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As shown herein below with conclusive evidence, the above headline is not an exaggeration but an accurate assessment of the situation.

"The judicial Power of the United States"

That certain constitution ordained and established September 17, 1787, and implemented March 4, 1789, Independence Hall, Philadelphia, Pennsylvania (the "Constitution"), at Art. III, § 1 provides, in pertinent part, that "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish," and at § 2, cl. 1 thereof the limited types of cases and controversies to which the judicial power shall extend.

The Constitution at Art. VI, cl. 3 provides in pertinent part for the prevention of arbitrary exercise or abuse of "The judicial Power of the United States," *id*., by way of requirement that all justices and judges of the United States be bound by oath or affirmation to support the Constitution; to wit:

"The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; . . ."

Justices and Judges' Oath of Office

In respect of the above requirement of Art. VI, cl. 3 of the Constitution, Congress on September 24, 1789, in "An Act to establish the Judicial Courts of the United States," 1 Stat. 73 (the "Judiciary Act"), at 76 supply the oath or affirmation needed for federal justices and judges to be authorized to exercise the judicial power of the United States; to wit:

"Sec. 8. And be it further enacted, *That the justices of the Supreme Court, and the district judges, before they proceed to execute the duties of their respective offices, shall take the following oath or affirmation, to wit : 'I, A.B., do solemnly swear or affirm, that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ,*

according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.'"

Congress 159 years later on June 25, 1948, at 28 U.S.C. § 453 *Oath of justices and judges of the United States*, 62 Stat. 907, amend the language of the preamble to the oath provided in Section 8 of the Judiciary Act and, cosmetically, the text of said oath; to wit:

"Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office : 'I, _____ _____, do solemnly swear (or affirm), that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____ according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.'"

For the next 42+ years justices and judges of the United States who take the 28 U.S.C. § 453, 62 Stat. 907, oath are "bound by Oath or Affirmation, to support this Constitution," Judiciary Act at 76 (just like all other federal jurists who came before them), and therefore authorized to exercise "The judicial Power of the United States," Constitution, Art. III, § 1, and discharge and perform the duties of their respective offices.

Congress Alter Materially the Oath of Justices and Judges

Congress on December 1, 1990, however, in Public Law 101–650, at section 404 thereof, 104 Stat. 5124—effective 90 days later, March 1, 1991 (104 Stat. 5124 at § 407)—alter materially by way of amendment, the oath at 28 U.S.C. § 453, 62 Stat. 907, so as to relieve all justices and judges of the United States of any duty of fidelity to the Constitution; to wit:

"Sec. 404. Amendment to Oath of Justices and Judges.
"Section 453 of title 28, United States Code, is amended by striking out 'according to the best of my abilities and understanding, agreeably to' and inserting 'under'". Pub. L. 101–650, 104 Stat. 5089, 5124, December 1, 1990.

Upon amendment, 28 U.S.C. § 453 *Oath of justices and judges of the United States*, 104 Stat. 5124, provides:

"Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: 'I, ___ ___, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ___ under the Constitution and laws of the United States. So help me God.'

"(June 25, 1948, ch. 646, 62 Stat. 907; Pub. L. 101–650, title IV, § 404, Dec. 1, 1990, 104 Stat. 5124.)"

The only duties incumbent upon justices and judges of the United States to discharge or perform are provided in the statutes of Congress, i.e., the laws of the United States; the Constitution provides none.

Because there is no provision of the Constitution that requires a justice or judge of the United States to discharge or perform any duties, there are no duties under the Constitution incumbent upon any such justice or judge to discharge or perform; meaning: **Mention of the Constitution in the 1990 amended oath, 28 U.S.C. § 453, 104 Stat. 5124, *supra*, is superfluous and may be omitted from said oath without changing its meaning.**

This is why, in the Lufkin Action at Law (*infra*), the United States Attorney went silent for the duration of the case (five and half months) when Petitioner demanded the provision of the Constitution that gives the Court (judge) the capacity to take jurisdiction and enter judgment in Tyler County, Texas: There is no such constitutional authority and neither the Court nor the United States Attorney is bound by oath or affirmation to support the Constitution (for the United States Attorney's oath of office, *see* 28 U.S.C. §§ 544, 547, 80 Stat. 618; no mention of the word "Constitution," contrary to the requirements of Art. VI, cl. 3 of the Constitution).

To prevent the fracturing of the federal judicial system were one set of justices and judges to discharge and perform their respective duties agreeably to the Constitution and the other not: Between December 1, 1990, and February 28, 1991, all sitting and newly commissioned justices and judges of the United States take the new oath of office, 104 Stat. 5124, leaving, on March 1, 1991, no justice or judge of the United States bound by oath or affirmation to support the Constitution—only the laws of the United States, i.e., the statutes of Congress.

"The emperor has no clothes"

The 1990 oath, 104 Stat. 5124, severs the connection between the federal judiciary and the Constitution; meaning: As of March 1, 1991, officers of the federal judiciary have no obligation to discharge or perform the duties of their respective offices "agreeably to the Constitution" (62 Stat. 907), and the former judicial-branch officers are now legislative-branch officers under the exclusive control of Congress.

"Plus peccat auctor quam actor. The instigator of a crime is worse than he who perpetrates it" (John Bouvier, *Bouvier's Law Dictionary*, Third Revision (Being the Eighth Edition), revised by Francis Rawle (St. Paul, Minn.: West Publishing Co., 1914) (hereinafter "Bouvier's"), p. 2153) —and the instigators of the takeover of the federal courts of limited jurisdiction by municipal

judges masquerading as Article III judges and usurping exercise of general jurisdiction throughout the Union, are the Members of Congress.

The jurisdiction of federal courts of limited jurisdiction and the original (de jure) Department of Justice, 16 Stat. 162, is co-extensive with the legislative powers of Congress; to wit:

"Those who framed the constitution [*sic*], *intended to establish a government complete for its own purposes, supreme within its sphere, and capable of acting by its own proper powers. They intended it to consist of three co-ordinate branches, legislative, executive, and judicial. In the construction of such a government, it is an obvious maxim, 'that the judicial power should be competent to give efficacy to the constitutional laws of the Legislature.'* [*Cohens v. Virginia, 6 Wheat. Rep. 414*] *The judicial authority, therefore, must be co-extensive with the legislative power. . . .* [*The Federalist, No. 80; Cohens v. Virginia, 6 Wheat. Rep. 384*]*" Osborn v. Bank of United States, 9 Wheat., 738, 808 (1824).*

Because Congress enjoy only limited legislative power (subject-matter legislative power only) throughout the Union, the federal courts and Department of Justice are authorized to exercise only limited jurisdiction (subject-matter jurisdiction only) throughout the Union; to wit:

"As we have repeatedly said: 'Federal courts are courts of limited jurisdiction. They possess only that power authorized by Constitution and statute . . .'" Rasul v. Bush, 542 U.S. 466, 489 (2004) (quoting Kokkonen v. Guardian Life Ins. Co. of America, 611 U. S. 375, 377 (1994) (citations omitted)).

The above is why Petitioner is so persistent: Justices and judges ensconced in federal courts of limited jurisdiction are usurping exercise of territorial jurisdiction (an aspect of general jurisdiction) and entering judgment against, directing the disposition of, and committing theft under color of authority of, Petitioner's property in Montgomery and Tyler County, Texas—geographic area in which Texas possesses exclusive jurisdiction and sovereignty over property located there; to wit:

"The several States of the Union are not, it is true, in every respect independent, many of the right [*sic*] *and powers which originally belonged to them being now vested in the government created by the Constitution. But, except as restrained and limited by that instrument, they possess and exercise the authority of independent States, and the principles of public law to which we have referred are applicable to them. One of these principles is that every State possesses exclusive jurisdiction and sovereignty over persons and property within its territory. . . ." Pennoyer v. Neff, 95 U.S. 714, 722 (1878).*

Notwithstanding that the federal courts are courts of limited jurisdiction, *Rasul*, *supra*, they are populated by municipal judges of the so-called "United States," 28 U.S.C. § 3002(15), "a Federal

corporation," *id.*, by the name of District of Columbia Municipal Corporation, who are usurping exercise of general jurisdiction in Montgomery and Tyler County, Texas, and elsewhere throughout the Union.

Justices and judges of the United States have used their position of trust to betray their creators, the American People, by overriding their will as declared at Article VI, Clause 3 of the Constitution, that all judicial officers of the United States shall be bound by oath or affirmation to support the Constitution, and thereby legislating the Constitution out of the legal process; to wit:

"The Congress as the instrumentality of sovereignty is endowed with certain powers to be exerted on behalf of the people in the manner and with the effect the Constitution ordains. The Congress cannot invoke the sovereign power of the people to override their will as thus declared." Perry v. United States, 294 U.S. 330, 353 (1935).

Bearing of the 1990 Oath on Every Federal Case since March 1, 1991

Whereas, as of March 1, 1991, no federal justice or judge is bound by oath or affirmation to support the Constitution: As of that date, every justice and judge of the United States is barred by Article VI, Clause 3 of the Constitution from exercising "The judicial Power of the United States," Constitution, Art. III, § 1, or entering a decision or judgment in any federal court case.

There being no constitutional authority for any Supreme Court decision or civil or criminal judgment in any federal court: **Every such decision or judgment since March 1, 1991, is void.**

Due Process of Law and Void Judgments

The essence of due process of law is constitutional authority; to wit:

"Due process of law is process according to the law of the land. . . . ". . . Due process of law in the latter [*the Fifth Article of Amendment to the Constitution*] *refers to that law of the land which derives its authority from the legislative powers conferred upon Congress by the Constitution of the United States, exercised within the limits therein prescribed and interpreted according to the principles of the common law. . . ." Hurtado v. California, 110 U.S. 516, 3 Sup. Ct. 111, 292, 28 L. Ed. 232 (1884).*

Any justice or judge of the United States who enters a decision or judgment in a federal case without the authority to exercise "The judicial Power of the United States," Constitution, Art. III, § 1—and this includes every Supreme Court decision and United States District Court judgment

since March 1, 1991—does so without the authority of the Constitution and thereby denies the litigants due process of law and manufactures a void judgment.

A void judgment is an utter nullity, of no legal force or effect, and anyone who is concerned with the execution of a void judgment is considered in law as a trespasser; to wit:

"A void judgment which includes judgment entered by a court which . . . lacks inherent power to enter the particular judgment . . . can be attacked at any time, in any court, either directly or collaterally . . ." Long v. Shorebank Development Corp., 182 F.3d 548 (C.A. 7 Ill. 1999).

"Where a court has jurisdiction, it has a right to decide any question which occurs in the cause, and whether its decision be correct or otherwise, its judgments, until reversed, are regarded as binding in every other court. But if it act without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void, and form no bar to a remedy sought in opposition to them, even prior to a reversal. They constitute no justification, and all persons concerned in executing such judgments or sentences are considered in law as trespassers." Elliott v. Peirsol, 26 U.S. (1 Pet.) 328, 329 (1828).

"A judgment is void if the court that rendered it . . . acted in a manner inconsistent with due process. Margoles v. Johns, 660 F.2d 291 (7th Cir. 1981) cert. denied, 455 U.S. 909, 102 S.Ct. 1256, 71 L.Ed.2d 447 (1982); In re Four Seasons Securities Laws Litigation, 502 F.2d 834 (10th Cir.1974), cert. denied, 419 U.S. 1034, 95 S.Ct. 516, 42 L.Ed.2d 309 (1975). Mere error does not render the judgment void unless the error is of constitutional dimension. Simer v. Rios, 661 F.2d 655 (7th Cir.1981), cert. denied, sub nom Simer v. United States, 456 U.S. 917, 102 S.Ct. 1773, 72 L.Ed.2d 177 (1982)." Klugh v. United States, 620 F.Supp. 892 (1985).

"We believe that a judgment, whether in a civil or criminal case, reached without due process of law is without jurisdiction and void . . . because the United States is forbidden by the fundamental law to take either life, liberty or property without due process of law, and its courts are included in this prohibition. . . ." Bass v. Hoagland, 172 F.2d 205 (5th Cir.), cert. denied, 338 U.S. 816, 70 S.Ct. 57, 94 L.Ed. 494 (1949).

"[I]f a 'judgment is void, it is a per se abuse of discretion for a district court to deny a movant's motion to vacate the judgment.' United States v. Indoor Cultivation Equip. from High Tech Indoor Garden Supply, 55 F.3d 1311, 1317 (7th Cir.1995). A judgment is void and should be vacated pursuant to Rule 60(b)(4) if 'the court that rendered the judgment acted in a manner inconsistent with due process of law.' Id. at 1316 (citations omitted) . . ." Price v. Wyeth Holdings Corp., 505 F.3d 624 (7th Cir., 2007).

"[D]enying a motion to vacate a void judgment is a per se abuse of discretion." Burrell v. Henderson, et al, 434 F.3d, 826, 831 (6th Cir., 2006).

Ironically, the above post-March 1, 1991, judgments addressing the subject of void judgments, are themselves void for failure of the judge entering his respective judgment to bind himself by oath or affirmation to support the Constitution, as required by the Constitution at Art. III, § 1, a denial of due process of law.

Update on Three Cases Since Previous Post, September 14, 2016

1. **Action at equity: Petitioner sues 46 government-type defendants (trespassers) and one civilian defendant in a Texas court to recover Petitioner's home stolen under color of authority by way of a previous void judgment in a federal court**

Petitioner on August 11, 2016, files Petitioner's Amended Original Petition in an action at equity in 284th District Court of Montgomery County, Texas, Case No. 16-08-09232, for a constructive trust based on constructive fraud in a previous void judgment, United States District Court for the Southern District of Texas, Houston Division Civil Action No. 4:14-cv-0027 (the "Houston Action at Law"), which defendant United States of America on September 12, 2016, removes and files as United States District Court for the Southern District of Texas, Houston Division Civil Action No. 4:16-cv-2747 (the "Houston Action at Equity"); the court on December 5, 2016, enters judgment against Petitioner (the plaintiff).

This was a high-intensity pre-trial proceeding, with 70 substantial docket entries over an 84-day span, which, combined with Petitioner's two other ongoing federal cases, prevented Petitioner from being able to post anything until now.

Notice and Warning of Commercial Grace

Petitioner's Amended Original Petition on pages iii–iv gives an extra-judicial (commercial) Notice and Warning of Commercial Grace to every actor concerned with the execution of the void judgment in the Houston Action at Law, as to the penalties should said case be removed to federal court and Petitioner be denied due process of law or foreclosed from adequate remedy.

Petitioner has been denied due process of law.

Irrespective of whether Petitioner realizes adequate remedy in this case or not: Every actor concerned with the void judgment in the Houston Action at Law (before, during, or after), which now also comprehends every actor involved in the Houston Action at Equity void judgment, is a trespasser and personally liable to Petitioner.

Petitioner's Amended Original Petition evidently set off numerous alarms—because the deputy clerks, USDOJ attorneys, and judge, in concert, pulled every dirty (contrary to law or good morals) trick in the book to try to defeat Petitioner.

Any reader who tries to digest the docket or record (hyperlinked below) of this case, however, may have trouble understanding because there is contradictory data throughout, and seemingly two different proceedings underway—one prosecuted by Petitioner with factual contentions supported by conclusive evidence, and another being "defended" by counsel for defendants with factual contentions and denials of Petitioner's allegations and claims, but with no or immaterial evidentiary support; a situation exacerbated by wholesale confusion in the docket intentionally manufactured by the deputy clerks, evidently in the hope of befuddling Petitioner (and anyone else who tries to make sense of things) and preventing Petitioner from keeping track of counsel for defendants' multiple filings and possibly failing to respond timely to one or more and thereby losing by default.

The deputy clerks routinely and deliberately (a) so-misnamed filings or excluded part or all of the titles thereof, that Petitioner had to file in the record requests for the deputy clerks to correct the titles of docket entries, (b) withheld entering filings on the docket for days at a time (to give counsel for defendants an advantage), (c) split up a key filing into two separate docket numbers, 36 and 37, (d) entered items on the docket out of sequence, and (e) refused to enter on the docket seven of Petitioner's filings, requiring that Petitioner file special requests of the clerk to enter on the docket the filings previously received.

Counsel for defendant United States ("a Federal corporation," 28 U.S.C. § 3002(15)) and United States of America (a sovereign republic, **Constitution**)—the same attorney—filed a Rule 12(b)(1) and (6) motion to have the case dismissed with prejudice, but failed to present evidence that proved a single one of his allegations or claims, and likewise failed to disprove a single allegation or claim in Petitioner's Amended Original Petition.

Petitioner from time to time established on the record with evidence, certain facts and failures of defendants, and thereafter counsel for defendant United States and United States of America (same attorney) would file a document asserting other facts contradicting those established by Petitioner with evidence and treat of said failures as though they had never happened, but for which assertions said counsel provided no evidence in support.

For example, if a government-type defendant fails to answer or otherwise respond to a petition / complaint as provided in the Federal Rules of Civil Procedure, i.e., within the statutory 60-day period, said defendant is in default and foreclosed from participating in the proceeding.

When Petitioner in Docket Nos. 36 and 37 (filing split up by deputy clerks for no reason) filed the return of service (process server's certificate of service of summons and complaint on a

defendant) for 44 defendants, establishing that 41 government-type defendants had failed to answer or otherwise respond to Petitioner's Amended Original Petition within 60 days of service and were in default, counsel for defendant United States of America—with no evidentiary support—thereafter filed in Docket Nos. 41, 42, and 58, a purported notice of "entry of appearance and joinder" in the case for the same 41 defendants, a procedural impossibility.

Counsel for defendant United States and United States of America and the attorney representing the one civilian defendant collectively committed hundreds of violations of the Federal Rules of Civil Procedure for which, in any other case, they would have been subjected to an immediate order-to-show-cause hearing as to why they should not be sanctioned for such egregious acts.

Because everything in Petitioner's Amended Original Petition is true and supported with conclusive evidence, counsel for defendants could only present immaterial arguments and evidence propounding the supremacy of the Federal corporation known as the "United States" (28 U.S.C. § 3002(15)), falsely representing that it is the same thing as the sovereign republic of the United States of America (Constitution), and touting the "immunity" of all its corporate employees (judges of the United States, USDOJ attorneys, etc.) and private-sector workers of the Department of the Treasury and Internal Revenue Service.

The record of the Houston Action at Equity is hyperlinked below, but Petitioner admonishes the reader that there is no meaningful knowledge to be gained from reading it; the filings of counsel for defendants are crafted to deceive; everything Petitioner has to say is presented in coherent form, supported by evidence, in Petitioner's Amended Original Petition.

The M.O. of United States Department of Justice attorneys is to ignore material facts and evidence presented by an adversary that work against their objective, and fabricate another scenario, irrespective of lack of evidence of facts and their failures to respond, that supports their position, which their co-worker municipal tag-team partner, the judge, then uses to paint a negative picture of the adversary and enter judgment against him.

False denigrations of a particular litigant by one judge are then repeated at every opportunity by subsequent judges and United States Department of Justice attorneys who happen to come in contact with the same litigant, building up by repetition a "history" of negative reports against the litigant which an innocent reader would be inclined to take as factual and conclusive.

"The judge doth protest too much, methinks"

"Qui jure suo utitur, nemini facit injuriam. He who uses his legal rights harms no one."
Bouvier's, p. 2157.

In this instance, the judge's Final Judgment and Preclusion Order (Docket No. 70) paints an extremely nasty picture of Petitioner—evidently for having the audacity to exercise Petitioner's right to property and report organized criminal activity among judges of the United States and officers of the United States Department of Justice—and purports to enjoin Petitioner from ever taking up the subject matter of the Houston Action at Law again in any other court, state or federal—unless, of course, Petitioner wants to file an appeal with the same appeal judges who conspired with another judge in the same courthouse in the Houston Action at Law and stole Petitioner's home under color of authority, all of whom are defendants in this suit!

The judge in the Houston Action at Equity evidently apparently is terrified of taking the rap for letting Petitioner expose the ultimate Achilles' heel of the organized criminal activity of justices and judges of the United States and attorneys of the United States Department of Justice (no authority to exercise "The judicial Power of the United States," Constitution, Art. VI, cl. 3) and hopes to silence Petitioner with his Final Judgment and Preclusion Order (Docket No. 70).

Bottom line: The judge is a municipal judge of the District of Columbia Municipal Corporation, "a Federal corporation, " 28 U.S.C. § 3002(15), doing business as "United States," *id*., and under the exclusive control of Congress and knowingly and willfully usurping exercise of general jurisdiction outside his territory (the District of Columbia) and culpable for treason to the Constitution; to wit:

"We have no more right to decline the exercise of jurisdiction which is given [*by the Constitution*]*, than to usurp that which is not given. The one or the other would be treason to the constitution. . . ." Cohens v Virginia, 19 U.S. 264, 434 (1821).*

The Final Judgment and Preclusion Order is a **void judgment**.

Knowing that his Final Judgment and Preclusion Order is a void judgment, that Petitioner is authorized by law to move to have it vacated, and that it is an abuse of discretion for him to refuse to vacate a void judgment upon motion: The judge sought to prevent Petitioner from filing a motion to vacate the Final Judgment and Preclusion Order as void by ordering the clerk on page 7 of the Final Judgment and Preclusion Order (Docket No. 70), to return to Petitioner, unfiled, any further motions received from Petitioner.

In respect of the judge's usurpation, by way of the Final Judgment and Preclusion Order, of "The judicial Power of the United States," Constitution, Art. III, § 1, Petitioner on January 10, 2017, filed with the Montgomery County District Attorney and January 11, 2017, with the Harris County District Attorney, an Affidavit of Information: Criminal Complaint for Public Notice Filing, the subject of which is said judge.

Petitioner then on January 12, 2017, sent a note to the deputy clerk requesting delivery to said judge of a copy of the filed Affidavit of Information (criminal complaint) and the original of Petitioner's "Motion to Vacate the Final Judgment and Preclusion Order (Dkt. #70) as Void for Ewing Werlein, Jr.'s Lack of Authority to exercise the Judicial Power of the United States or enter Judgment in this Case," hyperlinked *infra*.

Docket, Houston Action at Equity

Record, Houston Action at Equity (97 MB)

Note to Deputy Clerk, copy of Criminal Complaint (January 10, 2017), and Motion to Vacate Final Judgment and Preclusion Order as Void (January 12, 2017) (3 MB)

2. **Action at law: Plaintiff United States of America sues Petitioner in Lufkin action at law to foreclose tax liens against Petitioner's property in Tyler County, Texas**

Plaintiff United States of America on July 1, 2014 (two and a half years ago), files an action at law against Petitioner in United States District Court for the Eastern District of Texas, Lufkin Division Civil Action No. 9:14-CV-138 (the "Lufkin Action at Law") to foreclose on federal tax liens against Petitioner's ranch in Tyler County, Texas; judge rules against Petitioner March 3, 2016.

When Petitioner (the defendant in this particular case) on September 15, 2015, demands the provision of the Constitution that gives plaintiff United States of America to capacity to take jurisdiction and enter judgments, orders, and decrees in favor of the United States arising from a civil or criminal proceeding regarding a debt in the geographic area occupied by the body politic of Tyler County, Texas (where Petitioner's real property is located and Petitioner is a resident), counsel for plaintiff United States of America go silent (*see* post of October 28, 2015, *infra*) and remain so for the duration of the case, which ends March 3, 2016, five and half months thereafter.

Following entry of final judgment against Petitioner (the defendant), United States Magistrate Judge Keith F. Giblin on April 21, 2016, enters his "Order of Sale and to Vacate Property (April 21, 2016)"; whereupon Petitioner on June 13, 2016, serves Petitioner's extra-judicial (commercial) Demand, Notice, and Warning of Commercial Grace on Keith F. Giblin and the other two federal judges and two United States Department of Justice attorneys involved in the Lufkin Action at Law.

After seven months of silence since his original Order of Sale and to Vacate Property, United States Magistrate Judge Keith F. Giblin on November 28, 2016, enters his "Amended Order of Sale and to Vacate Property."

Petitioner's ranch apparently is for sale at this writing—but Petitioner on January 13, 2017, files Petitioner's "Motion to Vacate the Final Judgment (Dkt. #67-1) as Void for Michael H. Schneider's Lack of Authority to Exercise the Judicial Power of the United States or Enter Judgment in this Case," hyperlinked *infra*.

Motion to Vacate Final Judgment as Void (January 13, 2017)

3. **Action at equity: Petitioner sues Lufkin Division judge who enters "Order of Sale and to Vacate Property" in Tyler County, Texas court to quiet title**

Shortly after United States Magistrate Judge Keith F. Giblin on April 21, 2016, enters his Order of Sale and to Vacate Property in the above Lufkin Action at Law, Petitioner on May 12, 2016, files an action at equity in 88th District Court of Tyler County, Texas, Case No. 23,967, against United States Magistrate Judge Keith F. Giblin, to quiet title to the real property that is the object of the Order of Sale and to Vacate Property in the Lufkin Action at Law, and defendant Keith F. Giblin on June 6, 2016, removes and files said case as United States District Court for the Eastern District of Texas, Lufkin Division Civil Action No. 9:16-cv-00086 (the "Lufkin Action at Equity").

With almost nothing happening for the last seven months, Petitioner on January 13, 2017, files in the Lufkin Action at Equity "Plaintiff's Objection to this Proceeding for Marcia A. Crone's Lack of Authority to Exercise the Judicial Power of the United States or Enter Judgment in this Case; and Motion to Remand," hyperlinked *infra*.

Docket, Lufkin Action at Equity

Record, Lufkin Action at Equity (13 MB)

Objection to Proceeding and Motion to Remand (January 13, 2017)

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Conclusion

The judicial system of the United States is populated by justices and judges who despise or would prefer to eliminate the Constitution from their brand of jurisprudence (municipal law); e.g.:

"'I see absolutely no value to a judge of spending decades, years, months, weeks, day, hours, minutes, or seconds studying the Constitution, the history of its enactment, its amendments, and its implementation (across the centuries — well, just a little more than two centuries, and of course less for many of the amendments),' he wrote. . . ." The Washington Times, quoting United States Circuit Judge Richard Posner in "Judge Richard Posner: 'No value' in studying the U.S. Constitution," June 27, 2016, http://www.washingtontimes.com/news/2016/jun/27/richard-posner-no-value-in-studying-us-constitutio/ (accessed August 4, 2016).

The reason Judge Posner can get away with such apparently treasonous remarks about the Constitution without risking impeachment is that he neither is bound by oath or affirmation to support it nor has any duties under it to discharge or perform nor has any duty to preserve, protect, support, or defend it—only to carry out the duties assigned to him by his for-profit corporate employer, the District of Columbia Municipal Corporation, "a Federal corporation," 28 U.S.C. § 3002(15), doing business as "United States," ***id.***, and managed by the Congress of the (corporate) "United States."

Anyone who has taken an oath or affirmation to *"preserve, protect, and defend the Constitution,"* Texas Constitution, Article 16, Section 1, or *"support and defend the Constitution of the United States against all enemies, foreign and domestic,"* 5 U.S.C. § 3331, has a duty to protect and defend the Constitution against domestic enemies who, not being bound by oath or affirmation to support the Constitution, usurp exercise of "The judicial Power of the United States," Constitution, Art. III, § 1, in a federal court of limited jurisdiction.

Irrespective of the myriad other discrepancies with justices and judges of the United States documented by Petitioner in the above-referenced cases over the last 35 months, the most fundamental of all is the lack of authority of any such justice or judge to exercise "The judicial Power of the United States," *id*., or enter a decision or judgment in any case in any federal court of limited jurisdiction for failure to have bound himself by oath or affirmation to support the Constitution, as required by Article VI, Clause 3 of the Constitution.

The task before the American People is to demand and bring about restoration of an exclusively republican, **not municipal**, form of government throughout the Union, where Texas and every other member thereof is free from usurpation of exercise of territorial or personal jurisdiction within its territory by municipal justices or judges of the United States or officers of the United States Department of Justice, as contemplated by the Framers and established at Article IV, Section 4 of the Constitution.