EXHIBIT

Proposal For Issuance of A WRIT As Deemed Necessary, Applicable and Authoritative

The Extended Powers Test

INCORPORATED INTO ANY MAIN PLEADINGS ASSOCIATED HEREWITH,

WITH DEMAND TO TAKE JUDICIAL NOTICE, INCORPORATED HEREWITH

The Extended Powers Test. The Clause 1 Extended Powers TEST, as set forth hereinafter, for the Judicial Branch of government, is a Constitution TEST inclusive of the "United States supreme Court" itself, and the lawful United States courts inferior thereto.

1. On October 17, 1888, Mr. Founder Madison wrote to Mr. Founder Jefferson, in addition to his own perception that the established Constitution contained NO "material defect" for controlling the federal government, sufficient to require for it a bill of rights, he also asserted in that same message to Mr. Founder Jefferson that the power to so constrain the federal government against an offense against the "rights" of the people themselves, was because of "the manner" in which the "federal power" had been "granted."

2. The granting of the federal powers to the Congress was by use of the **Power of the Negative**, in that it being impossible to prove the existence of a negative, established the granting process for such powers so that any claim for any additional power at all, even one additional power only, would be impossible to find if not expressed, and so it would be impossible to pass any law where no power granting enactment of such law existed either before or after Clause 18 of Section 8, Article I (see The Clause 18 Test, Part I), prohibiting by that plain fact no ability of the Congress to pass any law as in a spite of that negative proof of an existing power for such proposed law.

3. It is the misfortune of most people, inclusive of "trained legal minds," whether they be attorneys, law professors, or judges, to believe, as to the Power granted the United States supreme Court, as we read at Article III, Section 2, Clause 1, that its "judicial Power shall extend to all Cases," . . . period, and leave it as if it is to be understood – just that way.

4. Neither does Article III, Section 2, Clause 1 continue: . . . "in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority," period, and is to be left to be regarded or construed – just that way.

5. But rather, the actual Extended Powers begin at the end of the foregoing sub-clause, "under their Authority," with the separating and

inherent enumeration of the remaining Phrases, by the use of the most unique grammatical practice of using the semicolon, " **;** " combined with a following long dash, " **––** ", by which the Constitution's Framers were able to effectively separate the Extended Powers themselves, allowing for them to be enumerated while not actually numbering them.

6. Originally, there having been Eight Extended Powers, Extended Power Number Six was nullified by the Eleventh Amendment, leaving a Net of Seven (7) Extended Powers instead thereof.

7. In that same manner as was established in the Constitution for The Clause 18 TEST, a design for the absolute constraint of the judicial branch of government was likewise employed within the Constitution, calling upon that same power of the negative to mandate that it be so, such Strict Constraints for the United States judiciary found at Article III, Section 2, Clause 1, now the **Seven** (7) Net **Extended Powers** thereof, with a severe bottleneck Constraint for the courts "inferior thereto" going directly to those same **Seven** (7) Net **Extended Powers** for any and all federal Tribunal court original jurisdictional purposes, being imposed at, and by, Article III, Section 2, Clause 2, Phrase 2 thereof.

8. By a careful examination of this particular Section and Clause of Article III, we discover the following, as to Cases that the "judicial Power" has *not* been extended to, except such a statement for such a Case has been made within the confines of Article III, Section 2, Clause 1, that said Clause 1 would be rendered in added effect, picking up after Phrase 8 thereof, to continue that: "The judicial Power shall **extend** . . .

> [9] … [to all Cases involving Crimes, or Criminal Offenses, committed within Any State over which the United States might proclaim its OWN authority, *irrespective* of the **Separation of Criminal Jurisdiction Powers - between the Several States and the United States** - Contained in and Constrained by Article III, Section 2, Clause 3, Last Phrase Thereof];
>
> **The Above Phrase is NOT, any part of it, contained in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal.**

That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

[10] … [to all Cases, whether Civil or Criminal, involving, as taking place in Any State, of Bankruptcies, Patents and Copyrights, Naturalization, where no Constitutional question has been raised or has arisen, to Schools, whether Public or Private, to State welfare Matters, to all Cases involving a claim for a requirement to discern and certify the truth of science *as it pertains to the beginning of life*, or to *where*, *how*, and *when* the universe, and the life thereof and therein, began, and *how it was caused to begin*, and *how to discern when life begins or does not begin*, even though such an issue, concern, or question, providing for any scientific *interpretation*, is in No Place contained in the Constitution itself, **before** or **after** Clause 18 — even though the question or issue of any of the sciences at no place exists in the Constitution itself for a Constitutional question to be raised upon, except it be for the issuance of patents for inventions purposes — and to all Cases involving Taxes Owed by Non-Contracting Private Citizens of Any State, even though not certifiably living in any "U.S. district"];

The Above Phrase is NOT contained in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal. That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

11] … [the Article III, Section 1 judicial Power shall extend to any non-Article III, Section 1 judicial Power court of the United States, which shall be established, not as Article III, Section 1 courts, but shall be established instead, for Impeachable Purposes (such as bankruptcy courts, tax courts, and other such courts) under Article II, Section 4 as a non-Article III, Section 1 court instead, in Violation or Denial, thereby, of the People's Rights for Higher Constitutional Responsibility By Greater Impeachability Protection at Article III, Section 1 Only];

The Above Phrase is NOT contained in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal. That door is

closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

[12] … [to all Cases involving **Interstate Society** such as coming out parties and social events and the types of substances to be consumed therein, even though not in controversy with anyone within the State that they shall occupy, to the types of substances that persons may consume, or foods that they may eat, either individually or in simple get-togethers of any size, even though no controversy may exist at any time because of those substances consumed, no matter what those substances or foods may be, to personal relationships between men and women in "marriages," or to other religious husband and wife – none British marriage ceremony – relationships, even though not in controversy with one another and irrespective of the religious beliefs of any persons pertaining thereto, to cases involving child custody and/or child welfare, whether or not the State in which such issues might exist considers them to be either civil or criminal in nature, to clubs and fraternal activities and to similar organizations, whether consisting of adults or children or any combination of them, whether publicly or privately proclaimed and whether determined toward any sexual orientation or the lack of one, to determine questions of sexual preference – not questions set forth in the Constitution as one of the Powers of the Congress, and to any other form of social activities or beliefs existing either within any singular State or across any State's line, to conditions surrounding any merchant's business when utilizing any form of interstate transportation, inclusive of which may be a United States Post Office and connective post Roads as already provided for at Phrase or **Extended Power** Number **Seven** of these Extended Powers, providing for the changing of the Civil conditions **surrounding** said Extended Power Seven to a Criminal condition instead, and to Commerce when crossing Any State's Border but NOT Passing Through An Certifiably, Article I, Section 8, Clause 17 Owned Port of the United States];

The Above Phrase, or anything close or similar to it, or any part of it, is NOT contained in Article III, Section 2, Clause 1, nor does any part of the foregoing constructed Phrase come under

any presumption for supremeness for United States law at Article VI, Clause 2 by virtue of being prohibited by Article III, Section 2, Clause 3, and therefore "the judicial Power of the United States" has not been "extended to" any of the foregoing, not even on appeal. That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

Special Notation as to **Extended Power** Number **Seven**, seen originally as going to Civil Cases **only**, and therefore not being convertible to any Criminal Case for the alleged United States central government.

[13] [to Cases involving Controversies between Citizens and/or Businesses of the same State];

The Above Phrase is NOT contained in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal. That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

[14] [to Controversies or Cases between a State and the Citizens and/or Businesses of the same State];

The Above Phrase is NOT contained in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal, *nor even by "permission" of the States itself* to be sued, for the Question is not can the State waive any right that IT has and give *its* permission; the Question is, does the judicial Power EXTEND to such a case as above described, and if not, which it does Not, then "permission granted" is irrelevant as any legal issue for right of suit, from the federal judicial branch of government, whatsoever. That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

[15] [to Cases pertaining to the kinds of foods farmers grow and do not grow, or should or should not grow, and how they must or must not

grow them, the kinds of equipment they must use or not use in their farming, even though none of the foregoing issues may be, for the farmer, involved in any controversy, whether or not within any State or between citizens of different States, to the ways and prohibition of ways that preparers of foods prepare foods in any kind of establishment, whether to a small cafe, to a restaurant or a chain of them, to a manufacturer thereof, and the types of ingredients used in any form of cooking of foods or preparing of them before any sale of them, even though there may exist no controversy regarding them,– to the research and manufacture of medicines, to the ingredients and the form of ingredients, and to the sale of them, medicines, whether within a State only or across a State's line, even though not in any controversy whatsoever, to laws passed by the Congress requiring manufacturers to design or redesign their products crossing a State's line as per Article I, Section 8, Clause 3, Phrase 2, even though the word "regulate" in said Clause 3 means more at – to make or cause or cause to become regular – by way of uniform fees and duties imposed and not to "design" or "redesign" them, and even though, in all of the foregoing cases the Congress' power at Article VI, Clause 2 does not extend its laws to them in any State as a result of the Separation of Criminal Jurisdiction Powers established at Article III, Section 2 Clause 3];

> **The Above Phrase is NOT (or No Part thereof is) contained in Article III, Section 2, Clause 1, therefore the judicial Power of the United States has not been "extended to" it, not even on appeal. That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.**

[16] [to any Act of the Congress, or any Case arising thereunder, that may subvert or deny the **Inherent Right to Bear Arms** contained within Clause 15, of Section 8, Article I, in any State in order that the Congress, in its attempt, under Title 28, Sections 81 through 144, to take over the several States and the people residing or having abode therein by use of unlawfully [re]established and incorporating or including districts, irrespective of the fact that the judicial Power was first created to support and sustain these Rights in the Constitution itself

and not, by any form of "case law," to effectively set those Constitutional Rights aside];

> **The Above Phrase, - any form or implied view of it, nor any amended version of it that might also include the later Second Amendment Constraint itself, - is NOT contained, to any extent, in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal. That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.**

[17] [to any Case involving money - not limited to any money authorized to the Congress at Article I, Section 8, Clause 5, but to all Cases whereby the Congress has pro**claimed,** by its laws, **a monopoly** upon ALL money, as though a "Coin of the Realm" had been authorized by this Constitution as the sole form of money for the people of the several States, but which has not been so authorized, prohibiting thereby the people from continuing to produce and use any form of private money, *not* as money prohibited to the States at Article I, Section 10, Clause 1 of the Constitution, but Cases prohibiting such money as shall be available to the People, by the People, and for the People, for their immediate and continued private use, long after this Constitution shall have been ratified; private money as the People alone shall chuse, which chusing and making and using such private money shall be prohibited by law passed by the Congress, extending such prohibition of private money's production and usage to that of the States as seen at Article I, Section 10, Clause 1, as per the Congress' *desire* to make its own money the one, sole money of the United States, *or* as a monopoly, not as a form of Welfare or subsidization, but as **the** Coin of the Realm of the United States, - these Cases, above, for such private money prohibition, the judicial Power has been extended to];

> **The Above Phrase, any form or implied view of it, is NOT contained, to any extent, in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal. That door is closed as to**

any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

[18] [to the making of **Rules** for the People; and for the making Rules for the Jury; or for any grand Jury, or for any National Tribunal Court inferior to the supreme Court, recognizing that any such National Tribunal Court is in fact a part of the United States government, requiring the Congress to make **the** Rules there-for, as per Article I, Section 8, Clause 14, but which the supreme Court shall make the Rules there-for, regardless, for such National Tribunals as it, supreme Court, shall determine, or for any other claimed United States court inferior to the said National Tribunal courts, if any, – they being themselves inferior to the "supreme Tribunal" court, or "supreme Court," as was referred to by the Constitution Planning Meetings of 1787].

The Above Phrase, any form or implied view of it, is NOT contained, to any extent, in Article III, Section 2, Clause 1, and therefore the judicial Power of the United States has not been "extended to" it, not even on appeal. That door is closed as to any claim for a United States judicial Power to pertain to that Subject Matter whatsoever.

9. The review of the above ***demonstrative*** Phrases as though the same were to have been made a part of Article III, Section 2, Clause 1, were set forth in order to establish the concrete reality that even the judicial branch itself was first established, by the Constitution's Founding Fathers, to **not** be able to go along with or support any act of Congress not in compliance with the Constraints placed upon the Congress at Article I, Section 8, Clause 18 – going back to Clauses 1 – 17 and to other powers expressly stated after Clause 18, and at Article III, Section 2, Clause 3's Separation of Criminal Jurisdiction Powers, and to the requirement for a Guarantee or Warrant by the United States, long abused by being denied to the People/people as it should have been so provided for, a Republican Form of Government at Article IV, Section 4, requiring that the alleged United States central government, by way of its alleged Congress, be required to recognize that its own powers, when being **extended** to within **any** State, be required to consist of a Republican Form of Government in the

application of any such Power of Congress so applied, and not as though such Power was to be considered as ultimately exclusive to its own self outside of the Territory of Washington, such District of Columbia, at all.

10.1 Among the **Seven** (7) net **Extended Powers** contained in Article III, Section 2, Clause 1, we find No form of Power that provides for the "United States supreme Court", either in whole or in any individual justice part, the Power to "appoint" anyone to do anything, **the Power to Appoint** – EXCEPT as provided for under Article II, Section 2, Clause 2, the Last Phrase Thereof, wherein it states that, "the ***Congress*** may by Law vest the Appointment of such inferior Officers, as ***they*** think proper . . . in the Courts of Law," thereof – **Exists** as an actual Executive Power, and NOT a "Judicial Power" at all;

10.2 It being the Certain Constraint, or Limitation, at Article II, Section 2, Clause 2, that the appointment of "inferior officers" to a[ny] court of Law being inclusive of "attorneys" or "lawyers" as deemed to be "[**inferior**] **officers** of the court (for they cannot be regarded as "superior officers" of the court instead), and therefore being considered to be "inferior officers" of such a court accordingly, could not be, and cannot have ***ever*** been, lawfully or legally established as "[inferior] officers of such "U.S." [supreme] Court without the authorization to do so having First been Vested by the [alleged] Congress, at some point in time, to so appoint any such same, otherwise, there being No Lawful or Legal Right for the [alleged] "U.S." supreme Court of the alleged United States central government to "vest" any authority, whether believed to be de jure or else being de facto, in ***any*** office of lawyer or attorney as though an "officer of" that "supreme Court," – it is the Lawful and legal consequence of such Procedural Error that there exists NO Right for the "1791 supreme Court's" earliest, 1791 requirement that any attorney or lawyer, appearing before it, first be qualified by any standard set, for any purpose or reason, by it, aforementioned "supreme Court;

10.3 This same Extended Powers **Constraint**, ***joined*** by the **Constraint** existing at Article II, Section 2, Clause 2, Last Phrase Thereof, Condition going Against the UnLawful, and Contemptuous 1791 act on its own part that *"lawyers and attorneys are to be required to be members of any*

'bar' association, or even to be accepted to practice law by the highest court of any State," Denies by the 7-Net Extended Powers' own Power of the Negative, to Deny to the aforementioned "supreme Court, and all authority to dictate who may, or may not, as any alleged inferior officer thereof, appear before it.

10.4 Recognizing that the words at Article II, Section 2, Clause 2, Last Phrase Thereof, were not in any way or sense "Exclusive" to the "supreme Court" alone, but likewise extended to the Eleven Tribunal Courts, as being the Only Lawful Courts below it, or "inferior" to it, but included ALL United States "Courts of Law," by that same II. 2. 2 Authority, and have No Right of Authority to limit, as a matter of the appearance of any attorney's or lawyer's academic, educational, or bar membership background, any attorney's or lawyer's appearance before – any of them.

10.5 It not being, under the proposed Constitution's Article II, Section 2, Clause 2, Last Phrase Thereof, the question that the alleged Congress could not have vested, as a matter of Congressional Act, the Power "to appoint inferior officers" to itself, but it is the legal, historical fact that the alleged Congress did not do so.

10.6 Rendering the alleged "Supreme Court's own alleged authority to require any person appearing before it be any "attorney" or "lawyer" whatsoever, whether or not any attorney at bar, and whether or not recognized by the "highest court of any State," as being, itself, De Facto, and Not De Jure or Lawful in any sense that Jurisprudence might accord to it, and to its alleged as lawfully established "justices," ever.

10.7 Nor is there any provision to be found within the Extended Powers found at Article III, Section 2, Clause 1, net Phrases 1 – 7, that overcomes this Severe Constraint REQUIRING IT, the UnLawfully - 1789 Nobly Elevated "Supreme Court," to First Have in its possession an Established Law or Resolution, duly passed by the [alleged] Congress, in order for it to appoint, or recognize the appointment of Any attorney or lawyer, no matter to what "BAR," or "British Accreditation Registry," association that the same might have been admitted.

10.8 Still Further, No Judicial Conference, Visibly and Invisibly, or NO Judicial Authority *or* Power Exists, whether for the United States supreme Court or for any court inferior thereto, to create or participate in any "Judicial Conference," no matter the "where" or the "when" or the "why" such might be "called," nor is there any Judicial Power that exists within the Expressly Written, 7 Net, Constraining, Extended Powers *themselves*, that allows or provides for any appointment of a "Judicial Conduct and Disability Act Study Committee," nor any other "committee," agency," or other functioning or acting body capable of executing any acts of its own accord, not expressly provided for under the Seven (7) NET Powers **EXTENDED** to the [alleged] United States supreme Court set forth, and constrained, at Article III, Section 2, Clause 1, **Net** Enforceable Phrases 1 – 7 thereof.

The Extended Powers TEST

I. The Wording at Article III, Section 2, Clause 1 does not read, as most assume: "The judicial Power of the United States shall extend to all Cases," and then end there.

II. Neither does Article III, Section 2, Clause 1, Phrase 1 continue with, and then stop, ultimately, at: "under their Authority."

III. But rather is grounded in the unique use of a semicolon followed by a long dash, the grammatical mechanism utilized to enumerate, and thereby Constrain or Limit, the particular Powers to which even the "United States supreme Court" was to receive, under and by the authority of the proposed Constitution for the United States, of America.

IV. As Mr. Founder James Madison had stipulated to during the 1787 Constitution Planning Meetings, the Extended Powers themselves, along with The Clause 18 TEST, Part I and Part II Constraints, were to serve in the capacity of the **Power of the Negative**, an absolute and unyielding Constraint upon the [alleged] supreme Court of the alleged United States central government, no less than the other two branches proposed to be for the alleged United States central government were to be Constrained to. The Extended Powers TEST; the **Power of the Negative**. For "supreme Court" Powers purposes, they are one and the same.

DULY SUBMITTED AND INCORPORATED;

WITH THE INSTRUCTION:

Cease To *Ignore* The LAW; DISOBEY The Frauds, No Matter The Court Alleged As Committing The Same.

This TEST and Exhibit Is SEALED, And INCORPORATED, Against That Which Is Found To Be Untrue In The Constitution For The United States, And For That Which Is True In The Said Same Constitution, Into This Case, Now *ARISING*, Before The Lawful Courts of the Several States of the Union of "them," And Not Lawfully Concurrently Elsewhere.