IN THE UNITED STATES SUPREME COURT

AMBASSADOR, CARL D. SIMMO[illegible].E.O., IN A[illegible]ER, PRO HAC VICE
PETITIONER

VS.

PEOPLE OF THE STATE OF CALIFORNIA, ET.AL.
RESPONDANTS

U.S. SUPREME COURT DOCKET NUMBER:

*MOTION FOR "DOCKETING" A PETITION FOR EXTRAORDINARY WRIT; ORAL *
*ARGUMENT PRO HAC VICE; APPLICATION TO STAY THE ENFORCEMENT OF *
*JUDGMENT OF A DECISION FAILING [OR] REFUSING TO RELEASE A PRISONER *
*TO BE ENLARGED ON PERSONAL RECOGNIZANCE; AND "REPRODUCING" AND *
*"CERTIFYING" THE RECORD AND FOR "COMPARING" WITH THE ORGINAL THEREOF *
*ANY PHOTOGRAPHIC REPRODUCTION OF THE RECORD WITH A "CERTIFICATE" *
*BEARING THE SEAL OF THE COURT, INVOKING THE COURTS "ORGINAL" JURIS- *
*DICTION UNDER ARTICLE III OF THE CONSTITUTION OF THE UNITED STATES, "In *
*Forma Pauperis", PURSUANT TO U.S. SUPREME COURT RULES 6.2.3, 17.1.2. *
*3.4; 20.1.2.3(b), 21.2(a), 22.1.2.3, 23.1.2.3, 28.1.2, 36.3(a), 38(a)(b)- *
*(c)(d), 39.1.2.4 *

TO THE HONORABLE JUSTICE OF THE UNITED STATES SUPREME COURT FOR THE NINTH CIRCUIT, SANDRA DAY O'CONNER:

*APPLICATION TO STAY THE ENFORCEMENT OF JUDGMENT: *

ON APRIL 26, 2000, PETITIONER FILED WITH THE U.S.D.C. FOR THE CENTRAL DISTRICT OF CALIFORNIA A FEDERAL WRIT OF HABEAS CORPUS, TITLE 28 U.S.C. SECTION 2254 ET. SEQ., WHICH WAS "DISMISSED WITH[OUT] PREJUDICE" TO EXHAUST STATE REMEDIES ON MAY 31, 2000 BY UNITED STATES DISTRICT COURT JUDGE,

Supreme Court, U.S.
FILED
OCT 13 2000
OFFICE OF THE CLERK

IN THE UNITED STATES SUPREME COURT

MOTION FOR LEAVE TO "FILE" AND "PROCEED" "IN FORMA PAUPERIS": *

(CONTINUED)

00 6586

LEAVE TO FILE A PETITION FOR REHEARING, FOR "REPRODUCING" [AND] "CERTIFYING" "THIS" MOTION FOR LEAVE TO FILE AND PROCEED "IN FORMA PAUPERIS", APPLICATION TO STAY THE ENFORCEMENT OF JUDGMENT, [AND] PETITION FOR EXTRAORDINARY WRIT; AND FOR "COMPARING" WITH THE ORIGINAL THEREOF ANY PHOTOGRAPIC REPRODUCTION OF ANY RECORD OR PAPER, WHEN FURNISHED BY THE PERSON REQUESTING IT'S CERTIFICATION AND FOR A "CERTIFICATE" BEARING THE SEAL OF THE COURT, BECAUSE AS THE ATTACHED AFFIDAVITS INDICATE, I.E. FRAPP. FORM 4, THE PETITIONER IS [UN]ABLE TO PAY SUCH COSTS OR GIVE SECURITY THEREFOR. #

LEAVE TO PROCEED "IN FORMA PAUPERIS" WAS [SOUGHT] IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN, EASTERN, AND CENTRAL DISTRICTS OF CALIFORNIA, AND LEAVE HAS BEEN [GRANTED] IN THE CENTRAL DISTRICT.

"APPOINTMENT OF COUNSEL", UNDER TITLE 18 U.S.C.

Page 2-6 missing

Supreme Court, U.S.
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(10)

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ATTENTION

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CLERK OF THE COURT

00-6586

ENCLOSED YOU WILL FIND (ONE) [ORIGINAL] AND (TWO) [COPIES] OF AN "SUPPLEMENTAL BRIEF" [TO] "PETITION FOR AN EXTRAORDINARY WRIT, TITLE 28 U.S.C. 1651(a), [RE] FILED ON OCT 2, 2000 A.D., I.E. [ORIGINALLY] FILED SEPT. 14, 2000 A.D., INVOKING THE UNITED STATES SUPREME COURTS [ORIGINAL] JURISDICTION, I.E. CL. 2, SEC. 2, ART III OF THE CONST. OF THE UNITED STATES OF AMERICA ON SEPT. 17, 1787 A.D. TO BE "TRANSMITTED" [PROMPTLY] TO U.S. SUPREME COURT JUSTICE SANDRA DAY O'CONNER, FOR THE 9TH CIRCUIT, PURSUANT TO U.S. SUPREME COURT RULE 17.1, 20.1.2, 22.1.2.3, 29, 34, 39.4

I "THANK YOU" FOR YOUR TIME AND COOPERATION IN THIS MATTER. IF ANY PROBLEMS SHOULD ARISE PLEASE CONTACT ME AT THE ADDRESS BELOW.

(L.S.) HONORABLE AMBASSADOR, Carl D. Simmons, PRO HAC VICE, I.F.P.

MR. CARL D. SIMMONS, #E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

States Supreme Court Docket Number For The October Term of 1999:

In The Supreme Court of The United States of America

In Re Ambassador, Carl D. Simmons, Pro Hac Vice, I.F.p.

On Petition For "Writ of Habeas Corpus" To The California Supreme Court No. S089503
On Petition For "Writ of Habeas Corpus" To The United States District Court For The Central District Western Div. of California CV-00-04400-LGB-(EE); 00-56639
On Petition For "Civil Rights Act" Complaint, Title 42 U.S.C. Sec. 1983 et seq., To The United States District Court For The Central District of California, CV-00-07525-LGB-(EE); CV-00-08308-LGB-(EE); CV-00-09205-IFP-(TJH)
On Petition For "Civil Rights Act" Complaint, Title 42 U.S.C. Sec. 1983 et seq, To The United States District Court For The Eastern District Fresno Div. of California, CV-F-00-0580T-REC(DLB-P); 00-16430; 00-16563
On Petition For "Civil Rights Act" Complaint, Title 42 U.S.C. Sec. 1983 et seq, To The United States District Court For The Nortern District of California, CV-00-2015-WHA-(PR)
On "Petition For Review", FRAPP. Rule 15, To The United States Supreme Court Of "Application For Naturalization Form N-400 [and] "Application To Replace Alien Registration Card Form I-90", To The U.S. Department of Justice, I.N.S.

"Supplemental Brief to Petition for an Extraordinary Writ, invoking the Courts' [Original] Jurisdiction, Pursuant to U.S. Supreme Court Rules 6.2.3; 17.1.2.; 20.1.2; 22.1.2.3; 29.1.2; 33.2(a); 34; 39.1.4"

(U.S.) Honorable Ambassador, Carl D. Simmons, Pro Hac Vice, I.F.p.

Mr. Carl D. Simmons, #E-96088
Salinas Valley State Prison
31625 Highway 101, P.O. Box 1020
Soledad, California, 93960

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IN THE UNITED STATES SUPREME COURT

ON I QUESTIONS PRESENTED FOR REVIEW:

A) DID THE STATE OF CALIFORNIA, IN THE "PEOPLE OF THE STATE OF CALIFORNIA V. CARL E. SIMMONS, SANTA BARBARA COUNTY SUPERIOR COURT CASE NO. 214013", EXERCISE AN "ABUSE OF DISCRETION" [AND/OR] "PROCESS" [AND/OR] "MALICIOUS PROSECUTION" BY... [DENIAL]... OF AMENDMENT XIV SEC. 1 OF THE UNITED STATES OF AMERICA CONSTITUTION OF 1868 A.D. TO THE "PETITIONER" IN THE "ARREST"... "SEARCH"... "SEIZURE"... "CONVICTION"... AND "SENTENCE"... BY [STATE]... [PASSED]... "EX POST FACTO LAW[S]... [AND]... LAW[S] IMPAIRING] THE [OBLIGATION] OF CONTRACTS", [CONSTITUTIONALLY FORBIDDEN] BY CL. 1, SEC. 10, ART. I OF THE UNITED STATES OF AMERICA CONSTITUTION [ON] SEPTEMBER 17, 1787 A.D.?

B) DID [OFF-DUTY] L.A.S.O., "HENRY BOYD", ACTING UNDER THE COLOR OF [STATE] LAW, IN THE CASE PRESENTED IN QUESTION 'A', ON JUNE 1, 1996 A.D. AT APPROX. 10:15 PM HAVE [PRIOR]... [PROBABLE-CAUSE]... TO CONDUCT A WARRANTLESS]... "ARREST"... "SEARCH"... "SEIZURE" OF THE "PETITIONER" IN ACCORDANCE WITH AMENDMENTS I-X OF THE UNITED STATES OF AMERICA CONSTITUTION OF 1791 A.D. [AND] AMENDMENT XIV SEC. 1 OF THE UNITED STATES OF AMERICA CONSTITUTION OF 1868 A.D.?

C) DID THE [PROSECUTRIX] IN THE CASE PRESENTED IN QUESTION 'A', [VIOLATE] THE "CALIFORNIA RULES OF PROFESSIONAL CONDUCT 5-110" BY... [DENIAL]... OF AMENDMENT XIV SEC. 1 OF THE UNITED STATES OF AMERICA CONSTITUTION OF 1868 A.D. TO THE "PETITIONER"?

D) DID THE CASE PRESENTED [IN] QUESTION 'A', [VIOLATE] AND/OR [DENY] THE RIGHT[S], POWER[S], PRIVELEGE[S], AND IMMUNITIE[S] STATED IN THE "EMANCIPATION OF PROCLAMATION" BY PRESIDENT ABRAHAM LINCOLN ON JAN. 1, 1863 A.D. TO THE "PETITIONER" BY [HEIRDOM]?

E) DID THE CASE PRESENTED [IN] QUESTION 'A', [VIOLATE] AND/OR [DENY] THE RIGHT[S], POWER[S], PRIVELEGE[S], AND IMMUNITIE[S] GRANTED TO THE "PETITIONER" BY [HEIRDOM] IN CL. 1, 39, 40, 49, 52, 54, 55, 60, 61, AND 63 OF THE "MAGNA CARTA" [ON] JUNE 15, 1215 A.D.?

F) DID THE CASE PRESENTED [IN] QUESTION 'A', [VIOLATE] AND/OR [DENY] THE RIGHT[S], POWER[S], PRIVELEGE[S], AND IMMUNITIE[S] STATED IN AMENDMENTS I-X OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1791 A.D.; AMENDMENT XIII OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1865 A.D.; [AND] AMENDMENT XIV SEC. 1 OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1868 A.D.?

ON I. QUESTIONS PRESENTED FOR REVIEW: (CONTINUED)

G) DID NOT THE [CONSEQUENTIAL LOSS] IN THE CASE PRESENTED [IN] QUESTION 'A', RESULT IN A VIOLATION AND/OR [DENIAL] OF THE RIGHT[S], POWER[S], PRIVELEGE[S], AND IMMUNITIE[S] GRANTED TO THE PETITIONER IN THE "UNITED NATION'S UNIVERSAL DECLARATION ON HUMAN RIGHTS, ARTICLES 1-30 [ON] DECEMBER 10, 1948 A.D." ?

H) IN THE CASE PRESENTED [IN] QUESTION 'A', WAS THERE A... [PROBABLE-CAUSE]... DETERMINATION... [MADE]... WITHIN [48] HOURS OF THE PETITIONER'S WARRANTLESS "ARREST", AS EXPRESSED IN County of Riverside V. McLaughlin (1991) 500 U.S. 44, 114 L.Ed 2d 49, 111 S.Ct 1661; Gerstein V. Pugh (1975) 420 U.S. 103, 125, 43 L.Ed 2d 54, 71, 95 S.Ct. 854, 868 ?

I) IS NOT THE... "UNITED STATES CODE", i.e [ALL] TITLES... [ENACTED]... BY THE "UNITED STATES OF AMERICA CONGRESS", WHICH APPLIES... [RETROACTIVELY]... TO THE 'IN PERSONAM', PERPETUITY RIGHT[S], POWER[S], PRIVELEGE[S] AND IMMUNITIE[S] OF THE "PETITIONER" IN THE... "EGYPTIAN ECCLESIASTICAL DIVINE NATURAL LAW, 2500 B.C."... "CODE OF HAMMURABI, 1792 B.C"... "JUSTINIAN CODE, 529 A.D."... "CORPUS JURIS ANGLIAE, i.e "MAGNA CARTA" [ON] JUNE 15, 1215 A.D.; PETITION OF RIGHT (3 CAR. (1628)); HABEAS CORPUS ACT (31 CAR. 2 (1679)); BILL OF RIGHTS (1 WILL AND M (1689))... "CORPUS JURIS CANONICI, 1582 A.D."... WHICH... "IMPAIR[S]"... THE [OBLIGATION] OF THOSE CONTRACT[S] AND [DIVESTS] VESTED AND INHERITED RIGHT[S] OF THE "PETITIONER", "EX POST FACTO LAW[S]," [CONSTITUTIONALLY FORBIDDEN] BY CLS. 2-7, SEC. 9, ART. I OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA [ON] SEPTEMBER 17, 1787 A.D.; AMENDMENTS I, IV, V, VIII, IX AND X OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1791 A.D. ?

J) IS NOT THE [STATE]... "CONSTITUTIONS"... [ENACTED]... IN [EACH] OF THE (50) STATES BELONGING TO THE UNION OF THE "UNITED STATES OF AMERICA" AND... [STATE]... LAW[S] [ENACTED] THEREFROM, E.G. PENAL CODES, ETC... WHICH APPLIES... [RETROACTIVELY]... TO THE 'IN PERSONAM', PERPETUITY RIGHT[S], POWER[S], PRIVELEGE[S], AND IMMUNITIE[S] OF THE "PETITIONER" IN THE... "EGYPTIAN ECCLESIASTICAL DIVINE NATURAL LAW, 2500 B.C."... "CODE OF HAMMURABI, 1792 B.C."... "JUSTINIAN CODE, 529 A.D"... "CORPUS JURIS ANGLIAE, I.E. MAGNA CARTA [ON] JUNE 15, 1215 A.D.; PETITION OF RIGHT (3 CAR. (1628)); HABEAS CORPUS ACT (31 CAR. 2 (1679)); BILL OF RIGHTS (1 WILL AND M (1689))... "CORPUS JURIS CANONICI, 1582 A.D."... WHICH... "IMPAIR[S]"... THE [OBLIGATION] OF THOSE "CONTRACT[S]" AND [DIVESTS] VESTED AND INHERITED RIGHT[S] OF THE "PETITIONER", [CONSTITUTIONALLY FORBIDDEN] BY CL. 1, SEC. 10, ART. I OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA [ON] SEPTEMBER 17, 1787 A.D. [AND] AMENDMENT XIV SEC. 1 OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1868 A.D. ?

IN THE UNITED STATES SUPREME COURT

I. QUESTIONS PRESENTED FOR REVIEW: (CONTINUED)

K) DOES "GOVERNMENT AGENT PROVOCATEUR", [LILLY OKINAKA], IN THE CASE PRESENTED [IN] QUESTION 'A'; MEET THE STANDARD BY WHICH A [PRIVATE PERSON] MAY BE CONSIDERED A... [STATE ACTOR]... AND THEREFORE MAY BE [LIABLE] FOR VIOLATING THE "PETITIONER'S" UNITED STATES OF AMERICA "CONSTITUTIONAL RIGHT[S]" — IF THE RELATIONSHIP BETWEEN THE [PRIVATE PERSON] AND THE [GOVERNMENT] IS SO CLOSE THAT THEY CAN... [FAIRLY]... BE SAID TO BE ACTING [JOINTLY] UNDER THE "SYMBIOTIC-RELATIONSHIP TEST", SEE: BURTON V. WILMINGTON PARKING AUTHORITY, 365 U.S. 715, 81 S.CT. 856 (1961)?

L) IN RESPECT TO THE [QUESTION AND ANSWER] TO QUESTION 'J'... [ARE]... "DAMAGE[S]"... "INJUNCTIVE"... AND "DECLARATORY" [RELIEF] DUE TO THE "PETITIONER" IN THE FOLLOWING CASE[S]:

I. CV-00-090205-IFP-(TJH)?

II. CV-F-00-05807-REC-(DLB-P)?

III. CV-00-2015-WHA-(PR)?

IV. CV-00-08308-LGB-(EE)?

V. CV-00-07525-LGB-(EE)?

M) IS NOT A "UNITED STATES OF AMERICA" [DIPLOMATIC IMMUNITY PASSPORT] DUE TO THE "PETITIONER" AS AN... [AMBASSADOR]... [FROM] THE "UNITED STATE OF AFRICA", SEE: APPENDIX 'A' OF PETITION FOR AN EXTRAORDINARY WRIT,... [FROM]... THE "U.S. DEPT. OF JUSTICE, I.N.S.", IN RESPONSE TO THE "PETITIONER'S" "APPLICATION FOR NATURALIZATION FORM N-400 [AND] APPLICATION TO REPLACE ALIEN REGISTRATION CARD FORM I-90, SEE: APPENDIX 'A' OF THIS 'SUPPLEMENTAL BRIEF', [AND] CHANGE OF... [NATIONALITY]... TO "EGYPTIAN-NATIVE AMERICAN SEMINOLE", PURSUANT TO CL. 4, SEC. 8, ART. I OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA [ON] SEPT. 17, 1787 A.D.; AMENDMENTS I, IV, V, IX, X OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1791 A.D.; AND ARTICLES 2, 3, 6, 7, 8, 15, 21 OF THE "UNITED NATION'S UNIVERSAL DECLARATION ON HUMAN RIGHTS ON DECEMBER 10, 1948 A.D."?

IV. QUESTIONS PRESENTED FOR REVIEW: (CONTINUED)

K) DOES "GOVERNMENT AGENT PROVOCATEUR", [LILLY OKINAKA], IN THE CASE PRESENTED [IN] QUESTION 'A'; MEET THE STANDARD BY WHICH A [PRIVATE PERSON] MAY BE CONSIDERED A... [STATE ACTOR]... AND THEREFORE MAY BE [LIABLE] FOR VIOLATING THE "PETITIONER'S" UNITED STATES OF AMERICA "CONSTITUTIONAL RIGHT[S]" — IF THE RELATIONSHIP BETWEEN THE [PRIVATE PERSON] AND THE [GOVERNMENT] IS SO CLOSE THAT THEY CAN... [FAIRLY]... BE SAID TO BE ACTING [JOINTLY] UNDER THE "SYMBIOTIC-RELATIONSHIP TEST", SEE: Burton V. Wilmington Parking Authority, 365 U.S. 715, 81 S.Ct. 856 (1961)?

L) IN RESPECT TO THE [QUESTION AND ANSWER] TO QUESTION 'J'... [ARE]... "DAMAGE[S]"... "INJUNCTIVE"... AND "DECLARATORY" [RELIEF] DUE TO THE "PETITIONER" IN THE FOLLOWING CASE[S]:

I. CV-00-090205-IFP-(TJH)?

II. CV-F-00-05807-REC-(DLB-P)?

III. CV-00-2015-WHA-(PR)?

IV. CV-00-08308-LGB-(EE)?

V. CV-00-07525-LGB-(EE)?

M) IS NOT A "UNITED STATES OF AMERICA" [DIPLOMATIC IMMUNITY PASSPORT] DUE TO THE "PETITIONER" AS AN... [AMBASSADOR]... [FROM] THE "UNITED STATE OF AFRICA", SEE: APPENDIX 'A' OF PETITION FOR AN EXTRAORDINARY WRIT,... [FROM]... THE "U.S. DEPT. OF JUSTICE, I.N.S.", IN RESPONSE TO THE "PETITIONER'S" "APPLICATION FOR NATURALIZATION FORM N-400 [AND] APPLICATION TO REPLACE ALIEN REGISTRATION CARD FORM I-90, SEE: APPENDIX 'A' OF THIS 'SUPPLEMENTAL BRIEF', [AND] CHANGE OF... [NATIONALITY]... TO "EGYPTIAN-NATIVE AMERICAN SEMINOLE", PURSUANT TO CL. 4, SEC. 8, ART. I OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA [ON] SEPT. 17, 1787 A.D.; AMENDMENTS I, IV, V, IX, X OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1791 A.D.; AND ARTICLES 2, 3, 6, 7, 8, 15, 21 OF THE "UNITED NATION'S UNIVERSAL DECLARATION ON HUMAN RIGHTS ON DECEMBER 10, 1948 A.D."?

IN THE UNITED STATES SUPREME COURT

SECTION I. QUESTIONS PRESENTED FOR REVIEW: (CONTINUED)

N) IN RESPECT TO THE [QUESTION AND ANSWER] TO QUESTION 'M', IS A "DRIVER'S LICENSE" ISSUED FROM THE "DIPLOMATIC MOTOR VEHICLE OFFICE OF THE OFFICE OF FOREIGN MISSIONS OF THE UNITED STATES OF AMERICA DEPT. OF STATE"... [DUE]... TO BE ISSUED TO THE "PETITIONER" [UPON] APPLICATION ?

O) IS NOT A... "LETTER PATENT", E.G. COMBINATION, PIONEER PATENT,... "COPYRIGHT", I.E. TITLE 17 U.S.C. SECTIONS 101-1332... "TRADEMARK"... [DUE] TO THE "PETITIONER" AS... [AUTHOR AND INVENTOR]... OF THE "UNITED STATE OF AFRICA CONSTITUTION [AND] DECLARATION OF INDEPENDANCE OF THE NEW EMPIRE OF EGYPT OF 1540 B.C.", SEE: APPENDIX 'A' OF PETITION FOR AN EXTRAORDINARY WRIT, [FROM] THE "UNITED STATES OF AMERICA CONGRESS" [AND/OR] "PATENT AND TRADEMARK OFFICE OF THE DEPARTMENT OF COMMERCE", PURSUANT TO CL. 8, SEC. 8, ART. I OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA [ON] SEPT. 17, 1787 A.D.; AMENDMENTS I, IV, V, IX, X OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1791 A.D.; ARTICLES 19, 21, 27, 28 OF THE "UNITED NATION'S UNIVERSAL DECLARATION ON HUMAN RIGHTS ON DEC. 10, 1948"?

P) IS NOT A "ANCESTRAL" LEGAL [DEBT] DUE TO THE "PETITIONER"... ~~BY~~... [HEIROOM]... [FOR]... CL. 1, SEC. 9, ART I; CL. 2, 3, SEC. 2, ART. IV OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA ON SEPT. 17, 1787 A.D. FOR THOSE ACTS STRICTLY FORBIDDEN BY "KING JOHN I" AS THE LAW OF THE... [REALM]... AS STATED TO IN CL. 1, 27, 39, 40, 52, 55, 60, 61, 63 OF THE "MAGNA CARTA ON JUNE 15, 1215 A.D." [FROM] THE "UNITED STATES OF AMERICA" AS STATED TO IN CL. 1, SEC. 8, ART I; CL. 1, 2, ART. VI OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA ON SEPT 17, 1787 A.D.; AMENDMENTS I, IV, V, VII, VIII, IX, X OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1791 A.D.; AMENDMENT XIII OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1865 A.D.; AND SEC. 1 OF AMENDMENT XIV OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA OF 1868 A.D.?

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

October 23, 2000

WILLIAM K. SUTER
CLERK OF THE COURT

AREA CODE 202
479-3011

Carl Simmons
E96088, Fac. Bldg. 7, Cell #105L
31625 Highway 101
P.O. Box 1020
Soledad, CA 93960

RE: Carl Simmons
No. 00-6586

Dear Mr. Simmons:

Regarding the above petition for an extraordinary writ of habeas corpus filed in this Court October 13, 2000, immediately upon receipt of this request please forward the following: A complete copy of the petition. Please include copies of all lower court orders including United States District Court and State court decisions.

Sincerely,
William K. Suter, Clerk
By:

S. Elliott
(202) 479-3025

Enclosures

ATTENTION
CLERK OF THE COURT

DEAR, WILLIAM K. SUTER, CLERK OF THE COURT : RE : 00-6586

ENCLOSED YOU WILL FIND, AS REQUESTED PER. LETTER FROM YOU, [A] "PETITION FOR AN EXTRAORDINARY WRIT"... AND... ATTACHED (RUBBER BANDED) APPENDIX 'A'-'E', I.E CONTAINING [ALL] UNITED STATES DISTRICT COURT ORDER[S] AND 'STATE COURT' ORDERS, FROM WHICH THE "PETITION" PERTAINS TO.

ALSO, ENCLOSED IS A MOTION FOR "JOINDER OF REMEDIES", FRCIVP. RULE 18(a), TO BE [ADJUDICATED] ON OR "BEFORE" NOVEMBER 6, 2000 A.D. IN ACCORDANCE WITH FRCIVP. RULE 6(d). THE "MOTION" IS TO BE "PROMPTLY" TRANSMITTED TO U.S. SUPREME COURT CHIEF JUSTICE, WILLIAM REHNQUIST, PURSUANT TO U.S. SUPREME COURT RULE 22.1.2.3.

PETITIONER, PROCEEDING BEFORE THE COURT [IN FORMA PAUPERIS], REQUESTS "REPRODUCTION"; "CERTIFICATION"; WITH A "CERTIFICATE" BEARING THE SEAL OF THE COURT THE [ENTIRE] RECORD CONTAINED UNDER DOCKET NO. 00-6586, PURSUANT TO U.S. SUPREME COURT RULE 38(c)(d); 39.4.

I "THANK YOU" FOR TIME AND COOPERATION IN THIS LEGAL MATTER.

(L.S.) HONORABLE AMBASSADOR, Carl D. Simmons, PRO HAC VICE, I.F.P.

MR. CARL D. SIMMONS, #E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIFORNIA 93960-1020

UNITED STATES SUPREME COURT DOCKET NO. FOR THE OCTOBER TERM OF 2000 A.D.:

00-6586

IN THE UNITED STATES SUPREME COURT

IN RE AMBASSADOR, CARL D. SIMMONS, PRO HAC VICE, I.F.P.

"ON 'PETITION FOR AN EXTRAORDINARY WRIT, TITLE 28 U.S.C. SECTION 1691(a)', INVOKING THE COURT'S... [ORIGINAL]... JURISDICTION UNDER ARTICLE III OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA [ON] SEPTEMBER 17, 1787 A.D."

"Motion for 'Joinder of Remedies', FRCIVP RULE 18(b), to be Adjudicated [on] or [before] November 6, 2000 A.D. in accordance with FRCIVP Rule 6(d)."

U.S.S. HONORABLE AMBASSADOR, Carl D. Simmons, PRO HAC VICE, I.F.P.

MR. CARL D. SIMMONS, #E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIFORNIA 93960

UNITED STATES SUPREME COURT DOCKET NUMBER FOR THE

OCTOBER TERM OF 2000:

00-6586

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE AMBASSADOR, CARL D SIMMONS, C.E.O., IN.PRO.PER., PRO HAC VICE

ON PETITION FOR WRIT OF HABEAS CORPUS TO
THE CALIFORNIA SUPREME COURT, FILE NO.:

S 089503

ON PETITION FOR WRIT OF HABEAS CORPUS TO THE
UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA:

CV-00-04400-LGB-(EE)

Petition for an Extraordinary Writ,

Persuant to U.S. Supreme Court Rule 6.2.3.; 17.1.2.-3.4; 20.1.2.; 22.1.2.3; 39.1.2.4

(S) AMBASSADOR, Carl D. Simmons, C.E.O., IN.PRO.PER., PRO HAC VICE

MR. CARL D. SIMMONS, # E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

IN THE UNITED STATES SUPREME COURT

SECTION I. QUESTIONS PRESENTED FOR REVIEW:

A) HAS THE STATE COURT IN "PEOPLE OF THE STATE OF CALIFORNIA V. CARL D. SIMMONS", IN THE COUNTY OF SANTA BARBARA, SUPERIOR COURT CASE NUMBER 214013, IN THE STATE OF CALIFORNIA, [DECIDED] "AND/OR" [FAILED TO DECIDE], AN IMPORTANT AND/OR FUNDAMENTAL QUESTION[S] OF THE FEDERAL CONSTITUTION ARTICLE I, SECTION 10, PARAGRAPH 1; ARTICLE IV, SECTION 2, PARAGRAPH 1; ARTICLE VI PARAGRAPH 2, 3; AMENDMENTS I; II; IV; VI; VIII; IX; X; XIII; XIV AND/OR "LAW" i.e. TITLE 18 U.S.C. SECTION 241, 242 ET. SEQ.; TITLE 42 U.S.C. SECTION 1983 ET. SEQ.; TITLE 28 U.S.C. SECTION 1350 ET. SEQ.; FEDERAL EXCLUSIONARY RULE; FRUIT OF POISONOUS TREE DOCTRINE; AND/OR INTERNATIONAL "LAW" AND/OR UNITED NATIONS "UNIVERSAL DECLARATION ON HUMAN RIGHTS, ARTICLES 1-30, THAT HAS NOT BEEN, BUT SHOULD BE SETTLED BY THE "UNITED STATES SUPREME COURT"... AND/OR... [CONFLICTS]... WITH RELEVANT DECISION[S] OF THE "UNITED STATES SUPREME COURT" AND/OR "INTERNATIONAL COURT OF JUSTICE" AND/OR "GENERAL ASSEMBLY" OF THE UNITED NATIONS?

B) HAS THE CALIFORNIA SUPREME COURT, [DECIDED], "AND/OR" [FAILED TO DECIDE] IN CARL D. SIMMONS, IN. PRO. PER. V. PEOPLE OF THE STATE OF CALIFORNIA, ET. AL., FILE NO. S 089503 [AND/OR] "RAVEN V. DEUKMEJIAN (1990) 52 C3d 336, 276 CR 326" [AND/OR] "IN RE LANCE W. (1985) 37 C3d 873, 879, 210 CR 631, 635" AN IMPORTANT AND/OR FUNDAMENTAL FEDERAL CONSTITUTION ARTICLE I, SECTION 10, PARAGRAPH 1; ARTICLE IV, SECTION 2, PARAGRAPH 1; ARTICLE VI, PARAGRAPH 2, 3, AMENDMENTS I; II; IV; VI; VIII; IX; X; XIII; XIV AND/OR "LAW" i.e. TITLE 18 U.S.C. SECTION 241, 242 ET. SEQ.; TITLE 42 U.S.C. SECTION 1983 ET. SEQ. TITLE 28 U.S.C. SECTION 1350 ET. SEQ.; FEDERAL EXCLUSIONARY RULE; FRUIT OF POISONOUS TREE DOCTRINE; AND/OR INTERNATIONAL "LAW"; AND/OR UNITED NATIONS "UNIVERSAL DECLARATION ON HUMAN RIGHTS ARTICLES 1-30"... QUESTION[S]... IN A WAY... THAT [CONFLICTS]... WITH THE DECISION[S] OF ANOTHER STATE SUPREME COURT AND/OR THE "UNITED STATES SUPREME COURT" AND/OR "INTERNATIONAL COURT OF JUSTICE" AND/OR "GENERAL ASSEMBLY" OF THE UNITED NATIONS?

IN THE UNITED STATES SUPREME COURT

SECTION II. LIST OF ALL PARTIES TO THE PROCEEDING:

A) ALL PARTIES ... "DO NOT ... APPEAR IN THE CAPTION OF THE CASE ON THE COVER PAGE. A LIST OF ALL PARTIES TO THE PROCEEDING IN THE COURT WHOSE JUDGMENT IS THE SUBJECT OF THIS PETITION IS AS FOLLOWS:

1) PEOPLE OF THE STATE OF CALIFORNIA
2) UNITED STATES DISTRICT JUDGE, LOURDES G. BAIRD
3) UNITED STATES MAGISTRATE JUDGE, EDWARD ELGIN
4) CALIFORNIA SUPREME COURT JUSTICES
5) CALIFORNIA SUPERIOR COURT JUDGE, NAT AGLIANO
6) COUNSEL FOR PEOPLE, JOYCE DUDLEY
7) COUNSEL FOR PETITIONER, KAREN ATKINS (TRIAL) AND DAVID STANLEY (ON APPEAL)

IN THE UNITED STATES SUPREME COURT

SECTION III. CITATIONS OF THE OFFICIAL AND UNOFFICIAL REPORTS OF THE OPINIONS AND ORDERS ENTERED IN THE CASE BY THE COURTS:

1) MEMORANDUM AND ORDER DISMISSING PETITION FOR WRIT OF HABEAS CORPUS, FILED MAY 31, 2000, SEE: "APPENDIX C"

2) ORDER OF [DENIAL] OF PETITIONER'S STATE PETITION FOR "WRIT OF HABEAS CORPUS", FILED OCTOBER 25, 2000 A.D., SEE: APPENDIX "E"

IN THE UNITED STATES SUPREME COURT

SECTION V. CONSTITUTIONAL PROVISIONS, TREATIES, STATUES, ORDINANCES, AND REGULATIONS INVOLVED IN THE CASE: (CONTINUED)

R) "MAGNA CARTA" [ON] JUNE 15, 1215 A.D.

S) RULE IN SHELLEY'S CASE

T) TITLE 22 U.S.C. SECTION 611 ET. SEQ.

U) FEDERAL RULES OF CIVIL PROCEDURE RULE 1; 81(a)(2)

SECTION VI. CONCISE STATEMENT OF THE CASE:

ON APRIL 19, 2000, PETITIONER FILED WITH THE U.S. DEPARTMENT OF JUSTICE, IN THE ATTENTION OF "JANET RENO", U.S. ATTORNEY GENERAL, ~~AND~~ SECRETARY OF THE U.S. SENATE, AND THE CLERK OF THE U.S. HOUSE OF REPRESENTATIVES, A "FOREIGN AGENTS REGISTRATION AND LOBBYING DISCLOSURE" STATEMENTS IN ACCORDANCE WITH TITLE 22 U.S.C. SECTION 611 ET. SEQ. AND TITLE 2 U.S.C. SECTION 1601 ET. SEQ., SEE: "APPENDIX ~~A~~"

ON APRIL 26, 2000, PETITIONER, A STATE PRISONER, FILED A FEDERAL PETITION FOR WRIT OF HABEAS CORPUS, TITLE 28 U.S.C. SECTION 2254 ET. SEQ., CV#00-04400-LGB-(EE), SEE: "APPENDIX B"

ON MAY 31, 2000, U.S.D.C. JUDGE, LOURDES G.

SECTION VI. CONCISE STATEMENT OF THE CASE: (CONTINUED)

BAIRD, SUSPENDED, i.e. DISMISSES WITH[OUT] PREJUDICE, PETITIONERS FEDERAL WRIT OF HABEAS CORPUS, SEE: APPENDIX "C".

ON JUNE 28, 2000, PETITIONER, AS ORDERED BY U.S.D.C. JUDGE, LOURDES G. BAIRD, FILED A STATE PETITION FOR WRIT OF HABEAS CORPUS WITH THE CALIFORNIA SUPREME COURT, #5089503, SEE: APPENDIX "D".

ON AUGUST 23, 2000, PETITIONER FILED WITH THE CALIFORNIA SUPREME COURT A "NOTICE OF APPEAL", PURSUANT TO U.S. SUPREME COURT RULE 17.1; 29.1.2 WITH SERVICE UPON BOTH THE GOVORNOR AND ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, SEE: APPENDIX "E".

SECTION VII. CONCISE ARGUMENT AMPLIFYING THE REASONS RELIED ON FOR ALLOWANCE OF THE WRIT:

PETITIONER [RELIES] ON THE "CHARTER OF UNITED NATIONS"... THE UNITED NATIONS "UNIVERSAL DECLARATION ON HUMAN RIGHTS ARTICLES 1-30"... [ON] ARTICLE I, SECTION 10, PARAGRAPH 1; ARTICLE IV, SECTION 2 PARGRAPH 1; ARTICLE III, SECTION 2, PARAGRAPH 2; ARTICLE VI, PARAGRAPH 2, 3; IN [CONJUNCTION] AND [CONCERT] UPON HIS [PERSONAL] "Bill of Rights"; THIRTEENTH; [AND] FOURTEENTH AMENDMENT [OF THE] UNITED STATES CONSTITUTION... [ALSO]... THE FEDERAL "EXCLUSIONARY RULE", AS IT APPLIES TO FOURTH AND FOURTEENTH AMENDMENT VIOLATIONS... THE "FRUIT OF POISONOUS TREE DOCTRINE"... TITLE 18 U.S.C. SECTIONS 241, 242 ET. SEQ... TITLE 42 U.S.C. SECTION 1983 ET. SEQ., DECIDED BY THE "GENERAL ASSEMBLY" OF THE UNITED NATIONS, "INTERNATIONAL COURT OF JUSTICE", [AND] "UNITED STATES SUPREME COURT" IN Conner V. Commonwealth,

MR. CARL D. SIMMONS

Name

E-96088 / FACILITY 'D', BLDG '1', CELL 129 LOW

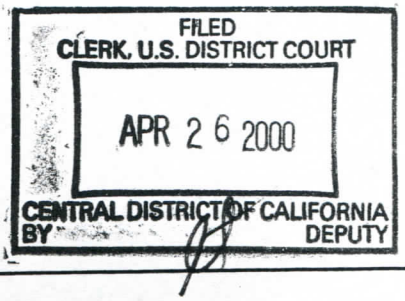
Prison Identification/Booking No.

31625, HIGHWAY 101, P.O. BOX 1020, SOLEDAD, CA. 93960

ADDRESS or PLACE OF CONFINEMENT

Note: It is your responsibility to notify the Clerk of Court in writing of any change of address.

Note: If represented by an attorney; his name, address & telephone number.



UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

530

MR. CARL DWAYNE SIMMONS

FULL NAME (Include name under which you were convicted)

Petitioner,

v.

CASE NO. CV 00-04400 LGB (EE)

To be supplied by the Clerk of the United States District Court

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY (28 U.S.C § 2254)

PLACE/COUNTY OF CONVICTION SANTA BARBARA COUNTY

PREVIOUSLY FILED, RELATED CASES IN THIS DISTRICT COURT (LIST BY CASE NUMBER)

CV _____

CV _____

CV _____

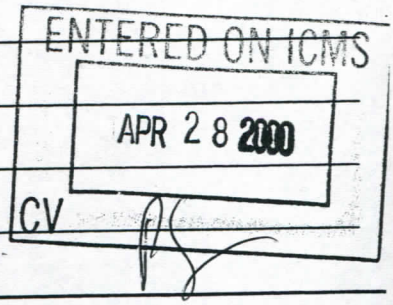
CV _____

Re WV.

A.A. LAMARQUE, WARDEN OF S.V.S.P.

NAME OF WARDEN, SUPERINTENDENT, JAILOR OR AUTHORIZED PERSON having custody of petitioner

Respondent.



(If petitioner is attacking a judgment which imposed a sentence to be served in the *future*, petitioner must fill in the name of the state where the judgment was entered. If petitioner has a sentence to be served in the *future* under a federal judgment which he wishes to attack, he should file a motion under 28 U.S.C. §2255, in the federal court which entered the judgment)

Priority
Send
Enter
Closed
JS-5/JS-6
JS-2/JS-3
Scan Only

FILED
MAY 31 2000
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION AT SANTA ANA
BY DEPUTY

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

MR. CARL DWAYNE SIMMONS, Petitioner, v. A.A. LAMARQUE, etc., Respondent.	Case No. CV 00-04400-LGB (EE) MEMORANDUM AND ORDER DISMISSING PETITION FOR WRIT OF HABEAS CORPUS

Petitioner, a California state prisoner, filed this petition for writ of habeas corpus on April 26, 2000. From the face of the petition, it is clear that petitioner has not brought his claims before the California Supreme Court. (petition ¶¶ 4, 10, and attached pages.)

A federal court will not grant a state prisoner's petition for writ of habeas corpus unless it appears that the prisoner has exhausted available state remedies. 28 U.S.C. § 2254(b) and (c); *Carothers v. Rhay*, 594 F.2d 225, 228 (9th Cir. 1979); *see Rose v. Lundy*, 455 U.S. 509, 522, 71 L.Ed.2d 379, 390 (1982). "For reasons of federalism, 28 U.S.C. § 2254 requires federal courts to give the

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ENTER ON ICMS
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states an initial opportunity to correct alleged violations of its prisoners' federal rights." *Kellotat v. Cupp*, 719 F.2d 1027, 1029 (9th Cir. 1983).

Exhaustion requires that the petitioner's contentions be fairly presented to the highest court of the state. *Carothers, supra*, 594 F.2d at 228; *see Allbee v. Cupp*, 716 F.2d 635, 636-637 (9th Cir. 1983). A claim has not been fairly presented unless the petitioner has described in the state court proceedings **both** the operative facts and the federal legal theory on which his claim is based. *See Anderson v. Harless*, 459 U.S. 4, 6, 74 L.Ed.2d 3, 7 (1982); *Pappageorge v. Sumner*, 688 F.2d 1294 (9th Cir. 1982), *cert. denied*, 459 U.S. 1219 (1983).

"It is not sufficient to raise only the facts supporting the claim; rather, 'the constitutional claim ... inherent in those facts' must be brought to the attention of the state court." *Gatlin v. Madding*, 189 F.3d 882, 887 (9th Cir. 1999), *citing Picard v. Connor*, 404 U.S. 270, 277, 30 L.Ed.2d 438 (1971).

> To "fairly present" his federal claim to the state courts, [petitioner] had to alert the state courts to the fact that he was asserting a claim under the United States Constitution. The mere similarity between a claim of state and federal error is insufficient to establish exhaustion. Moreover, general appeals to broad constitutional principles, such as due process, equal protection, and the right to a fair trial, are insufficient to establish exhaustion. (citations omitted.)

Hiivala v. Wood, 195 F.3d 1098, 1106 (9th Cir. 1999).

//

Because petitioner has failed to exhaust his available state remedies, the present petition is dismissed without prejudice to any right petitioner may have to file a new petition after he has exhausted his claims before the California Supreme Court.[1] Judgment shall be entered accordingly.

Dated: May 26, 2000

Lourdes G. Baird
United States District Judge

Presented By:

Elgin Edwards
United States Magistrate Judge

[1]The present petition is subject to summary dismissal because it plainly appears from the face of the petition that petitioner is not entitled to any relief at this time in this district court. *See* Rule 4, Rules Governing Section 2254 Cases in the United States District Courts.

MC-275

Name MR. CARL D. SIMMONS

Address SALINAS VALLEY STATE PRISON - FAC 'D', BLDG '1', CELL #129L
3625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

CDC or ID Number #E-96088

SUPREME COURT
FILED

JUN 28 2000

Frederick K. Ohlrich Clerk

DEPUTY

CALIFORNIA SUPREME COURT

(Court)

MR. CARL D. SIMMONS, IN PRO. PER
Petitioner

vs.

PEOPLE OF THE STATE OF CALIFORNIA, ET AL.
Respondent

PETITION FOR WRIT OF HABEAS CORPUS

No. S089503

(To be supplied by the Clerk of the Court)

INSTRUCTIONS — READ CAREFULLY

- **If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.**
- **If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.**

- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the Superior Court, you need file only the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal, file the original and four copies.
- If you are filing this petition in the California Supreme Court, file the original and thirteen copies.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.
- In most cases, the law requires service of a copy of the petition on the district attorney, city attorney, or city prosecutor. See Penal Code section 1475 and Government Code section 72193. You may serve the copy by mail.

Approved by the Judicial Council of California for use under Rules 56.5 and 201(h)(1) of the California Rules of Court [as amended effective January 1, 1999]. Subsequent amendments to Rule 44(b) may change the number of copies to be furnished the Supreme Court and Court of Appeal.

This petition concerns:

- [x] A conviction
- [ ] Parole
- [ ] A sentence
- [ ] Credits
- [ ] Jail or prison conditions
- [ ] Prison discipline
- [ ] Other *(specify)*: _____

1. Your name: MR. CARL DWAYNE SIMMONS
2. Where are you incarcerated? SALINAS VALLEY STATE PRISON
3. Why are you in custody? [x] Criminal Conviction [ ] Civil Commitment

Answer subdivisions a. through i. to the best of your ability.

a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

RAPE; ASS.; SALE OF COCAINE

b. Penal or other code sections: 236; 261(a)(2); 288a(c); 286(c); 289(a); HS 11351

c. Name and location of sentencing or committing court: SANTA BARBARA COUNTY SUPERIOR COURT, SANTA BARBARA, CALIFORNIA

d. Case number: 214013

e. Date convicted or committed: 10/16/96

f. Date sentenced: 12/06/96

g. Length of sentence: 4/2 YEARS 4 MONTHS

h. When do you expect to be released? 2032

i. Were you represented by counsel in the trial court? [x] Yes. [ ] No. If yes, state the attorney's name and address:

KAREN ATKINS - PUBLIC DEFENDERS OF SANTA BARBARA, 1100 ANACAPA ST. SANTA BARBARA, CALIF 93101

4. What was the LAST plea you entered? *(check one)*

[x] Not guilty [ ] Guilty [ ] Nolo Contendere [ ] Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

[x] Jury [ ] Judge without a jury [ ] Submitted on transcript [ ] Awaiting trial

S089503

IN THE SUPREME COURT OF CALIFORNIA

En Banc

SUPREME COURT
FILED

OCT 2 5 2000

Frederick K. Ohlrich Clerk

DEPUTY

In re CARL D. SIMMONS on Habeas Corpus

Petition for writ of habeas corpus is DENIED.

Chief Justice

September 1, 2000

To: SECRETARY OF THE UNITED STATES SENATE
SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510

From: AMBASSADOR, CARL D. SIMMONS, C.E.O.
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

Regarding: "FOREIGN AGENTS REGISTRATION ACT", TITLE 22 U.S.C. SECTION 611 ET SEQ AND "LOBBYING DISCLOSURE ACT", TITLE 2 U.S.C. SECTION 1601 ET SEQ.

TO SECRETARY OF THE UNITED STATES SENATE:

I, AMBASSADOR, CARL D. SIMMONS, WITH THE POWER INVESTED IN ME AS THE "CHIEF EXECUTIVE OFFICER" OF THE "UNITED STATE OF AFRICA", HEREBY MAKE MY "LOBBYING DISCLOSURE" STATEMENT IN ACCORDANCE WITH THE ABOVE-MENTIONED ACTS OF CONGRESS UNDER THE UNITARY THEORY OF GOVERNMENT AND BUSINESS, IN ALL MATTERS OF LAW, LAND, AND EQUITY, SEE: ATTACHED PAGES #1-#9.

I "THANK YOU" FOR YOUR TIME IN FILING THIS "LOBBYING DISCLOSURE STATEMENT" [AND] "REGISTRATION" WITH THE CONGRESSIONAL "FEDERAL REGISTER" IN ACCORDANCE WITH THE ABOVE STATED ACTS OF CONGRESS.

* I Declare under Penalty of Perjury that the above Statement is True and Correct. *

(S) AMBASSADOR, Carl D. Simmons, C.E.O.

MR. CARL D SIMMONS, AE-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

* Declaration of Independance *
of the
New Empire of Egypt of 1540 B.C.

IN THE BEGINNING THEIR WAS, TETHMOSIS I (THUTMOSIS I) THE ROYAL EMPEROR PHARAOH, KING OF THE VALLEY OF THE KINGS, HIGH PRIEST OVER ALL LORDS FOREIGN AND DOMESTIC, SUSTAINER OF DEATH AND GIVER OF THE SEED OF LIFE, ON EARTH AND THAT WHICH EXISTS IN THE HEAVENS AND AFTERLIFE.

THEREFORE WHEN IN THE COURSE OF HUMAN EVENTS, IT BECOMES NECESSARY FOR ONE MAN TO DISSOLVE THE POLITICAL BANDS WHICH HAVE CONNECTED HIM/HIMSELF WITH ANOTHER, AND TO ASSUME AMONG THE POWERS OF THE EARTH, THE SEPERATE AND EQUAL STATION TO WHICH THE LAWS OF NATURE AND OF NATURE'S GOD ENTITLE THEM, A DECENT RESPECT TO THE OPINIONS OF MANKIND REQUIRES THAT THEY SHOULD DECLARE THAT CAUSES WHICH IMPEL THEM TO THE SEPARATION.

I HOLD THESE TRUTHS TO BE SELF-EVIDENT, THAT ALL MEN ARE CREATED EQUAL, THAT THEY ARE ENDOWED BY THEIR CREATOR WITH CERTAIN UNALIENABLE RIGHTS, THAT AMONG THESE ARE LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS. THAT TO SECURE THESE RIGHTS, GOVERNMENTS ARE INSTITUTED AMONG MEN, DERIVING THEIR JUST POWERS FROM THE CONSENT OF THE GOVERNED, THAT WHENEVER ANY FORM OF GOVERNMENT BECOMES DESTRUCTIVE OF THESE ENDS, IT IS THE RIGHT OF THE PEOPLE TO ALTER OR ABOLISH IT, AND TO INSTITUTE NEW GOVERNMENT, LAYING IT'S FOUNDATION ON SUCH PRINCIPLES AND ORGANIZING ITS POWERS IN SUCH FORM, AS TO THEM SEEM MOST LIKELY TO EFFECT THEIR SAFETY AND HAPPINESS. PRUDENCE, INDEED, WILL DICTATE THAT GOVERNMENTS LONG ESTABLISHED SHOULD NOT BE CHANGED FOR LIGHT AND TRANSIENT CAUSES; AND ACCORDINGLY ALL EXPERIENCE HATH SHOWN THAT MANKIND ARE MORE DISPOSED TO SUFFER, WHILE EVILS ARE SUFFERABLE, THAN RIGHT THEMSELVES

BY ABOLISHING THE FORMS TO WHICH THEY ARE ACCUSTOMED, BUT WHEN A LONG TRAIN OF ABUSES AND USURPATIONS, PURSUING INVARIABLY THE SAME OBJECT EVINCES A DESIGN TO REDUCE THEM UNDER ABSOLUTE DESPOTISM, IT IS THEIR RIGHT, IT IS THEIR DUTY, TO THROW OFF SUCH GOVERNMENT, AND TO PROVIDE NEW GUARDS FOR THEIR FUTURE SECURITY.

THERFORE, I ORDAIN ON THE DAY DECEMBER 31, 1970, THAT MR. CARL D SIMMONS, IS MY EARTHY BORN NATURAL SON, BY DIRECT HEREDITARARY LINEAL CONSANGUINITY WITH THE POWER IN LAW AND EQUITY OF BLOOD, AS KING OF UPPER AND LOWER EGYPT TO CONTROL, LEAD, BY MY DOUBLE CROWN, THE "New Empire of Egypt" into the 20th Century and Beyond, until the End of Mankind...

THE REPRESENTATIVES OF THE "UNITED STATES OF AMERICA", EXECUTE INTO THE LAWS OF THE UNIVERSE AND DECLARED BY THE GODS UNDER THE LAWS OF THE "COUNSAL OF THE PHARAOH" THAT MR. CARL DWAYNE SIMMONS JR., BORN AUGUST 24th 1971, TO HIS EGYPTIAN QUEEN MOTHER GODDESS, PATRICE SIMMONS, IS HEREBY DECLARED OFFICALLY "TETHMOSIS V (THUTMOSIS V)", THE "NEW" ROYAL EMPEROR PHARAOH, KING OF THE VALLEY OF THE KINGS, HIGH PRIEST OVER ALL LORDS FOREIGN AND DOMESTIC, SUSTAINER OF DEATH AND GIVER OF THE SEED OF LIFE AND RULER OVER ALL THINGS THAT EXIST IN THE HEAVENS AND EARTH, SOLEMLY PUBLISH AND DECLARE THAT THE "UNITED STATE OF AFRICA" ARE, AND OF RIGHT OUGHT TO BE FREE AND INDEPENDENT STATE; THAT THEY ARE ABSOLVED FROM ALL ALLEGIANCE TO THE "UNITED STATES OF AMERICA", AND THAT ALL POLITICAL CONNECTION BETWEEN THEM AND THE "UNITED STATES OF AMERICA", IS AND OUGHT TO BE TOTALLY DISSOLVED; AND THAT AS A FREE AND INDEPENDANT STATE, THEY HAVE FULL POWER TO LEVY

Declaration of Independance

WAR, CONCLUDE PEACE, CONTRACT ALLIANCES, ESTABLISH COMMERCE, AND TO DO ALL OTHER ACTS AND THINGS WHICH INDEPENDENT STATES MAY OF RIGHT DO. AND FOR THE SUPORT OF THIS DECLARATION, WITH A FIRM RELIANCE ON THE PROTECTION OF THE UNITED NATIONS "UNIVERSAL DECLARATION OF HUMAN RIGHTS" ADOPTED BY THE GENERAL ASSEMBLY ON DECEMBER 10, 1948, WE MUTUALLY PLEDGE TO THE "UNITED STATE OF AFRICA" AND EACH OTHER OUR LIVES, OUR FORTUNES, AND OUR SACRED HONOR.

The Constitution of the United States of Africa

PREAMBLE:

WE THE EGYPTIAN PEOPLE OF THE UNIVERSE, IN ORDER TO FORM A MORE PERFECT UNION, ESTABLISH WORLD JUSTICE, INSURE WORLD DOMESTIC TRANQUILITY, PROVIDE FOR THE COMMON DEFENCE, PROMOTE THE GENERAL WELFARE OF ALL PEOPLES, AND SECURE THE BLESSINGS OF LIBERTY TO THE UNIVERSE AND OUR POSTERITY, DO ORDAIN AND ESTABLISH THIS CONSTITUTION FOR THE "UNITED STATE OF AFRICA"

ARTICLE I: ALL LEGISLATIVE POWERS HEREIN GRANTED SHALL BE VESTED IN THE ROYAL EMPEROR PHARAOH, "TETHMOSIS V" (MR. CARL D. SIMMONS).

ARTICLE II: THE EXECUTIVE POWERS SHALL BE VESTED IN THE ROYAL EMPEROR PHARAOH, "TETHMOSIS V" (MR. CARL D. SIMMONS). HE SHALL HOLD HIS RANK AND OFFICE WITHOUT EXPIRATION.

SECTION 1: THE ROYAL EMPEROR PHARAOH, "TETHMOSIS V" (MR. CARL D. SIMMONS), SHALL BE COMMANDER-IN-CHIEF OF THE ARMY; AIR FORCE; NAVY; MARINES AND SPECIAL FORCES.

Declaration of Independence

SECTION 2: HE MAY REQUIRE THE OPINION, IN WRITING OF THE PRINCIPAL OFFICERS IN EACH OF THE EXECUTIVE DEPARTMENTS UPON ANY SUBJECT RELATING TO THE DUTIES OF THEIR RESPECTIVE OFFICES, AND HE SHALL HAVE POWER TO GRANT REPRIEVES AND PARDONS FOR OFFENCES AGAINST THE "UNITED STATE OF AFRICA."

ARTICLE III. THE JUDICIAL POWER OF THE "UNITED STATE OF AFRICA," SHALL BE VESTED IN ONE SUPREME COURT, CALLED "THE COUNSEL OF THE PHARAOH" OF WHICH, THE ROYAL EMPEROR PHARAOH, "TETHMOSIS V" (AKA CARL D. ASEMANI) SHALL ACT AS "CHIEF JUSTICE" AND HAVE "FINAL" AND "MAJORITY" VOTE, AND IN SUCH INFERIOR COURTS AS THE ROYAL EMPEROR PHARAOH "TETHMOSIS V" (AKA CARL D. ASEMANI) MAY FROM TIME TO TIME ORDAIN AND ESTABLISH. THE JUDGES, BOTH OF THE "COUNSEL OF THE PHARAOH" AND INFERIOR COURTS, SHALL HOLD THEIR OFFICES DURING GOOD BEHAVIOUR AND SHALL, AT STATED TIMES RECEIVE FOR THEIR SERVICES A COMPENSATION, WHICH SHALL NOT NOT BE DIMINISHED DURING THEIR CONTINUANCE IN OFFICE.

THIS CONSTITUTION IS HEREBY ORDAINED THE SUPREME LAW OF THE UNIVERSE. (ENACTED BY SIGNATURE)

SIGNATURE: Tethmosis V

DATE: APRIL 16 2008

A.K.A: The Carl D. Asemani II

UNITED STATES SUPREME COURT DOCKET NO. FOR THE OCTOBER TERM OF 2000 A.D.:

00-6586

IN THE UNITED STATES SUPREME COURT

IN RE AMBASSADOR, CARL D. SIMMONS, PRO HAC VICE, I.F.P.

"ON PETITION FOR AN EXTRAORDINARY WRIT, TITLE 28 U.S.C. SECTION 1651(a), INVOKING THE COURT'S... [ORIGINAL]... JURISDICTION UNDER ~~ARTICLE~~ III OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA [ON] SEPT. 17, 1787 A.D."

"[Application] to Individual Justice, Sandra Day O'Connor, Pursuant to U.S. SUP. CT. R. 22"

DATE: NOVEMBER 16, 2000 A.D.

(U.S.) HONORABLE AMBASSADOR, Carl D. Simmons, PRO HAC VICE, I.F.P.

MR. CARL D. SIMMONS, #E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

IN THE UNITED STATES SUPREME COURT

00-6586

TO: U.S. SUPREME COURT, HONORABLE JUSTICE, SANDRA DAY O'CONNER, PURSUANT TO U.S. SUP. CT. R. 22:

MAY IT SO PLEASE THE JUSTICE, "SPECIAL COUNSEL", PROCEEDING BEFORE THE COURT IN THE AFORESAID ACTION, "PRO HAC VICE", "I.F.P.", REQUESTS [INTERLOCUTORY DECREES], PURSUANT TO THE FRCIVP. RULE 54., AS FOLLOWS:

I.) [REFERENCE] TO A "SPECIAL MASTER", OTHER THEN A MAGISTRATE JUDGE, TO BE APPOINTED IN THIS ACTION AS A... [EXAMINER]... AND... [ASSESSOR]... FOR THE DIFFICULT COMPUTATION OF [ALL] LAWFUL... [DAMAGES]... PURSUANT TO [STATE] AND [FEDERAL] [STATUTORY] AND [COMMON-LAW], AS WELL AS AVAILABLE UNDER THE [GENERAL PRINCIPLE OF INTERNATIONAL LAW]. TO THEREFORE, MAKE [FINDINGS OF FACT] AND [CONCLUSIONS OF LAW] WITH A [TRANSCRIPT OF THE PROCEEDINGS] AND OF THE "EVIDENCE" AND THE "ORIGINAL EXHIBITS", IF ANY, AND SHALL SERVE A [COPY] OF THE [REPORT] WITH "COUNSEL" FOR THE PETITIONER, THE "JUSTICE" CONCERNED, AND "CLERK OF THE COURT", AND AS WELL MAKE A... [DRAFT REPORT]... AVAILABLE [TO] "COUNSEL" FOR THE PETITIONER FOR THE PURPOSE OF [RECEIVING SUGGESTIONS], AND THEREAFTER TO FILE A [FORMAL REPORT]

WITHIN (10) DAYS, "DRAFT REPORT" NOTWITHSTANDING, AS PER FRCVP. R. 53.

II.) [INTERLOCUTORY DEVOLUTIVE DE NOVO APPEAL BY RIGHT] TO THE [SUPREME COURT OF JUDICATURE] IN ENGLAND.

III.) [FINAL DECREE]: [GRANTING] THE [RELIEF] THE "COUNSEL" SEEKS ON THE "INITIAL PLEADING FOR PETITION FOR AN EXTRAORDINARY WRIT AND SUPPLEMENTAL BRIEF[S]", [FILED] WITH THE 'COURT' AND 'ADVERSE PARTIES', I.E. 'STATE OF CALIFORNIA' [AND] 'SOLICITOR GENERAL OF THE U.S.'.... [ON] [SEPT. 14, 2000 A.D]... IN ACCORDANCE WITH U.S. SUP. CT. R. 17.5, WHICH STATES: "No more than [(60) Days] [after] "Receiving" the Motion for leave to file and the Initial Pleading, an "Adverse Party" shall... [File]... any "brief in Opposition"... upon the [expiration] of the Time allowed for filing, i.e. [NOV. 14, 2000 A.D.], the Court thereafter may... "Grant"... the Motion..." FURTHERMORE, U.S. SUP. CT. R. 17.6 STATES: "If the [Defendants] i.e THE AFORESAID PARTIES, [does not] respond by the Return day, i.e. [NOV. 14, 2000 A.D.], the [Plaintiffs] may Proceed... Ex Parte..."

IN CONCLUSION, "COUNSEL" PRAYS FOR SUCH FURTHER OR OTHER RELIEF AS THE NATURE OF THE CASE MAY REQUIRE, AND AS MAY BE AGREEABLE TO [EQUITY] AND [GOOD CONSCIENCE].

I Declare under Penalty of Perjury that the Foregoing Statements are True and Correct

DATE: NOVEMBER 16, 2000 A.D.

(L.S.) HONORABLE AMBASSADOR, Carl D. Simmons, Pro Hac Vice, I.F.P

MR. CARL D. SIMMONS, #E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

UNITED STATES SUPREME COURT DOCKET NO. FOR THE OCTOBER TERM OF 2000 A.D.:

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00-6586

ORIGINAL

Supreme Court, U.S.
FILED
NOV 13 2000
CLERK

IN THE UNITED STATES SUPREME COURT

IN RE AMBASSADOR, CARL D. SIMMONS, PRO HAC VICE, I.F.P.

"ON 'PETITION FOR AN EXTRAORDINARY WRIT, TITLE 28 U.S.C. SECTION 1651(a), INVOKING THE COURT'S... [ORIGINAL]... JURISDICTION AS PER ARTICLE III OF THE "CONSTITUTION" OF THE "UNITED STATES OF AMERICA" [ON] SEPT. 17, 1787 A.D."

"[Application] to Individual Honorable U.S. Supreme Court Justice, "Sandra Day O'Conner", Persuant to U.S. Supreme Court Rule 22"

DATE: NOVEMBER 11th, 2000 A.D.

(U.S.) HONORABLE AMBASSADOR, Carl D. Simmons, PRO HAC VICE, I.F.P.

MR. CARL D. SIMMONS, #E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

IN THE UNITED STATES SUPREME COURT

00 - 6586

TO: THE HONORABLE UNITED STATES SUPREME COURT JUSTICE, "SANDRA DAY O'CONNER", PURSUANT TO U.S. SUPREME COURT RULE 22:

MAY IT SO PLEASE THE JUSTICE, "SPECIAL COUNSEL", PROCEEDING BEFORE THE COURT "PRO HAC VICE", "I.F.P." IN THE AFORESAID ACTION, REQUESTS (19) [INTERLOCUTORY DECREES], PURSUANT TO CL. 2; 3, SEC. 9, ART. I; CL. 1, SEC. 10, ART. I; SEC. 3, ART. II; SECTIONS 1, 2, ART. III; CLS. 1, 2, ART. VI; AMENDMENTS V; VI; IX; X; XIV SEC. 1 OF THE 'CONSTITUTION' OF THE "UNITED STATES OF AMERICA" OF 1868 A.D. WHICH STIPULATES, IN RELAVANT PARTS:

"The [Privilege] of the "Writ of Habeas Corpus" shall [not] be [suspended]... [No]... [State]... shall... [Pass]... and/or... shall be... [Passed]... [Any] [Ex Post Facto Law]... or... [Law] impairing the [Obligation] of [Contracts]" (THAT "EX POST FACTO LAW" OR "LAW" IMPAIRING THE "OBLIGATION" OF "CONTRACT[S]" BEING THE... "UNITED STATES CODE, I.E. ALL TITLES"; "CONSTITUTION OF THE UNITED STATES OF AMERICA";

ATTENTION

CLERK OF THE COURT!

HEREIN ENCLOSED YOU WILL FIND A "APPLICATION TO THE HONORABLE U.S. SUPREME COURT JUSTICE, "SANDRA DAY O'CONNER, PURSUANT TO U.S. SUP. CT. R. 22", "FILED" BY THE BELOW SIGNED [SPECIAL COUNSEL] PROCEEDING BEFORE THE COURT IN DOCKET NO. 00-6586, "I.F.P.", "PRO HAC VICE", TO BE PROMPTLY TRANSMITTED TO THE "JUSTICE" TO WHOM IT IS ADDRESSED, FORTHWITH.

I "THANK YOU" FOR YOUR "TIME", AND "COOPERATION" IN THIS MATTER.

DATE: NOVEMBER 12, 2000 A.D.

(L.S.) HONORABLE AMBASSADOR, Carl D. Simmons, PRO HAC VICE, I.F.P.

MR. CARL D. SIMMONS, #E-96088
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31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

Supreme Court, U.S.
FILED
NOV 20 2000
CLERK

UNITED STATES SUPREME COURT DOCKET NUMBER FOR THE

OCTOBER TERM OF 1999:

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE AMBASSADOR, CARL D. SIMMONS, C.E.O., IN.PRO.PER., PRO HAC VICE

ON PETITION FOR WRIT OF HABEAS CORPUS TO
THE CALIFORNIA SUPREME COURT, FILE NO.:

S 089503

ON PETITION FOR WRIT OF HABEAS CORPUS TO THE
UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA:

CV-00-04400-LGB-(EE)

Petition for an Extraordinary Writ,

Persuant to U.S. Supreme Court Rule 6.2.3.; 17.1.2.-3.4; 20.1.2.; 22.1.2.3; 39.1.2.4

(S) AMBASSADOR, Carl D. Simmons, C.E.O., IN.PRO.PER, PRO HAC VICE

MR. CARL D. SIMMONS, # E-96088
SALINAS VALLEY STATE PRISON
31625 HIGHWAY 101, P.O. BOX 1020
SOLEDAD, CALIF 93960

IN THE UNITED STATES SUPREME COURT

SECTION I. QUESTIONS PRESENTED FOR REVIEW:

A) HAS THE STATE COURT IN "PEOPLE OF THE STATE OF CALIFORNIA V. CARL D. SIMMONS", IN THE COUNTY OF SANTA BARBARA, SUPERIOR COURT CASE NUMBER 214013, IN THE STATE OF CALIFORNIA, [DECIDED] "AND/OR" [FAILED TO DECIDE], AN IMPORTANT AND/OR FUNDAMENTAL QUESTION[S] OF THE FEDERAL CONSTITUTION ARTICLE I, SECTION 10, PARAGRAPH 1; ARTICLE IV, SECTION 2, PARAGRAPH 1; ARTICLE VI, PARAGRAPH 2, 3; AMENDMENTS I; II; IV; VI; VIII; IX; X; XIII; XIV AND/OR "LAW" i.e. TITLE 18 U.S.C. SECTION 241, 242 ET. SEQ.; TITLE 42 U.S.C. SECTION 1983 ET. SEQ.; TITLE 28 U.S.C. SECTION 1350 ET. SEQ.; FEDERAL EXCLUSIONARY RULE; FRUIT OF POISONOUS TREE DOCTRINE; AND/OR INTERNATIONAL "LAW" AND/OR UNITED NATIONS "UNIVERSAL DECLARATION ON HUMAN RIGHTS, ARTICLES 1-30, THAT HAS NOT BEEN, BUT SHOULD BE SETTLED BY THE "UNITED STATES SUPREME COURT"... AND/OR... [CONFLICTS]... WITH RELEVANT DECISION[S] OF THE "UNITED STATES SUPREME COURT" AND/OR "INTERNATIONAL COURT OF JUSTICE" AND/OR "GENERAL ASSEMBLY" OF THE UNITED NATIONS?

B) HAS THE CALIFORNIA SUPREME COURT, [DECIDED], "AND/OR" [FAILED TO DECIDE] IN "CARL D. SIMMONS, IN PRO. PER. V. PEOPLE OF THE STATE OF CALIFORNIA, ET. AL., FILE NO. S 089503 [AND/OR] "RAVEN V. DEUKMEJIAN (1990) 52 C3d 336, 276 CR 326" [AND/OR] "IN RE LANCE W. (1985) 37 C3d 873, 879, 210 CR 631, 635" AN IMPORTANT AND/OR FUNDAMENTAL FEDERAL CONSTITUTION ARTICLE I, SECTION 10, PARAGRAPH 1; ARTICLE IV, SECTION 2, PARAGRAPH 1; ARTICLE VI, PARAGRAPH 2, 3; AMENDMENTS I; II, IV; VI; VIII; IX; X; XIII; XIV AND/OR "LAW" i.e. TITLE 18 U.S.C. SECTION 241, 242 ET. SEQ.; TITLE 42 U.S.C. SECTION 1983 ET. SEQ., TITLE 28 U.S.C. SECTION 1350 ET. SEQ.; FEDERAL EXCLUSIONARY RULE; FRUIT OF POISONOUS TREE DOCTRINE; AND/OR INTERNATIONAL "LAW"; AND/OR UNITED NATIONS, "UNIVERSAL DECLARATION ON HUMAN RIGHTS ARTICLES 1-30"... QUESTION[S]... IN A WAY... THAT [CONFLICTS]... WITH THE DECISION[S] OF ANOTHER STATE SUPREME COURT AND/OR THE "UNITED STATES SUPREME COURT" AND/OR "INTERNATIONAL COURT OF JUSTICE" AND/OR "GENERAL ASSEMBLY" OF THE UNITED NATIONS?