

To OUR presiding US Supreme Court Judges,
President of OUR united States, Chairman of
OUR Senate, Speaker of OUR House,
Governor of MA, Governor of CT, MA
Senators, CT Senators, MA Supreme Court
Chief Justice, CT Supreme Court Chief Justice,
US Atty. General, MA Atty. General, CT Atty.
General, and OUR Court of Public Opinion

David P. Fontaine (Plaintiff, Pro Se)

Jan 08, 2016

The following documents OUR Supreme Court's repeated failure to follow fundamental law. Commissioned with sworn or delegated duties to observe and obey OUR Constitution and OUR Case Law rigidly upholding the term "Unalienable" and superseding all legislation and rules¹, officers of OUR Supreme Court willfully or ignorantly misconstrued my Sovereign authority² in OUR Republic and failed their sworn or delegated obligation³ by refusing to forward my Petition for Redress of Grievances⁴ to an unbiased "due process" forum, thereby depriving me of my 1st and 7th Amendment Unalienable Rights.

¹ "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." *Miranda v Arizona*, 384 US 436 p 491 (1966)

"*Observation: The principle that one challenging the constitutionality of legislation bears the burden of proving its unconstitutionality does not apply to statutes or ordinances restricting speech and other fundamental rights; inasmuch as the burden of proof in such cases rests with those who have imposed the restrictions.*" 16A Am Jur 2d 198 @ pg 85 – ref *Rosenburger v. Rector and Visitors of University of Virginia*, 515 US 819, 115 S. Ct. 2510, 132L. Ed. 2d 700.

² "... that to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, ..." Declaration of Independence

"... whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness." Declaration of Independence

"In Suits at common law [including individual grievances], where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law". US Const. 7th Amend

³ "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;" US Const. Art 6 Cl 3

⁴ "Congress [and the equally restricted Judiciary] shall make no law ... abridging ... the right of the people ... to petition the Government for a redress of grievances". US Const. 1st Amend

America was specifically founded upon OUR fundamental directive, a “*Republican Form of Government*”⁵, separated from the first three articles of authority delegation. **Single Sovereign Voice Accountability** fortifies OUR Declaration and secures OUR *Safety and Happiness*:

“**Republic**: a system of government in which **the people hold Sovereign power** and elect representatives who **exercise** that power. It contrasts on the one hand with a **pure democracy**, in which the people or community as an **organized whole wield the sovereign power of government**, and on the other with the **rule of one person** (such as a king, emperor, czar, or sultan).

Sovereign: “*A person, body, or state vested with independent and supreme authority*

Independent: self-governing and **not ruled by any other state** [of existence]

Vested: Having become a completed, **consummated right for present or future enjoyment; not contingent; unconditional; absolute**

Exercise: **to implement the terms of; to execute**⁶

Also founded upon OUR directive to “*To promote the Progress of Science and useful Arts*”⁷, “*We, the People*’s” FREEDOM is OUR most fundamental, cherished art; to be perfected, not undermined. OUR Supreme Court has a sworn duty to **promote** this art, not perpetuate by inaction documented judicial error suborning government abuse escalating for 16 years upon me and my family, all detailed in my Petition.

“*The only thing necessary for the triumph of evil is for good men to do nothing.*”⁸

Officers of OUR Supreme Court, being duly informed (via petition) and failing to carry out their sworn or delegated obligations constitutes dereliction of duty, depraved indifference, and breach of contract, requiring your immediate attention.

Sincerely,



David P. Fontaine

⁵ “*The United States [government] shall guarantee to every State in this Union a Republican Form of Government ...*” U.S. Const. Art IV, Sec 4

⁶ (Black's Law Dictionary, Seventh Edition © & (P) 2000 West Group, All rights reserved)

⁷ US Const. Art 1 Sec 8, Cl 8

⁸ Edmund Burke

First filing attempt - My cover letter with 10 copies of my 96 page Petition for Redress of Grievances (sworn affidavits) for each Supreme Court Judge and the Court Clerk

Via Certified Mail to:
Scott Harris - Clerk
Supreme Court for these united States
1 First St, NE
Washington, DC 20543

David P. Fontaine (Plaintiff, Pro Se)

Oct 30, 2015

I am a natural born American, have never waived¹ any of my "Unalienable Rights", and register my "Petition for Redress of Grievances" (10 copies included) before OUR Republic's Supreme Court for "We, the People", citing the Magna Charta, OUR Declaration of Independence, OUR Constitution, "Sovereign", "Unalienable"², and "Morality and Reason"³ as authority;

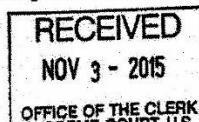
¹ "by knowingly intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences", as is required *Brady v. U.S.*, 397 U.S. 742 at 748

² "It may be said that the Constitution executes itself. This expression may be allowed; but with as much propriety, these may be said to be laws which the People have enacted themselves, and no laws of Congress can either take from, add to, or confirm them. They are Rights, privileges, or immunities which are granted by the People, and are beyond the power of Congress or State Legislatures..." *Bouvier's Law Dictionary*, 1870 pp 622-625

³ "Besides, the Spanish law is not only contrary to ours, but is inconsistent with the law of nature, which is a sufficient reason for maintaining the supremacy of our own code." *In re Antelope*, 23 U.S. 66, 74 (1825).

"As in our intercourse with our fellow-men certain principles of morality are assumed to exist, without which society would be impossible, so certain inherent rights lie at the foundation of all action, and upon a recognition of them alone can free institutions be maintained. These inherent rights have never been more happily expressed than in the declaration of independence, that new evangel of liberty to the people: 'We hold these truths to be self-evident'-that is, so plain that their truth is recognized upon their mere statement-'that all men are endowed'-not by edicts of emperors, or decrees of parliament, or acts of congress, but 'by their Creator with certain inalienable rights.'--that is, rights which cannot be bartered away, or given away, or taken away, except in punishment of crime--'and that among these are life, liberty, and the pursuit of happiness: and to secure these'-not grant them, but secure them--'governments are instituted among men, deriving their just powers from the consent of the governed.' Among these inalienable rights, as proclaimed in that great document, is the right of men to pursue their happiness, by which is meant the right to pursue any lawful business or vocation, in any manner not inconsistent with the equal rights of others, which may increase their prosperity or develop their faculties, so as to give to them their highest enjoyment." *Butchers' Union Slaughter-House v. Crescent City Livestock Landing*, 111 U.S. 746, 4 S.Ct. 652 (1884)

Page 1 of 2



Page 3 of 9

countermanding any legislation, rule-making, protocol, time constraints, fees, or any other abrogation⁴.

Regardless of entrenched presumptions, ramifications, or duration⁵, my Petition (affidavit) commissions your sworn or delegated obligation⁶ to publicly record, distribute copies to each of this Court's 9 presiding Judges, with authorization to copy and distribute as many as you deem necessary to expedite OUR Republic's specified unbiased "due process" forum⁷.

Sincerely,



David P. Fontaine (Plaintiff Pro Se)

Cc: Court of Public Opinion

⁴ "Congress [and the equally restricted Judiciary] shall make no law ... abridging ... the right of the people ... to petition the Government for a redress of grievances". U.S. Const, 1st Amend

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." Miranda v Arizona, 384 U.S. 436 p 491 (1966)

"Observation: The principle that one challenging the constitutionality of legislation bears the burden of proving its unconstitutionality does not apply to statutes or ordinances restricting speech and other fundamental rights; inasmuch as the burden of proof in such cases rests with those who have imposed the restrictions." 16A Am Jur 2d 198 @ pg 85 – ref Rosenberger v. Rector and Visitors of University of Virginia, 515 US 819, 115 S. Ct. 2510, 132L. Ed. 2d 700.

Federal District Court, Springfield MA, Case # 04-30080-MAP "lack of standing" dismissal

⁵ "Moreover, the fact that a statute has been construed and applied for a considerable period of time does not necessarily render it free from constitutional attack, and acquiescence over a period of many years will not render an unconstitutional statute valid." 16A Am Jur § 183

⁶ "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;" U.S. Cons Art 6 Cl 3

"Every member of a State legislature, and every executive and judicial officer of a State, shall, before he proceeds to execute the duties of his office, take an oath in the following form, to wit: I, A B, do solemnly swear that I will support the Constitution of the United States." 4 USC 101

⁷ "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved..." U.S. Const. Amend. 7

Page 2 of 2

Page 4 of 9

First rejection received with all 10 of my Petitions returned

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 3, 2015

David P. Fontaine

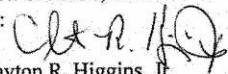
RE: David Fontaine

Dear Mr. Fontaine:

The enclosed papers were received on November 3, 2015. These papers fail to comply with the Rules of this Court and are herewith returned.

You may seek review of a decision only by filing a timely petition for writ of certiorari. The papers you submitted are not construed to be a petition for writ of certiorari. Should you choose to file a petition for writ of certiorari, you must submit the petition within the 90 day time limit allowed under Rule 13 of the Rules of this Court. A Copy of the Rules of this Court and a sample petition for a writ of certiorari are enclosed.

Your case must first be reviewed by a United States court of appeals or by the highest state court in which a decision could be had. 28 USC 1254 and 1257.

Sincerely,
Scott S. Harris, Clerk
By: 
Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

Page 5 of 9

Second filing attempt - My 10 cover letters and same 96 page Petitions (sworn affidavits),
individually addressed to each Supreme Court Judge and the Clerk

Clayton R. Higgins
Clerk
Supreme Court of the United States
1 First St. NE
Washington, DC 20543

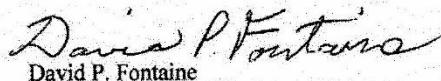
David P. Fontaine (Plaintiff, Pro Se)

Attachments: Scott Harris / Clayton R. Higgins, Jr rejection letter dated Nov. 03, 2015
My cover letter and Petition dated Oct 30, 2015

Nov 12, 2015

On Nov 03, 2015, Scott Harris / Clayton R. Higgins Jr rejected my Petition citing ignorance of fundamental law and failing their sworn or delegated obligation¹ to publicly record and initiate our constitutionally specified unbiased "due process" forum². This Petition is an exercise of my 1st Amendment authority³; countering any rule-making (including complicated procedure taxing morality and reason and my education), this court's own affirmations⁴; tasking you to convene an unbiased "due process" forum where I can explicate my Petition's contents, which details my standing, your jurisdiction, and legislative and judicial subversion complicit in the compounding allegations therein; escalating Deprivation of my Rights under color-of-law, Invasion of my State of residence, Invasion of my Privacy, Extortion of my Property, my Involuntary Servitude, and my family's distress.

Sincerely,


David P. Fontaine

Cc: All active Supreme Court Judges, Scott Harris, Clayton R. Higgins, the Court of Public Opinion

¹ "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," U.S. Cons Art 6 Cl 3

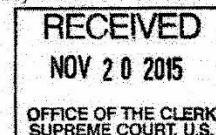
² "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved..." U.S. Const. Amend. 7

³ "Congress [and the equally restricted Judiciary] shall make no law ... abridging ... the right of the people ... to petition the Government for a redress of grievances". U.S. Const, 1st Amend

⁴ "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." Miranda v Arizona, 384 U.S. 436 p 491 (1966)

"Observation: The principle that one challenging the constitutionality of legislation bears the burden of proving its unconstitutionality does not apply to statutes or ordinances restricting speech and other fundamental rights; inasmuch as the burden of proof in such cases rests with those who have imposed the restrictions." 16A Am Jur 2d 198 @ pg 85 – ref Rosenburger v. Rector and Visitors of University of Virginia, 515 US 819, 115 S. Ct. 2510, 132L. Ed. 2d 700.

Page 1 of 4



Page 6 of 9

Second through sixth rejections received with 5 of my Petitions specifically addressed to all 9 active Judges and the Clerk returned, stamped received Nov 17, 2015 by the Clerk's Office

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 18, 2015

David P. Fontaine

RE: David Fontaine

Dear Mr. Fontaine:

The enclosed papers were received on November 17, 2015. These papers fail to comply with the Rules of this Court and are herewith returned.

The papers are returned for the reasons stated in the November 3, 2015 letter.

Sincerely,
Scott S. Harris, Clerk
By:

Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

Page 7 of 9

Seventh rejection received separately, approximately one week later, with my Petition specifically addressed to Judge Samuel Anthony Alito, Jr. returned, stamped received Dec 07, 2015 by the Clerk's Office

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 18, 2015

David P. Fontaine

RE: David Fontaine

Dear Mr. Fontaine:

The enclosed papers were received on November 17, 2015. These papers fail to comply with the Rules of this Court and are herewith returned.

The papers are returned for the reasons stated in the November 3, 2015 letter.

Sincerely,
Scott S. Harris, Clerk
By:

Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

Page 8 of 9

Eight rejection received separately, approximately another week later, specifically addressed to Clayton R. Higgins, stamped received Nov 20, 2015 by the Clerk's Office

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 18, 2015

David P. Fontaine

RE: David Fontaine

Dear Mr. Fontaine:

The enclosed papers were received on November 17, 2015. These papers fail to comply with the Rules of this Court and are herewith returned.

The papers are returned for the reasons stated in the November 3, 2015 letter.

Sincerely,
Scott S. Harris, Clerk
By:

Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

Page 9 of 9

Page 9 of 9

Exhibit 184