ORIGINAL

No. 04-6096

Supreme Court, U.S.
FILED
AUG 3 1 2004
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supreme Court of the united States

In Re Todd J. Verdone

Petitioner

On Petition For Writ of Habeas Corpus To United States Court of Appeals for the Seventh Circuit

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Todd J. Verdone
FCI Greenville
PO Box 5000
Greenville, IL 62246

QUESTIONS PRESENTED

1) Did the Court of Appeals error when they denied Petitioner's Motion For Injunctive Relief upon the showing the district court acted in want of jurisdiction and contrary to Article I Section 8; Article III Section 1 and 2; Article IV Section 3 and 4; Article VI Clause 2 of the Constitution?

2) Did the Court of Appeals error when they Denied Petitioner's Motion For Injunctive Relief upon the showing the district court acted contrary to the prohibitions set forth in Article I Section 9 Clause 3; and Amendments IV, V, VI, VII, VIII, IX, & X?

3) Did the Court of Appeals error when they Denied Petitioner's Motion For Injunctive Relief upon the showing the district court acted contrary to the intent of Congress' Exclusive Legislative Authority?

4) Does the Petitioner have an absolute right to full disclosure of the Nature and Causes of the Accusations made against him in accord with Amendments IV, V, VI, & IX?

5) Can a "Bill of Attainder" be used in the several States party to the Constitution to deprive the Petitioner of his right to life, liberty, and property without Due Process of law?

LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[x] 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:

Todd J. Verdone, Petitioner

United States Court of Appeals
Seventh Circuit
Chicago Illinois
Court of Last Resort

Darlene A. Veltri
Warden of Greenville Federal Corrections Institution

United States Court of Appeals ad

For the Seventh Circuit
Chicago, Illinois 60604

March 29, 2004

Before

Hon. RICHARD A. POSNER, *Circuit Judge*

Hon. FRANK H. EASTERBROOK, *Circuit Judge*

Hon. TERENCE T. EVANS, *Circuit Judge*

UNITED STATES OF AMERICA, Plaintiff-Appellee, No. 03-4058 v. TODD J. VERDONE, Defendant-Appellant.	] Appeal from the United] States District Court for] the Western District of] Wisconsin.]] No. 03 CR 38]] John C. Shabaz,] Judge.

Upon consideration of the MOTION FOR INJUNCTIVE RELIEF PENDING APPEAL TITLE 28 USC 1651(a), filed on March 15, 2004, by the pro se appellant,

IT IS ORDERED that the motion is DENIED.

Appendix A

STATEMENT OF THE CASE

On April 7th, 2003 an **unsupported** and **non-judicial** "INDICTMENT" was filed with the clerk of court for the western district of Wisconsin. The "INDICTMENT" alleges violations of Title 26 Section 7212(a), Section 7206(1) and Title 18 Section 1001 (a) (3) and (2) of the United States Codes which have application only to the exclusive jurisdiction of Congress and its territories. The "INDICTMENT" alleges a Plaintiff by the name of UNITED STATES OF AMERICA.

Additionally, an **unsupported** and **non-judicial** "WARRANT FOR ARREST" was obtained from the clerk of court by the United States attorney and faxed to Internal Revenue Officer **Steve Makowski** in Eau Claire Wisconsin. Makowski et al., immediately drove across state line to the Petitioner's home in the Republic of Minnesota to execute the WARRANT FOR ARREST.

Unknown to the Petitioner, Makowski et al., gained access to the secured building of the Petitioner's condo, and then persuaded custodial employee[s] to enter the **locked** manager's office. Thereinafter, the custodian employee[s] entered the **locked** box which maintained the key to the Petitioner's private dwelling, which is only to be given out in exigent circumstances, and turned the **key** over to Makowski et al. Makowski et al., simply inserted the key into the locked door of the Petitioner's private dwelling and entered it without Petitioner's authorization, consent, or otherwise. While armed with a deadly weapon, Makowski et al., notified the Petitioner he was under arrest.

Petitioner requested to see the warrant and Makowski displayed the **unendorsed, unsupported, and faxed** document entitled WARRANT FOR ARREST.

When confronting Makowski about the lack of a signature by a judicial officer, he stated "it is signed by the clerk of court and that is all that is necessary." At no time did Makowski et al., display a **Search Warrant** to justify his invasion of the Petitioner's privacy.

Petitioner was then arrested and handcuffed and taken to the district court for the district of Minnesota. He was ORDERED detained by a magistrate absent a Fourth Amendment Complaint, Affidavit, and Warrant. Petitioner was booked and deposited in the Anoka County Jail.

Petitioner was taken before a retired magistrate in the district court for the district of Minnesota, and again ORDERED detained and extradited to the district court for the district of Wisconsin, absent a Fourth Amendment Complaint, Affidavit, Warrant, and, Judicial Probable Cause Determination, contrary to the Fifth Amendment due process clause of the Constitution for the United States of America.

On April 17th, 2003, Petitioner was taken before magistrate Stephen Crocker in the district court for the western district of Wisconsin. Crocker requested the Petitioner to enter a plea. Petitioner told Crocker "I do not see the Complaint." Crocker stated "there is **no complaint**. The INDICTMENT is all you are going to get." At no time did the Petitioner enter a plea. Again the Petitioner was ORDERED detained, absent a Fourth Amendment Complaint, Affidavit, Warrant, and Judicial Probable Cause Determination.

While being held in the DANE COUNTY JAIL, Petitioner filed a MOTION TO DISMISS, since there is no AFFIDAVIT OF CHARGES among other things. (See