David Schied's 1st Amendment right to peaceably assemble and to petition for redress of Khalil's unlawful actions...Violating David Schied's 14th Amendment right to due process of reasonable notice and denying a speedy and public jury trial."*

EXHIBIT #2 (A, B and C) – EXHIBIT #2A consists of three sets of documents placing the actions of U.S. District Court Magistrate Steven Whalen and Judge Denise Hood in context with actions taken in previous U.S. District Court cases in which, in 2010, Whalen and Hood became aware of Mr. Schied's criminal allegations against Michigan government, as well as Mr. Schied's allegations of gross negligence and cover

up of government corruption in 2008 by their associate of U.S. District Court Judge Paul Borman, and that had Judge Hood had nevertheless previously denied Mr. Schied's requests for a Grand Jury investigation of all this.

The first entry of "Exhibit 2A" consists of an "Order Denying Motion for Waiver of Fees and Costs" (see "**EXHIBIT 2A1**") written on 7/2/12 by U.S. Magistrate judge Steven Whalen in this instant case against the Midland County Sheriff Jerry Nielson.

The second document of "Exhibit 2A" is the cover page of a 42 U.S.C. §1983 CIVIL RIGHTS case (#08-CV-10005) filed on 1/2/08 by Petitioner's Michigan attorney Daryle Salisbury in 2008 underscoring criminal allegations against local government officials and their attorneys who had been committing numerous crimes against Petitioner "under color of law" since October, 2003 yet unresolved by either the judicial or the executive branch of Michigan government. (See "**EXHIBIT 2A2**") This cover page of the 2008 civil rights complaint filing presents evidence that U.S. District Court magistrate Steven Whalen had been associated with that previous case, which was ultimately dismissed against Petitioner David Schied due to FRAUD by the co-appellees and their attorneys, including the Michigan governor Jennifer Granholm and the Michigan attorney general Mike Cox.

The third document of "Exhibit 2A" is "**EXHIBIT 2A3**," a copy of the entirety of the FRAUDULENT ruling, as delivered by U.S. District Court judge Paul Borman on 5/30/08, in the 2008 civil rights case filed by Petitioner's attorney Salisbury. (This "Opinion and Order (1) Granting Defendants' Motion for Summary Judgment; and, (2) Holding in Abeyance Defendants' Motion for Sanctions" has fraudulent/defamatory info published by Judge Borman redacted.) This 2008 ruling shows that Judge Borman

committed FELONY gross negligence when he ignored the facts of the case, summarily accepted the co-appellees' fraudulent claims about the case, and held sanctions in abeyance against Petitioner's attorney to dissuade that attorney from moving forward with the case in the U.S. Court of Appeals for the Sixth Circuit.

The first exhibit of "Exhibit 2A," the Order denying *Waiver of Fees* signed by Magistrate Whalen (*see again "Exhibit 2A"*), also presents evidence of a \$5.00 fee was paid by Patricia Kraus on behalf of Petitioner, along with a "Motion for Waiver of Fees and Costs," to ensure the IMMEDIATE processing of the Habeas Corpus motion, and so as not to have to wait on such a decision as that of magistrate Steven Whalen, who otherwise issued his ruling on 7/2/12 and only AFTER Petitioner had served the full term of his FALSE INCARCERATION.

The significance of Whalen's ruling, placed in the context of Whalen's association with the fraudulent ruling by Judge Paul Borman in the 2008 civil rights case, is that it provides reasoned circumstantial Evidence that Magistrate Whalen was taking retaliatory action against Petitioner David Schied in 2012, for Petitioner having brought warranted early attention to the U.S. District Court and Judge Denise Hood in the preceding 2010 case, of the fact that the government co-defendants in the 2010 were REPEATING similar crimes as those alleged against previous government co-Defendants' as clients of the Plunkett-Cooney attorney Michael Weaver in 2008 (i.e., *see "Exhibit #2B"* for reference to U.S. District Court case #10-10105 which was removed from State court through felony "*fraud upon the court*" by attorney Michael Weaver in 2010). Attorney Michael Weaver, who had committed felony "*fraud upon the court*" in 2008 to win his summary disposition motion with Judge Borman, was committing fraud

again in 2010 in U.S. District Court when requesting that Magistrate Whalen reassign Petitioner's 2010 case (against Weavers' government clients) away from Judge Hood under the false pretense that it pertained to the "*same incident or occurrence*" when in fact it did not, so wanted the case transferred to Judge Borman. (Petitioner was otherwise insisting in 2010 that the case be remanded back again to State court where he had originally filed it, pointing out to Magistrate Whalen and Judge Hood the outrageousness of this repeated "*fraud upon the court*" by Plunkett-Cooney partner/attorney Michael Weaver).

"EXHIBIT #2B" consists of 2 documents delivered together by Judge Hood in 2012 pertaining to this instant case before the U.S. Supreme Court. The first entry is the "*Judgment*" issued on 7/6/12 by U.S. District judge Denise Page Hood, dismissing Petitioner's "*Petition for Writ of Habeas Corpus*" on a unlawfully contrived 30-day county jail sentence. Significantly, because this "*Judgment*" was issued by Judge Hood AFTER the release of Petitioner's term of sentence and thereafter sent by mail, it reasonably stands as circumstantial Evidence of retaliation against Petitioner by Judge Hood, for the same reasons outlined above relative to Magistrate Whalen who was working with Judge Hood in 2010 on the U.S. District Court case #10-10105 in report of fraud and corruption by U.S. District Court judge Paul Borman in the previous civil rights case filed by attorney Daryle Salisbury on Petitioner's behalf in 2008 (as case #08-CV-10005). The off-timing demonstrated by this "*due process*" operation of the U.S. District Court completely undermined the purpose of the filing of both the \$5.00 and the "*Petition for Writ of Habeas Corpus*" in seeking the IMMEDIATE release of Petitioner David Schied from his false imprisonment.

The second entry in “**EXHIBIT 2B**”, also issued on 7/6/12, was a FRAUDULENT “*Opinion and Order Dismissing the Petition for a Writ of Habeas Corpus, Dismissing the Petition for Immediate Consideration and Writ of Habeas Corpus, Denying the Motion for Show Cause Order or Immediate Release, Denying a Certification of Appealability, and Denying Leave to Proceed in Forma Pauperis on Appeal*”. The *Opinion and Order* is fraudulent beginning in the very first sentence, with the claim by Judge Denise Hood that there were “*state court proceedings*” in Redford Township that led to a 30-day incarceration when, in FACT, the evidence and Affidavit testimony of numerous witnesses shows that there were NO PROCEEDINGS whatsoever, no case number, no due process hearing, no prosecutor, no transcript, no videotape, and otherwise no records of the event occurring in the Redford Township courtroom.

Instead, the available sworn Affidavits of five (5) witnesses show that what led to the 30-day incarceration of Petitioner was the local district court judge committing tyranny in the courtroom against silent court-watchers who were *never properly before the court*. Such terror was committed by the 17th District judge Karen Khalil and her henchmen, Redford Township police posing as bailiffs, who crossed the line of their jurisdiction, created an atmosphere of panic and shock in the courtroom, physically apprehended multiple innocent bystanders under threat of gunfire, and violently abducted and falsely charged Petitioner David Schied for criminal contempt when Mr. Schied otherwise had never spoken out and was merely sitting silently while taking notes in the pew of the courtroom. (Bold emphasis added)

“**EXHIBIT 2C**” is a filing that shows that U.S. District Court magistrate Steven Whalen and judge Denise Hood knew full well who David Schied was from the previous

2010 U.S. District Court case in which Whalen and Hood had previously operated as a tag-team to dismiss Mr. Schied's report of state RICO activities. The filing, cited as "'Application for delayed leave of appeal' with grounds based upon Rule 60 ('Relief from Judgment') involving 'Fraud Upon the Court' by State BAR of Michigan's Plunkett-Cooney attorney Michael Weaver and involving 'Judicial Misconduct' by State BAR of Michigan's Eastern District of Michigan Judge Denise Page Hood and Other Good Cause Reasons", demonstrates that both Whalen and Hood were also clearly aware that Petitioner had filed a Judicial Misconduct complaint on Judge Denise Page Hood along with his Appeal of the lower court actions, having done so long prior to Magistrate Whalen choosing to first delay then deny waiver of fees and costs, and Judge Hood choosing to first delay then dismiss Petitioner's habeas corpus motion. The document additionally shows that the clerk and judges of the Sixth Circuit Court were also well aware of all this by the time they chose to uphold the actions of the lower U.S. District Court and to dismiss the Petitioner's Appeal in this instant case now before the U.S. Supreme Court.

"EXHIBIT 3A" shows in the lower half of the page an "Order" by Michigan's 17th District Court judge Karen Khalil dated 8/3/11, the person who acted outside her jurisdiction to create terror in her courtroom on 6/8/12, who directed her Redford Township police as bailiffs to torment and assault innocent court-watchers, and who sentenced Petitioner David Schied to the Midland County jail for contempt without any proper proceedings whatsoever, no case number, no due process hearing, no prosecutor, no transcript, no videotape, and otherwise no records of the events that occurred on 6/8/12 in the Redford Township courtroom. This Order is clearly fraudulent on its face

because it is accompanied, preceded and unlawfully based upon an undated, incomplete and fraudulent "Motion and Affidavit." This *motion and affidavit*, was signed by a stamped name of an unknown individual, without completion of the statement of personal interest in the case, and without notary verification of the stamped-in signature. This combined "Motion and Order to Show Cause" is just one example of the type of corrupt activities with which this Michigan judge Karen Khalil and her court clerks and court administrator were engaged while the police department were engaged in other aspects of racketeering and extortionist activities.

"EXHIBIT 3B" includes other examples of how the 17th District Court was found to be operating under "*color of law*," misrepresentation, and various types of fraud to commit extortion upon the Redford Township residents and others passing through the community within the purview of the 17th District Court. Included in this exhibit is a fraudulently constructed "Notice to Appear" (p.1 of the exhibit), dated 11/8/10, referring to a courtroom event in which a "*magistrate*" is expected to appear along with a representative of the police department (on a traffic citation written by Officer D. Gregg). The notice references Michigan BAR number "P-04444" to identify the magistrate, and the notice – sent through U.S. Mail – informs the recipient that they are expected to attend a judicial proceeding in which a "*sentencing*" will occur. This notice is fraudulent, demonstrating felony "*mail fraud*" because, as other pages for the exhibit shows, the "*P-number*" used to identify judges and magistrates as members of the State BAR of Michigan (as shown by identification of judge Karen Khalil as member P-41981) shows that the number used for the "*magis*" at the first hearing does not exist.

Other evidence of misrepresentation and mail fraud by the 17th District Court includes references to Judith A. Timpner separately as both a “*Clerk/Deputy Clerk/Magistrate*” and as the “*Court Administrator*.” Moreover, this Evidence shows that the “*Certificate(s) of Service(s)*” being sent out to the public by the court – without proper dating of the action – are computer-generated with “*certification*” of personalized “*service of mailing*” without the signature of a person who is purportedly issuing such certification. This demonstrates that, indeed, no “*person*” is doing the mailing, and the certification is thus fraudulently misrepresented and out of compliance with the both the *letter* and *spirit* of the court rules as the action is personally unverifiable.

“EXHIBIT 3C” places the above two exhibits of Evidence, “Exhibits 3A and 3B” in proper context of how the Court was working corruptively with the Redford Township police department to use due process hearings and other notices to create a racketeering operation so to extort money from Redford Township residents and passers-by the community. “Exhibit 3C” is a sworn and notarized “Affidavit of Facts” of Petitioner David Schied, dated 7/25/11, in which fourteen (14) exhibits of Evidence are referenced as filed with the 17th District Court along with Mr. Schied’s “Motion to Set Aside Default Judgment and Motion for New Trial Due to Extenuating Circumstances and Unsolved Report of Criminal Racketeering” and Petitioner David Schied’s accompanying “Request for Criminal Grand Jury Investigation” of the activities of the 17th District Court judges and the Redford Township Police Department. This filing explains in 18 pages of details, how the judges, the court clerks, and the local police are working together to constructively deny private persons of their constitutional right to due process while committing acts of felony fraud and extortion upon the public.

“EXHIBIT 4” is a one page Order issued on 7/24/12 by the Michigan Supreme Court. This Order was issued in answer to Petitioner David Schied’s 50-page document captioned as follows:

“Petition for Leave of Appeal and Original Complaint of case involving the allegations of a ‘Criminal Conspiracy to Deprive of Rights’ between the judicial and executive branches of Redford Township, the 17th District Court, the Wayne County Circuit Court, the Michigan Secretary of State, the Michigan Attorney General, and the Michigan Court of Appeals as well-documented in recent and in a distant history already familiar to the Michigan Supreme Court in report of government ‘Racketeering and Corruption,’ and with previous ‘miscarriages of justice’ resulting in new ‘rounds’ of criminal offenses also being ‘dismissed’ from every court throughout 2011 without ‘litigation of the merits’ of the Facts and Evidence, while depriving Petitioner David Schied of his natural rights guaranteed under state and United States constitutions to due process and a jury, and while continually denying Petitioner access to a Grand Jury investigation of the criminal allegations” and “Complaint of ‘Fraudulent Official Findings’ and resulting ‘Dismissal of Complaints’ of the Judicial Tenure Commission in the face of clear evidence of gross omissions, misstatements, and other ‘Fraud Upon the Court’ by attorneys and judges as all corporate members of the corrupted State BAR of Michigan”.

(See also Exhibit #4 for a complete copy of the above 50-page + opening Title, Table of Contents, and “Questions Presented for Review”).

On its face, the above-referenced “*Petition*,” “*Original Complaint*,” and “*Request for Grand Jury Investigation*” are self-revealing and self-evident in reporting “*top-to-bottom*” judicial and other government corruption in Michigan. The filing, supported with 49 itemized Exhibits of Evidence and an “*Affidavit and Certification of Truth*,” was additionally ruled upon with a decision to “*dismiss*” based on the view that [the justices of the Michigan Supreme Court] were “*not persuaded that the questions presented should be reviewed by this Court*”. As shown by inclusion of “Exhibit P” of the accompanying “Motion for Permission to File Petition for Writ of Certiorari in Forma Pauperis”, This Michigan Supreme Court “Order” was “*decided upon*” by a Michigan

Supreme Court dominated by, as former Supreme Court justice-turned-whistleblower and book author has put it, “*dark money, secrecy and ideology*”. The ruling to dismiss this case was also consummated by the participation of “*justice*” Diane Hathaway who was subsequently in 2012 investigated by the FBI and found guilty of felony bank fraud. (See also “*Exhibit P*” as referenced in the accompanying “*forma pauperis*” filing.)

“**EXHIBIT #5**” is the entirety of the decision written on 3/27/13 by Justice Clarence Thomas, with the significantly applicable ruling of the U.S. Supreme Court in the case of “*Millbrook v. United States*”, case No. 11–10362, cited as 569 U. S. ____ (2013) in which the determination was made that,

“The law enforcement proviso [of the Federal Tort Claims Act (FTCA) “which waives the “Government’s sovereign immunity from tort suits”] extends to law enforcement officers’ acts or omissions that arise within the scope of their employment, regardless of whether the officers are engaged in investigative or law enforcement activity, or are executing a search, seizing evidence, or making an arrest...the provisions of this chapter and section 1346(b) of this title shall apply to any claim arising . . . out of assault, battery, false imprisonment, false arrest, abuse of process, or malicious prosecution.” 28 U. S. C. §2680(h)...(footnote #3) The Government conceded in the proceedings below that the correctional officer whose alleged conduct is at issue was acting within the scope of his employment and that the named correctional officers qualify as “investigative or law enforcement officers” within the meaning of the FTCA. App. 54–55, 84–85; Brief for United States 30.”

(Bold and/or underlined emphasis added)

INTRODUCTION

(A Contextual Backdrop of Crime Reporting and Litigation History)

As presented to the U.S. Supreme Court justices in three (3) separate cases in 2011, referenced as two *Petitions for Writ of Certiorari* [#11-5937 (10A1017) and #11-6015 (10A1018)] and one *Petition for Writ of Mandamus* [#11-5945] (i.e., see “**Exhibits B, C, and D**” of Petitioner’s accompanying “*Appendix of Referenced Exhibits in*”

Accompaniment of Motion for Permission to Appeal in Forma Pauperis”), Petitioner has been suffering a long string of civil rights abuses and crimes by government since 2003. These abuses and crimes have been fashioned at both “*predicate*” and “*secondary*” levels as both misdemeanor and felony offenses against Petitioner by school district administrators, state and federal law enforcement, and state and federal judges depriving Petitioner, as a public special education schoolteacher, of numerous Constitutional and statutory provisions pertaining to privacy, due process, privileges, immunities, employment, and the peaceful pursuit of happiness. The characteristic of these government crimes, as well as the cover-up by the governments’ “*peer groups*”, are properly defined under the RICO Act.

More recently, since 2010 as a result of receiving a speeding ticket issued by the Redford Township Police Department and attempting to exercise his due process rights in the 17th District Court and Wayne County Circuit Courts, in the Michigan Court of Appeals and Supreme Court, and subsequently in the U.S. District Court, Petitioner David Schied has amassed evermore Evidence that the corruption of the judicial and executive branches of state and federal government extends from “*top-to-bottom*,” with Petitioner having multiple times exhausted all of his remedies at both the state and the federal levels, both in the reporting of crimes to the executive branches of government and in bringing civil actions for relief to the judicial branches of government, along with his “*Request/Demand for Criminal Grand Jury Investigation*” of these multi-leveled, multi-faceted government crimes. All of these previous crime reports and court appeals were unlawfully and unconstitutionally dismissed, with instances of gross negligence,

malfeasance, and “*fraud upon the court*” being documented throughout the “*official*” records of this instant case as well as all the other previous cases.

As an example, “Exhibit F” of Petitioner’s accompanying “Appendix of Referenced Exhibits in Accompaniment of Motion for Permission to Appeal in Forma Pauperis”) shows that on 3/31/11 Petitioner wrote a letter in demand for the U.S. Attorney Barbara McQuade to notify the federal “*special grand jury*” under 18 U.S.C. §3332 (“*Powers and Duties of the Special Grand Jury*”) about Petitioner’s report of crimes, as otherwise authorized by that statute:

“(a) It shall be the duty of each such grand jury impaneled within any judicial district to inquire into offenses against the criminal laws of the United States alleged to have been committed within that district. Such alleged offenses may be brought to the attention of the grand jury by the court or by any attorney appearing on behalf of the United States for the presentation of evidence. Any such attorney receiving information concerning such an alleged offense from any other person shall, if requested by such other person, inform the grand jury of such alleged offense, the identity of such other person, and such attorney’s action or recommendation.”

Nevertheless, on 5/9/11 the “*assistant U.S. Attorney*” Judith Levy, purportedly of the “*Criminal Civil Rights Division*”, wrote back with yet another unsupported final disposition of “*discretionary denial*” of Petitioner’s demand. (See again “Exhibit F” of Petitioner’s accompanying “Appendix of Referenced Exhibits in Accompaniment of Motion for Permission to Appeal in Forma Pauperis”) Subsequently, as shown by the accompanying “Exhibits H through J” referenced by that same “Appendix of Referenced Exhibits...,” the U.S. Attorneys for the Eastern and Western districts of Michigan, being Barbara McQuade and Patrick Miles, Jr. respectively and working in tandem with their respective “*assistants*”, Leslie Krawford and Donald Daniels, have gone on to DENY other private person requests and demands – made under reference to 18 U.S.C.

§3332 – that the federal “*special grand jury*” be properly informed about other government crimes being reported to prosecutors authorized and **commanded** to bring such crimes to the attention of the special grand jury under that statute.

Besides the Evidence referenced above in the previous section of this instant filing before the U.S. Supreme Court, Petitioner incorporates all the remainder of “*Exhibits A through Q*,” as well as the descriptions of each of these referenced Exhibits as provided in the accompanying 4 pages of “*Appendix of Referenced Exhibits in Accompaniment of Motion for Permission to Appeal in Forma Pauperis*.” These documents altogether demonstrate beyond all reasonable doubt that the judicial and executive branches of state and federal government operating within the Eastern District of Michigan (EDM), throughout Michigan, and within the jurisdiction of the U.S. Court of Appeals for the Sixth Circuit, including the judges and clerks of the Sixth Circuit Court themselves, are operating criminally as multi-tiered racketeering operations in gross dereliction of their duties to properly “*self-police*” and “*self-report*” violations of state and federal constitutions, laws, court rules, and judicial canons and codes of professional conduct.

Altogether, the FACTS, as supported by significant Evidence offer at least a reasonable “*question*” about a high level of corruption in government; and most significantly, a “*significant question of credibility*” within the ranks of the state and federal judiciary and executive branches, particularly as it pertains to levying constitutional “*Checks and Balances*” upon one and the other of these varying corporate government institutions.

Importantly, this case altogether questions what degree this U.S. Supreme Court will either condone the pattern of criminal corruption dividing people into those with government status and power and those without it, or to begin setting the course of this nation back toward its constitutional roots. More specifically, this case defines “*state actors*” in regard to protections of Petitioner’s rights under the First, Fifth, Sixth, Seventh, Ninth, Tenth, Thirteenth, and Fourteenth Amendments. This case also questions, in light of the recent March 27, 2013 “*Millbrook v. United States*” ruling to what extent governmental status can be used, under the guise of “*public function*”, to secure “*immunity*” from civil accountability and criminal prosecution. This case additionally questions ‘*IF*’ and/or “*to what degree*” State and Federal judges themselves, as “*state actors*”, have constitutional authority to allow government authorities, individually or collectively, to cause harm to private citizens by awarding them *legal impunity*.

This case additionally questions the statutory and constitutional remedies that are available to “*private citizens*” when they are confronted by abusive judicial and executive branches of government running amuck by abuse of their “*discretionary*” authority, while also refusing to be held accountable, individually or collectively, for their constitutional violations. Most importantly, this case questions what remedies are left when Petitioner, has been tortuously stripped of his Constitutional and statutory rights by government and has exhausted every available administrative and judicial remedy. Petitioner is searching for some semblance of government responsibility and accountability for the numerous FACTS now before this U.S. Supreme Court as in this

instant “*Petition for Writ of Certiorari*” and the accompanying “*Motion for Permission to Appeal in Forma Pauperis*”.

It should be noted therefore that though Petitioner has filed numerous judicial and attorney misconduct complaints in the past, relative to this instant case as well as other previous cases associated with the above-referenced previous U.S. Supreme Court cases brought by Petitioner David Schied in 2011 (i.e., most if not all of the state and federal judges operating in the Eastern District of Michigan (EDM) are former attorneys and are therefore corporate members of the same “*State BAR of Michigan*”) Petitioner has either received final dispositions of “*discretionary*” DISMISSALS of these complaints or otherwise received NO ANSWER WHATSOEVER in reply; and thus, has been left without any other supporting basis or viable evidence that any “*due process*” investigation has ever actually taken place for any of these complaints.

These FACTS altogether serve as the impetus for this Petitioner filing his claim that the “*background*” to this instant case meets the criteria for “*extraordinary circumstances*”. Hence, this is the basis for Petitioner being now before the U.S. Supreme Court requesting of each of the U.S. Supreme Court justices, with their now being fully apprised and provided the Evidence of felony crimes being committed by state and federal government officials, that these justices properly support Petitioner’s right to have these reports of government crimes related to the federal “*special grand jury*,” as otherwise required under 18 U.S.C. §3332, in appropriate response to the “*duty*” of the special grand jury “*to inquire*” about crimes, including reports of government crimes, occurring within their jurisdiction.

SUMMARY OVERVIEW OF THIS INSTANT CASE

Petitioner incorporates by reference **Exhibit #4** as Petitioner David Schied's 50-page court filing naming 17th District Court judge Karen Khalil, the Redford Township Police, and the township supervisor as operating a racketeering operation and corrupt organization in Wayne County Michigan. The filing, as delivered to the Michigan Supreme Court, is cited as SC case #144456 / COA #306542, captioned as:

*"Petition for Leave of Appeal and Original Complaint of case involving the allegations of a 'Criminal Conspiracy to Deprive of Rights' between the judicial and executive branches of Redford Township, the 17th District Court, the Wayne County Circuit Court, the Michigan Secretary of State, the Michigan Attorney General, and the Michigan Court of Appeals as well-documented in recent and in a distant history already familiar to the Michigan Supreme Court in report of government 'Racketeering and Corruption,' and with previous 'miscarriages of justice' resulting in new 'rounds' of criminal offenses also being 'dismissed' from every court throughout 2011 without 'litigation of the merits' of the Facts and Evidence, while depriving Petitioner David Schied of his natural rights guaranteed under state and United States constitutions to due process and a jury, and while continually denying Petitioner access to a Grand Jury investigation of the criminal allegations" and "Complaint of 'Fraudulent Official Findings' and resulting 'Dismissal of Complaints' of the Judicial Tenure Commission in the face of clear evidence of gross omissions, misstatements, and other 'Fraud Upon the Court' by attorneys and judges as all corporate members of the corrupted State BAR of Michigan". (See also **Exhibit #4** for a complete copy of the above 50-page + opening Title, Table of Contents, and "Questions Presented for Review").*

The above-referenced Michigan Supreme Court filing was one of four actual cases personally naming judge Karen Khalil in her individual as well as her official capacity and/or naming the 17th District Court as involved in a criminal scheme to undermine constitutional due process rights of thousands of Redford Township community members while extorting them of their money using fraud, misrepresentation, and the unlawful crossover of government labor between executive and judicial branches, presumably in an effort to also save money. "**Exhibit #4**" provides

both the summary details and reference to the Evidence that was supplied to the Michigan Supreme Court, as well as to the Michigan Attorney General, the Secretary of State, and to the judges of the Wayne County Circuit Court and Michigan Court of Appeals, all in support of the criminal allegations against Judge Karen Khalil and her criminal cohorts. (Bold emphasis added)

These total of four (4) Michigan court cases naming 17th District Court judge Karen Khalil serve as the backdrop for Petitioner David Schied being requested by a Redford Township resident, Brent Mohlman, for Mr. Schied to attend a hearing at the 17th District Court on 6/8/12 as solely a private spectator. Mr. Schied, along with these four other private persons, agreed to sit in the pew of the courtroom along with the others – as court-watchers – to witness the events that were to be unfolding for Brent Mohlman on 6/8/12 as Mr. Mohlman was to go before Judge Karen Khalil for an “*informal hearing*” on a city ordinance violation of building a fence on his home property without first securing a city permit.

“**EXHIBIT #6**” is a 6-page handwritten document written by Petitioner David Schied from inside of the Midland County Jail, operated by the Respondent Sheriff Gerald Nielson. The document, captioned as “*Sworn Crime Report and Affidavit by David Schied*” was dated 6/11/12, being three days after Judge Karen Khalil and the Redford Township police unlawfully denied Petitioner constitutional due process, criminally abducted, and falsely incarcerated Mr. Schied. This crime report and Affidavit describes in detail the events that took place in Judge Karen Khalil’s courtroom, at the Redford Township jail, and during transport by the Statewide Security Transport guards to the Midland County Jail.

Incorporated into “Exhibit #6” also are 5 additional pages of handwritten notes generated by Mr. Schied detailing occurrences in the Midland County Jail from 6/8/12 through 6/13/12 that pertained to his being placed into Solitary Confinement by the Midland County Sheriff – despite Mr. Schied having an “*alarmingly high*” blood pressure level upon arrival to the jail facility – because Mr. Schied had questioned a third party medical contract that he was proffered and asked to initial, paragraph-by-paragraph, and to sign by Respondent Gerald Nielson’s “*agents*” as jailers upon Petitioner’s confinement in the Midland County Jail. These additional pages also detail the means by which the Midland County Sheriff repeatedly issued death threats to Petitioner by intentionally feeding him peanut butter after being clearly informed upon admission to the jail facility – and subsequently (as shown by the first exhibit of “Exhibit #8”) by Petitioner’s family physician – that Mr. Schied was deathly allergic to peanut butter and all other peanut products.

“EXHIBIT #7” consists of five (5) eyewitness Affidavits from individuals who were in the 17th District Court courtroom on the morning of 6/8/12 when Michigan judge Karen Khalil and her Redford Township police/bailiffs assaulted and unlawfully abducted Petitioner David Schied, then falsely imprisoning him on the trumped up charge of criminal contempt. These Affidavits all support Petitioner’s CRIME REPORT as presented in “Exhibit #6” in claim that Judge Karen Khalil and her bailiffs initiated a scene of confusion and terror in the courtroom against sovereign individuals sitting quietly in the pew over which this judge had no jurisdiction whatsoever. These Affidavits also clarify that Mr. Schied presented no disruptive behaviors and in fact

remained cooperative and silent, though confused and fear-stricken, throughout the horrific assault upon his person.

From the time of his false arrest and incarceration, Petitioner Schied underwent physical and mental torture at the hands of his captives. **“EXHIBIT #8”** consists of 23 pages of handwritten formalized *“Inmate/Captive Request Form(s)”* completed by Petitioner between 6/10/12 and 6/29/12, in for jail management assistance from the Respondent Midland County Sheriff Gerald Nielson, along inclusive of additional pages of handwritten notes detailing the behavioral responses of the jailers working as *“agents”* of Sheriff Nielson. The details of these formalized request forms, issued by the Midland County Sheriff *“under color of”* providing due process for addressing prisoner complaints, demonstrate intentional tort by gross negligence and dereliction of duty in the mishandling of numerous of Mr. Schied’s health and financial concerns while being falsely imprisoned by the Respondent Sheriff. **“Exhibit #8”** thus presents real causes of action by means of mental and physical cruelty through extortion, theft of all finances, threats against Petitioner’s life through the repeated serving of peanut butter in a group environment, deprivation of rights under federal HIPPA laws¹, deprivation of

¹ HIPPA laws were violated by the Respondent Midland County Sheriff when the *“agents”* of the Respondent and his agents perpetually refused either to provide the name of their third party contractor as the medical staff, or to provide the entirety of records to Petitioner’s personal physician upon multiple requests for all medical records by Dr. Nathan Bloch. Specifically, Respondents have violated HIPPA by refusing to produce the single page hand-written sheet that Petitioner was forcibly compelled by the Respondent to write to his personal physician while in captivity in the Midland jail, in request that the physician provide a written statement that Petitioner had a history of severe allergy to peanut products. While the physician complied with that request, the Midland Sheriff has refused to comply in furnishing complete medical records to Petitioner’s private physician as conditionally promised would occur if Mr. Schied provided the handwritten request, and as was requested by Petitioner’s physician in accordance with HIPPA laws after Petitioner was

healthy food, deprivation of human contact, deprivation of proper medical attention, deprivation of attorney client privilege, and the deprivation of other important free resources. These numerous “*request*” forms eventually resulted in the escalation of these complaints through the submission of three “Midland County Jail Grievance Form(s)”, two on 6/25/12 and one on 6/29/12, which were all ultimately DENIED due process of any form of action or reply in response to Petitioner’s submission of these grievance forms. (See the final exhibits of “Exhibit #8” for the referenced grievance forms.)

As shown by the first three pages of documents of “EXHIBIT #9”, Petitioner David Schied was unlawfully held without bond by the Midland County Sheriff. The determination of “*no bond*” is both shown by the first entry into that exhibit of the “Inmate Release Sheet” dated 6/19/12, and the “Inmate/Captive Request Form” submitted by Petitioner and completed by the Midland County sheriff’s “*Deputy Watkins*”, also dated 6/19/12. According to the Evidence written in the handwriting of the Respondent’s authorized “*agent*”, *Deputy Watkins*, Petitioner was being FALSELY IMPRISONED based upon a FRAUDULENT *criminal* charge of “*contempt*” for which a Clinton County prosecutor was purportedly involved...despite that Redford Township and the 17th District Court is in Wayne County and despite that Mr. Schied had never before in his life been in Clinton County.

released from his tortuous captivity. The original reason given by Respondent for needing to provide this physician statement was because Respondent refused to act upon such notice of peanut allergies by Petitioner’s word alone as written on the jail admission intake form on 6/8/12, and as written on the “*Medical History and Physical Examination*” form completed by the “*jail nurse*” (named “*Sarah*”) on 6/8/12.

Moreover, according to Deputy Watkins, the “*accuser*” and the “*harmed party*” in Petitioner’s case were the “*Clinton County Court*”, again despite that the Affidavits supplied by “*Exhibit #7*” show the events transpired in Wayne County *without* the involvement of a prosecutor, *without* any sort of due process provided, and with the judge acting well outside of her jurisdiction. As shown by the third document, which were notes explaining the occurrences leading to this paperwork, this documentation of the Midland County Sheriff is the ONLY documentation that has been provided by any government entity in response to the plethora of requests for hearing transcripts or videotapes, indictment or prosecutorial documents, the name of a prosecutor, a valid case number, or anything to support the government’s wrongful position on this matter. Upon being informed that the information obtained by Deputy Watkins was entirely fraudulent, Deputy Watkins, on behalf of Respondent ignored Mr. Schied’s request to be released and stated that the matter of his incarceration is “*between [Petitioner], the judge (of Clinton County), and the prosecutor (of Clinton County)*”.

As also shown by “*Exhibit #9*”, on 6/23/12, Petitioner constructed from the Sheriff’s jail cell a “*Letter and Affidavit by David Schied*”, fashioned as a 4-page public statement about his being “*kidnapped*” and falsely imprisoned – without bond – under fraudulent charges, under conditions of repeated death threats by food served with peanut butter, and with both petitions for Writ of Habeas Corpus and Motion(s) for Show Cause being denied on the outside in numerous courts. The Affidavit thus authorized Patricia Kraus to be Petitioner’s power of attorney. The record shows that this document was subsequently filed in the Wayne County Circuit Court on 6/28/12 indicating Mr. Schied had no other options for self-help.

“EXHIBIT #10” is a set of documents demonstrating that, indeed, while Patricia Kraus was “*exhausting all state remedies*” outside the Midland County Jail, Petitioner David Schied had clearly “*exhausted all state remedies*” and was – contrary to the claim of U.S. District Court judge Denise Page Hood (i.e., see “Exhibit 2B” p.2 of Hood’s “*Opinion and Order Dismissing Petition for Habeas Corpus...*”) – clearly “*inaccessible*” to remedies in either State or Federal court throughout the term of his 30-day unlawful captivity...as a direct result of actions taken by Respondent Midland County Sheriff Gerald Nielson and his various deputies as “*agents*”.

The first entry in “Exhibit #10” shows that on 6/25/12, Petitioner filed a “Inmate/Captive Request Form” attached to accompanying documents (as described below) in request of the sheriff deputies that these documents be *immediately* presented directly to Respondent Sheriff Nielson for delivery to a prosecutor and a Midland County judge. Subsequently, that form and the accompanying documents were brought back as supervisory agents of Respondent had refused to allow these documents to be hand-delivered to the sheriff.

Subsequently, Petitioner submitted a “Midland County Jail Grievance Form” with sheriff deputies as Respondent’s “*agents*” as a due process escalation of the constructive oral denial of Petitioner’s previous “*request form*”. Attached to this new grievance was Petitioner’s previously submitted 8-page “Crime Report, Demand for Immediate Release, and Demand for Criminal Grand Jury Investigation” naming Karen Khalil and individual police officers engaged in racketeering and corruption in Redford Township, which Mr. Schied wished to have personally delivered to the nearest county prosecutor. Petitioner also attached his handwritten “Petition for Immediate

Consideration of Writ of Habeas Corpus and Motion for Show Cause Order or Immediate Release from Unlawful Captivity” as well as his “Affidavit of Indigency and Motion for Waiver of Fees and Costs” which Petitioner requested to file immediately with the nearest Midland County judge and court. The grievance and attachments were subsequently all DENIED processing by deputies “Wallace” and her supervisor “Close” on behalf of Respondent. (Bold emphasis added)

Upon being denied processing of his first level grievance, Petitioner escalated the grievance from the level of an “*appeal*” to “*Step I*”, which was a procedural right explained to him by sheriff deputies. As shown by “**EXHIBIT #11**”, Petitioner escalated his complaint by re-submitting the documents for the third time to Respondent, as seen now as “Exhibit(s) #9 and #10” with a new cover sheet “Midland County Jail Grievance Form” which, acting in compliance with the procedural steps required by Respondent for escalating complaints raised in the jail, Petitioner truthfully outlined felony “Interference with a Victim/Witness and Criminal Proceedings, Dereliction of Duty, Deprivation of Rights Under ‘Color of’ Protocol and Formality” by the Respondent’s “agents”. Petitioner’s resubmitted documents were labeled “*Exhibits A*” and “*Exhibit B*”. The escalated “*Step I*” grievance cover sheet also reminded Respondent and his sheriff deputies as “agents” that the Sheriff had the DUTY for a proper course of action upon “*reasonable cause to believe*” that a crime has been committed. Nevertheless, this escalated grievance also was DENIED at the supervisory level by Respondent’s agents and Petitioner was immediately forced to serve the remaining part of Judge Khalil’s 30-day sentence again in Solitary Confinement as punishment for his attempts to exercise

his stated right to due process in the Respondent's jail. (See notes shown in "Exhibit #8" for more details.) (Bold emphasis added)

REASONS FOR GRANTING THE PETITION

- I. Based on a plethora of Evidence presented above contradicting the stated basis for the Dismissal of this Case by the U.S. District Court and the Upholding of that dismissal by the 6th Circuit Court of Appeals, it is clear Petitioner David Schied did NOT have "Accessibility" to ANY civil or prosecutorial remedies for his UNLAWFUL ABDUCTION and FALSE IMPRISONMENT by Respondent; thus Patricia Kraus DID Properly Convey that all State remedies had been sought , proven as unlawfully obstructed, and therefore "exhausted".

Notwithstanding the inclusion of all previously referenced Exhibits of Evidence, Petitioner submits "EXHIBIT #12" as two separate documents supporting the contention that that the Clerks of the 17th District Court refuse to produce requested – even subpoenaed – documents that can prove criminal activities of racketeering and corruption being carried out by the "judge" Karen Khalil, the bailiffs, and the clerks at that Court. "Exhibit 1C" (p.6) is the "Request for Expedited "Record of Actions and Transcript and Digital Video Record and/or Copy of Audio/Visual Hearing Record"", dated 6/21/12 and referenced by the Affidavit of Patricia Kraus, in that she had been DENIED any "*record of actions...transcripts...audio/video hearing records*" etc. by the clerks of the 17th District Court.

In further Evidence in "Exhibit #12" is a Subpoena (i.e., sent on 8/24/11 pertaining to a preceding case Petitioner had filed on Appeal of the 17th District Court's actions while prosecuting a speeding ticket on behalf of the Township of Redford) that was DENIED any responsive action. This too was a denial of a request to produce "*all records, documents, transcripts, audio and video recordings, witness statements, radar*

reports, police reports, court docket sheets", etc, showing the propensity of the 17th District Court to cover-up their crimes by resistance acts.

Moreover, submitted herein as "EXHIBIT #13" are two other documents demonstrating: a) that Petitioner David Schied's efforts to work on his own release from within the Midland County Jail were being unlawfully undermined by Respondent Sheriff Gerald Nielson and his "*agents*"; and b) that outside efforts, taken by Patricia Kraus and others on Petitioner's behalf were being undermined by the intentional dereliction and negligence of the U.S. Attorney for the EDM, Barbara McQuade.

The first document in "Exhibit #13" is an envelope sent to Petitioner David Schied at the Respondent's jail, as postmarked 6/22/12, which was originally from Petitioner's attorney, Daryle Salisbury, as clearly marked on the envelope. This envelope was presented to Petitioner ALREADY OPENED, a violation of well-established attorney-client privilege.

The second entry in "Exhibit #13" is a 2-page "Citizen Information Form" marked "URGENT" as submitted on 6/28/12 by Patricia Kraus to the office of the U.S. Attorney Barbara McQuade. Attached to this two-page "*information*" form page was a copy of Petitioner's "Demand for Criminal Grand Jury Investigation" as time-stamped by the U.S. prosecutor's office. Also, by reference on page 1 of the "Citizen Information Form" to a previous complaint addressed to Barbara McQuade dated 3/31/11 (referencing the letter presented in "Exhibit F" of the accompanying "Motion to Petition for Permission to File Habeas Corpus in Forma Pauperis"), Ms. Kraus had offered the reminder that it was because of the previous dereliction of the U.S. Attorney in dismissing that previous 3/31/11 complaint that there has been a continuation of a "*large scale conspiracy of*

multi-tiered government crimes” and a sustained “Demand for access to a federal grand jury for reporting these crimes to a federal special grand jury as statutorily provided under 18 U.S.C. §3332’. (The first page of that previous complaint is provided herein for reference as a courtesy.)

Notwithstanding all five (5) samples of other criminal complaints supported by Evidence accompanied by the demands of private individuals to access the special grand juries as authorized – even mandated – by 18 U.S.C. §3332 as found in “*Exhibit(s) E through I* of the accompanying “*Motion to Petition for Permission to File Habeas Corpus in Forma Pauperis*”), Petitioner herein submits “EXHIBIT #14” with even further documentation showing that the U.S. District Attorney Barbara McQuade and her “*agents*” continue to be grossly derelict in their DUTIES to prosecute crimes for which there is reported Evidence and the demand by persons to bring these reports of crimes to the attention of the federal Special Grand Jury under 18 U.S.C. §3332.

“*Exhibit #14*” consists of two formal “*Notices*” from Michigan resident Karen Stephens, describing crimes for which she has Evidence and that she wishes to present to the special grand jury. Despite these two very clearly written notices referencing 18 U.S.C. §3332, the U.S. Attorney’s “assistant” Leslie Krawford responded with a letter of rhetoric informing Ms. Stephens that the “*U.S. Attorney’s Office is not an investigative agency*”. Ms. Stephens thus was compelled to write a third letter pointing out that the response letter intentionally ignored all references to the demands made under 18 U.S.C. §3332, while also clarifying that she was “*not request[ing] for the U.S. Attorney to conduct an investigation*” but was instead relying upon the duties of that office and the “*authority of 18 U.S.C. §3332*” to demand reporting of these crimes to the

Special Grand Jury. Nevertheless, McQuade's other "*assistant*" Daniel Lamisch inappropriately responded back as if deceptively answering the previous two notices for a second time; while again completely ignoring the third letter sent by Ms. Stephens, and again fraudulently stating that Ms. Stephens was "*request[ing] an investigation*".

Hence, the Evidence presented in this case demonstrates that not only has the "*top-to-bottom*" racketeering and corruption in BOTH the executive and judicial branches of state and federal government in Michigan deprived Mr. Schied of a multitude of his rights, criminally under color of law, these same types of actions are occurring daily and destroying the lives of individuals and families all over the entire State of Michigan. (See "Exhibit #14" as copies of all the referenced 5 letters.)

II. This Case Presents Issues of Fundamental National Importance as this Case Presents Issues of Fundamental Importance to Private Persons in Michigan who are Victims of Judicial and Other Government Corruption

There can be no serious doubt that this instant case, as did Petitioner's three previous other cases that were otherwise dismissed by the justices of the U.S. Supreme Court in 2011 (i.e., see "Exhibits B through D of the accompanying "*Appendix of Referenced Exhibits in Accompaniment of Motion for Permission to Appeal in Forma Pauperis*""), presents issues of great national importance.

At the most fundamental level, the question this case raises pertains to the "*state action doctrine*" which was borne out of the 14th Amendment and is prohibitory upon the States with regard to State action of a particular character. (The Civil Rights Cases, 109 U.S. at 10 and 11.) It specifically addresses, through both civil and criminal codes and statutes such as 42 U.S.C. §1983 and 18 U.S.C. § 241 and §241 the numerous types

of abuses of “*discretion*” and the “*public function*” when government officials act tortuously outside the bounds of their official Duties and their sworn Oaths of offices.

The state action doctrine asks: “*Under the Constitution, in what situations should government be held in some way responsible for harm inflicted by one person or entity (the wrongdoer) upon another person or entity (the victim)?*” Governmental responsibility can flow from government's failure to act in situations by which the victim's harm is caused or aggravated by governmental inaction. [(Ross v. United States, 910 F.2d 1422, 1430 (7th Cir. 1990) holding that a county policy that prevented unauthorized civilians from saving a drowning child violated the child's Fourteenth Amendment right to life)]

This question is particularly significant given the plethora of FACTS about this case. This is because the U.S. Supreme Court has held “*that state officials, sued in their individual capacities, are ‘persons’ within the meaning of §1983’ and may be held personally liable for damages under Section 1983 based upon ‘actions taken in the official capacities’*”. [Burton v. Wilmington Parking Authority, 365 U.S. 722 (1961) quoting “Kotch v. Board of River Port Pilot Comm'rs”, 330 U.S. 552, 556 (1947)]

In this instant case, the Order delivered by the Sixth Circuit Court of Appeals and upholding the ruling of the U.S. District Court for the (EDM), states that,

“*[R]easonable jurists would find it debatable whether the petition states a valid claim of the denial of a constitutional right...,” that “Kraus did not allege any circumstances showing that Schied was unable to prosecute the case on his own behalf due to “inaccessibility, mental incompetence, or other disability,” and that “[Petitioner] had not demonstrated that he first exhausted his state court remedies.”*

These statements of official ruling, as written and signed by the “*Clerk*”, were orchestrated to achieve what could only be found to be a continuance of

Respondent and other “*state actors*” original objective, which was – as “*the accused*” in government – to collectively deprive Petitioner of his due process rights, while providing each other government entity with “*cover*” for their own civil rights violations as is otherwise depicted in Petitioner’s original “Application for Habeas Corpus” filed in the U.S. District Court. (Bold emphasis added)

The FACT is that federal judges of the lower courts never “*litigated the merits*” of Petitioner’s claim, while delivering “*orders*” that were clearly fraudulent, and with so much Evidence delivered by Petitioner by his own testimonial Affidavit to otherwise compel the “*immediate consideration*” and affirmative response of the judges that were approached by Petitioner’s dedicated proxies, Patricia Kraus and Cornell Squires.

Significant about the negligence of these judges is that it fits a distinct “*pattern of negligence*” shown by the evidence in record, as provided by Petitioner in the attached “Appendix” for this instant “Petition for Writ of Certiorari” and the accompanying “Appendix of Referenced Exhibits in Accompaniment of Motion for Permission to Appeal in Forma Pauperis”). By failing to litigate those important merits, these judges also neglected the fact that the continuum of “*state nexus*” in operation is evident. All of the government actors referenced by this case filed against Midland County Sheriff Gerald Nielson, therefore were all carrying out their tortuous “*public function*” when committing their crimes of treason.

“Exhibit #5” holds the most up-to-date case law ruling on this matter, being the U.S. Supreme Court’s 2013 ruling in “Millbrook v. United States”. The ruling clarifies that “*correctional officers*” fall under the meaning of 28 U.S.C. §2680(h) in that the Sheriff, as a “*law enforcement*” body, waives immunity under allegations of assault,

battery, false imprisonment, false arrest, deceit, misrepresentation, interfering with a contract, libel, slander, etc.

Supporting and reinforcing Petitioner's assertion that he has a right to be compensated for the multitude of damages incurred as a result of the Respondent's variety of tortuous actions, including false imprisonment, is the case of Trezevant v. City of Tampa, 741 F. 2d 336 - Court of Appeals, 11th Circuit (1984). (See "EXHIBIT #15" as a copy of that U.S. court ruling in its entirety.) In that case, the Court determined that an award of \$25,000 was not excessive for the imprisonment of the Plaintiff/Appellant for 23 minutes. Similar to this case, Mr. Trezevant was incarcerated against his will, denied an attorney, and was incarcerated with other persons who were under arrest for more severe criminal violations. Mr. Trezevant was also subject to a harsh setting, sustained injury in jail, and had his needs for medical assistance disregarded (i.e., in this instant case, Petitioner David Schied was initially placed into Solitary Confinement for questioning the contract with 3rd party medical team contracting with the jailers for physician and nursing services, and he was refused medical services because he had no health insurance and was unwilling to sign a third-party agreement guaranteeing payment for services prior to their being render at the sole discretion of the medical staff.)

In this case, the state (i.e., the state and federal judges) have violated the Constitution by authorizing and sanctioning the state actors' unlawful conduct, constructively awarding them legal "*immunity*" from liability in the face of both civil and criminal allegations. This was a clear violation of Petitioner's constitutional due process rights. [See Butz v Economou, 438 US 478, 98 S Ct 2894, 57 L Ed 2d 895. *It is*

untenable to draw a distinction for purposes of immunity law between suits brought against state officials under 42 USCS § 1983 and suits brought directly under the Federal Constitution against federal officials. (See also Owen v Independence, 445 US 622, 100 S Ct 1398, 63 L Ed 2d 673.) In an action brought against a municipality under 42 USCS § 1983 for depriving a person of federally protected rights, the municipality is not entitled to qualified immunity from liability by asserting the good faith of its officers or agents as a defense to liability under § 1983.

The Michigan Constitution, Art. I §24 (Crime Victims' Rights) holds that Petitioner, an alleged "*crime victim*", having a long history of State and Federal court Orders issued against him stating that "*Private citizens cannot sue for enforcement of criminal laws*" and that "*private citizens have no authority to initiate criminal prosecutions*". See also, Schied v. Martha Daughtrey, David McKekague, Gregory Tatenhove, et al (and numerous USDOJ employees) "...a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another")

The Michigan Constitution holds that crime victims have the "*right to be reasonably protected from the accused throughout the criminal justice process*". It is also significant when considering that under MCL 764.16 of Michigan's Code of Crim. Proc., as is commonly found in many other states, private persons have long had the right to initiate an arrest of another individual, effectively initiating "*criminal proceedings*" by that action.

Both Michigan and the federal government endorse the definition of an "*indictment*" as a "*formal accusation or complaint*". [See page 96 of the Benchbook for U.S. District Court Judges (March 2000 rev.), "*The indictment against the defendant*

brought by the government is only an accusation, nothing more”; and further, on page 204, “An ‘indictment’ is simply a written charge or accusation that a person has committed a crime.”]

The Michigan Constitution (Act 175 of 1927), i.e., the Michigan Code of Criminal Procedure also holds,

“...is AN ACT to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations;.... to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses...”

MCL 761.1 and MCL 750.10 both define an “indictment” as:

“....(d) An ‘Indictment’ means one or more of the following: (i) an indictment; (ii) an information; (iii) a presentment; (iv) a complaint; (v) a warrant; (vi) a formal written accusation. (n) ‘Complaint’ means a written accusation, under oath or upon affirmation, that a felony, misdemeanor, or ordinance violation has been committed and that the person named or described in the accusation is guilty of the offense.”

MCR Rule 6.101 (Rules of the Court) also holds that,

“A complaint is described as a written accusation that a named or described person has committed a specified criminal offense. The complaint must include the substance of the accusation against the accused and the name and statutory citation of the offense. (B) (Signature and Oath) The complaint must be signed and sworn to before a judicial officer or court clerk....”

MCL 767.52 states “The indictment need contain no allegation of the means by which the offense was committed except insofar as the means is an element of the offense.” MCL 767.47 similarly holds, “No indictment is invalid by reason of any repugnant allegations contained therein, provided that an offense is charged.” MCL

767.75 also states, “*No indictment shall be quashed, set aside or dismissed for any 1 or more of the following defects:.... (Third) That any uncertainty exists therein.*”

MCL 767.3 states,

“Whenever by reason of the filing of any complaint, which may be upon information and belief, or upon the application of the prosecuting attorney or attorney general, any judge of a court of law and of record SHALL have probable cause to suspect that any crime, offense or misdemeanor has been committed within his jurisdiction, and that any persons may be able to give any material evidence respecting such suspected crime, offense or misdemeanor, such judge in his discretion may make an order directing that an inquiry be made into the matters relating to such complaint...”

MCL 764.1(a) which that, “*A magistrate SHALL issue a warrant upon presentation of a proper complaint alleging the commission of an offense and a finding of reasonable cause to believe that the individual or individuals accused in the complaint committed the offense*”.

MCL 764.1(b) calls for an “*arrest without delay*”.

MCL 764.16 (arrest by private person) holds, “*A private person may make an arrest—in the following situations:....(b) If the person to be arrested has committed a felony although not in the private person's presence.*”

In both its “*spirit*” and its “*letter*”, Michigan state laws as well as federal rules, the federal judges’ benchbooks, 18 U.S.C. §3332 governing grand jury duties, common law, and common sense altogether maintain that it is within the purview of the sovereign citizens to “*initiate criminal proceedings*” against anyone they honestly believe committed a crime, either in their presence or outside of their presence.

The question then again becomes one of significant meaning for a person such as Petitioner with a case in which he can prove that “*state actors*” have

repeatedly denied constitutional due process while sanctioning the crimes of other government officials.

III. This Case Presents Issues of Fundamental Importance In Regard to the Constitutional Right Under the Seventh Amendment to Have Access to a Jury of the People, by the People, and for the People

By the facts presented in this instant Petition, Petitioner has 9 ½ years of documented history of being deprived of his right, under the Seventh Amendment, to access of a jury of any kind. More recently there is compounding evidence of a deliberate “*conspiracy*” of government actors in the state and federal judiciary and law enforcement, to deprive Petitioner of his right to have his civil and criminal claims “*heard*” by either a petit or grand jury.

This past 9 ½ years of “state action”, characterized by deliberate incompetence, gross negligence, malfeasance, and other forms of “*tort*”. Yet the government actors in Michigan, and indeed the Eastern District of Michigan (EDM), including judges, continue to publish fraudulent official Orders, Opinions, Judgments, and other rulings to be read by the unsuspecting public, by higher courts, and by others in “law enforcement.” These actions are violations of numerous of Petitioner’s constitutional rights as articulated in this instant “*Petition for Writ of Certiorari*”. Therefore, Petitioner requests that this U.S. Supreme Court take action on these illegal offenses; particularly since Petitioner has also been constructively barred from presenting these criminal complaints to the federal special grand jury under 18 U.S.C. §3332.

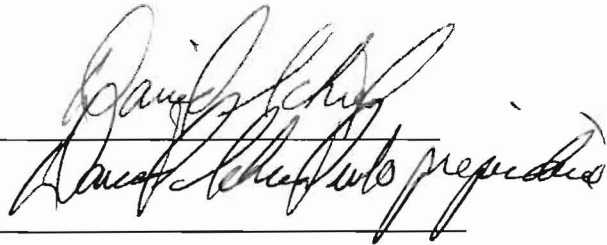
CONCLUSION AND RELIEF SOUGHT

THEREFORE, Petitioner requests that this Court do as follows:

- (1) Grant this instant Petition for Writ of Certiorari for review by the Justices of this Supreme Court of the United States.
- (2) Inform the federal special grand jury, under 18 U.S.C. §3332 about the alleged criminal offenses referenced above and through the “*exhibits*” attached to this motion; and while notifying the grand jury of the identity of the person David Schied making these criminal allegations, and thereafter making public the action or recommendation of the judge or attorney making such contact with the grand jury;
- (3) Remand this instant case back to the lower court for a jury trial on the merits.
- (4) Grant such other relief as the Court deems appropriate.

Respectfully submitted,

By: _____

A handwritten signature in cursive script, appearing to read "David Schied", is written over a horizontal line. Below the signature, the words "David Schied who prepared" are handwritten in a similar cursive style.

DATED: May 19, 2012

VERIFICATION

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

As the aggrieved party, UCC 1-102(2) Reserving my rights Without Prejudice UCC 1-308, I, David Eugene: from the family of Schied, am pursuing my remedies provided by [the Uniform Commercial Code] UCC 1-305.

This AFFIDAVIT, is subject to postal statutes and under the jurisdiction of the Universal Postal Union. No portion of this affidavit is intended to harass, offend, conspire, intimidate, blackmail, coerce, or cause anxiety, alarm, distress or slander any homo-sapiens or impede any public procedures, All Rights Are Reserved Respectively, without prejudice to any of rights, but not limited to, UCC 1-207, UCC 1-308, MCL 440.1207. Including the First Amendment to The Constitution of the Republic of the united States of America, and to Article One Section Five to The Constitution of the Republic of Michigan 1963 circa. The affiant named herein accepts the officiates' colorable court oaths of offices to uphold the constitution, and is hereby accepted for value.

A handwritten signature in black ink, appearing to read 'David Schied', is written over a horizontal line.

David Schied
Sui Juris

Executed on May 15, 2011.

David Schied
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Email: deschied@yahoo.com