UNDER ARTICLE III
IN SUPREME COURT OF THE UNITED STATES

David Schied, one of the *Sovereign* American People
recognized by the U.S. CONSTITUTION;
a totally and permanently disabled *RECENT QUAD-AMPUTEE*; *CRIME VICTIM*;
Common Law and Civil Rights *sui juris*
GRIEVANT / CLAIMANT / BENEFICIARY
"BENEFICIARY"

v.

U-HAUL INTERNATIONAL, et al
"*CO-TRUSTEES*"

PETITION ON WRIT OF CERTIORARI

Court of Appeals
 # 21-2873
Raymond Gruender, Duane Benton, and Ralph Erickson

USDC-SDWD
Civ. No. 21-5035
JUDGES: Roberto Lange
Lawrence Piersol

A Case Inextricably Intertwined With:
David Schied v. UNITED STATES OF AMERICA, Et Alia
EIGHTH CIRCUIT COA CASE # 21-2809; USDC-SDWD case #21-5030

Sui-Juris		**Representing All of the CO-TRUSTEES**
DISABLED / BENEFICIARY David Schied P.O. Box 321 SPEARFISH, S. DAKOTA 57783 605-580-5121 (all calls recorded)	vs	Lawrence Piersol and Matthew Thelen; *acting* as the latest in a long line of "UNITED STATES" *principles* and *agents* usurping the Powers otherwise "*Reserved to the States respectively*", and/or "*Retained by the* [Sovereign] *People*".

QUESTIONS PRESENTED FOR REVIEW

1. Are U.S. Courts and the SUPREME COURT really operating as "ARTICLE III" under the U.S. CONSTITUTION, or are they operating under the CONSTITUTION of the UNITED NATIONS' "INTERNATIONAL ASSOCIATION OF JUDGES" through unified FEDERAL JUDGES ASSOCIATION membership to the IAJ via UNITED STATES judges' membership in the FJA? Either way, can U.S. judges continue to treat repeated "*crime victim*" Reports about an "*attempted murder*", and "*whistleblower*" Statements about criminal coverups by "*government servants*" of the EXECUTIVE and JUDICIAL branches in "*backward-looking-access-to-court*" cases, "*with blanket immunity*" for "*the Accused*" and "*without providing any meaningful investigation whatsoever*" into any of the CIVIL claims and CRIMINAL allegations? **If so, how is this so**, when both JUDICIAL and EXECUTIVE officers have OATHS OF RESPONSIBILY and FIDUCIARY DUTIES, and are being paid by American "*Taxpayers*" to act *with accountability* to address FACTS, EVIDENCE, and CLAIMS against their failures to act constitutionally and in accordance with the Public Trust?
2. Notwithstanding *Affidavit(s) of Truth* concerning the FACTS, EVIDENCE and CLAIMS of #1 above, **is not a proclaimed "*long time target*" of government retaliation** and an attempted murder resulting in amputations of both legs and all but a single pinky finger on a non-dominant hand – being one who continues to be targeted to such extent as to being thereafter criminally EVICTED WITHOUT DUE PROCESS during the deathly cold of a Michigan winter, during a COVID

PANDEMIC, and during an EVICTION MORATORIUM – **entitled to proper "*access*" to the UNITED STATES courts** after finding refuge from homelessness as a bona fide "*REFUGEE*," and once settled in another State? **If not, why not** given the conditions of #1 above concerning OATHS and DUTIES?

3. Notwithstanding a plethora of *Affidavit(s) of Truth(s)* concerning the FACTS, EVIDENCE and CLAIMS of both #1 and #2 above, **is not Certiorari warranted** when UNITED STATES DISTRICT COURT "*judge[s]*" assigned to the case(s) have written a *prima facie* fraudulent "*judgment[s]*" and other convoluted and erroneous documents that not only DISMISSES the entire case(s), but also goes so far as to summarily deny a "*forma pauperis*" and "*recently totally and permanently disabled quad-amputee*" any "*access*" whatsoever to the "*Electronic [EM/ECF] Filing System*", and similarly denying all requested formal "*Service of Process*" by the U.S. MARSHALS SERVICE upon the named CO-TRUSTEES/RESPONDANTS to the captioned case(s); and thus, COMPLETELY DENIES ACCESS to a sovereign America man deemed otherwise protected from such disparaging and unequal treatment under the U.S. CONSTITUTION, Human Rights Laws, and Civil Rights Laws designed to protect and provide "*equal treatment*" to the "*disabled*", the "*poor*", and the "*elderly*", as BENEFICIARY David Schied is one of the Sovereign American People and as a former "*Taxpayer*"? **If not, why not** when JUDICIAL officers have OATHS OF RESPONSIBILY and FIDUCIARY DUTIES to act *with accountability* while providing due process and court access in accordance with the Public Trust?

4. Notwithstanding EVIDENCE of all three numbered "*Truths*" listed above, **is not Certiorari warranted when a TRIBUNAL of UNITED STATES COURT OF APPEALS (8th Cir.) "*judges*" has summarily upheld the lower District Court's *fraudulence* with only two sentences of unexplained concurrence in dismissing the case without due process, without providing the "*whistleblower*" against government and alleged criminal perpetrators with "*meaningful access*", and without the named CO-TRUSTEES/RESPONDANTS being provided their day in Court to defend the civil CLAIMS and formal CRIMINAL ALLEGATIONS against them** as otherwise required by law governing "*speedy trials*"? **If not, why not** when … (as stated above)?

PARTIES NAMED and JUDGMENTS TO BE REVIEWED

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No: 21-2873

David Schied, one of the Sovereign American People; a totally and permanently disabled RECENT QUAD-AMPUTEE; CRIME VICTIM; Common Law and Civil Rights sui juris GRIEVANT/CLAIMANT BENEFICIARY

Plaintiff - Appellant

v.

U-Haul International, Inc.; Does, #1-20

Defendants - Appellees

Appeal from U.S. District Court for the District of South Dakota - Western
(5:21-cv-05035-LLP)

JUDGMENT

Before GRUENDER, BENTON, and ERICKSON, Circuit Judges.

This court has reviewed the original file of the United States District Court. It is ordered by the court that the judgment of the district court is summarily affirmed. See Eighth Circuit Rule 47A(a).

October 05, 2021

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

FRAUDULENT DISTRICT COURT "*JUDGMENT*"

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

DAVID SCHIED, ONE OF THE SOVEREIGN AMERICAN PEOPLE; A TOTALLY AND PERMANENTLY DISABLED RECENT QUAD-AMPUTEE; CRIME VICTIM; COMMON LAW AND CIVIL RIGHTS SUI JURIS GRIEVANT/CLAIMANT BENEFICIARY; Plaintiff, vs. U-HAUL INTERNATIONAL, INC., DOES #1-20, Defendants.	5:21-CV-05035-LLP ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS AND SCREENING ORDER FOR DISMISSAL

Plaintiff, David Schied, filed a pro se lawsuit. Doc. 1. Schied moves for leave to proceed in forma pauperis. Doc. 2. He also filed "beneficiary's" motions: (1) to proceed in forma pauperis; (2) for the filing fees in CM-ECF to be waived; and (3) for service by the United States Marshal Service. Docs. 3-5. This is Schied's second lawsuit filed in the District of South Dakota. His first Complaint was dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B). *See Schied v. United States et. al*, 5-21-CV-05030-LLP, Doc. 14 at 37-38 (D.S.D. July 29, 2021).

I. Motion for Leave to Proceed In Forma Pauperis

Schied moves for leave to proceed in forma pauperis. Doc. 2. Suits brought in forma pauperis require the plaintiff to demonstrate financial eligibility to proceed without prepayment of fees. *Martin-Trigona v. Stewart*, 691 F.2d 856, 857 (8th Cir. 1982); *see Lundahl v. JP Morgan Chase Bank*, 2018 WL 3682503, at *1 (D.S.D. Aug. 2, 2018). A person may be granted permission to proceed in forma pauperis if he or she "submits an affidavit that includes a

statement of all assets such [person] possesses [and] that the person is unable to pay such fees or give security therefor." 28 U.S.C. § 1915(a)(l). The litigant is not required to demonstrate absolute destitution, and the determination of whether a litigant is sufficiently impoverished to qualify to so proceed is committed to the court's discretion. *Lee v. McDonald's Corp.*, 231 F.3d 456, 459 (8th Cir. 2000); *Cross v. Gen. Motors Corp.*, 721 F.2d 1152, 1157 (8th Cir. 1983); *Babino v. Janssen & Son*, 2017 WL 6813137, at *1 (D.S.D. Oct. 12, 2017). In light of the information Schied provided in his financial affidavit, Doc. 2, this Court finds that he may proceed in forma pauperis. Because Schied has been granted leave to proceed in forma pauperis, his complaint will be screened under 28 U.S.C. § 1915(e).

II. 28 U.S.C. § 1915(e) Screening

A. Factual Background

Schied is an "alleged victim of an attempted murder . . . and criminal coverup by agents of the United States, the State of Michigan, and DTE Energy . . . and [he is] a permanently disabled quad-amputee." Doc. 1 at 1. He asserts that in 2021 he was evicted from his home and contracted with Defendant, U-Haul, "by reserving a twenty-six foot [] truck and refrigerator dolly for a one-way transport" from Michigan to South Dakota. *Id.* at 6. Schied claims that U-Haul agreed to the terms of the contract over the phone. *Id.* at 7. U-Haul later allegedly "pulled a 'bait-and-switch' " and changed the terms and nature of the contract "without full disclosure of the[] unscrupulous, discriminatory, and fraudulent business dealings." *Id.* Schied was allegedly required to give his debit or credit card information to hold his reservation. *Id.* at 15.

Schied allegedly reminded U-Haul that he was an individual with a disability and that he needed a third-party driver ("contracted driver") because he did not have a driver's license in

Michigan. *Id.* at 7. U-Haul allegedly then changed the name on the contract to that of the name of the contracted driver *Id.* When Schied later complained about the name on the contract, U-Haul claimed that their computer system automatically switches the name of the party to that of the name on the driver's license used to reserve the truck. *See id.* at 23. Schied argues that U-Haul intentionally deprived him of his "sovereign Right to establish and carry out contracts on his own free will." *Id.*

On the day of travel, Schied claims that his contracted driver was "forcibly compelled to travel on a near empty gas tank to another nearby town" because U-Haul "failed its obligation to even have a refrigerator [dolly] in stock as previously promised by the original contract . . . ." *Id.* Schied also claims that he did not receive his deposit back. *See id.* at 7-8. When he inquired about the deposit, a check was allegedly issued to the name of the contracted driver (the name on the contract). *Id.* at 8. Schied called U-Haul's agent to rectify the situation and he allegedly "spent about half a day making a series of phone calls" and he filed two complaints with the company. *Id.* at 9-8. He asserts that U-Haul deposited $100 dollars and an additional $25.00 as a "final settlement" in Schied's bank account. *Id.* at 10. He asserts that his complaints about civil rights violations and corruption were not addressed by U-Haul. *Id.* Schied claims that U-Haul engaged in "wire fraud, larceny, fraud (in general), and other financial crimes . . . ." *Id.* at 11. He includes factual allegations about his interactions with sixteen U-Haul agents. *See id.* at 12- 68.[1] His Complaint alleges nine counts of federal and common law violations. *See id.* at 69-88.

[1] These interactions range from the time Schied made his initial reservation until the time he started to file complains with U-Haul.

B. Legal Background

When a plaintiff is granted in forma pauperis status, the court screens the complaint to determine whether it should be dismissed as "frivolous, malicious, or fail[ing] to state a claim upon which relief may be granted" or for "seek[ing] monetary relief from a defendant who is immune from such relief." 28 U.S.C. § 1915(e)(2); *Martin-Trigona*, 691 F.2d at 857; *see also Lundahl*, 2018 WL 3682503 at *1. Pro se complaints must be liberally construed. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007); *see also Native Am. Council of Tribes v. Solem*, 691 F.2d 382 (8th Cir. 1982).

Notwithstanding its liberal construction, a pro se complaint may be dismissed as frivolous "where it lacks an arguable basis either in law or in fact;" that is, where the claim is "based on an indisputably meritless legal theory" or where, having "pierce[d] the veil of the complaint's factual allegations," the court determines those facts are "fantastic or delusional." *Neitzke v. Williams*, 490 U.S. 319, 325, 327-28 (1989); *see also Denton v. Hernandez*, 504 U.S. 25, 33 (1992). A court may dismiss a complaint for failure to state a claim "as a matter of law if it is clear that no relief could be granted under any set of facts that could be proved consistent with the allegations . . . ." *Neitzke*, 490 U.S. at 327 (1989) (citations and internal quotations omitted). To avoid dismissal, a complaint "must show that the plaintiff 'is entitled to relief,' . . . by alleging 'sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.' " *Torti v. Hoag*, 868 F.3d 666, 671 (8th Cir. 2017) (quoting *In re Pre-Filled Propane Tank Antitrust Litig.*, 860 F.3d 1059, 1063 (8th Cir. 2017) (en banc)). To determine whether a claim is plausible on its face is a "context-specific task that requires the reviewing court to draw on its judicial experience and common sense." *Ashcroft*, 556 U.S. at 679. A complaint must

allege "more than labels and conclusions." *Torti*, 868 F.3d at 671 (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)).

C. Legal Analysis

1. Racketeer Influenced and Corrupt Organizations Act (RICO) Claims

In Counts I and VII, Schied references RICO. Doc. 1 at 69-71, 80-83. He claims that U-Haul is "operating with a top-down hierarchical design of power structure . . . ." *Id.* at 69. He asserts the company is operating as "Racketeers" and "as a Continuing Financial Crimes Enterprise" to "defraud American consumers of both money and labor for private profit." *Id.* at 69-70. He believes they mishandle customer complaints and that they tampered with his ability to contract. *Id.* He claims that there was a "pattern and practice" of RICO violations because U-Haul substituted the contract with the contracted driver's name. *Id.* at 81. Finally, Schied claims that U-Haul committed fraud when they issued the deposit check to the contracted driver. *Id.*

RICO grants a private right of action to "any person injured in his . . . property by reason of a violation of section 1962 of this chapter . . . ." 18 U.S.C. § 1964(c). RICO "imposes criminal and civil liability upon those who engage in certain 'prohibited activities.' " *Manion v. Freund*, 967 F.2d 1183, 1185 (8th Cir. 1992) (quoting *H.J. Inc. v. Northwestern Bell Telephone Co.*, 492 U.S. 229, 232, 109 S. Ct. 2893, 106 L. Ed. 2d 195 (1989)). These racketeering activities are listed in 18 U.S.C. § 1961(1), and include a list of various state and federal crimes. *Diamonds Plus, Inc. v. Kolber*, 960 F.2d 765, 768 (8th Cir. 1992); *see Manion*, 967 F.2d at 1186 (stating the breach of fiduciary duty is not one of the specified state crimes listed in the definition of "racketeering activity," 18 U.S.C. § 1961(a), and thus could not support a civil RICO claim).

Schied claims that U-Haul was engaged in a "pattern and practice" of RICO violations. Doc. 1 at 81. He merely claims that U-Haul is a "Racketeer[]" and a "Financial Crimes

X

Enterprise." *Id.* at 69. Schied rests on these legal conclusions and his alleged facts support that U-Haul sent the refund check to the contracted driver and then corrected the mistake. *See id.* at 8-10.

Although this Court is bound to liberally construe Schied's pro se complaint, this Court is unwilling to guess upon what prohibited racketeering activity under 18 U.S.C. § 1961(1) that U-Haul was allegedly participating in. Schied's RICO claims are riddled with legally conclusive assertions. Thus, his RICO claims asserted in Count I and VII are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i-ii).

2. Americans with Disabilities Act (ADA)

In Count II, Schied raises a violation of the ADA. Doc. 1 at 71-73. Schied is a "totally and permanently disabled quad-amputee" and claims that instead of "providing [an] ADA-required 'reasonable accommodations' " that U-Haul required Schied to "research, private consulting, commercial transportation and driver, and other services." *Id.* at 72. It seems that Schied is frustrated that he had to find his own contracted driver and upset that the U-Haul computer system allegedly changed the name of the contract to be between U-Haul and the contracted driver. He asserts that U-Haul's policies and practices violate the "letter and the spirit" of the ADA. *Id.* at 73.

The ADA states that "[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation . . . ." 42 U.S.C. § 12182(a). After a review of the list of private entities that are considered a place of "public accommodation" this Court concludes that U-Haul does not fall under a place of "public accommodation." See 42

U.S.C. § 12181(7)(A-L). Schied's ADA claims are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i-ii).[2]

3. Civil Rights Claims

Schied asserts that U-Haul violated his rights under the Thirteenth and Fourteenth Amendments. *See* Doc. 1 at 73-74. He also claims that U-Haul has conspired to deprive him of his constitutional rights. *Id.* at 76-78. He brings these claims under 42 U.S.C. § 1983. *See id.* "[T]o state a claim for relief under § 1983, a plaintiff must allege sufficient facts to show '(1) that the defendant(s) *acted under color of state law*, and (2) that the alleged wrongful conduct deprived the plaintiff of a constitutionally protected federal right.' " *Zutz v. Nelson*, 601 F.3d 842, 848 (8th Cir. 2010) (emphasis added) (quoting *Schmidt v. City of Bella Villa*, 557 F.3d 564, 571 (8th Cir. 2009)). U-Haul is a private entity:

> The Supreme Court has recognized a number of circumstances in which a private party may be characterized as a state actor, such as where[:] [(1)] the state has delegated to a private party a power "traditionally exclusively reserved to the State," . . . [(2)] a private actor is a "willful participant in joint activity with the State or its agents," and . . . [(3)] there is "pervasive entwinement" between the private entity and the state[]. These particular circumstances are merely examples and not intended to be exclusive.

[2] Even liberally construing the facts in Schied's favor, he cannot establish a violation of Section 504 of the Rehabilitation Act. The Rehabilitation Act states that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132. A private organization, partnership, or corporation must comply with the Rehabilitation Act if it is receiving federal financial assistance. *See* 42 U.S.C. § 12134(b) (stating that these regulations are "applicable to recipients of Federal financial assistance under section 794 of Title 29."); 29 U.S.C. § 794(b)(3)(A)(i) (stating if a program or activity is receiving federal assistance it cannot discriminate against an individual with a disability based on the individual's disability). But Schied does not assert factual allegations to support that U-Haul is receiving federal assistance.

Wickersham v. City of Columbia, 481 F.3d 591, 597 (8th Cir. 2007) (internal citations omitted). Here, Schied does not offer factual allegations that would support that U-Haul was a state actor. Because U-Haul is not acting under the color of state law for the purposes of § 1983 liability, Schied's claims asserted in Counts III, IV, and V are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i-ii).

4. General Criminal Claims

Schied claims that U-Haul committed theft, larceny, and bank fraud. *See* Doc. 1 at 83-86. He asserts that U-Haul retained his banking information "under fraudulent pretense[s] . . . ." *Id.* at 83. Schied specifically alleges violations of 18 U.S.C. §§ 241 and 242. *Id.* at 85. But there is no private right of action under these criminal statutes. *Mousseaux v. United States Comm'r of Indian Affairs*, 806 F.Supp. 1433, 1437 (D.S.D. 1992); *See United States v. Wadena*, 152 F.3d 831, 846 (8th Cir. 1998) (stating that "Courts repeatedly have held that there is no private right of action under [18 U.S.C.] § 241"). Further, this Court extends this rational to Schied's generalized criminal claims against U-Haul. He has no private right of action. His claims in Count VIII are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i-ii).

5. Common Law Tort Claims

In Count VI, Schied vaguely mentions the "common law tort[s]" of "tortious misrepresentation" and fraud. Doc. 1 at 78-80. After review of his assertions, he rests on legal conclusions of "pattern and practice," "misrepresentation," and "fraud." *See id.* Schied cannot rely on mere labels and conclusions to support these claims. *Torti*, 868 F.3d at 671. This Court finds that Schied's entire Complaint is frivolous. He names Does #1-20 as a defendant but does not allege any facts against this entity.

Accordingly, it is ORDERED:

1. That Schied's Complaint is dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i-ii). Schied's pending motions, Docs. 3, 4, 5, are denied as moot.

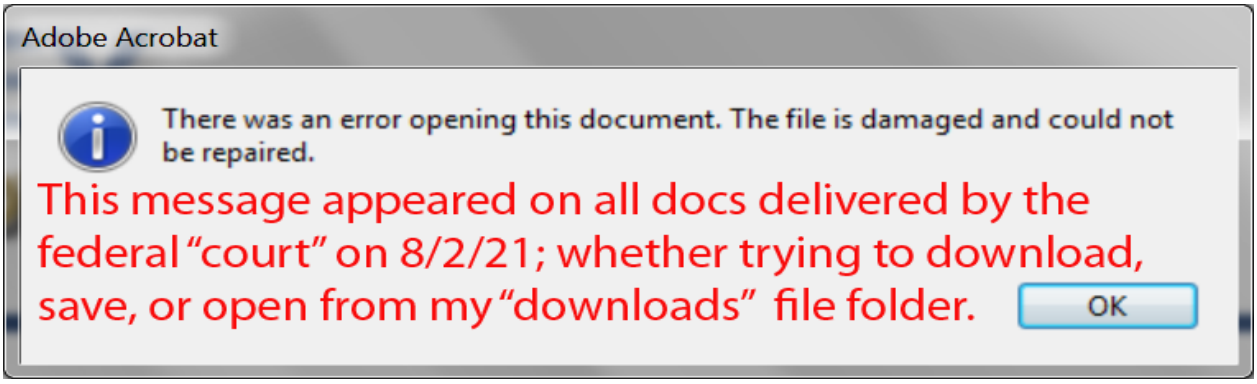
DATED August 2, 2021.

ATTEST:

MATTHEW W. THELEN, CLERK

BY THE COURT:

Lawrence L. Piersol
United States District Judge



UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

DAVID SCHIED, ONE OF THE SOVEREIGN AMERICAN PEOPLE; A TOTALLY AND PERMANENTLY DISABLED RECENT QUAD-AMPUTEE; CRIME VICTIM; COMMON LAW AND CIVIL RIGHTS SUI JURIS GRIEVANT/CLAIMANT BENEFICIARY; Plaintiff, vs. U-HAUL INTERNATIONAL, INC., DOES #1-20, Defendants.	5:21-CV-05035-LLP JUDGMENT

For the reasons contained in the Order Granting Plaintiff's Motion for Leave to Proceed In Forma Pauperis and Screening Order for Dismissal, it is

ORDERED, ADJUDGED, AND DECREED that Plaintiff's Complaint, Doc. 1, is frivolous and dismissed without prejudice.

DATED August 2nd, 2021.

BY THE COURT:

Lawrence L. Piersol
United States District Judge

ATTEST:
MATTHEW W. THELEN, CLERK

ORDER REASSIGNING CASE FOR TORTUOUS SOLE PURPOSE OF "*DEPRIVING OF ACCESS*" AND "*TRESPASSING ON THE CASE*"

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

WESTERN DIVISION

DAVID SCHIED, ONE OF THE SOVEREIGN AMERICAN PEOPLE; A TOTALLY AND PERMANENTLY DISABLED RECENT QUAD-AMPUTEE; CRIME VICTIM; COMMON LAW AND CIVIL RIGHTS SUI JURIS GRIEVANT/CLAIMANT BENEFICIARY, Plaintiff, vs. U-HAUL INTERNATIONAL, INC., and DOES #1-20, Defendants.	5:21-CV-05035- ORDER REASSIGNING CASE

This document is located in the ARTICLE III COURT OF RECORD online at:

http://www.ricobusters.com/wp-content/uploads/2021/08/072721_ChiefJudgeORDERreassign2Piersol-1.pdf

To aid in the administration of justice by reassigning this case to a District Judge who has handled another case brought by this same pro se litigant, it is hereby

ORDERED that the above-captioned case is reassigned from the Honorable Jeffrey L. Viken to the Honorable Lawrence L. Piersol for all future proceedings.

DATED this 27th day of July, 2021.

BY THE COURT:

ROBERTO A. LANGE
CHIEF JUDGE

REVISED CORPORATE DISCLOSURE STATEMENT

Pursuant to SCOTUS Rule 29.6, BENEFICIARY David Schied, as well as all others "*similarly situated*" by "*backward-looking-access-to-court*" cases being presented by **BENEFICIARY-RELATOR** – acting in the capacity of a "*Private, Public Proxy*" in COMMON LAW and in the accompanying case "*inextricably intertwined*" with this instant case featuring U-HAUL INTERNATIONAL, INC. as a subsidiary of another "*parent CORPORATION*" called AMERCO – is akin to working in the capacity of a "*Private Attorney General*" in the "*statutory*" realm. In such capacity, BENEFICIARY therein certified that all those "*persons*" listed as "*BENEFICIARY*" are all natural persons being presented (not "*represented*") with a "*sovereign*" status as "*We, The* [American] *People*", the posterity of those "*Founding Fathers*" who created and/or established and ordained the original, "*organic*" Constitution for the United States of America.

On the other hand, those designated as "**CO-TRUSTEES**" by that other case, as well as this instant case – though many are named and being sued in their "*private*" capacities as natural persons – are named in this case in their "*CORPORATE*" capacities as well. As such, **virtually every one of these CO-TRUSTEES are neither operating under the Common Law nor under "*Constitutional*" forms of government licenses; but are actually instead being disclosed herein as illegitimate FEDERAL and STATE CORPORATIONS otherwise masquerading as legitimate "*fiduciary government servants*" and their "*franchised corporate licensees*"** through various forms of meaningless "*fictional*" rhetoric and the dumbing down of the American "*body politic*" through propagandizing and outright FRAUD, SEDITION, and TREASON.

This they do using unconstitutional applications of the "*codified*" and "*statutory*" systems, along with the misuse and misapplication of "*administrative procedures*" and CORPORATE "*policies and practices*", in gross violation of both the "*letter*" and the "*spirit*" of the STATUTORY LAWS and the RULES ENABLING ACT. Thus, even those named "*TRUSTEE*" and "*CO-TRUSTEES*" that are licensed "*officers*" and "*franchises*" of these FEDERAL and STATE "*governments*" and "*CORPORATE licensees*" are also being "*disclosed*" herein as being "*insured*" and "*uninsured*" *CORPORATIONS*", pursuant to SCOTUS Rule 29.6.

TABLE OF CONTENTS

Incorporated by reference is the entirety of the accompanying "*inextricably intertwined*" SCOTUS filing: *David Schied v. UNITED STATES OF AMERICA, Et Alia* 8th Cir. COA case # 21-2809; USDC-SDWD case #21-5030 located also online at: *http://www.ricobusters.com/?page_id=818*

TABLE OF CITED AUTHORITIES

Citations of Judicial and Court Obligations

Erickson v. Pardus, 551 U.S. 89,94,127 S.Ct. 2197,167 L.Ed.2d *1081 (200])* – "***the court must liberally construe it and assume as true all facts well pleaded in the complaint.***"

Williams v. *Willits,* 853 F2d 586,588 (8th Cir. 1988) – "*reviewing court has the duty to examine a pro se complaint "to determine if the allegations provide for relief on any possible theory*"

Citations Entered Into the Case by Roberto Lange's and Lawrence Piersol's Own Unconstitutional "*INTERNATIONAL JUDGE'S ASSOCIATION*" Court(s) Operating in the USDC-SD Through Membership in the "*FEDERAL JUDGES ASSOCIATION*"

NOTE: These "*Threadbare*" and Unsupported "*Conclusory*" Falsities (Written Below in Paragraphed *Italics*) Can No Longer Stand Alone Without Obfuscating the Actual TRUTHS Behind These Citations; Therefore, Each Citation is Presented Herein With an Appropriately Concise Narrative (in Same-Paragraph Underlined) of the Missing Context and Nature of the GROSS OMISSIONS by *Foreign Agents* (i.e., of the *FEDERAL JUDGES ASSOCIATION* and Its Governance by the UNITED NATIONS Through Extensive Membership in the *INTERNATIONAL ASSOCIATION OF JUDGES)* and FJA/IAJ "*Member Judges*" Roberto Lange and Lawrence Piersol (of the USDC-SDWD) as follows:

Citations of Roberto Lange Making This Case "*Inextricably Intertwined*"

With the Case of "*David Schied v. UNITED STATES, et al*"

> To aid in the administration of justice by reassigning this case to a District Judge who has handled another case brought by this same pro se litigant, it is hereby
>
> ORDERED that the above-captioned case is reassigned from the Honorable Jeffrey L. Viken to the Honorable Lawrence L. Piersol for all future proceedings.

This citation immediately above (on the previous page) GROSSLY OMITTED that the "*other case*" was *inextricably intertwined* with "*another case*" of well-documented case history of specifically cited "*Backward-Looking Access to Court*" cases in which PRIVATE, PUBLIC PROXY David Schied was acting in his SUI JURIS capacity as a litigant – NOT as as "*pro se*" litigant – as "*whistleblower*" to both "*chain*" and "*wheel*" conspiracies of government corruption; and that the "*aid*" being provided by Roberto Lange himself constituted instead, the "*criminal aiding and abetting*" in the "*OBSTRUCTION of justice*" by his FEDERAL JUDGES ASSOCIATION "peer group" member acting together with him under the FOREIGN CONSTITUTION of the UNITED NATIONS via joint membership in the INTERNATIONAL ASSOCIATION OF JUDGES. Further, the awarding of "*Titles of Nobility*" such as "*Honorable*" before a government servant's name is nothing but a perfunctory ruse! There is no substantial EVIDENCE that Lawrence Piersol is or has been acting with any "*honor*" whatsoever in position "*EXECUTIVE COMMITTEE OFFICER*" leader of the FOREIGN CORPORATION of the FEDERAL JUDGES ASSOCIATION.

Citations Entered by Lawrence Piersol via Intentional Fraudulence and Gross Omissions:

Page 1, Para 1:

> Plaintiff, David Schied, filed a pro se lawsuit. Doc. 1. Schied moves for leave to proceed in forma pauperis. Doc. 2. He also filed "beneficiary's" motions: (1) to proceed in forma pauperis; (2) for the filing fees in CM-ECF to be waived; and (3) for service by the United States Marshal Service. Docs. 3-5. This is Schied's second lawsuit filed in the District of South Dakota. His first Complaint was dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B). *See Schied v. United States et. al*, 5-21-CV-05030-LLP, Doc. 14 at 37-38 (D.S.D. July 29, 2021).

This citation ***fraudulently*** asserted that BENEFICIARY David Schied had filed his case "*SUI JURIS*" and NOT "*PRO SE*"; and that he was not a "*Plaintiff*" but a "*BENEFICIARY*" of the CORPORATE "*licensee*" of the servant GOVERNMENT. Piersol also GROSSLY OMITS that the "*other case*" was *inextricably intertwined* with "*another case*" of well-documented case history of specifically cited "*Backward-*

Looking Access to Court" cases in which PRIVATE, PUBLIC PROXY David Schied was acting in his SUI JURIS capacity as a litigant – NOT as "*pro se*" litigant – and as "*whistleblower*" to both "*chain*" and "*wheel*" conspiracies of government corruption. Also, FRAUDULENTLY, he cited that filing – which included CLAIMS against an "*attempted murder*" and criminal "*EVICTION*" during a national COVID PANDEMIC and accompanying EVICTRION MORATORIUM – as "frivolous", without anything to support his "*bald assertions*".

Page 2 , Para 2:

A. Factual Background . . .

Schied claims that

U-Haul agreed to the terms of the contract over the phone. *Id.* at 7. U-Haul later allegedly "pulled a 'bait-and-switch' " and changed the terms and nature of the contract "without full disclosure of the[] unscrupulous, discriminatory, and fraudulent business dealings." *Id.* Schied was allegedly required to give his debit or credit card information to hold his reservation. *Id.*

This above citation by Lawrence Piersol GROSSLY OMITS the details of the "*bait and switch*" AUDIO RECORDED agreement over the phone in which the vaguely described and seemingly unimportant and/or irrelevant "*debit or credit card information*" was a specified debit BANK ACCOUNT accompanied by specific language that the Truck Rental was to be paid in advance IN CASH and that the bank account information was being provided ONLY for purposes of "*reserving*" the rental equipment and that it was NEVER to be used for unauthorized withdrawals or for any other purpose of this CONTRACT.

Piersol's citation above also GROSSLY OMITTED as "*background fact*" that at the point of "*rental pickup*" and "*full payment in cash*", the counter "*agent*" of "*principal*" U-HAUL INTERNATIONAL, INC. changed the name on the contract to a THIRD PARTY hired only to drive the truck, and that this was done without ant disclosure whatsoever; and that it was not discovered until U-HAUL disbursed a worthless check in that driver's last name and BENEFICIARY David Schied's first name as the purported "*deposit return*" amount.

Further, **Lawrence Piersol's citation GROSSLY OMITS** that subsequently, U-HAUL INTERNATIONAL fraudulently asserted that BENEFICIARY owed money for unpaid toll road fees by the driver's actions under HIS contract with U-HAUL INTERNATIONAL, and that to collect upon these many multiples of charges, U-HAUL INTERNATIONAL "*principals*" defrauded the BANK holding the debit card, and EMBEZZLED that amount using criminal WIRE FRAUD for the transaction.

Pages 2-3, Para 3 and 1:

Schied allegedly reminded U-Haul that he was an individual with a disability and that he needed a third-party driver ("contracted driver") because he did not have a driver's license in Michigan. *Id.* at 7. U-Haul allegedly then changed the name on the contract to that of the name of the contracted driver *Id.* When Schied later complained about the name on the contract, U-Haul claimed that their computer system automatically switches the name of the party to that of the name on the driver's license used to reserve the truck. *See id.* at 23. Schied argues that U-Haul intentionally deprived him of his "sovereign Right to establish and carry out contracts on his own free will." *Id.*

Lawrence Piersol's citation not only GROSSLY OMITS the nature of the "*disability*" as the significant reason that he "*did not have a driver's license*" – as he was a recent "totally and permanently disabled quad-amputee" as a result of the "*ATTEMPTED MURDER*"; but also **FRAUDULENTLY asserts that it was the "*name on the driver's license*" – and not BENEFICIARY'S name and BANK ACCOUNT – that were "*used to reserve the truck*". Such GROSS OMISSIONS follow a clear "*pattern and practice*" of "*misrepresenting*" BENEFICIARY David Schied's own Truthful assertions of ACTUAL FACTS in a purposeful FALSE LIGHT, so to portray BENEFICIARY as having some form of "*mental disability*" or delusional character so to "*railroad*" this case to DISMISSAL using these Marxist/Socialist/Anarchist features of "*CANCEL CULTURE*" political strategies** against BENEFICIARY as the "*targeted*" opponent of the UNITED STATES in the other "*inextricably intertwined*" case of "*David Schied v. UNITED STATES, et al*" blowing the whistle on a long history of EVIDENCE of a "*silent coup*" upon the population of the State of Michigan, and the rest of America.

Page 3, Para 2:

He asserts that his complaints about civil rights violations and corruption were not addressed by U-Haul. *Id.* Schied claims that U-Haul engaged in "wire fraud, larceny, fraud (in general), and other financial crimes . . . ." *Id.* at 11. He includes factual allegations about his interactions with sixteen U-Haul agents. *See id.* at 12- 68. His Complaint alleges nine counts of federal and common law violations. *See id.* at 69-88.

Lawrence Piersol's citation purposefully GROSSLY OMITS the FACTS supporting the asserted "*allegations*" – as conveyed by BENEFICIARY as being all RECORDED TELEPHONE CONVERSATIONS- substantiating both "*Civil*" and "*Criminal*" CLAIMS that "*financial crimes*" had occurred, that he had "*interactions with sixteen*

U-HAUL agents", and that the "*NINE COUNTS of federal and common law violations*" were all valid and worthy of further "*DISCOVERY*", "*litigation on the merits*", and suitable for JURY TRIAL; and NOT FRIVOLOUS and subject to "*summary dismissal*" simply because BENEFICIARY had properly filed his "COMPLAINT BRIEF" in accordance with "FRCP" commanding "*simple*", understandable, and "*concise*" numbered paragraphs outlining this case.

Page 4, para 2:

> A court may dismiss a complaint for failure to state a claim "as a matter of law if it is clear that no relief could be granted under any set of facts that could be proved consistent with the allegations . . . ." *Neitzke*, 490 U.S. at 327 (1989) (citations and internal quotations omitted). To avoid dismissal, a complaint "must show that the plaintiff 'is entitled to relief,' . . . by alleging 'sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.' " *Torti v. Hoag*, 868 F.3d 666, 671 (8th Cir. 2017) (quoting *In re Pre-Filled Propane Tank Antitrust Litig.*, 860 F.3d 1059, 1063 (8th Cir. 2017) (en banc)).

Having **MIS**-handled the case of "*David Schied v. UNITED STATES, et al*" whereby BENEFICIARY clearly outline the "*pattern and practice*" of both STATE and UNITED STATES judges of such **GROSS OMISSIONS as those illustrated above for Seditious and Treasonous purposes of discrediting BENEFICIARY's credibility by such "*FALSE NARRATIVES*" in the delivery of both the underlying FACTS and the "*judges*" OPINIONS about them**, it is clear that Lawrence Piersol is setting up such a FALSE NARRATIVE in this citation by insinuating – and subsequently asserting – that **Piersol's own GROSS OMISSIONS of significant RECORDED FACTS should mean that BENEFICIARY's specifics of "*accounting*" and "*allegations*" of FACTS somehow do not constitute facts at all**; or that such facts are not "*plausible*", or "*state a claim to relief*" when that is blatantly FRAUDULENT.

Page 4, para 2:

> **B. Legal Background . . .** To determine whether a claim is plausible on its face is a "context-specific task that requires the reviewing court to draw on its judicial experience and common sense." *Ashcroft*, 556 U.S. at 679.

For all of the reasons stated about the citation immediately above, BENEFICIARY repeats his comments about the GROSS OMISSIONS of this instant citation, with the following addition: **Piersol GROSSLY OMITS that his "*judicial experience*" comes from his "*EXECITIVE COMMITTEE*" position in the FEDERAL JUDGES ASSOCIATION while acting under the "*policies and practices*" of a FOREIGN CONSTITUTION, being that of the INTERNATIONAL ASSOCIATION OF JUDGES**

and the UNITED NATIONS, which does ***not*** incorporate the Common Law of America – being the "*Natural Law*" of "*Inalienable Rights*" and the use of JURY TRIALS – that derive much of their reasoning from Common Sense of the Sovereign People at the LOCAL (not international) level.

Page 4, para 2:

> Notwithstanding its liberal construction, a pro se complaint may be dismissed as frivolous "where it lacks an arguable basis either in law or in fact;" that is, where the claim is "based on an indisputably meritless legal theory" or where, having "pierce[d] the veil of the complaint's factual allegations," the court determines those facts are "fantastic or delusional." *Neitzke v. Williams*, 490 U.S. 319, 325, 327-28 (1989); *see also Denton v. Hernandez*, 504 U.S. 25, 33 (1992). A court may dismiss a complaint for failure to state a claim "as a matter of law if it is clear that no relief could be granted under any set of facts that could be proved consistent with the allegations . . . ." *Neitzke*, 490 U.S. at 327 (1989) (citations and internal quotations omitted). To avoid dismissal, a complaint "must show that the plaintiff 'is entitled to relief,' . . . by alleging 'sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.' " *Torti v. Hoag*, 868 F.3d 666, 671 (8th Cir. 2017) (quoting *In re Pre-Filled Propane*

For all of the reasons stated about the citation immediately above, BENEFICIARY repeats his comments about the GROSS OMISSIONS of this instant citation, with the following addition: **Piersol's reciting from Neitzke is nothing but a Seditious and Treasonous ploy for creating his own FALSE NARRATIVE** for using to mischaracterize BENEFICIARY David Schied, to block "*Discovery*" and "*Litigation of the Merits*", and ultimately, to "*dismiss the case*" and "*deny access*" to BENEFICIARY using mere "*color of law*", being CRIMES and "*bad behavior*" for any so-called "*judge*" under the Public Trust of the U.S. CONSTITUTION, to which this *judicial usurper* Lawrence Piersol has otherwise sworn an OATH of Allegiance and has been PAID to otherwise "*meaningfully*" and "*judicially*" administrate. .

Pages 5-6, para 3 and 1:

C. Legal Analysis

Schied claims that U-Haul was engaged in a "pattern and practice" of RICO violations. Doc. 1 at 81. He merely claims that U-Haul is a "Racketeer[]" and a "Financial Crimes Enterprise." *Id.* at 69. Schied rests on these legal conclusions and his alleged facts support that U-Haul sent the refund check to the contracted driver and then corrected the mistake. *See id.* at 8-10.

Although this Court is bound to liberally construe Schied's pro se complaint, this Court is unwilling to guess upon what prohibited racketeering activity under 18 U.S.C. § 1961(1) that U-Haul was allegedly participating in. Schied's RICO claims are riddled with legally conclusive assertions. Thus, his RICO claims asserted in Count I and VII are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i-ii).

Piersol GROSSLY OMITS the actual FACTS and ARGUMENTS actually presented by BENEFICIARY; and in spite of his acknowledging his own Constitutional "*obligation*" to "*liberally construe*" BENEFICIARY's "*SUI JURIS COMPLAINT*", he does just the opposite by strictly redefining and mischaracterizing BENEFICIARY's CLAIMS as a matter of the UNITED STATES' FRAUDULENT RECORD, by substituting FALSE NARRATIVES and LIES big enough to drive a U-HAUL Rental Truck right through each of them.

Page 6. Para 2

2. Americans with Disabilities Act (ADA)

In Count II, Schied raises a violation of the ADA. Doc. 1 at 71-73. Schied is a "totally and permanently disabled quad-amputee" and claims that instead of "providing [an] ADA-required 'reasonable accommodations' " that U-Haul required Schied to "research, private consulting, commercial transportation and driver, and other services." *Id.* at 72. It seems that Schied is frustrated that he had to find his own contracted driver and upset that the U-Haul computer system allegedly changed the name of the contract to be between U-Haul and the contracted driver. He asserts that U-Haul's policies and practices violate the "letter and the spirit" of the ADA. *Id.* at 73.

In the above-referenced citation, Lawrence Piersol's GROSS OMISSION is best depicted by graphic comparison of the original sentence and paragraph submitted by BENEFICIARY, showing how Piersol used such a mischaracterization to FALSELY imply that BENEFICIARY had entered this CONTRACT on the day of his reservation unreasonably expecting that U-HAUL would – for some reason of only Piersol's own FALSE NARRATIVE – be providing BENEFICIARY with a "*contracted driver*" for this multi-day preplanned drive from Michigan to South Dakota.

As shown below, paragraph #208 of BENEFICIARY's "*COMPLAINT*" was clear in stating that – WHILE ON RECORDED TELEPHONE LINES – U-HAUL had carried out the described acts of "*coercion*" either at the time of making his reservation or at the "*truck rental counter*" in Michigan, rather than when BENEFICIARY was in South Dakota attempting to resolve the disbursement of a **fraudulent "*deposit check*"** made out to **the driver that he had long prior "*contracted*" with separately from BENEFICIARY'S own contract with U-HAUL that never involved this driver in any other capacity than to simply DRIVE, and not CONTRACT himself with U-HAUL.**

208. The EVIDENCE established and available to this Court clearly shows that TRUSTEE U-HAUL – by intentional design of "*pattern and practice*" – **repeatedly converted BENEFICIARY's sovereign "*Rights*" to "*privileges*" when filing his numerous "*complaints*" with U-HAUL.** Instead of providing ADA-required "*reasonable accommodations*" to BENEFICIARY as a "*totally and permanently disabled quad-amputee*", TRUSTEE instead sought to coerce BENEFICIARY into providing U-HAUL agents with critical thinking on employee and policy evaluations, using his own "*third-party*" research, private consulting, commercial transportation and driver, and other services instead for U-HAUL's own personal profiteering.

Moreover, such a GROSS OMISSION of the first part of the sentence to change the implied meaning totally detracts from the actual CLAIM about there being actually multiple ADA-violations being focused on the FACT that not one but two "*truck rental locations*" were involved – one for the truck rental and the other for the dolly rental – each with their own contracts with the driver instead of BENEFICIARY as originally agreed at the time of reservation for a single pickup of both truck and dolly at the same location; and in which BENEFICIARY's own contract was repeatedly CANCELLED because he was disabled, a "*totally and permanently disabled quad-amputee*", and did not have a driver's license, and never intended to drive himself from the get-go – without even informing BENEFICIARY about this "*computer automated*" change by a U-HAUL INTERNATIONAL "*policy and practice*" that BENEFICIARY had spent his own time and evaluation energy assisting U-HAUL agents and managers to eventually realize was a *policy and practice* professed by U-HAUL to be completely unknown to improperly trained U-HAUL counter agents processing these two separate contracts.

Pages 6-7, para 3 and Footnote #2:

The ADA states that "[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation . . . ." 42 U.S.C. § 12182(a). After a review of the list of private entities that are considered a place of "public accommodation" this Court concludes that U-Haul does not fall under a place of "public accommodation." See 42 U.S.C. § 12181(7)(A-L). Schied's ADA claims are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i-ii).[2]

---

[2] Even liberally construing the facts in Schied's favor, he cannot establish a violation of Section 504 of the Rehabilitation Act. The Rehabilitation Act states that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132. A private organization, partnership, or corporation must comply with the Rehabilitation Act if it is receiving federal financial assistance. *See* 42 U.S.C. § 12134(b) (stating that these regulations are "applicable to recipients of Federal financial assistance under section 794 of Title 29."); 29 U.S.C. § 794(b)(3)(A)(i) (stating if a program or activity is receiving federal assistance it cannot discriminate against an individual with a disability based on the individual's disability). But Schied does not assert factual allegations to support that U-Haul is receiving federal assistance.

In the above citation, Piersol **GROSSLY OMITS** as a matter of verifiable FACT that U-HAUL INTERNATIONAL is a subsidiary CORPORATION of AMERCO; and that together, this "*too big to fail*" are not only CRIMINALLY receiving "*federal assistance*" – and LEGAL REPRESENTATION by Lawrence Piersol and his "*clerk*" Matthew Thelen through these very FRAUDULENT proceedings – but that AMERCO and U-HAUL INTERNATIONAL, INC. are receiving – or are eligible to receive "*financial assistance*" in the form of "*grants and loans*" from the NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION ("*NHTSA*") as part of their being subject to FEDERAL LAWS governing vehicle pollution on the nationa highways as shown below (on the next page):

12/12/21, 6:47 AM

[Title 49 CFR]
[Code of Federal Regulations (annual edition) - October 1, 2009 Edition]
[From the U.S. Government Printing Office]

[[Page 1]]

49

Parts 400 to 571

Revised as of October 1, 2009

Transportation

Containing a codification of documents of general applicability and future effect

As of October 1, 2009
With Ancillaries
Published by
Office of the Federal Register
National Archives and Records
Administration
A Special Edition of the Federal Register

[[Page ii]]

U.S. GOVERNMENT OFFICIAL EDITION NOTICE

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• • •

Sec. Appendix C to Part 544--Motor Vehicle Rental and Leasing Companies (Including Licensees and Franchisees) Subject to the Reporting Requirements of Part 544

Cendant Car Rental
Dollar Thrifty Automotive Group
EmKay, Inc.
Enterprise Rent-A-Car
Hertz Rent-A-Car Division (subsidiary of The Hertz Corporation)
U-Haul International, Inc. (Subsidiary of AMERCO)
Vanguard Car Rental USA

[73 FR 48154, Aug. 18, 2008]

• • •

Sec. 520.4 Applicability.

(a) Scope. This part applies to all elements of NHTSA, including the Regional Offices.

(b) Actions covered. Except as provided in paragraph (e) of this section, this part applies to the following agency actions and such actions and proposals as may be sponsored jointly with another agency:

(1) New and continuing programs and projects; budget proposals; legislative proposals by the agency; requests for appropriations; reports on legislation initiated elsewhere where the agency has primary responsibility for the subject matter involved; and any renewals or reapprovals of the foregoing;

(2) Research, development, and demonstration projects; formal approvals of work plans; and associated contracts;

(3) Rulemaking and regulatory actions, including Notices of Proposed Rulemaking (NPRM); requests for procurement (RFP); requests for grants (Annual Work Programs); and contracts;

(4) All grants, loans or other financial assistance for use in State and Community projects;

(5) Annual State Highway Safety Work Programs;

(6) Construction; leases; purchases; operation of Federal facilities; and

(7) Any other activity, project, or action likely to have a significant effect on the environment.

(c) Continuing actions. This part applies to any action enumerated in paragraph (b) of this section, even though such actions arise from a project or program initiated prior to enactment of the National Environmental Policy Act on January 1, 1970.

(d) Environmental assessments. Within the scope of activities listed in Sec. 520.4(b), any person outside the agency submitting a program or project proposal may be requested to prepare an environmental assessment of such proposed action to be included in his submission to the agency.

(e) Exceptions. (1) Assistance in the form of general revenue sharing funds, distributed under the State and Local Fiscal Assistance Act of 1972, 31 U.S.C. 1221, with no control by the NHTSA over the subsequent use of such funds;

Moreover, Piersol also GROSSLY OMITTED the factual data showing that AMERCO and its subsidiary U-HAUL INTERNATIONAL were caught by the FEDS engaged in national "*price-fixing*" and other "*non-competitive*" RICO-style "*anti-trust*" behaviors, leading to the FEDERAL TRADE COMMISSION providing "*Aid*" to U-

HAUL INTERNATIONAL and AMERCO in delivering its "*Public Comment*" to the Sovereign People of the United States of America, in CORPORATE transparency about their CRIMES as it affects WALL STREET *shareholders* and potential investors.

ANALYSIS OF AGREEMENT CONTAINING CONSENT ORDER TO AID PUBLIC COMMENT

In the Matter of U-Haul International, Inc. and AMERCO, File No. 081 0157

The Federal Trade Commission has accepted, subject to final approval, an agreement containing a proposed consent order with U-Haul International, Inc. and its parent company AMERCO (collectively referred to as "U-Haul" or "Respondents"). The agreement settles charges that U-Haul violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, by inviting its closest competitor in the consumer truck rental industry to join with U-Haul in a collusive scheme to raise rates. The proposed consent order has been placed on the public record for 30 days to receive comments from interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will review the agreement and the comments received, and will decide whether it should withdraw from the agreement or make the proposed order final. . . .

Federal Register / Vol. 75, No. 118 / Monday, June 21, 2010 / Notices 35033

FEDERAL TRADE COMMISSION

[File No. 081 0157]

U-Haul International, Inc. and AMERCO; Analysis of Agreement Containing Consent Order to Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order — embodied in the consent agreement — that would settle these allegations.

DATES: Comments must be received on or before July 9, 2010.

Page 8, para 2:

4. General Criminal Claims

Schied claims that U-Haul committed theft, larceny, and bank fraud. *See* Doc. 1 at 83-86. He asserts that U-Haul retained his banking information "under fraudulent pretense[s] . . . ." *Id.* at 83. Schied specifically alleges violations of 18 U.S.C. §§ 241 and 242. *Id.* at 85. But there is no private right of action under these criminal statutes. *Mousseaux v. United States Comm'r of Indian Affairs*, 806 F.Supp. 1433, 1437 (D.S.D. 1992); *See United States v. Wadena*, 152 F.3d 831, 846 (8th Cir. 1998) (stating that "Courts repeatedly have held that there is no private right of action under [18 U.S.C.] § 241"). Further, this Court extends this rational to Schied's generalized criminal claims against U-Haul. He has no private right of action. His claims in Count VIII are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i-ii).

Again, this FEDERAL JUDGES ASSOCIATION "***foreign agent***" for the UNITED NATIONS and INTERNATIONAL JUDGES ASSOCIATION "*Executive Committee*" leader Lawrence GROSSLY OMITTED the proper "*context*" that he commands "*under color of law*" of BENEFICIARY David Schied. The proper context for the CLAIM that -HAUL INTERNATIONAL engaged in "*theft, larceny, and bank fraud*" after "*retain[ing] [BENEFICIARY's] banking information 'under fraudulent pretenses'*" would have and should have been further exposed through the proper "*DISCOVERY*" that was denied by the "*conspiracy to deprive of rights*" that was carried out between Roberto Lange and Lawrence Piersol to railroad this case. The proper arguments against Piersol's claim that "there is no private right of action under these [18 U.S.C. §§ 241-242] are covered in the "*PETITION FOR WRIT OF CERTIORARI*" herein.

Page 8, para 3:

5. Common Law Tort Claims

In Count VI, Schied vaguely mentions the "common law tort[s]" of "tortious misrepresentation" and fraud. Doc. 1 at 78-80. After review of his assertions, he rests on legal conclusions of "pattern and practice," "misrepresentation," and "fraud." *See id.* Schied cannot rely on mere labels and conclusions to support these claims. *Torti*, 868 F.3d at 671. This Court finds that Schied's entire Complaint is frivolous. He names Does #1-20 as a defendant but does not allege any facts against this entity.

Referencing the above citation, Lawrence Piersol GROSSLY OMITS that two full "COUNTS" – as shown by the graphic screen shot from BENEFICIARY's date-stamped "*TABLE OF CONTENTS*" – pertained to "*tort*". Further, *prima facie*, Piersol also GROSSLY OMITTED the FACT that these "*tort*" claims did mor than "*vaguely mention … common law torts"* since the listed violations are COMMON LAW CRIMES, which are themselves "*tort*" offenses. Moreover, Piersol – prima facie – committed his own TORT by such "*trespass on the case*" and by additionally failing to include the obvious reference to U-HAUL INTERNATIONAL, INC. engaging in "*FRAUDULENT BUSINESS PRACTICES*", which apparently has been the "pattern and practice" of U-HAUL and its "principal" owners at AMERCO, for at least this past decade since their jointly engaging in other RICO CRIMES of "*anti-trust price-fixing*".

Case 5:21-cv-05035-JLV Document 1 Filed 06/22/21 Page 3 of 88 PageID #: 3

Lawrence Piersol's "*citations*" clearly have no credence since he is obviously a bald-faced liar as he publishes his "*rulings*" openly to WESTLAW, LEXISNEXIS, and throughout other "*court monitors*" throughout the world to cause HARM to BENEFICIARY AND OTHERS as shown below! (*See* top of next page)

Accordingly, it is ORDERED:

1. That Schied's Complaint is dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i-ii). Schied's pending motions, Docs. 3, 4, 5, are denied as moot.

DATED August 2, 2021.

ATTEST:

MATTHEW W. THELEN, CLERK

BY THE COURT:

Lawrence L. Piersol
United States District Judge

Google "David Schied" and "u-haul international"

https://dockets.justia.com › docket › circuit-courts

David Schied v. U-Haul International, Inc., et al 21-2873

Aug 23, 2021 – Plaintiff / Appellant: **David Schied**, one of the Sovereign American People; a totally and permanently disabled RECENT QUAD-AMPUTEE; ...

https://casetext.com › ... › D. SD › 2021 › August

Schied v. U-Haul Int'l. - Casetext

Aug 2, 2021 – **DAVID SCHIED**, ONE OF THE SOVEREIGN AMERICAN PEOPLE; A TOTALLY AN PERMANENTLY DISABLED ... Plaintiff, **David Schied**, filed a pro se lawsuit.

https://www.law360.com › cases

Schied v. U-Haul International, Inc. et al - Law360

Plaintiff. **David Schied**. Represented by: **David Schied**, PO Box 321. Defendant. U-Haul International, Inc. Represented by: Defendant. Does #1-20 ...

http://lawyers-judge.com › case-search-south-dakota-sd

Case Search – South Dakota (SD) - Lawyers-Judges

Oct 8, 2020 – **David Schied** More Information, U-Haul International, Does #1-20, Inc. # 5:2021cv05035 - Civil Rights: Americans with Disabilities - Other ...

LAW360

Track this case

Case Number:
5:21-cv-05035

Court:
South Dakota

Nature of Suit:
Civil Rights: Americans with Disabilities - Other

Judge:
Lawrence L. Piersol

Companies
U-Haul International Inc.

Sectors & Industries:
Services
Rental & Leasing Services

FRAUDULENT CITATIONS ASSOCIATED WITH THE "*JUDGE*" PIERSOL'S "*INEXTRICABLY INTERTWINED*" NEAR SIMULTANEOUS FRAUDULENT "*CASE DISMISSAL AS FRIVOLOUS, FAILURE TO STATE A CLAIM, AND IMMUNITY – UNDER 28 U.S.C. § 1915(e)(2)(B)(i-ii) and 28 U.S.C. § 191(e)(2)(B)(i-ii)*"

Note: To save space herein, these citations are presented by reference to page 28 of the following downloadable webpage included in this instant "*inextricably intertwined*" ARTICLE III COURT OF RECORD: http://www.ricobusters.com/wp-content/uploads/2021/11/Schied_Certiorari-USA-ALL.pdf

DISMISSAL OF CASE AS FRIVOLOUS, FAILURE TO STATE A CLAIM, AND IMMUNITY – UNDER 28 U.S.C. § 1915(e)(2)(B)(i-ii) and 28 U.S.C. § **191**(e)(2)(B)(i-ii)

"*Plaintiff does not allege sufficient facts to establish any violation of his human rights, and this claim is dismissed.*" 28 U.S.C. § **191**(e)(2)(B)(i-ii) – The OMISSION of the "5" (after "191") by this citation creates an official reference to that which is nonexistent. This may be construed as "*palpable error*". All other references to citations below go so well beyond palpable error as to provide at least the *appearance* of intentional acts of tort, seditious and treasonous forms of "*judicial misconduct*", *insurrection*, and "*domestic terrorism*" for reasons of GROSS OMISSIONS explained therein.

NOTE: All of the "COUNTS" alleged were "DISMISSED" summarily against a *forma pauperis* litigant while also dismissing as "*moot*" significant MOTIONS for this ARTICLE III COURT OF RECORD to provide BENEFICIARY-RELATOR as "*whistleblower*" and "*Private, Public Proxy*" (acting in a capacity similar to a statutory "*Private Attorney General*") with "*Service of Process*" of the SUMMONS and COMPLAINT upon the named CO-TRUSTEES referenced by this "*judge*" Lawrence Piersol and his Clerk Matthew Thelen. Such unconstitutional "*DENIAL*" has effectively barred the named "*DEFENDANTS*" (as defined by Piersol and Thelen, not Schied); from receiving such SUMMONS and COMPLAINTS by being personally served by the U.S. MARSHALS SERVICE; and with provision for BENEFICIARY-RELATOR to be provided access to the Court's "*Electronic [EM/ECF] Filing System*" on equal par with "*attorneys*" of the MONOPOLY that CORPORATE fictional "*BAR*" members otherwise have on the Court's electronic system that effectively exclude access by private, sovereign, American men and women.

CITATIONS OF OFFICIAL AND UNOFFICIAL REPORTS OF THE OPINIONS AND ORDERS ENTERED IN THE FIVE (5) LISTED BACKWARD-LOOKING ACCESS-TO-COURT CASES BY THE SUPREME COURT OF THE UNITED STATES ("SCOTUS") **(The ARTICLE III COURT OF RECORD associated with the official filings and decisions entered in the cases listed below are all located at the following link: http://www.ricobusters.com/?page_id=818)**

1) **IN RE SCHIED (2011) (SCOTUS Case# 11-5945)** – This **PETITION FOR WRIT OF MANDAMUS** was rooted in the repeated *denial of access* to a grand jury for reporting the STATE OF MICHIGAN "*judges*" and STATE BAR OF MICHIGAN "*attorneys*" — being at the base cause behind the total destruction of an American (Schied) family and a resulting "*divorce and child custody*" case stemming from Sedition, Treason, Insurrection, and Domestic Terrorism being reported as covering a span of eight years and onward to the present as none of these issues were ever "*litigated on the merits*", thus denying "*meaningful access to the court*" in the underlying numerous cases in which the "*DEMAND FOR JURY TRIAL*" and "*DEMAND FOR GRAND JURY*" were both **MANDAMUS DENIED** by SCOTUS.
http://www.ricobusters.com/wp-content/uploads/2021/11/103111-SCOTUSdenialofWRITOFMANDAMUS.pdf

2) **David Schied (on behalf of STUDENT A) v. Scott Snyder, ET AL (2011) (SCOTUS Case No. 11-6015): PETITION FOR WRIT OF CERTIORARI** – The underlying cause of this action begged answering of the question of "*Who can a Sovereign American 'citizen' go to when reporting CRIMES by 'sworn' government officials when these government servants to the People' refuse to even acknowledge the EVIDENCE of the crimes, much less adjudicate or prosecute them against one another; and when both the 'Judicial' and 'Executive' branches of government refuse to provide ACCESS to the REAL 'government of, by, and for the People' by way of helping One of the People to reach a JURY and/or GRAND JURY for issuing 'final' decisions in these matters after 'hearing' sworn testimonies and evidence?*" as **CERTIORARI DENIED** by SCOTUS.
http://www.ricobusters.com/wp-content/uploads/2021/11/1-103111_CertiorariDENIED11-6015-Snyderetal-StudentA.pdf

3) **David Schied v. Ronald Ward, ET AL (2011) (SCOTUS Case No. 11-5937): PETITION FOR WRIT OF CERTIORARI** – This case has still to be uploaded as stored in boxes and thus far inaccessible due to recent criminal victimization associated directly with this instant 2021 case before SCOTUS.

4) **David Schied v. MIDLAND COUNTY SHERIFF Gerald Nielson, et al (2012) (SCOTUS Case No. 12-10356): PETITION FOR WRIT OF CERTIORARI** – The spelling went from "*Gerald Nielson*" (as originally filed in the lower "*U.S. DISTRICT COURT*") to "*Jerry Nelson*" (as "*DENIED*" by EASTERN DISTRICT OF MICHIGAN "*Chief Judge*" Denise Page Hood) by means of a criminal

conspiracy between this *judicial usurper* and *Clerk of the Court* to commit an *OBSTRUCTION OF JUSTICE* while tainting the official record to provide *comfort and safe harbor* to the MIDLAND COUNTY SHERIFF Gerald Nielson by hiding his actual name from all future court records. Notably, Gerald Nielson "*retired*" from his Office just after this case was initially filed, at the end of 2012. Importantly, at each successive level of "*APPEAL*" to the SIXTH CIRCUIT and to the U.S. SUPREME COURT, whereby I (David Schied) attempted to "*correct the record*" by spelling "*Gerald Nielson*" correctly on my cover sheets, the "*clerks*" as "*secondary*" level "*RICO*" racketeers changed the name back fraudulently to "*Jerry Nelson*" to uphold the "*predicate*" RICO CRIMES OF FRAUD committed by Denise Page Hood and her criminal accomplices of her "*lower court*" DOMESTIC TERRORIST NETWORK.

The original DENIAL notice from the SCOTUS clerk is yet to be located in stored boxes due to recent criminal victimization associated directly with this instant 2021 case before SCOTUS. However, EVIDENCE of the fact that there was a "*Petition for Writ of Certiorari*" case number assigned by SCOTUS – along with my "*CERTIFICATION OF SERVICE*" (dated 5/20/13) as delivered to SCOTUS – should suffice as "*self-evident*" DENIAL of this case by SCOTUS after it was accepted as legitimately "*filed*" as located at:
http://www.ricobusters.com/wp-content/uploads/2021/11/4-SCOTUS-CERTIORARISchedule-p25-SchiedKrausvGeraldNielson-12-10356.pdf
and at:
http://www.ricobusters.com/wp-content/uploads/2021/11/3-SchiedKrausvGeraldNielson-CERTOFSERVNOTOFAPPEAL-I-12-10356.pdf

Cited Authorities for This Case Officially Entered by Beneficiary's Own ARTICLE III COURT OF RECORD under the Common Law

FEDERAL

18 U.S.C. § 3771 ("*Crime Victims' Rights*")

28 U.S.C. § 1346(b)

28 U.S.C. § 1654

28 U.S.C. § 1915(e)

28 U.S.C. § 2676

42 U.S.C. §1983

4 CFR § 22.6

32 CFR § 750.23

Americans With Disabilities Act

Bill of Rights (U.S. Constitution)

Bowsher v. Syner. 478 U.S. 714, 721 (1986)

Buckley v. Valeo, 42 U.S. 1, 438 (1976) (*per curiam*)

Data Disc, Inc. v. Systems Tech. Assocs., Inc. 557 F.2d 1280 (9th Cir. 1977)

Declaration of Independence

False Claims Act

Faretta v. California, 45 L Ed 2d 562, 592 (1975)

Federal Rules of Appellate Procedure ("FRAP"), Rule #31(a)(1)

Federal Rules of Civil Procedure (FRCP) Rule 56(c)(4), 56(d),(e), and (f)

First Amendment (U.S. Constitution)

Heckler v. Cheney, 470 U.S. 821, 832 (1985)

INS v. Chadha, 462 U.S. 919, 951 (1983)

Jackson v. Metropolitan Edison Co., 419 U.S. 345 (1974)

John Robertson, Petitioner v. UNITED STATES, Ex Rel. Wykenna Watson,

60 U. S. ____ (2010) No. 08-6261 as "*Brief for the UNITED STATES as AMICUS CURIAE supporting Respondent*"

Rules Enabling Act

Schied v. DEPOSITOR'S INSURANCE COMPANY, ET AL (Piersol FRAUD)

Schied v. Khalil, 2016 WL 4727477 *(E.D. Ml)*

Schied v. Khalil, (R&R) 2016 WL 11472341

Schied v; Khalid, *2016 WL 4727477, n. 3* (figment of Piersol's imagination)

*Schied ex rel. Student A v. Snyder, 2010 WL 331713 *2 (E.D. Ml)*

Schied v. *Snyder,* 565 U.S. 982 (2011)

Schied v. U-HAUL INTERNATIONAL, et al (2021)

Seventh Amendment (U.S. Constitution)

Tort Claims (Act)

United States Constitution, Article II, § 3

United States v. Nixon, 418, U.S. 683, 693 (1974)

United States v. Smyth, *104 F.Supp. 283 (1952)*

United States v. Throckmorton, 98 U.S. 61 25 L.Ed. 93

United States v. Williams, 504 U.S. 36 (1992)

United Tech Corp. v. Mazer, 556 F. 3d 1260 (*11th Cir*. 2009)

White v. FCI, USA, Inc., 319, F. 3d 672 (*5th Cir. 2003*)

STATE

Cochran v. Sess, 372, 61 N.E. 639

Herman v. City of Buffalo, et al 108 N.E. 451 (N.Y. 1915)

New York Supplement (Vol. 143) (New York State Reporter, Vol 177) containing the decisions of the Supreme and Lower Courts of Record of New York State

Common Law *MAXIMS*

"*An Unrebutted Affidavit Stands as Truth in Commerce*"

"*Fraud vitiates everything"*

"*He who bears the burden ought also to derive the benefit*"

"*He who does not deny, admits*"

"*He who does not repel a wrong when he can, occasions it*"

"*He Who Leaves the Battlefield First Loses by Default*"

"*In Commerce, Truth is Sovereign*"

"*Justice delayed is Justice denied*"

"*Truth is Expressed in the Form of an Affidavit*"

Other Citations in the Case Record

A Treatise on the Law of Injunctions (4th ed. 1905) by James L. High

AMICUS IN TREATISE: Interpreting the Unconstitutional History of Federal and National Governance of the Patriotic 'People' and Other 'Free Persons' Inhabiting the United States" (313 pages)

Commentaries. William Blackstone

COMMON LAW 'WRIT OF ERROR CORAM NOBIS' IN OPPOSITION TO PRIMA FACIE EVIDENCE OF 'CRIMINAL FRAUD AND CONSPIRACY TO DEPRIVE OF RIGHTS' INVOLVING 'JUDICIAL USURPERS' AND 'CLERKS OF THE COURTS' AS 'AGENTS' OF THE NAMED 'CO-TRUSTEES' OF THE CASE CAPTIONED ABOVE"; [with]
FINDING OF CONTEMPT AND "CERTIFICATION OF FAULT/ DEFAULT WITH 'DEFAULT JUDGMENT' AND COMMON LAW 'LEDGER OF [TREBLE] DAMAGES'; [and with]
'*NOTICE OF 'CLAIM OF APPEAL' FOR THE REASONS CITED ABOVE*

AND BASED UPON 'OVERRIDING AND PALPABLE ERRORS' AND GROSS OMISSIONS OF FACTS; AND INTENTIONAL [TORTUOUS] VIOLATIONS OF THE 'RULES ENABLING ACT"

DECLARATION of David Schied (dated 10/15/20) Invoking the 'Common Law' Jurisdiction and/or the 'Federal' Jurisdiction in Halting Eviction via QUO WARRANTO, Notice of 'INTENT TO LIEN', Claims of DISABILITY' and 'MEDICAL FRAILTY', and 'To Prevent Further Spread of COVID-19" (40 pages)

DECLARATION OF TRUTH OF GRIEVANT/CLAIMANT DAVID SCHIED Concerning the Documentation of the Compounding of Racketeering Crimes by State and National Continuing Financial Crimes Organizations" (11/27/17)

From JFK to 9/11: Everything is a Rich Man's Trick, (video documentary)

The Holy Bible (John 8:32); (Lev. 19:11-13); (Mat. 10:22)

MEMORANDUM OF RIGHTS of (We), "The PEOPLE": To Assemble; To Local Governance; and To Withdraw Consent Through State and Federal Jury Nullification, Through Grand Jury Presents, Through Private Prosecutions, and Through Other Executions of Customary Law and The Laws of Commerce" (183 pages)

Sealing Court Records and Proceedings: A Pocket Guide

The Evolving Uniform Commercial Code: From Infancy to Maturity to Old Age. 26 Loy. L.A. L. Rev. 691 (1993). McLaughlin, Gerald T

U.C.C. §1-103

Universal Commercial Code

PREVIOUSLY CITED AUTHORITIES IN THE CASE RECORD

FEDERAL
Articles of Confederation
Bill of Rights
Common Law
Constitution (organic) for the united States of America
Constitution of the United States
Declaration of Independence
Magna Carta

Article I of the United States Constitution
Article III of the United States Constitution
Article IV, §1 of the United States Constitution
Article VI, Clause 2 of the United States Constitution
First Amendment of the United States Constitution
Ninth Amendment of the United States Constitution
18 U.S.C. § 4 ("Misprision of felony")
18 U.S.C. § 241
18 U.S.C. § 242
18 U.S.C. § 1512
18 U.S.C. §1028(t) (*Attempt and Conspiracy to commit Fraud and related activity in connection with identification documents, authentication features, and information*)
18 U.S.C. § 1509 ("*Obstruction of court orders*"
18 U.S.C. §1961 ("*Racketeer Influenced and Corrupt Organizations*")
18 U.S.C. § 2381 ("*Treason*")
18 U.S.C. §2382 ("*Misprision of Treason*")
18 U.S.C. § 2384 ("*Seditious conspiracy*")
18 U.S.C. § 1505 ("*Obstructing an official proceedings before department, agency or committee*")
18 U.S.C. § 1510 ("*Obstruction of criminal investigations*")
18 U.S.C. § 1512 ("*Tampering with a witness, victim, or informant*")
U.S.C. §2331
18 U.S.C. § 3332 ("*special grand jury*")
28 U.S.C. §1691
42 U.S.C. §1983 ("*Civil Action for Deprivation of Rights*")
42 U.S.C. § 2000e-2 ("*Unlawful Employment Practices*")
Act of May 26, 1790
Act of March 27, 1804
Civil Rights Act of 1964
Civil Rights Attorney Fees Award Act of 1976
E-Government Act (2002)
E-Sign Act (2000) Family Support Act of 1988 (Public Law 100-485, October 13, 1988, 102 STAT. 2343)
Individuals With Disabilities in Education Act
Privacy Act of 1974 [5 U.S.C. 552a(i)(l)]
Racketeering Influenced and Corrupt Organizations Act ("RICO Act")
28 CFR §50.12
Terrorism Risk Insurance Program Reauthorization Act of 2007 (TRIPRA)
Uniform Commercial Code
Federal Rules of Civil Procedure, Rule 9(b)
Federal Rules of Civil Procedure, Rule 23
Federal Rules of Civil Procedure, Rule 23(g)(1)(A)(iv)
Federal Rules of Civil Procedure, Rule 45(b)(1)
Sixth Circuit Guide to Electronic Filing, 1.8
Sixth Circuit Guide to Electronic Filing, 9.1

Sixth Circuit Guide to Electronic Filing, 9.2
Sixth Circuit Guide to Electronic Filing, 10.1
Sixth Circuit Guide to Electronic Filing, 10.2
Sixth Circuit Guide to Electronic Filing, 13.1
Bradley v. Fisher, 13 Wall. 335, 20 L.Ed. 646 (1872)
Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404,5 L.Ed 257 (1821)
Ex parte Milligan, 71 U.S. (4 Wall.) 2 (1866)
Lee v. Southern Home Sites Corp., 444 F.2d 143 (5th Cir. 1971)
Newman v. Piggie Park Enterprises, 390 US 400 (1968) (*per curiam*)]
Piper v. Pearson, 2 Gray 120
U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980)

MICHIGAN
Constitution of Michigan
Michigan Code of Judicial Conduct
MCL §15.243(l) (Freedom of Information Act)
MCL 18.351-[Crime Victim's Compensation Board (definitions)]
Michigan Revised School Codes
MCL 380.1230
MCL 380.1230(a)
MCL 380.1230(g)
MCL 691.1407
MCL 750.10 (Michigan's Penal Code)
MCL 750.157a (Michigan's Penal Code)
MCL 750.368 (Michigan's Penal Code)
MCL 750.478a (Michigan's Penal Code)
MCL 761.1
MCL 764.1(a)
MCL 764.1(b)
MCL 767.3
MCL 767.60 – (*Larceny and false pretense cases*)
MCL 767.61 – (*indictment for larceny or larceny by conversion; description of instruments*)
MCL 780.623 (Michigan's Set Aside Law)
MCR 7.212 (G)
MCR 2.114(A)
MCR 2.114(C)(1)
MCR 2.116(C)7
MCR 2.118
MCR 2.207
MCR 3.303(A)(1)
MCR 3.303(A)(2)
MCR 3.303(B)
MCR 303(D)
MCR 303(Q)(1)

MCR Rule 6.101 (Rules of the Court)
MCR 7.101(8)(1)(a)
MCR 7.101(c)(1)
MCR 7.101(c)(2)
MCR 7.101(H)(4)
MCR 7.101(H)(5)
MCR 7.204(C)(2)
MCR 8.119(F)
Michigan Court Rules
David Schied v. Brighton Area Schools (No. 10-25106-CD)
David Schied v. Northville Public Schools, et al
David Schied v. Sandra Harris and the Lincoln Consolidated Schools

OTHER STATES
Article 55.03 (Tex. Code of Crim. Proc.)
Article 60.06(b) (of Texas Code of Criminal Procedures)
Texas Attorney General Dan Morales (May 31, 1995) (Opinion DM 349)
Texas Attorney General John Cornyn (July 10, 2001) (Opinion JC-0396)
Texas Code of Criminal Procedure, Title 1, Chapter 55 (pertaining to "*Expunction of Criminal Records*"
Tx.C.Crim.Proc., Title 1, Article 55.03(1) ("*Effect of Expunction*")
Tx.C.Crim.Proc., Title 1, Article 55.04(1) ("*Violation of Expunction Order*")
Tx.C.Crim.Proc., Title 1, Article 55.04(2) ("*Violation of Expunction Order*")
Tx.C.Crim.Proc., Title 1, Article 55.04(3) ("*Violation of Expunction Order*")

OTHER AUTHORITIES
Memorandum of Law (by David Schied)
State Integrity Investigation Results (2012; and 2015), Center for Public Integrity ("*Corruption Risk Report Card for Michigan*")
U.S. Department of Homeland Security Presidential Directive-J (2004)
Weaver, Justice Elizabeth, "*Judicial Deceit: Tyranny and Unnecessary Secrecy at the Michigan Supreme Court*"

PREVIOUSLY CITED "*BACKWARD-LOOKING ACCESS-TO-COURT*" CASES LEFT UNRESOLVED EXCEPT BY FRAUD UPON THE COURT

David Schied v. Martha Daughtrey; David McKeague; Gregory Tatenhove; Stephen Murphy; Terrence Berg; Rod Charles; Andrew Arena; Margaret Love; Michael Mukasey; Maria O'Rourke; and Shanetta Cutlar

David Schied v. Leonard Rezmierski; David Bolitho; Katy Doerr Parker; Northville Public Schools Board of Education; Larry Crider; Robert Donaldson; Warren Evans;

James Gonzales; James Hines; Maria Miller; Benny Napoleon; Wayne County Prosecutor's Office; Wayne County Sheriff's Department; Kym Worthy; Jane Doe; and John Doe

David Schied v. Northville Public School District

David Schied v. Sandra Harris and Lincoln Consolidated Schools, et al

David Schied v. State of Michigan; Gov. Jennifer Granholm; Kelly Keenan; Michelle Rich; Michigan State Administrative Board; Attorney General Mike Cox; Commissioner Laura Cox; Wayne County Commission; Wayne County Office of the Prosecutor; Michigan State Police; Northville City Police; Michigan Department of Civil Rights; Michigan Dept. of Education; Wayne County RESA; Northville Public Schools Board of Education; Scott Snyder; Katy Parker; David Bolitho; Leonard Rezmierski; Keller Thoma law firm; Sandra Harris; Lincoln Consolidated Schools Board of Education; Michigan Supreme Court et. & DOES 1-30

David Schied v. Michigan State Court Administrator; Michigan Department of Civil Rights; Superintendent and Board of Education for the Michigan Department of Education; Michigan Department of Labor and Economic Growth; Michigan State Administrative Board via the Office of the Michigan Attorney General; DOES 1-20

David Schied v. Ronald Ward, Ken Hamman, Kirk Hobson, Patricia Meyer, Karen Ellsworth, Jessica Murray, Jennifer Bouhana, Patricia Ham, and Joe D. Mosier, both in their individual and official capacities (USDC EDM case No. 09-12374)

David Schied (on behalf of "Student A") v. Scott Snyder, Lynn Mossoian, Kenneth Roth, Richard Fanning, Jr. David Soebbing, Harvalee Saunto, Donna Paruszkiewicz, Mary E. Fayad, Susan Liebetreau, Donald S. Yarab, Catherine D. Anderle, (all in their individual capacities) and Arne Duncan (in hid official capacity as USDOE) (USDC EDM case No. 5:09-cv-11307

MORE PREVIOUSLY CITED AUTHORITIES IN THE CASE RECORD

FEDERAL
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Art. III, § 1 (U.S. Constitution)
Art. III, § 3, clause 1 (U.S. Constitution)
Bill of Rights (U.S. Constitution)
Due Process Clause (U.S. Constitution)
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Rules Enabling Act of 1934 (Act of June 19, 1934)
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OTHER
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Burbank, Stephen. *The Rules Enabling Act of 1934*. (1982) pp. 1018-1197

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Cordero, Richard. *Exposing Judges' Unaccountability and Consequent Riskless Wrongdoing*

Fields, Gary, and Emshwiller, John. *As Criminal Laws Proliferate, More Are Ensnared* (7/23/11) Wall Street Journal

Fletcher, George. *Parochial Versus Universal Criminal Law*. Journal of International Criminal Justice (Vol. 3) (2005)

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Main, Thomas. *The Procedural Foundation of Substantive Law*. Washington University Law Review, Vol. 87 (2009)

Martin, Michael. *Inherent Judicial Power: Flexibility Congress Did Not Write Into the Federal Rules of Evidence*. 57 Tex. L. Rev. Vol. 2; pp.167-202. (Jan. 1979)

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Risinger, Michael. *"Substance" and "Procedure" Revisited: With Some Afterthoughts on the Constitutional Problems of "Irrebuttable Presumptions*," 30 UCLA L.Rev. at 190, 201 (1982)

Scott, *Actions at Law in the Federal Courts*, 38 Harv. L. Rev. 1, 3-4 (1924)

Silberman, Linda. *Judicial Adjuncts Revisited: The Proliferation of Ad Hoc Procedure*. 137 Univ. of Penn. L. Rev. (1989) pp. 2131-2178

Weaver, Justice Elizabeth and Schock, David. *Judicial Deceit: Tyranny and Secrecy at the Michigan Supreme Court*

Weinstein, Jack. *After Fifty Years of the Federal Rules of Civil Procedure: Are the Barriers to Justice Being Raised?* University of Pennsylvania Law Review. Vol. 137

Statement of the Case

BENEFICIARY-RELATOR David Schied – a recently (2018) totally and permanently disabled American man was – as a matter of unrebutted fact that the Court is obligated to "*liberally construe and assume as true*" and "*examined for relief on any possible theory*" – was transformed into a quad-amputee as a result of an attempted murder by STATE OF MICHIGAN and NATIONAL government agents working with CORPORATE licensees in a circumstantially well-documented but covert criminal RICO enterprise.

Subsequent to PRIVATE, PUBLIC PROXY David Schied becoming rendered a biological "*quad-amputee*", the named CO-TRUSTEES of an "*inextricably intertwined*" case – *David Schied v. UNITED STATES OF AMERICA, Et Alia* EIGHTH CIRCUIT COA CASE # 21-2809; USDC-SDWD case #21-5030 – continued their preceding near seventeen (17) year documented history of "*government whistleblower retaliation*", by engaging in multi-tiered "*chain*" and "*wheel*" conspiracies of a widespread "*domestic terrorist network*" that is continuing to "*target*" SUI-JURIS David Schied for further Seditious and Treasonous acts of terrorism.

This latest mechanism for insurrectionism and terror – the same as all of the preceding "*Backward-Looking Access-To-Court*" cases – was carried out by STATE BAR OF MICHIGAN members inflicting a malicious and tortuous EVICTION during a national COVID pandemic and federally legislated EVICTION MORATORIUM. Similarly, these predicate criminal RICO acts were "*affirmatively*" covered up at the secondary levels, by both the "*Executive*" and "*Judicial*" BRANCHES of STATE and

NATIONAL governments through various criminal acts, including the failure and/or the refusal to act when called upon to perform their Fiduciary Duties under the Constitutions of the STATE and the UNITED STATES as sworn by Oath to "*faithfully perform*".

In this case, minimally, there are significant FACTS and EVIDENCE against "*CO-TRUSTEES*" U-HAUL INTERNATIONAL, INC. (in this "*second*" of two "*inextricably intertwined*" cases) and the government "*officials*" (in the "*first case*" against the UNITED STATES, et al) that this U.S. DISTRICT COURT "*judge*" in South Dakota summarily dismissed as "*frivolous*" in BOTH cases – **without trial, without "*Discovery*" proceedings, and without any other form of "*due process*" being applied – constituting both "*inherently dangerous activities*" and "*acts dangerous to human life*" being underscored as follows:**

1) In the "*first case*", the CO-TRUSTEES of the FBI were involved in an ATTEMPTED MURDER of David Schied and the U.S. DEPARTMENT OF JUSTICE has been covering it up – as well as a long previous history of other corrupt government actions – by denying "*requests for documents*" under the laws of government transparency, both recently as well as tracing back at least to 2005;
2) In the first case, the LOCAL and STATE governments in the STATE OF MICHIGAN were instrumentally involved in the CRIMINAL EVICTION of a totally and permanently disabled quad-amputee (David Schied) just after a blizzard, in the middle of a Michigan winter, during a nationwide COVID pandemic, in spite of a Federal "*Eviction Moratorium*" (containing both civil

and criminal penalties for violation); and in spite of the disabled person issuing his sworn DECLARATION in compliance with federal mandates. Similarly, numerous named CO-TRUSTEES of the UNITED STATES gross negligently engaging in that "*criminal coverup*" reside in WASHINGTON, D.C., the STATE OF MICHIGAN, and (now as recently revealed with that first case) in the STATE OF SOUTH DAKOTA.

3) In this "*second case*", Beneficiary documented fully sixteen (16) different agents of U-HAUL INTERNATIONAL who were serving its principals – as the U-HAUL "*founder*" and its corporate "*Board*" members, as well as AMERCO (insurance company) as its partnering "*parent CORPORATION*" – in carrying out "*policies and practices*" that deprive disabled persons such as Beneficiary David Schied of their/his inalienable and sacred Rights to "*Life, Liberty, Property, and the Pursuit of Happiness*", by using unscrupulous CORPORATE tactics. See again, the TABLE OF CONTENTS (below) for Beneficiary's lower U.S. DISTRICT COURT filing listing each agent and the pages for the specific activities in which these agents engaged to tortuously deprive Beneficiary resolves of his numerous "*compounding*" FACTUALLY RECORDED complaints.)

In the FIRST of these two inextricably intertwined cases, BENEFICIARY-RELATOR made efforts to seek proper examination and relief upon report of the facts about these multi-tiered crimes crossing multiple jurisdictions, BENEFICIARY-RELATOR David Schied filed his "*case*" in the federal courts – TWICE – once in the USDC-EDM before being evicted, and then again after eviction once he found what he initially believed to be *refuge* from homelessness in the STATE OF SOUTH DAKOTA in the jurisdiction of the USDC-SDWD.

The first case filed in the USDC for the EASTERN DISTRICT OF MICHIGAN (SOUTHERN DIVISION in DETROIT) was the "*removal*" of the EVICTION case to the federal jurisdiction, which was assigned to Victoria Roberts, the former STATE BAR OF MICHIGAN president and vice-president and federal "*judge*" of the USDC-EDM as named "*CO-TRUSTEES*" in this case, by which the principal CO-TRUSTEE initiating the eviction proceedings was also a long time member. This first case filing on 1/5/2021 was based upon Petitioner's proof of Declaratory compliance with the NATIONAL EVICTION MORATORIUM levying both civil and criminal penalties for violators like the named CO-TRUSTEES of this case.

The second of *those* many multi-tiered and complex "*inexplicably intertwined*" cases, filed in the WESTERN DIVISION of the DISTRICT OF SOUTH DAKOTA and assigned to federal "*judge*" Lawrence Piersol was a "*whistleblower*" case. It contained the fuller, lengthy, near two-decade background inclusive of the long accumulation of circumstances surrounding and underlying the attempted murder, the eviction, and the seventeen years of well-documented "*whistleblower history*" against STATE BAR OF MICHIGAN corruption and the inequity of justice preceding these "*eviction*"

events as *officially* documented in the STATE OF MICHIGAN and UNITED STATES court systems, which are otherwise mandated to be operating as "*constitutional*" fixtures and not instead as for-profit "*Continuing Financial Crimes Enterprises*".

Criminal allegations and claims against the "*domestic terrorists*" consisting of the usurpers of the offices of clerks, case managers, and judges of the Michigan Court of Appeals and Michigan Supreme Court, and similarly against those of the United States Court of Appeals for the Sixth Circuit and the Supreme Court of the United States, are supported by a plethora of documentation concerning numerous cases that I have pushed through these corrupted crime syndicates. The following is just a short list of example case numbers that can be verified:

a) Washtenaw County Circuit Court – 04-000577-CL; (*Schied v. Sandra Harris et al*)
b) Michigan Court of Appeals – 267023; (*Schied v. Sandra Harris et al*)
c) Michigan Supreme Court – 131803; (*Schied v. Sandra Harris et al*)
d) 3rd Judicial Circuit Court in the Charter County of Wayne – 06-633604-NO; (*NV School*)
e) Ingham County Circuit Court – 07-1256-AW; (*Schied v. Jennifer Granholm et al*)
f) Michigan Court of Appeals – 202804 and 282820; (*Schied v. Jennifer Granholm et al*)
g) Michigan Supreme Court – 139162 (or it may have been 138162);
h) United States District Court for the Eastern District of Michigan – 08-CV-10005;
i) United States COA for the 6th Circuit – 08-1879 and 08-1895 and 08-14944;
j) 3rd Judicial Circuit Court in the Charter County of Wayne – 09-030727-NO; (*NV + WC*)
k) Michigan Court of Appeals – 303715 and 303802; (NV + WC)
l) Washtenaw County Circuit Court – 09-1474-NO; (*Schied v. Williams + Lincoln Schools*)
m) United States District Court for the EDM – 09-CV-11307 and 09-CV-12374;
n) United States COA for the 6th Circuit – 10-10105;
o) 3rd Judicial Circuit Court in the Charter County of Wayne – 10-109328-DM;
p) Michigan Court of Appeals – 305591; (*Schied v. Schied – demand for grand jury*)
q) 17th District Court for the Charter Township of Redford – 10B020893 OI; (17th DC)
r) Michigan Court of Claims – 11-000050-MZ; (*Schied v. SCA, et al*)
s) Michigan Court of Appeals – 306026 and 306801; (*Schied v. SCA, et al*)
t) Michigan Supreme Court – 144426; (*Schied v. State Court Administrator, et al*)
u) Michigan Supreme Court – 144456; (*Schied v. Township of Redford, et al*)
v) Michigan Supreme Court – 144943; (*Schied v. Schied – demand for grand jury*)
w) Michigan Supreme Court – 145027; (*Schied v. State Court Administrator, et al*)
x) 3rd Judicial Circuit Court in the Charter County of Wayne – 11-004881-CP; (Colombo)
y) 3rd Judicial Circuit Court in the Charter County of Wayne – 11-012316-AV; (Curtis)
z) 3rd Judicial Circuit Court in the Charter County of Wayne – 11-014259-AW; (Curtis)
aa) Michigan Court of Appeals – 306542; (*Schied v. Chart. Town. of Redford, et al*)
bb) Michigan Court of Appeals – 307195 and 308715;
cc) Midland County Circuit Court – 12-8792-AH; 12-8824-AH
dd) 3rd Judicial Circuit Court (Charter County of Wayne) – 12-6699-AR; 12-6199-01-AR
ee) Supreme Court of the United States – 11-5937;
ff) Supreme Court of the United States – 11-5945;
gg) Supreme Court of the United States – 11-6015;
hh) United States District Court for the EDM – 12-CV-12791;
ii) United States COA for the 6th Circuit – 12-1979;
jj) Supreme Court of the United States – 12-10356;

That other conglomerate of dual-STATE / UNITED STATES combined cases underscore nearly two decades of well-documented "*Greylord–style*" government corruption in the same region of the UNITED STATES that prompted much more than the documentary movie "*White Boy*" and the filing of other previous cases in the USDC-EDM which similarly attempted to also prove systemic racism, insurrectionism, and domestic terrorism as delivered against Donald Trump and the Sovereign American People as carried out through the unconstitutional operating of the 2020 ELECTIONS in SE Michigan.

The long line of inextricably intertwined "*government whistleblowing*" cases underscores the fact that the STATE OF MICHIGAN has long been at the forefront of "*selectively*" applying *Critical Race Theory*" and *Cancel Culture* to broaden the unauthorized and unconstitutional powers of the Ruling Elite of this "*federal district*" and "*federal circuit*" for this region of the American Nation.

These altogether well-documented cases *inexplicably intertwined* – by which long-time "*GRIEVANT/CLAIMANT*" David Schied has been registering and archiving the massively accumulating data under the Common Law in his own ARTICLE III COURT OF RECORD – show clearly (as "*hindsight is 20/20*") that these, now going on eighteen (18) years of *mushrooming* crimes, are being carried out by STATE BAR members operating together as a massive CRIME SYNDICATE and DOMESTIC TERRORIST NETWORK, while otherwise masquerading as "*government*" and destroying the lives of both "*Black*" and "*White*" community members and their families, with the oversight permissiveness of the FBI and

USDOJ operating throughout this region of the American nation, all at the expense of unwary Americans, many as "*Taxpayers*".

This second – much more simplified but still "*inexplicably intertwined*" cases, also filed in the WESTERN DIVISION of the DISTRICT OF SOUTH DAKOTA and assigned to federal "*judge*" Jeffrey Viken – but then was soon afterwards reassigned by "*chief judge*" Roberto Lange to Lawrence Piersol, who thereafter corruptly and *prima facie* fraudulently DISMISSED both cases. He carried out these Seditious and Treasonous acts of "*dismissal*" summarily, without "*Discovery*", without constitutional "*due process*", and by underhanded means of blatantly barring "*totally and permanently disabled quad-amputee*" David Schied – as BENEFICIARY-RELATOR – from having any meaningful access to the court whatsoever. It was in the process of these two "*Dismissals*", that the "*judicial usurper*" Lawrence Piersol sought to justify, *invalidly* in relevant part, the dismissal of this "*Schied v. U-HAUL INTERNATIONAL, et al*" case as based upon his own fraudulent assertions about the other "*Schied v. UNITED STATES, et al*" case to, thus, make the two cases thereafter "*inexplicably intertwined*".

Such mounds of documentation have been entered into that other *inexplicably intertwined* "*David Schied v. UNITED STATES and the STATE OF MICHIGAN, ET AL*" case by reference, under the COMMON LAW, as an accumulation of websites brandishing the EVIDENCE of STATE BAR and AMERICAN BAR member corruption as carried out in past seventeen years of "*whistleblower*" history about the EXECUTIVE and JUDICIAL "*branches*" of the STATE and the UNITED STATES. Throughout these past nearly two decades of history, **BENEFICIARY has reached for**

help all the way through the "*government*" hierarchy to the SUPREME COURT OF THE UNITED STATES on five (5) documented occasions, but persistently to no avail on requested Constitutional and Statutory remedies. The documentation for these five previous official "*PETITIONS*" to SCOTUS is too voluminous to be published in ten (10) copies at the expense of a declared "*forma pauperis*" litigant as SUI JURIS David Schied, as otherwise "*exclusively*" required by the SUPREME COURT RULES to "*weed out*" and "*deny access*" to certain types of so-called "*pro se*" litigants. Therefore, the documented EVIDENCE of these previous FOUR separate "*PETITIONS*" as cases – all previously DENIED by SCOTUS – can all be found today posted publicly in PRIVATE, PUBLIC PROXY David Schied's own ARTICLE III COURT OF RECORD located at:

https://www.ricobusters.com/?page_id=818

The SCOTUS cases – three of which were referenced by Lawrence Piersol in his fraudulent *Judgment / Opinion and Memorandum* [Doc. #14; page 17 (Page ID#824) of the USDC record for the "*Schied v. UNITED STATES, et al*" case] – are listed below. **The first two of those three cases were filed in 2011 with SCOTUS as "*PETITION[S] FOR WRIT OF CERTIORARI*" that were filed with a third case of "*PETITION FOR WRIT OF MANDAMUS*" that for some conspicuous reason, Lawrence Piersol failed to mention with his other GROSS OMISSIONS displayed by his fraudulent ruling(s) in 2021. The third case that he did mention was another "*PETITION[S] FOR WRIT OF CERTIORARI*" filed by BENEFICIARY-RELATOR with SCOTUS in 2013. Below are summary explanations of each, along with web-**

links to both the original "*public*" filings and all of the "DENIALS" (of all the requested Certioraris and Mandamus) from SCOTUS.

1) *David Schied* v. *Scott Snyder, Lynn Mossoian, Kenneth Roth, Richard Fanning, Jr., David Soebbing, Harvalee Saunto, Donna Paruszkiewicz, Mary Fayad, Susan Liebetreu, Donald Yarab, Catherine Anderle, Arne Duncan, in both their individual and official capacities*", 565 U.S. 982 (2011) –. SCOTUS Case #11-6015

PETITION FOR WRIT OF CERTIORARI
http://www.ricobusters.com/wp-content/uploads/2021/11/3-10A1018-PET4WRITOFCERTIORARIAPPENDIX-StudentA.pdf

SUPPORTING APPENDIX AND EXHIBITS OF EVIDENCE (569 pages)
http://www.ricobusters.com/wp-content/uploads/2021/11/APPENDIXforCertiorari-StudentAvSnyderetal-SCOTUSall-redct.pdf

SCOTUS SUMMARY DENIAL –
http://www.ricobusters.com/wp-content/uploads/2021/11/1-103111_CertiorariDENIED11-6015-Snyderetal-StudentA.pdf

2) *David Schied* v. *Ronald Ward, Ken Hamman, Kirk Hobson, Patricia Meyer, Karen Ellsworth, Jessica Murray, Jennifer Bouhana, Patricia Ham, Joe Mosier, in both their individual and official capacities*, 565 U.S. 1231 *(2012)* – Doc. #14; page 17 (Page ID#824) of the USDC record. SCOTUS Case #11-5937 [1]

This was a case of defamation and contract violation, as well as criminal racketeering covering a span of three years and onward to the present as none of these issues were ever "*litigated on the merits*", thus denying "*meaningful access to the court*" in the underlying case in which the "*DEMAND FOR JURY TRIAL*" was DENIED.

[1] NOTE: The original filings for this SCOTUS case are believed to have gotten lost or destroyed over the years of moving and storage. All of the documents from the lower STATE and UNITED STATES courts have been located; and so too has the "*PETITION FOR RECONSIDERATION*" by SCOTUS for all of these three cases filed in 2011 also been located as shown below.

3) *In Re David Schied*, SCOTUS Case #11-5945:

PETITION FOR WRIT OF MANDAMUS
http://www.ricobusters.com/wp-content/uploads/2021/11/1-081511_Petition4WritofMandamus.pdf

SUPPORTING APPENDIX (OF EVIDENCE EXHIBITS):
http://www.ricobusters.com/wp-content/uploads/2021/11/2-081511_APPENDIX4Petition4WritofMandamus.pdf

ACTUAL EXHIBITS (601 pages) OF EVIDENCE:
http://www.ricobusters.com/wp-content/uploads/2021/11/3-081511APPENDIX4WritofMandamusSCOTUS-ALL-Redct.pdf

SCOTUS DENIAL –
http://www.ricobusters.com/wp-content/uploads/2021/11/103111-SCOTUSdenialofWRITOFMANDAMUS.pdf

USDC-SDWD "*judge*" Piersol also GROSSLY OMITTED the FACT that there was a "*PETITION FOR REHEARING OF DENIAL"* of all of the above-referenced "*Certiorari*" and "*Mandamus*" petitions, as also filed with the SCOTUS in 2011. On first attempt, BENEFICIARY-RELATOR attempted to makes things simple using the same documents of EVIDENCE to support arguments about all three "*denied*" cases. These documents were sent – according to SCOTUS rules for "*forma pauperis*" filers, with ten (10) copies of each filing. That filing, complete with EXHIBITS OF EVIDENCE are accessible via the links below to this instant ARTICLE III COURT OF RECORD.

http://www.ricobusters.com/wp-content/uploads/2021/12/Petition-4-Rehearing-on-3-Cases-2011.pdf

However, the "*Clerk of the Court*" William Suter sent all the documents back while demanding their resubmission with three times the paperwork and mailing costs. (*See* top of next page for the link to this "*rejection*" document.)

http://www.ricobusters.com/wp-content/uploads/2021/12/122111_Letr2Resubmitin15daysbyWilliamSuter.pdf

Therefore, those separated "*PETITION(s) FOR REHEARING"* were all resent to SCOTUS – but again all three DENIED a second time by rehearing as follows, again being accessible by link to this instant ARTICLE III COURT OF RECORD.

PETITION FOR REHEARING on PETITION FOR WRIT OF MANDAMUS – In Re David Schied (SCOTUS Case No. 11-5945)
http://www.ricobusters.com/wp-content/uploads/2021/12/PET4REHEAR-InReDavidSchied-11-5945.pdf

SCOTUS "*2nd DENIAL*" on Rehearing for WRIT OF MANDAMUS – In Re David Schied (SCOTUS Case No. 11-5945)
http://www.ricobusters.com/wp-content/uploads/2021/12/SCOTUSClerkDENIAL-noseal-InReDavidSchied-11-5945.pdf

PETITION FOR REHEARING on PETITION FOR WRIT OF CERTIORARI – Schied (on behalf of STUDENT A) v. Scott Snyder, et al (SCOTUS Case #11-6015)
http://www.ricobusters.com/wp-content/uploads/2021/12/PET4REHEAR-SchiedvScottSnyderetal-11-6015.pdf

SCOTUS "2nd DENIAL" on Rehearing for WRIT OF CERTIORARI – Schied (on behalf of STUDENT A) v. Scott Snyder, et al (SCOTUS Case #11-6015)
http://www.ricobusters.com/wp-content/uploads/2021/12/SCOTUSClerkDENIAL-noseal-ScottSnyderetal-11-6015.pdf

PETITION FOR REHEARING on PETITION FOR WRIT OF CERTIORARI – David Schied v. Ronald Ward, et al (2011) (SCOTUS Case No. 11-5937)
http://www.ricobusters.com/wp-content/uploads/2021/12/PET4REHEAR-SchiedvWardetal-11-593710A1017.pdf

SCOTUS "2nd DENIAL" on Rehearing for WRIT OF CERTIORARI – David Schied v. Ronald Ward, et al (2011) (SCOTUS Case No. 11-5937)
http://www.ricobusters.com/wp-content/uploads/2021/12/SCOTUSClerkDENIAL-noseal-WARDETAL-11-5937.pdf

On 12/30/21, BENEFICIARY-RELATOR David Schied sent back to SCOTUS his separated "*PETITION(s)*", again in duplicates of one for EACH case being

"***petitioned***" for "***rehearing***"; while also sending copies of each again to EACH of the government attorneys that he was then suing in 2011.

In his package to SCOTUS Clerk William Suter, SUI JURIS "*Grievant/Claimant*" not only sent the three separated "***PETITIONS***" presented below (by links), he also sent to SCOTUS – via "*Certified Mail Delivery*" by the USPS – a very important "***LEGAL NOTICE AND DEMAND***" which included a 26-paragraph "***STATUTE STAPLE SECURITIES INSTRUMENT***", as well as 6 pages of legal "***DEFINITIONS***" for absolute clarity.

All of these documents were subject to 30-day review by SCOTUS as time to dispute or rebut the terms before this document went into permanent effect. This added document put the SCOTUS – as a "***principal***" for the UNITED STATES – on clear notice that, not only did BENEFICIARY-RELATOR "***not consent***" to being under any CORPORATE controlling "*UNITED STATES*" jurisdiction; but that BENEFICIARY-RELATOR was also placing NOTICE that all of his *CLAIMS OF DAMAGES* were "***in commerce***" (past, present and future), and that any silence by SCOTUS in response to this document was "***acquiescence***" in TACIT AGREEMENT with the terms of this NEW CONTRACT with the UNITED STATES.

This document has for the past ten (10) years served as the legitimate and contractual basis for BENEFICIARY-RELATOR now in 2021 CLAIMING an accumulated debt by the UNITED STATES to him of minimally $918 BILLION ($918,000,000,000.00) as of December 2021. The link to that document follows:

http://www.ricobusters.com/wp-content/uploads/2021/12/122411_CommonLawLegalNoticeDemand.pdf

In addition, BENEFICIARY-RELATOR sent to the SCOTUS "*Clerk*" – via "*Certified Mail via USPS*" a COVER LETTER fully explaining his intent to place the UNITED STATES "*on notice*" that I was One of the Sovereign People NOT "*subject to*" FOURTEENTH AMENDMENT "*citizenship*" slavery to the "*UNITED STATES*" CORPORATION; and that his *CLAIMS OF DAMAGES* (past, present, and future) were subject to heavy CONTRACT fees for CONSTITUTIONAL violations of his inalienable Rights as a sovereign.

BENEFICIARY-RELATOR included also a three (3) page cover letter accompanying and explaining the "*LEGAL NOTICE AND DEMAND*" and accompanying "*STATUTE STAPLE SECURITIES INSTRUMENT*". Note that "*PROOF OF CERTIFIED MAIL DELIVERY*" on 1/4/12 was also included with this document, as all located in this ARTICLE III COURT OF RECORD at the link below:

http://www.ricobusters.com/wp-content/uploads/2021/12/010412_ProofofDeliveryof122411CoverLetr2ResubmitLEGALNOTDEMAND.pdf

The FOURTH PREVIOUS CASE before SCOTUS (*see below*) was already fraudulent as it appeared on the DOCKET as this fraud was perpetrated by the CLERK OF THE COURT, William Suter. The spelling went from "***Gerald Nielson***" (as originally filed in the lower "*U.S. DISTRICT COURT*") to "*Jerry Nelson*" (as it was being "*DENIED*" by USDC-EDM "*Chief Judge*" Denise Page Hood) by means of a criminal conspiracy between this "*judicial usurper*" (Hood) and "*Clerk of the Court*" (Lewis) to commit an "*OBSTRUCTION OF JUSTICE*" while **tainting the official record to provide "*comfort and safe harbor*" to the MIDLAND COUNTY SHERIFF Gerald Nielson by hiding his actual name from all future court records.**

Notably, Gerald Nielson "*retired*" from his Office, just after this case was initially filed, at the end of 2012. **Importantly, at each successive level of "*APPEAL*" to the SIXTH CIRCUIT and to the U.S. SUPREME COURT, whereby BENEFICIARY-RELATOR David Schied attempted to "*correct the record*" by spelling "*Gerald Nielson*" correctly on my cover sheets, the "*clerks*" as "*secondary*" level "*RICO*" racketeers changed the name back fraudulently to "*Jerry Nelson*" to uphold the "*predicate*" RICO CRIMES OF FRAUD committed by Denise Page Hood and her criminal accomplices of her "*lower court*" DOMESTIC TERRORIST NETWORK.** (The proof of all this is in the EVIDENCE, as linked below.)

4) ***David Schied* v. *MIDLAND COUNTY SHERIFF Gerald Nielson***, 571 U.S. 846 (2013) – Doc. #14; page 17 (Page ID#824) of the USDC record. SCOTUS Case #12-10356

PETITION FOR WRIT OF CERTIORARI
http://www.ricobusters.com/wp-content/uploads/2021/11/1-SchiedKrausvGeraldNielson-PET4CERTIORARI-12-10356.pdf

SUPPORTING APPENDIX AND EXHIBITS OF EVIDENCE (**352 pages**)
http://www.ricobusters.com/wp-content/uploads/2021/11/2-APPENDIXOFEXHIBITS-12-10356-ALL1-15.pdf

EVIDENCE OF SCOTUS DOCKETING FOR SUMMARY DENIAL –
http://www.ricobusters.com/wp-content/uploads/2021/11/4-SCOTUS-CERTIORARISchedule-p25-SchiedKrausvGeraldNielson-12-10356.pdf

The FACT is that these above-captioned cases before the SCOTUS, and the preceding "*Backward-Looking Access-To-Court*" STATE OF MICHIGAN and UNITED STATES cases described by these SCOTUS cases – for "*Writs*" of "*Certiorari*" and for "*Mandamus*" – provided overwhelming EVIDENCE that such DENIAL of *meaningful access* had occurred in at least a dozen other inextricably intertwined "*whistleblower-related*" cases filed by BENEFICIARY/RELATOR

against various MUNICIPAL, STATE, and UNITED STATES governments "*usurpers*" between 2004 and 2013, in cases involving both the EXECUTIVE and JUDICIAL branches.

In each case, the *pattern and practice* has been the same: STATE and UNITED STATES "*law enforcement*" – including BAR member "*prosecutors*" and *attorneys general* – abused their discretion in affirmatively refusing to prosecute reported crimes committed by other BAR members as private attorneys and public attorneys general and judges; while BAR member magistrates and judges affirmatively refused to provide *meaningful* access to courts, refused *litigation on the merits*, and refused *constitutional* access to Juries and Grand Juries of the People themselves as brought forth by *good faith* requests and subsequently demanded by SUI JURIS "*Grievant/Claimant*" in so-called "*Civil*" cases filed in STATE and UNITED STATES courts under the STATUTORY LAWS.

The FACTS about all those cases these past two decades – even as there have been other more recent cases filed in 2015-2016 and 2020-2021 – have created a perpetual "*Catch-22*" circumstance in which there has been the "*targeting for crimes*" against GRIEVANT/CLAIMANT David Schied, and accompanying DAMAGES caused to PRIVATE, PUBLIC PROXY David Schied – **as well as the damages to the *Sovereign American People at large*** – being repeated and compounded.

Moreover, this litany of "*Backward-Looking Access-To-Court*" cases and the continuing pursuits of "*just remedy*" and access to a Jury for constitutionally prosecuting NEW incidents or occurrences of "*civil*" CLAIMS – and access to a Grand Jury for constitutionally prosecuting "*criminal*" INDICTMENTS – leaves no options

whatsoever left, except by more rational pursuits under "*Customary*" laws according to "*Common Law*" maxims.

This above-described "*status quo*" of Sedition, Treason, Insurrection, and Domestic Terrorism against legitimate, CONSTITUTIONAL government "*of, by, and for the People*" continues to get only worse, as exemplified by these latest *inexplicably intertwined* cases. Instead of properly processing BENEFICIARYs "*EMERGENCY MOTION TO EXPEDITE*" the processing of a ***life-threatening*** EVICTION case – which was initiated by STATE BAR attorneys in a STATE court and legitimately "*removed*" to the Federal Court in the EDM by PRIVATE, PUBLIC PROXY David Schied. Such removal was effected by proper "*motion*" filing in **the first or these two more recent instances** of "*Backward-Looking Access-To-Court*" cases – whereby **Victoria Roberts** grossly neglected these *extraordinary circumstances* and reasonably necessary "*judicial*" measures. Instead, she preoccupied her time with her own self-interests and private matters, also **making the national news** as being the very first "*federal judge*" of the BIDEN ADMINISTRATION to "*administratively*" elevate herself to "*Senior Status*" on PRESIDENTIAL INAUGURATION DAY, so to be credited (or blamed) with creating the "*first 'judicial vacancy' of this new Presidential Administration*".

Victoria Roberts, a FEDERAL JUDGES ASSOCIATION member, carried these contrasting actions out in full public view despite the underlying suppression of overwhelming EVIDENCE that **virtually all "*judicial*" seats at that EDM have been vacant and inhabited by *usurpers* of the People's sovereign Constitutional Powers for well over the past decade and a half**; which was about the time that BENEFICIARY-

RELATOR David Schied had filed his first "*Federal*" case naming three (3) SIXTH CIRCUIT "*judges*" (Martha Daughtrey, David McKeague, Gregory Van Tatenhove) and multiple FBI and USDOJ agents under the Eric Holder and Robert Mueller EXECUTIVE BRANCH of the OBAMA ADMINISTRATION. [2]

The **second** of these two more recent "*Backward-Looking Access-To-Court*" cases was "*blowing the whistle*" on the high levels of government corruption of the UNITED STATES "*district courts*" and EXECUTIVE BRANCH "*servants*", and has resulted in yet another compounded "*tier*" with a long line of documentation proving that there are no "*constitutional*" guarantees whatsoever operating in favor of the sovereign People – at least in this "*SIXTH CIRCUIT*" region of America – and perhaps throughout the Union of Continental United States of America.

What is revealed by the presentation of many years of well-organized "*official*" date-stamped "*court-entered*" documentation on the referenced BENEFICIARY-RELATOR 's own "ARTICLE III COURT OF RECORD" websites, is the FACTUAL EVIDENCE to underlie the "*intent*" behind both the ATTEMPTED MURDER and the subsequent EVICTION and homelessness of BENEFICIARY-RELATOR David Schied, giving "*just cause*" for PRIVATE, PUBLIC PROXY David Schied to be filing yet another federal case in the WESTERN DIVISION OF SOUTH DAKOTA.

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[2] See *David Schied v. Martha Daughtrey; David McKeague; Gregory Tatenhove; Stephen Murphy; Terrence Berg; Rod Charles; Andrew Arena; Margaret Love; Michael Mukasey; Maria O'Rourke; and Shanetta Cutlar*) as cited by Lawrence Piersol, also in Doc.14, p.13, Page ID #820, as "*Schied* v. *Daughtrey*, 2008 WL 5422680 (E.D. MI. 2008); *Schied v. Daughtrey*, 2009 WL 818095 (E.D. MI. 2009); *Schied v. Daughtrey*, 2009 WL 369484 (E.D. MI. 2009)

The history of this most recent case proves an "*obstruction of justice*" by the Clerk of the Court Matthew Thelen – who is the CO-TRUSTEES' "*agent of service*" and "*legal representative*" according to the "*appeals court*" Clerk Michael Gans – from the onset of the first case filing. The case then was relegated to Lawrence Piersol, the politically-slanted FEDERAL JUDGES ASSOCIATION "*progressivist federal judge*", who committed PERJURY OF OATH and at least the "*appearance*" of "*bad behavior in office*" when *dismissing* every single "*Count*" of that case, against all of the "*CO-TRUSTEES*", while awarding "*blanket immunity*" to all named government officials "*under color of law*", without any litigation whatsoever, and while even blocking the *forma pauperis* "*motions*" enabling service of SUMMONS and COMPLAINTS upon the named CO-TRUSTEES by the U.S. MARSHALS SERVICE.

The EVIDENCE in the record shows that both **Victoria Roberts and Lawrence Piersol are agents of the FEDERAL JUDGES ASSOCIATION ("FJA")** – and though they are each operating from two distinctly different federal "*U.S. Districts*" – were nevertheless **acting jointly in this case under the "*foreign power*" and *foreign legal protection* of the INTERNATIONAL ASSOCIATION OF JUDGES (IAJ), which itself operates as a "*foreign state*", the UNITED NATIONS, and follows a "*foreign constitution*"** totally independent of the "*enunciated*" DUTIES owed to the People by these "*judges*" under ARTICLE III of the U.S. CONSTITUTION, as they are otherwise paid by American "*TAXPAYERS*" to uphold and obey.

Because these entities of the FJA and IAJ follow a very different (international) "*CONSTITUTION*" and "*appeal*" to rely upon very different "*statutes*", very different "*delegated duties and responsibilities*", very different

"*allegiance*" and reciprocal "*guarantees*" and "*enforcement*" of the "*rights*" of judges – different than what the Sovereign People of America have outlined in ARTICLE III of the "*Supreme Law of the Land*" – there is **at least the resulting "*appearance*" of a "*silent coup*" against the sovereign People of the United States of America and the U.S. CONSTITUTION**. This constitutes both a *coercion* of STATE and UNITED STATES "*governments*" and a *coercion* of State and American "*populations*", as is defined by CONGRESS, the U.S. DEPARTMENT OF STATE, and the FBI/USDOJ as "*domestic terrorism*".

Yet, under the U.S. CONSTITUTION, the juxtaposed "*Balance of Powers*" of ALL THREE BRANCHES over "*law enforcement"* – provide each with the power and the DUTIES to "*replace*" rogue or "*activist*" judges (Judicial), to conduct "*impeachment*" of seditious or treasonous judicial "*usurpers"* (Legislature), and/or to order "*criminal investigations*" for RICO violations, insurrection and domestic terrorism (Executive). Yet, **all refuse to carry out these DUTIES.**

Instead, **all affirmatively "*acquiesce in silence*"** as this "*silent coup*" takes place (as done in this case by the EIGHTH CIRCUIT COURT OF APPEALS at the "*secondary*" RICO levels and by the U.S. PRESIDENT and CONGRESS at the "*predicate*" RICO levels**); and/or they engage affirmatively in *outright fraud***.

Indeed, FRAUD was the "*modus operandi*" in this instant case, as carried out in conspiracy fashion by the U.S. DISTRICT COURT "*judge*" and "*clerk*" at the *secondary* RICO levels; and by the CO-TRUSTEES named as BAR attorneys and other STATE agents at the *predicate* RICO levels). **"*The Accused"* perpetrators continually "*rule*" and "*act*" as if the Sovereign People have no power – and even "*no***

legitimate interest" – in the prosecution or non-prosecution of another "*person*"; whether the "*person in question*" is a "*natural*" person created by God, or a CORPORATE "*fiction*" created by the (DEEP) STATE.

Since that "*discretionary*" power alone is being deemed only by judges to reside *only with* STATE and UNITED STATES *prosecutors*, these judges are propagating a *proven falsity* and a *public fraud* in spite of the COMMON LAW and the *prima facie* terms of the organic Constitution of the United States *for* the People of the United States of America, particularly as cited in the NINTH and TENTH AMENDMENTS. This constitutes "*bad behavior*" outside the legitimate "*office*" and "*duties*" of FIDUCIARY judges who knowingly and willing are waiving any and all forms of "*immunity*" under America's CONSTITUTION and UNITED STATES codified laws legislated under that "*PUBLIC TRUST*" compact between "*States*" of the UNION.

Further, because these *bad "administrative" behaviors* are both nonjudicial and unconstitutional, these tortuous actions – barring, by proven "*pattern and practice*", any form of reasonable remedy within the codified and statutory systems of the STATE and UNITED STATES – calls for private, Common Law remedies by the Sovereign American People themselves as provided by this case, through the *PRIVATE, PUBLIC PROXY* of David Schied, who has long been acting publicly in the "*role of government of, by, and for the People*" in his *SUI JURIS* capacity, and privately as "*BENEFICIARY-RELATOR*".

The Common Law "*remedy*" being herein CLAIMED, has long been "*tracked*" by the very same documented records being referenced by the case. Hence, the CLAIM now herein is for $918 BILLION + INTEREST – redeemable in "*lawful money*

on demand at the TREASURY DEPARTMENT OF THE UNITED STATES" per 12 U.S.C. §411; with such claims having been well documented as directly associated with valid "*debit-logs*" and "*Ledgers of Counts*" as references. [*See* the link in the ORIGINAL "*COMPLAINT*" pp.268-269 and "*Constitutional Citation*" of the *first* "*WRIT OF CORAM NOBIS*" p.65, as located in the ARTICLE III COURT OF RECORD at:

http://www.ricobusters.com/wp-content/uploads/2021/08/021321_WritofErrorandCorbumNobis.pdf

and p. 10 of the *second* "*WRIT OF CORAM NOBIS*" published publicly at:

http://www.ricobusters.com/wp-content/uploads/2021/08/080621_CORBUMNOBISDefaultNoticeofAppeal-2.pdf

Notably, "*judge*" Lawrence Piersol has acknowledged in his OPINION / MEMORANDUM in the *inextricably intertwined* case of "*David Schied v. UNITED STATES, et al*" (*See* Doc. 14, page, Page ID #816) that *PRIVATE, PUBLIC PROXY* of David Schied "*has set up his own court to deal with such issues*" as a matter of undisputed FACT. Yet he – as well as Victoria Roberts – dismissed the entirety of each and every "*COUNT*" under the false pretense that he/they are acting in the capacity of ARTICLE III "*judge(s)*". The EIGHTH CIRCUIT COURT OF APPEALS "*tribunal*" of Raymond Gruender, Duane Benton, and Ralph Erickson then upheld and supported that "*predicate*" criminal action with "*secondary*" fraud of a similar nature.

The FACT is that every one of these named "*judicial usurpers*" is seditiously operating something other than an ARTICLE III COURT OF RECORD under the U.S. CONSTITUTION. Instead, they are treasonously *diverting* and *railroading* so-

called "*federal*" cases into a separate, "*FOREIGN (UNITED NATIONS) JURISDICTION*" and "*arbitrarily and capriciously*" using a UNITED NATIONS ("*HUMAN RIGHTS*") TRIBUNAL to push "*Critical Race Theory*" and other MARXIST / SOCIALIST / ANARCHIST ideologies and political agendas. The FACTS supporting this contention are both simple and *prima facie* obvious as explained immediately below.

ALL OF "*THE ACCUSED*" JUDGES ARE MEMBERS OF THE FJA; AND THE FJA ITSELF IS – AS A *MATTER OF FACT* – A MEMBER OF THE IAJ OPERATING UNDER AN ENTIRELY "*FOREIGN*" CONSTITUTION, AND HEADQUARTERED IN ROME, ITALY UNDER A KNOWN COMMUNIST REGIME

Federal Judges Association
Executive Committee Meeting Notes
Telephone Conference Call
September 11, 2019

Participating: Judges Cynthia Rufe (President), Richard Clifton (President-elect), Karen Schreier (Secretary), J. Michelle Childs (Treasurer) and Executive Committee members: Malachy Mannion, Dan A. Polster, Patti Saris, Nannette Brown, Patty Shwartz and Marilyn Huff (immediate past president).

Also participating: Julianne Clark (MSP).

Absent: Charles Simpson, Lawrence Piersol, Leo Gordon and Leigh May.

Judge Rufe called the meeting to order at 12:00 p.m. EDT by telephone

Financial Report- Treasurer Michelle Childs

An audit of FJA's finances was completed and no deficiencies were noted. A balance sheet showing total assets of $812,923.68 as of August 31, 2019 was provided to the Executive Committee.

We found 10 results for Victoria Roberts in US White House Visitor List

VICTORIA A ROBERTS visited **4/13/10 8:30**

Appointment number: U08543
Type of Access: VA
Appt Made: 5/20/10 15:02
Appt Start: 5/24/10 8:30

Appt End: 5/24/10 23:59
Total People: 526
Last Entry Date: 5/20/10 15:02
Visitee : POTUS

Meeting Location: WH
Caller: SHASTI
Description: FEDERAL JUDGES ASSOCIATION RECEPTION.
Release Date: 08/27/2010 07:00:00 AM +0000

Federal Judges Association
Current Members by Circuit
as of 3/3/2021

Linda Vivienne Parker
Victoria A. Roberts
Gerald E. Rosen (Ret)
George Caram Steeh, III (Snr)
Arthur J. Tarnow (Snr)

United States District Court Western District of Michigan

Robert Holmes Bell
Hala Y. Jarbou
Robert James Jonker
Paul Lewis Maloney

Victoria Roberts is just one of very many FJA/IAJ agents operating as *Insurrectionists* and *Domestic Terrorists* at the EASTERN DISTRICT OF MICHIGAN. Others include Paul Borman, Lawrence Zatkoff, Denise Page Hood, Stephen Murphy, Avern Cohn, Terrence Berg, & Sean Cox

United States District Court District of North Dakota

Daniel L. Hovland
Patrick A. Conmy
Ralph R. Erickson
Charles Bruno Kornmann
Jeffrey L. Viken
John B. Jones
Karen E. Schreier
Lawrence L. Piersol
Richard H. Battey
Roberto A. Lange

United States District Court for the District of Minnesota

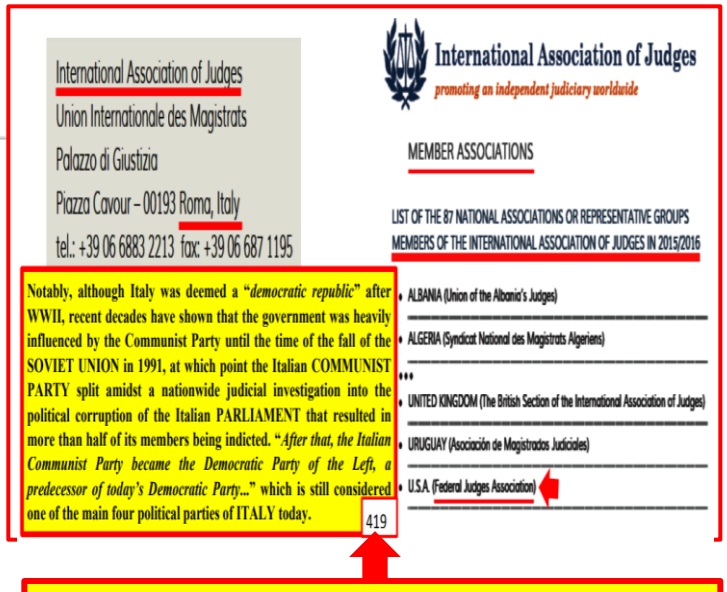
Ann D. Montgomery
David S. Doty
Donovan W. Frank
James M. Rosenbaum
Joan N. Ericksen
John R. Tunheim
Michael James Davis

United State Court of Appeals for the Eighth Circuit

Morris S. Arnold (Snr)
Duane Benton
Kermit Edward Bye (Ret)
Ralph R. Erickson
Jane L. Kelly
Jonathan A. Kobes
Michael J. Melloy (Snr)
Roger L. Wollman (Snr)

United States District Court Eastern District of Arkansas

Kristine Gerhard Baker
Susan Webber Carter (Snr)
Denzil Price Marshall, Jr.



International Association of Judges
Union Internationale des Magistrats
Palazzo di Giustizia
Piazza Cavour – 00193 Roma, Italy
tel.: +39 06 6883 2213 fax: +39 06 687 1195

Notably, although Italy was deemed a "*democratic republic*" after WWII, recent decades have shown that the government was heavily influenced by the Communist Party until the time of the fall of the SOVIET UNION in 1991, at which point the Italian COMMUNIST PARTY split amidst a nationwide judicial investigation into the political corruption of the Italian PARLIAMENT that resulted in more than half of its members being indicted. "*After that, the Italian Communist Party became the Democratic Party of the Left, a predecessor of today's Democratic Party...*" which is still considered one of the main four political parties of ITALY today.

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International Association of Judges
promoting an independent judiciary worldwide

MEMBER ASSOCIATIONS

LIST OF THE 87 NATIONAL ASSOCIATIONS OR REPRESENTATIVE GROUPS MEMBERS OF THE INTERNATIONAL ASSOCIATION OF JUDGES IN 2015/2016

- ALBANIA (Union of the Albania's Judges)
- ALGERIA (Syndicat National des Magistrats Algeriens)
- UNITED KINGDOM (The British Section of the International Association of Judges)
- URUGUAY (Asociación de Magistrados Judiciales)
- U.S.A. (Federal Judges Association)

See next page – This *judge* Ann Montgomery criminally "*aided and abetted*" the top tier of SUPERVALU, INC. get away with funding international terrorism.

This is a page from the research document compiled by BENEFICIARY-RELATOR for this case, titled: "*How and Why the Courts and Other 'Branches' of American Governance Got So Corrupted and Appear to Ignore the Constitutional Guarantees of the 'Public Trust': A Compilation of the Works of Patriotic Journalists; with Additional Commentary and Evidence*"
by David Schied
http://www.ricobusters.com/wp-content/uploads/2021/11/Schied_HowandWhytheCourtsGotCorrupted-ALL-pw.pdf

UNIVERSAL CHARTER OF THE JUDGE

https://www.unodc.org/res/ji/import/international_standards/the_universal_charter_of_the_judge/universal_charter_2017_english.pdf

More Info: http://www.ricobusters.com/wp-content/uploads/2021/08/PART-2-pp223-666.pdf

FJA Federal Judges Association

federaljudgesassoc.org/section/subsection.php?structureid=25

FJA Officers and Board of Directors

2021

Executive Committee

Nannette Jolivette Brown, Chief USDJ, Eastern District

Robin S. Rosenbaum, USCJ, Court of Appeals

Mary S. Scriven, USDJ, Middle District of Florida

Lawrence L. Piersol, USDJ, District of South Dakota

Charles R. Simpson, III, USDJ, Western District of Ken

Patty Shwartz, USCJ, Third Circuit Court of Appeals

Leo M. Gordon, CITJ, Court of International Trade

Patty Shwartz, USCJ, Third Circuitt Court of Appeals

Dan Polster, USDJ, Northern District of Ohio

Patti B. Saris, Chief USDJ, District of Massachusetts

Directors-At-Large

6th Circuit

James G. Carr, USDJ, Northern District of Ohio

Sean F. Cox, USDJ, Eastern District of Michigan

David Jason Hale, USDJ, Western District of Kentucky

Aleta Trauger, USDJ, Middle District of Tennessee

8th Circuit

Stephen Bough, USDJ, Western District of Missouri

Jane L. Kelly, USCJ, Court of Appeals

John M. Gerrard, Chief USDJ, District of Nebraska

Susan Richard Nelson, USDJ, District of Minnesota

ROBINS KAPLAN LLP

REWRITING THE ODDS

District Court Dismisses Antitrust Suit Against SUPERVALU

Judge Finds No Evidence of Restrained Trade, Injury to Plaintiffs *January 2013*

MINNEAPOLIS (January 2013) – The U.S. District Court for the District of Minnesota has issued a summary judgment order dismissing for lack of evidence a multi-district antitrust lawsuit against firm client SUPERVALU Inc. District Judge Ann D. Montgomery also refused to revisit her July 2012 decision to deny class certification in the case, again citing lack of evidence.

"We are pleased by this result for our client, which ends more than four years of litigation on a matter that was without merit from the start," said Robins, Kaplan, Miller & Ciresi L.L.P. partner Stephen P. Safranski, lead trial counsel to SUPERVALU.

The suit arose out of an antitrust challenge brought by several grocery retailers to a 2003 Asset Exchange Agreement between SUPERVALU and C&S Wholesale Grocers, Inc.

No. 09-CV-00913 JNE/SRN
Hon. Susan Richard Nelson

Gamut Control, LLC.
John McCormic
John Constantine Golfis
Plaintiff

v

REDACTED 3RD NAME
Giorgio Tuscani,
David Schied
Defendants

RECEIVED BY MAIL AUG 26 2009 CLERK US DIST COURT MINNEAPOLIS MN

DEFENDANT DAVID SCHIED'S
MOTION FOR ENHANCEMENT OF ORDER TO ALLOW PLAINTIFFS *"REDRESS OF DEFICIENCIES IN JURISDICTIONAL ALLEGATIONS"*
AND
MOTION TO EXPEDITE **RULING ON PREVIOUSLY FILED MOTIONS** of Defendant for *"MOTION TO DISMISS"* and *'MOTION FOR SANCTIONS' TO BE APPLIED AGAINST PLAINTIFFS AND THEIR ATTORNEY, FOR 'CONTEMPT' and for 'CRIMINAL FRAUD UPON THIS COURT'"*

David Schied — Pro Per
20075 Northville Place Dr.
North #3120
Northville, MI 48167

John P. Brendel
Sylvia Ivey Zinn
Attorneys
8810 Eagle Point Blvd

Gregory A. Abbott
(209491) Attorney for
Plaintiffs Abbott Law
Office P.O. Box 24453

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TOP: This "*judge*" Ann Montgomery "*fixed*" a CLASS ACTION lawsuit against SUPERVALU, INC., allowing the CEO and other "*Insiders*" to get away with what was known in court records as the funding international terrorism. BOTTOM: "*Judge*" Susan Nelson helped cover up my exposing John Golfis' connection with SUPERVALU victimizing "*federal whistleblowers*".

… for American "*federal*" judges being the *CONSTITUTION OF THE UNITED STATES for the United States of America* that created "*Article III*" judges with conditional employment based exclusively upon "*good behavior*" and the power of the Senate (under Article I, Section 3) "*to try all Impeachments*," including the impeachment of judges.]

International Association of Judges

promoting an independent judiciary worldwide

STATUTE

INTERNATIONAL ASSOCIATION OF JUDGES

CONSTITUTION

Article 1

1. The International Association of Judges is hereby established.
2. The seat of the Association is in Rome.

Article 2

The Association does not have any political or trade-union character.

Article 3

1. The objects of the Association are as follows:

(a) to safeguard the independence of the judicial authority, as an essential requirement of the judicial function and guarantee of human rights and freedom.
(b) to safeguard the constitutional and moral standing of the judicial authority.
(c) to increase and perfect the knowledge and the understanding of Judges by putting them in touch with Judges of other countries, and by enabling them to become familiar with the nature and functioning of foreign organizations, with foreign laws and, in particular, with how those laws operate in practice.
(d) to study together judicial problems, whether these are of regional, national or universal interest, and to arrive at better solutions to them.

2. These objects are to be pursued by the following means:

(a) by the organization of conferences and meetings of Study Commissions.

What is inferred therefore, based upon this *evidence*, is that the "*statutes*," and all references by the *INTERNATIONAL ASSOCIATION OF JUDGES* to "*Article III*" does NOT relate to the *organic Constitution for the United States* or the 1871 "*CONSTITUTION OF THE UNITED STATES...*" or any other "*constitution*" except for the CORPORATE "*CHARTER*" and *CONSTITUTION* established and propagated by the private multi-national organization known as *INTERNATIONAL ASSOCIATION OF JUDGES*, on a page titled "*CONSTITUTION*" and inclusive of various "*Articles*" (including an "*Article 3*").

Importantly, the so-called "*rights*" depicted by the IAJ's "*UNIVERSAL CHARTER OF THE JUDGE*" are different "*rights*" than are enunciated by the UNITED STATES under *ARTICLE III of the U.S. CONSTITUTION* (conditioned by the "*Good Behavior*" of ARTICLE III judges). Moreover, the U.S. CONSTITUTION provides CONGRESS with the right to impeach of federal judges. Yet, the INTERNATIONAL COMMISSION OF JURISTS (an affiliate of the INTERNATIONAL ASSOCIATION OF JUDGES indicates that – internationally – any threats to a judge's (or even an attorney's financial livelihood) can and will be met with international intervention.

Judges and Judicial Administration – Journalist's Guide

uscourts.gov/statistics-reports/judges-and-judicial-administration-journalists-guide

Federal Judges

Article III of the Constitution governs the appointment, tenure, and payment of Supreme Court justices, and federal circuit and district judges. These judges, often referred to as "Article III judges," are nominated by the President and confirmed by the U.S. Senate. Article III states that these judges "hold their office during good behavior," which means they have a lifetime appointment, except under very limited circumstances. Article III judges can be removed from office only through impeachment by the House of Representatives and conviction by the Senate. The Constitution also provides that judges' salaries cannot be reduced while they are in office. Article III judicial salaries are not affected by geography or length of tenure. All appellate judges receive the same salary, no matter where they serve. The same is true for district court judges.

icj International Commission of Jurists

Advocates for Justice and Human Rights https://www.icj.org/themes/centre-for-the-independence-of-judges-and-lawyers/

Centre for the Independence of Judges and Lawyers

Three main objectives

Accordingly, the main objectives of the ICJ's Centre for the Independence of Judges and Lawyers (CIJL) are:

- to advance the independence of the judiciary and legal profession to ensure that the administration of justice is carried out in full compliance with standards of international law;
- to promote the establishment of legal systems that protect individuals and groups against violations of their human rights; and
- to protect judges, lawyers and prosecutors who find themselves under threat.

"*Threat*" ??
of what?

Impeachment?

Being uncovered as communists?

Being uncovered as following another CONSTITUTION ?

Given that the EIGHTH CIRCUIT "*tribunal of judges*" consisting of **Raymond Gruender, Duane Benton, and Ralph Erickson** refused to litigate the matter – instead providing the *Clerk of the Court* with authority to act on their behalf to summarily "*uphold*" the unconstitutional acts of the lower court "*judge*", **Certiorari is warranted herein for the Supreme Court's Review of its own extensive history of culpability for such "*bad behaviors*" by "*Federal*" judges in violation of both their FIDUCIARY Oaths and Duties of "*government service*" Offices.**

ARGUMENT IN FAVOR OF GRANTING THE PETITION

What Lawrence Piersol has asserted about *PRIVATE, PUBLIC PROXY* of David Schied "*hav[ing] set up his own court to deal with such issues*" is a matter of undisputed FACT that is wholly justified below as follows, based upon ALL of the FACTS presented in the ARTICLE III COURT OF RECORD for this instant case as it is inextricably intertwined with the "*David Schied v. UNITED STATES, ET ALIA*" case. This "*official public record*" includes those many "*Backward-Looking Access-To-Court*" cases associated with the plethora of STATE and UNITED STATES cases previously "*filed*" but always "*summarily dismissed*" and DENIED proper Constitutional "*due process*" by way of also DENYING meaningful "*litigation on the merits*", as well as DENYING the provision of JURY and/or GRAND JURY as otherwise *repeatedly demanded*.

Courts are Bound to "*The Constitution*" as the "*Supreme*" Law and America's "*Declaration of independence*" is the Indelible Reminder That When There is a "*Long Train of Abuses and Usurpations*" by Government, the People Have Both Right and Obligation to "*Alter or Abolish*" That Government, So to Re-Secure the Inalienable Rights of the *AMERICAN* People

The most recent nearly two decades of "*long train of abuses and usurpations*" have been meticulously documented as published openly by PH.D.-level researcher and PRIVATE, PUBLIC PROXY David Schied as a legitimate "*Case Study*". The location of most older of those files of SUPPORTING EVIDENCE have been, since 2009, posted at: https://constitutionalgov.us/sub/Michigan/Cases/David-Schied/

While the vast majority of these files have been included in this case by reference to many tens of individually authenticated, sworn, and notarized Common Law AFFIDAVITS – which all remain totally unchallenged and unrebutted to date – the most recent of these meticulously documented "*long train of abuses and usurpations*" have been placed into the ARTICLE III COURT OF RECORD for this case since its inception at the following PUBLIC web-location: [3]

https://www.ricobusters.com/?page_id=342

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[3] NOTE: BENEFICIARY-RELATOR has a hierarchical structure that is different from that which the STATE and UNITED STATES courts typically use by "*pattern and practice*" for deleting, hiding, "*sealing*", or otherwise "*striking*" important documents from the "*official*" record to hide the TRUTH in sequentially numbered filings – or even more simply by vaguely and archaically listing court actions in a "*docket sheet*" – to be made available to the public at large at a private cost.

Instead of following that fraudulent "*pattern and practice*" of these so-called "*government*" courts, PRIVATE PUBLIC PROXY David Schied's ARTICLE III COURT OF RECORD shows *good faith* compliance with the wide range of "*Court Rules*" and "*Rules of Procedure*" required in order for the Public Servants operating these "*U.S. Courts*" to be reasonably compelled to comprehend and "*file*" these documents into their own records; but while also providing public access to the "*entire record*" for a given case. Therefore, the public website provides numerous webpage links that branch out from the "*main*" page to alternative webpages that separate, explain, and keep clarity between each of the filings made available to the government "*courts*". This is so that Sovereign American People who are not

Indeed, the research of many other People – as also selectively compiled by BENEFICIARY-RELATOR David Schied to support the *Arguments* herein – shows that the "*long train of abuses and usurpations*" had been occurring literally throughout the entirety of the Twentieth Century and across many U.S. Presidencies; particularly since the beginning of the CIVIL WAR when the Southern States historically *walked out* and leaving the U.S. CONGRESS *sine die*, and after the post-war assassination of Abraham Lincoln when began the RECONSTRUCTION ACTS, the reorganization of WASHINGTON, D.C. under a new "*CONSTITUTION OF THE UNITED STATES*", and the FOURTEENTH AMENDMENT. The link to all that research – captioned as immediately below – is intended to be located at:

http://www.ricobusters.com/?page_id=527 and captioned as:

> "*AMICUS IN TREATISE: INTERPRETING THE UNCONSTITUTIONAL HISTORY OF FEDERAL AND NATIONAL GOVERNANCE OF THE PATRIOTIC 'PEOPLE' AND OTHER 'FREE PERSONS' INHABITING THE UNITED STATES"* [4]

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attorneys and judges, and who are not "*dues-paying*" members of the "*BAR*" and other CORPORATE "*associations*" such as WESTLAW, LEXIS NEXIS, PACER, as private enterprises operating "*for profit*" in COMMERCE, still have proper *access* (even if poor) and reasonable *comprehension* about the proceedings that occurred while interacting with government "*servants*".

[4] Whether or not the SCOTUS wishes to recognize this extensive research into this "*history of the United States*" as a true "*Amicus Curiae*" is irrelevant. This is yet another basis for PRIVATE, PUBLIC PROXY filing this case under the Common Law. In spite of BENEFICIARY-RELATOR David Schied being a "*totally and permanently disabled quad-amputee*" and a CRIME VICTIM, "*The Accused*" operating as "*officers of the court*" and as "*National Government*" have a long track record of refusing to recognize either. Further, BENEFICIARY-RELATOR knows that the SCOTUS can claim that *SEPARATION OF POWERS* does not subject the "*judiciary*" to legislation mandating governments and businesses to provide "*reasonable accommodations*" to the disabled. As history is a proper guide, there is a ninety-nine percent (99%) level of proven expectation that SCOTUS will DENY the document anyway, along with this entire case. Therefore, no "*Petition for Permission …*" to enter this research as an "*Amicus Curiae*" into this ARTICLE III COURT OF

The other research, tracing "*the problem*" back even further to the BANK OF LONDON, to the INNS OF THE COURT, and the Euro-American Aristocracy going back to the ROMAN, BYZANTINE, VENETIAN, and other preceding world empires, is also captioned as:

> "*How and Why the Courts and Other 'Branches' of American Governance Got So Corrupted and Appear to Ignore the Constitutional Guarantees of the 'Public Trust'"*

This 526-page "*book*" is posted publicly in the ARTICLE III COURT OF RECORD being herein also "*filed*" in the SCOTUS by SUI JURIS David Schied, as located at:

http://www.ricobusters.com/wp-content/uploads/2021/11/Schied_HowandWhytheCourtsGotCorrupted-ALL-pw.pdf

The location of the instant filings with SCOTUS is in the ARTICLE III COURT OF RECORD, as of the date of this filing, at:

https://www.ricobusters.com/?page_id=818

The U.S. CONSTITUTION Guarantees That the Fundamental Principles of the "*Natural Rights of Man*" are Inalienable; and That the Sovereign "*States*" Stay United by Unbreakable COMPACT to Guarantee That All Governments of These "*United States of America*" are Operating In Accord With the Sole Purpose of "*Securing*" These Natural and Inalienable "*Rights of the People*" – Equally – to Each and Every Individual

Whether SCOTUS "*justices*" and its hierarchy of other "*federal judges*" comprehend the significance of the CIVIL and CRIMINAL claims in this case and award one another and their fellow BAR members and other aristocracy various

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RECORD is being sought from SCOTUS. It is already referenced by name and link as a public post, as a matter of this instant "*Certiorari*" document filing.

forms of immunity is irrelevant. What is important is that BENEFICIARY-RELATOR David Schied has picked up the mantle and the "*role of the government of, by and for the People*" and is, himself – SUI JURIS and in his Common Law capacity as PRIVATE, PUBLIC PROXY – prosecuting both "*civil*" and "*criminal*" CLAIMS on behalf of the sovereign *STATE* and as One of the Sovereign People in accordance with his Right to do so, as acknowledged by SCOTUS in the case of *Carol Anne Bond v. UNITED STATES*, 564 U.S. 211 (2011) as a "*TENTH AMENDMENT challenge*" (dismissal reversed and remanded because *"an individual may 'assert injury from governmental action taken in excess of the authority that federalism defines"*).

> *"In our federal system, the National Government possesses only limited powers; the States and the people retain the remainder."*

Creating a False Narrative For Implementing "*Critical Race Theory*" and Marxist Ideology of Racial and Gender "*Equity*" Against a Perceived "*Privileged White Male*" is an Abuse of Authority, Even as They are Carried Out Summarily by Judges to Promote "*Fictional*", Unconstitutional, and "*Foreign*" Principals of "*Social Justice*" as Substitutes for "*Litigation of the Merits*" Based Upon "*Real*" Jury Trials and Grand Jury Indictments Where Government CORPORATIONS are "*The Accused*"

In this case, as in all others in this long history of *Backward-Looking Access-To-Court* cases, the "*Courts*" have carried out the very same Social-Marxist-Anarchist strategy now being exposed of the elitist professors at the America's universities and the journalists in the mainstream media, in creating "*official*" narratives that run counter to the FACTS. ("*Let's Go Brandon!*") These false narratives have been constructed by "*activists*" BAR attorneys and FJA/IAJ judges alike – at both STATE and UNITED STATES levels – by much more than the "*appearance of impropriety*".

Unilaterally changing the Constitutional fixtures of American "*government of, by, and for the People*" by such unscrupulous implementation of gross omissions of facts and misapplication of laws while denying both Juries and Grand Juries, constitutes CRIMES of *Sedition* and *Treason* for which only One of the Sovereign People can be best qualified to prosecute the intensity of this egregiousness. The most severe action any court can carry out in civil cases is that of denying any one of "*the People*" access to the Jury and Grand Jury of his "*peers*" of "*the People*", while substituting the bent "*discretion*" of government officials bathed in "*immunity*" for the responsible prosecution of proven – by self-evident "*record*" of such deviant *pattern and practice* – malicious and tortuous *administrative* transgressions executed through self-interested, multi-tiered, *Insurrectionist* and *Domestic Terrorist* activities as those presented herein as a "*long train of abuses and usurpations*".

Those "*BAR-Member Attorneys-Turned-Judges*" Who Operate in America Under Influence of the British "*INNS OF THE COURT*", and Who Likewise Follow a Very Different "*CONSTITUTION*" as Well as the "*Foreign Policies*" of the UNITED NATIONS – With the "*FEDERAL JUDGES ASSOCIATION*" Membership to the "*INTERNATIONAL JUDGES ASSOCIATION*" – at Least Exude the "*Appearance of Bad Behavior*" and *Criminal Violation* of the FOREIGN AGENT REGISTRATION ACT ("FARA") of 1938

There is no question that each STATE of the United States of America is both "*sovereign*" and "*foreign*" to one another requiring CORPORATIONS to "*register*" and be "*licensed*" to do business in other STATES. So too the agencies of the NATIONAL GOVERNMENT are "*foreign*" to the STATES by their "*DELEGATED*" relationship with the FEDERAL GOVERNMENT of the "*UNITED STATES*" being the

subordinate. Clearly, the UNITED STATES is not "*sovereign*" relative to the STATE GOVERNMENTS, but instead is wholly dependent upon the STATES' "*COMPACT*" for its very existence. Therefore, they are "*foreign*" one another.

Thus, as shown further below in this *ARGUMENT*, it is both the STATES' Right and the STATES' Responsibility – by their creation of the UNITED STATES as a subservient "*Federal government*" – to ensure that all of its behavioral acts of both STATE and UNITED STATES "*BAR member*" attorneys and judges remain "*constitutional*" and that their acts are not unreasonably "*unjust*", "*excessive*", or "*usurping*" of the "*enunciated*" power the States have "*delegated*" to them as obligatory "*officers of the court*".

This case – as well as all of the other nearly two decades of "*Backward-Looking Access-To-Court*" cases being presented herein by reference and inclusion of "*a preponderance of EVIDENCE*" – altogether shows that, time-after-time, both STATE and NATIONAL agents have thwarted both OATHS and DUTIES to "*Secure the [Natural and Inalienable] Rights of [All] the People*" as otherwise mandated by the "*Supreme Law of the Land*" – and as particularly reflected in the NINTH AMENDMENT – to act *affirmatively* when prompted to act upon this sole overriding purpose of government in America "*to secure the Rights of the People*".

As such, as guaranteed to the People under the TENTH AMENDMENT – and as reaffirmed by the 2011 case of *Carol Anne Bond v. UNITED STATES* – **any One of the People has the Right to pick up the sovereign mantle and the role of the "*government*" to appropriately alleviate and correct, even "*alter or abolish*", tyrannical governments when it appears that those with the OATHS and the**

DUTIES to protect against such acts of *Sedition*, *Treason*, *Insurrection*, and *Domestic Terrorism*, as is described by this instant case, are supported by far more than *ample* EVIDENCE.

Clearly and openly, PRIVATE, PUBLIC PROXY David Schied has picked up that mantle before – in 2015-2016 – when acting as a "*PRIVATE ATTORNEY GENERAL*" in the case of *David Schied v. Karen Khalil, and the CHARTER COUNTY OF WAYNE, ET AL* [5]. Having been, many times since that filing, criminally "*targeted*" and victimized – and therefore, TREBLED his persistently mushrooming original "*civil*" CLAIMS FOR DAMAGES in the amount of $100 BILLION (plus interest) – **BENEFICIARY-RELATOR now brings forth over $918 BILLION in such CLAIMS on behalf of the *People of the STATE OF MICHIGAN* and the *People of the UNITED STATES*, by which SUI JURIS David Schied has a primary interest as a "*harmed party*" of these Sovereign People, as brought against the named "*CO-TRUSTEES*" of the STATE and the UNITED STATES in this instant case.**

The *UNDELEGATED* Display of Power From Federal Judges Upholding Prosecutorial Abuses of Discretion – Whether at the STATE or UNITED STATES Levels – Erodes Legislative Power, Violates the CONSTITUTIONAL "*Separation of Powers*", and Usurps the Sovereign Power and Responsibility of the STATES to NULLIFY Government Acts That Are Incongruent and Inconsistent With the "*Enunciated Duties*" Delegated by the States to the EXECUTIVE BRANCH to "*Take Care That the Laws [are] Faithfully Executed*"

The Virginia and Kentucky Resolutions (1798) maintained that it is the STATE(s)' sovereign Right, as well as sovereign Responsibility to "*maintain and*

[5] This federal case was referenced by Lawrence Poersol (Doc. #14, p.13; Page ID #820) as *Schied* v. *Khalil*, 2016 WL 47·27477 (E.D. MI. 2016) and *Schied* v. *Khalil*, (R&R) 2016 WL 11472341 (E.D. MI. 2016).

defend the CONSTITUTION OF THE UNITED STATES, and the CONSTITUTION of [the] STATE(s), against every aggression, foreign or domestic"; and that…

> "*the several states who formed that instrument [of the U.S. CONSTITUTION], being sovereign and independent, have the unquestionable right to judge of its infraction; and that a nullification, by those sovereignties, of all unauthorized acts done under colour of that instrument, is the rightful remedy*". [6]

"These resolutions were passed by the legislatures of Kentucky and Virginia in response to the Alien and Sedition Acts of 1798 and were authored by Thomas Jefferson and James Madison, respectively. The resolutions argued that the federal government had no authority to exercise power not specifically delegated to it in the Constitution. The Virginia Resolution, authored by Madison, said that by enacting the Alien and Sedition Acts, Congress was exercising 'a power not delegated by the Constitution, but on the contrary, expressly and positively forbidden by one of the amendments thereto; a power, which more than any other, ought to produce universal alarm, because it is leveled against that right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed, the only effectual guardian of every other right.' Madison hoped that other states would register their opposition to the Alien and Sedition Acts as beyond the powers given to Congress."

The VIRGINIA RESOLUTION:

"RESOLVED, That the General Assembly of Virginia, doth unequivocably express a firm resolution to maintain and defend the Constitution of the United States, and the Constitution of this State, against every aggression either foreign or domestic, and that they will support the government of the United States in all measures warranted by the former."

Agreed to by the Senate, December 24, 1798.

The KENTUCKY RESOLUTION:

*"RESOLVED, That this commonwealth considers the federal union, upon the terms and for the purposes specified in the late compact, as conducive to the liberty and happiness of the several states: That it does now unequivocally declare its attachment to the Union, and to that compact, agreeable to its obvious and real intention, and will be among the last to seek its dissolution: That if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, annihilation of the state governments, and the erection upon their ruins, of a general consolidated government, will be the inevitable consequence: That the principle and construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism; since the discretion of those who administer the government, and not the constitution, would be the measure of their powers: **That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction; and that a nullification, by those sovereignties, of all unauthorized acts done under colour of that instrument, is the rightful remedy**: That this commonwealth does upon the most deliberate reconsideration declare, that the said alien and sedition laws, are in their opinion, palpable violations of the said constitution; and however cheerfully it may be disposed to surrender its opinion to a majority of its sister states in matters of ordinary or doubtful policy; yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiesecence as highly criminal: That although this commonwealth as a party to the federal compact; will bow to the laws of the Union, yet it does at the same time declare, that it will not now, nor ever hereafter, cease to oppose in a constitutional manner, every attempt from what quarter soever offered, to violate that compact:*

AND FINALLY, in order that no pretexts or arguments may be drawn from a supposed acquiescence on the part of this commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of federal compact; this commonwealth does now enter against them, its SOLEMN PROTEST.

Approved December 3rd, 1799.

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[6] These citations are primary sources published by the BILL OF RIGHTS INSTITUTE as enacted by the two STATES of Virginia and Kentucky in response to perceived overreach by the LEGISLATIVE BRANCH after the writing of the ALIEN AND SEDITION ACT (which was later REPEALED), as found on 12/6/21 located at: https://billofrightsinstitute.org/primary-sources/virginia-and-kentucky-resolutions :

True "*Consent of the Governed*" is Measured by "*the Peoples*" Obedience and Silence in Response to "*Just*" Power of Government; It is Not Based Merely Upon the Measure of Government "*Status*" and "*Discretionary*" Decision-Making Leaving Openings So Wide for Abuses That Truckloads of "*Recorded*" Criminal Activities Can Be Driven Through With "*Immunity*" Against Private and Public Claims of There Having Been Harm to "*the People*"

The "*self-evident truths*" that have been repeatedly repudiated by the named CO-TRUSTEES of this case, as well as all of the other previous "*Backward-Looking Access-To-Court*" cases have been reasonably documented, organized, and presented as a matter of this instant ARTICLE III COURT OF RECORD, for purposes of formalizing JURY TRIAL(s) and GRAND JURY PROCEEDING(s). Under the Constitution as the COMPACT between the STATES for forming the "*Federal Government*" of the UNITED STATES in the first place, David Schied – acting in his SUI JURIS status as PRIVATE, PUBLIC PROXY for the "*STATE(s)*" has every power of authority granted to both prosecutors (Executive) and judges (Judicial), so long as he acts constitutionally as the Sovereign to re-secure the STATE Rights – and enforce the STATE Responsibilities – of "*Securing the (Inalienable) Rights of the People*".

The "*rights*" of judges and prosecutors will never take precedence over the Rights of EACH and EVERY Sovereign American, even if these public "*servants*" hold extended memberships in the INTERATIONAL JUDGES ASSOCIATION of the UNITED NATIONS through the FEDERAL JUDGES ASSOCIATION.

The fact is that there is nearly twenty years of proven Records in this case demonstrating an unauthorized "*expansion of power*" of the "*Judiciary*" that rivals the similar unauthorized expansion of the "*Presidency*" during the OBAMA ADMINISTRATION by the "*abuse of prosecutorial discretion*" exemplified by the

"[Attorney General Eric] HOLDER MEMORANDUM" of August 2013, which violated the "*Take Care Clause*" (ART. II, § 3) of the Constitution [7], effectively constituting an impermissible "*second veto"* by the President by selectively choosing which category of laws will and will not be "*faithfully executed*", and for or against whom. [8]

NOTE: The vast majority of the past "*ARGUMENT*" and future "*CONCLUSION*" herein is exactly the same as the *inextricably intertwined* case of "*Schied v. UNITED STATES, et al*". Therefore, in order to show good faith compliance with page limits, the CONCLUSION of that other SCOTUS filing is incorporated herein as if written herein verbatim as otherwise conveyed in the next two (2) pages and graphically represented instead of written in excess of the rule for page count.

[7] The Clause appears to at least charge the President with the supervision of executive branch members who enforce the laws. *See, e.g.*, Robert J. Delahunty & John C. Yoo, *Dream On: The Obama Administration's Nonenforcement of Immigration Laws, The DREAM Act, and the Take Care Clause*, 91 Tex. L. Rev. 781, 781–83 (2013); George F. Will, *Obama's Extreme Use of Executive Discretion*, Wash. Post, Dec. 18, 2013, *available at* http://www.washingtonpost.com/opinions/george-will-obamas-extreme-use-of-executive-discretion/2013/12/18/656ae4be-680d-11e3-ae56-22de072140a2_story.html ; *Enforcing the President's Constitutional Duty to Faithfully Execute the Laws Before the H. Comm. on the Judiciary*, 113th Cong. 2 (2014) (statement of Rep. Goodlatte, Chairman, H. Comm. on the Judiciary). Even Justice Scalia joined in the debate. In his dissenting opinion in *Arizona v. United States*, 132 S.Ct. 2492 (2012), he referenced the DREAM Act and criticized the executive branch for selectively invoking "*enforcement priorities*" and resource scarcity to change policy. *Id.* at 2521 (Scalia, J., dissenting).

[8] *See also*, Zachary S. Price, *Enforcement Discretion and Executive Duty*, 67 Vanderbilt Law Review 671 (2014) as it is available at: https://scholarship.law.vanderbilt.edu/vlr/vol67/iss3/2 . "*Treating this new reality of inevitable nonenforcement as establishing a new constitutional norm of unbounded executive discretion…would be a mistake. A law enforcement system predicated on unrestricted enforcement discretion would defy the text, history, and normative underpinnings of the Constitution*" … *[Thus, risking]* "*the other two branches…acquiesce[ing] in such discretion to a degree that should alter proper constitutional interpretation*" … *Nevertheless, the constitutional principle of congressional primacy in lawmaking requires executive officials to focus on effectuating statutory policies rather than undermining them through nonenforcement.*

CONCLUSION AND REMEDY

Without any doubt, the FACTS of this case show that both STATE BAR attorneys and FEDERAL JUDGES ASSOCIATION member "*judges*" in particular are engaging in "*Cancel Culture*" and "*Critical Race Theory*" policymaking across the STATE OF MICHIGAN and the UNITED STATES. On a personal level, BENEFICIARY-RELATOR David Schied began meticulously documenting the CRIMES against him – being committed by "*government officials*" solely for political "*union busting*" and "*racial equity*" purposes – in 2003. The narrative of that story history, complete with embedded EVIDENCE, is posted publicly in the ARTICLE III COURT OF RECORD at:

http://www.ricobusters.com/wp-content/uploads/2021/08/111620_Letter2ProvostCanadaAA_SANDRAHARRIS-ALL.pdf

This "*Cancel culture*" and "*Critical Race Theory*" policymaking activity – as reflected on the national scale through the constructive of FALSE NARRATIVES about American History in spite of the merits of obvious FACTS –is not only being echoed in word and deed by the BIDEN PRESIDENTIAL ADMINISTRATION, but also by the UNAMERICAN "*members*" of the FOREIGN and CORPORATE "*international states*" paying homage to and maintaining superintending allegiance to the UNITED NATIONS.

This is a world movement based upon international "*Human Rights*" and not necessarily "*Constitutional guarantees*", designed for purposes of instilling racial and gender "*equity*" to what are perceived by some as "*underrepresented and marginalized*" populations; and necessitating powerful global alliances to remedy this "*problem*", which is often attributed to a long history of Anglo-Saxon European, British, and American CORPORATE colonialism and Elitist power dominance throughout Judeo-Christian Western Civilization, which too frequently excluded Muslims, Indigenous Natives, and other "*non-white*" and/or "*non-Western*" cultures and civilizations – but only so long as they were *NOT* part of the World's Most Wealthy aristocracy.

On the global scale, the U.N. may be a good thing; however, in America where the U.S. CONSTITUTION reigns "*Supreme*" in binding all judges, attorneys, and indeed, all government "*servants*" by OATH and DUTIES to the "*Several States*" and the Sovereign People inhabiting those "*United States of the America*", there is no other measure of judging or remedying the behaviors of those entrusted with fiduciary powers than under the enunciated terms of this "*Great Compact*" of the "*Public Trust*".

Yet, the FACTS and EVIDENCE have clearly shown that both "*prosecutors*" and "*judges*" alike have been grossly ignoring and misinterpreting the laws of the STATE(s) and UNITED STATES, so to substitute and "*cancel out*" the individual Rights, Freedoms, and Sovereignty of individual American People; and doing so in MARXIST/SOCIALIST/ANARCHIST political fashion, purportedly "*for the greater good*" of the world, and for themselves. They are doing this through a subliminal but Seditious implementation of International Commerce and the UNITED NATIONS agenda ... pushing forward through the informed resistance of the American People, even if it means Treasonously using, insurrectionist coercion and "*domestic terrorist*" tactics against Anglo-American "*Constitutionalism*". This activity is similar to how the post-Civil War RECONSTRUCTION ACTS created social and political changes in the government of the Southern States "*at the point of a bayonet*", and by way of outright fraud in the feinted "*ratification*" of the subsequent FOURTEENTH AMENDMENT and SIXTEENTH AMENDMENT.

By January 2012, the SCOTUS and SIXTH CIRCUIT COURT OF APPEALS had both been provenly "*served*" with SUI JURIS David Schied's formal "***LEGAL NOTICE AND DEMAND***" which included a 26-paragraph "***STATUTE STAPLE SECURITIES INSTRUMENT***" setting forth clear "*TERMS OF AGREEMENT*" that, under the Common Law and COMMERCE, the DAMAGES to which the "*DEEP STATE*" of the UNITED STATES was unconstitutionally committing carried a hefty "*price tag*", and as has been the Seditious and Treasonous "*pattern and practice*", both "agents" and "principals" of the UNITED STATES have totally acquiesced to those terms this past full decade, in *TACIT AGREEMENT*.

The FACTS and EVIDENCE presented in this case and in the long history of preceding "*Backward-Looking Access-To-Court*" cases, also convey the full "*accounting ledger*" of insurmountable damages that have resulted from the affirmative refusals of these STATE and UNITED STATES attorneys, "*prosecutors*," and "*judges*" to carry out their unconstitutional "*bad behaviors*" without registering their "*foreign*" international and aristocratic status under the legislative requirements of the FOREIGN AGENTS REGISTRATION ACT. This is even in tortuous spite of the FACT that these damages have been shown repeatedly to rise **privately** against BENEFICIARY-RELATOR and many others as **compounded** base factors, and **publicly against all Sovereign Americans** and unwary "*Taxpayers*" otherwise believing themselves to be supporting the "*Constitutional Republic*" for which the U.S. FLAG ("*Old Glory*") still stands.

Many more Americans are only now beginning to "*wake up*" to the true fact that these attorneys, "*prosecutors*," and "*judges*" are secretly redirecting *U.S. Taxpayer* funding instead toward UNITED NATIONS *Human Rights* and racial/gender *equity* agendas based upon FALSE NARRATIVES, perverse "*discrimination*" against "*white Americans*" like

BENEFICIARY-RELATOR David Schied, and the political implementation of combined Marxism, Socialism, Feminism, and Anarchism across America.

The CLAIM OF DAMAGES now in this case are incalculable; though justified by ledger amounts totally well over $918 BILLION against the UNITED STATES alone; with many more in BILLIONS logged in this ARTICLE III COURT OF RECORD against the "*STATE OF MICHIGAN, et alia*".

Judges have all along had "*Sua Sponte*" ability to do whatever they wished – "*in the interest of justice*" – to turn this situation around, rather than to add to ongoing defamation against PRIVATE, PUBLIC PROXY David Schied as a law-biding and patriotic American seeking alternatively BOTH appropriate Statutory and proper Common Law remedies against this tortuous treatment. Instead of acting with "*good behavior*", as this case depicts, the "*judges*" have individually and collectively chosen the alternative of perpetuating the *Seditious* and *Treasonous* NARRATIVE, rather than to sanction and/or punish any of their "*peer group*" in this long history of their own aristocratic insolence and bastardizing of the actual, provable, and indisputable FACTS, even as placed in many scores of unrebutted AFFIDAVITS.

The choice has always been there for these STATE and UNITED STATES judges, as BENEFICIARY-RELATOR continues to exercise his own choice of exercising his Sovereignty on behalf of the STATE, and as One of the Sovereign People, against these very abuses of Enunciated and Delegated powers.

Truthfully submitted (by sworn verification on additional page),

/s/ David Schied – a "*totally and permanently disabled quad-amputee*"
BENEFICIARY-RELATOR
PRIVATE, PUBLIC PROXY
Sui Juris Grievant/Claimant Executed on 12/15/21

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. Including the First Amendment to The Constitution of the Republic of the united States of America. The affiant named herein accepts the officiate of this colorable court oath of office to uphold The Constitution; and therefore, is hereby accepted for value.

Truthfully submitted by,

/s/ David Schied – a "*totally and permanently disabled quad-amputee*"
BENEFICIARY-RELATOR
PRIVATE, PUBLIC PROXY
Sui Juris Grievant/Claimant Executed on 12/15/21