

**UNITED STATES DISTRICT COURT**  
**FOR THE \_\_\_\_\_ DISTRICT OF \_\_\_\_\_**  
 Address, State, zip

<b>Your Name</b>	Petitioner(s)
- Against -	
<b>Judge, Prosecutor/Lawyer</b>	Respondent(s)

**JURISDICTION:** COURT OF LAW<sup>1</sup>

JUDGE

CASE NO

**MOTION TO MOVE TO  
 FEDERAL DISTRICT COURT  
 TO COMPEL OBEDIENCE**

The district courts shall have original jurisdiction under 28 USC §1361<sup>2</sup> of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

Whereas the above said officers in the \_\_\_\_\_ Court failed to answer, in a timely matter, the administrative notice in the form of a Writ Quo Warranto supported by Memorandum of Law, see attached. This demand was made consistent with the United States Supreme Court Decision of Federal Crop Insurance Corporation v. Merrill, 332 U.S. 380 at 384 (1947) and the inherent mandatory duty of honest services by a public servant of the People. And, in accordance to 1 Stat 122 and 2 Stat 298 and FRCP Rule 902, under Article VI of the Constitution of the United States for the United States of America.

Implementing a meaningful way for the public to be protected from judicial misconduct and denial of due process is vital; there must be review and remedy! To quote former United States President Theodore Roosevelt: *“No man is above the law and no man is below it; nor do we ask any man's permission when we ask him to obey it. Obedience to the law is demanded as a right, not asked as a favor.”* The judges who administer justice in our Republic must be seen as ethical

<sup>1</sup> Article VI Clause 2: This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.; COURT OF LAW: Blacks 4th; a court proceeding according to the course of the common law and governed by its rules and principles, as contrasted with a “court of equity.”

<sup>2</sup> 28 U.S. Code § 1361; Action to compel an officer of the United States to perform his duty; The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

and subject to meaningful correction when it is necessary. Nothing less than the rule of law is at stake.

Judicial misconduct breaks down the very fiber of what is necessary for a functional judiciary. The judiciary cannot exist without the trust and confidence of the people. Judges must, therefore, be accountable to legal and ethical standards. The judiciary is built on a foundation of public faith they make rulings on the law. Rulings that the people must believe came from competent, lawful and independent judicial officers. Judicial misconduct comes in many forms and ethical standards address problematic actions, omissions and relationships that deplete public confidence.

In this case the presiding judge's rulings are so far afield of American Jurisprudence, said rulings:

- 1) Violated petitioner's right of due process protected by the 5<sup>th</sup> Amendment
- 2) Ignored the Federal Rules of Civil Procedure, in particular Rule 55 and 60 that govern court procedure for default in civil cases, in order to rescue the defendants, whereas the US Attorney joined the breach of the rule of Law and Jurisprudence when said attorney having a duty to speak remained silent in the presence of these violations. *"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading..."*<sup>3</sup>
- 3) Both the Judge and US Attorney collaborated to hijack the petitioner(s) to jurisdictions unknown while said judge denied the petitioner(s) the right to know the jurisdiction by which the court is acting. Whereas the Law requires that a "court must prove on the record, all jurisdiction facts related to the jurisdiction asserted."<sup>4</sup>
- 4) Said Judge denied my request to state on the record the jurisdiction of the court.

Whereas a, *"Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted."* Lantanav Hopper, 102 F2d 188; Chicagov. New York, 37 F Supp 150.; *"The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings"* Hagans v. Lavine, 415 U.S. 528; *"No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence."* Ableman v. Booth, 21 Howard 506 (1859)

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<sup>3</sup> U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932

<sup>4</sup> Lantanav. Hopper, 102 F2d 188; Chicagov. New York, 37 F Supp 150.; Hagans v. Lavine, 415 U.S. 528

5) Violated petitioner's right of a trial in a court of record,<sup>5</sup>

*USC 28 §43(a) There shall be in each circuit a court of appeals, which shall be a COURT OF RECORD, known as the United States Court of Appeals for the circuit. USC 28 §132(a) There shall be in each judicial district a district court which shall be a COURT OF RECORD known as the United States District Court for the district.*

In conclusion, the "Rules of Law" must always be governed by morals founded on common law maxims and guided by ethics. Whereas said Judge, having an obligation to faithfully perform their duties under oath with integrity by upholding the "Law of the Land," violated their Code of Conduct. Likewise said US Attorney as an officer of the legal system, also having a duty to uphold the legal process and to demonstrate respect for the legal system failed in his duty and are in bad behavior.<sup>6</sup>

**WHEREFORE**, the aforesaid judicial officer(s) must be compelled to answer said Writ Quo Warranto on the record and mail the same to the plaintiff.

RESPECTFULLY SUBMITTED this \_\_\_\_\_ 2022

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**Your Name**, Petitioner

SEAL

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<sup>5</sup> COURT OF RECORD: A judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it Proceeding according to the course of common law Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689

<sup>6</sup> Article III JUDICIAL POWER Section 1. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior.