TO: Sheild Reiff
clerk
P O Box 1688
Madison, WI 53707-1688

11/24/2020(solar)

RE: State of Wisconsin -- John Casteel
Case No 2020-AP-1515 and 1516

This commercial instrument should be construed as formal filing certificate for Petition of Review along with Exhibits attached to Petition.

Kindly be advised that a copy was mailed to: Josh Kaul, attorney general, P O Box 7857, Madison, WI 53707-7857 on the same date mailed to court.

Your time and assistance in filing this Petition along withj attacted Exhibits to Supreme Court will be greatly appreciated.

Submitted By:

Tayr Kilaah al Ghashiyah (Khan)
without prejudice
P O Box 351
Waupun, WI 53963

To: Sheild Reitf
clerk
P O Box 1688
Madison, WI 53707-1688

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Submitted By:

Dave Kilash aJ Ghoshiyah (Man)
without prejudice
P O Box 251
Waupun, WI 53963

Wisconsin Supreme Court
Case No(s) 2020-AP-1515 & 1516

State of Wisconsin,
-v-
Plaintiff-Respondents,

John Casteel,
Petitioner,Appellant,

PETITION for REVIEW

PLEASE TAKE NOTICE, that, the undersigned, pro se., hereby petitions to Wisconsin Supreme Court to review the decision entered in this case by the court of appeals for District III on November 17, 2020(solar), which declare to take no action in this case.

Wisconsin Constitution provides certain suggested alternatives in Article VII, section 3 that Supreme Court "SHALL" have power to issue "Writ" of habeas corpus, mandamus, injunction, quo warranto, certorari, and other "original and remedial" writs and "determine" that same under this provision, Supreme Court has original jurisdiction. State -v- Wisconsin Ry. Co., 34 Wis. 197 (1874).

The supreme Court's authority to issue a Writ is not dependent upon a specific legislature enactment, but the constitution and statutes relating to its appellate jurisdiction give it the authority to issue such writs as are necessary to exercise its appellate jurisdiction. Shave -v- State, 49 Wis.2d 370, 182 N.W.2d 505.

The interpretation of a statute such as present in this case is a question of law over which the Supreme Court unlimited review. State -v- Divine, 291 Kan. 738, 742, 246 P.3d 692 (2011).

STATEMENT OF THE ISSUES PRESENTED FOR REVIEW

1) Whether Statutory scheme in § 302.113 was applied in a discriminatory fashion?

2) Should the Party be afforded remedy from a judgment of conviction issued by the trial court without valid jurisdiction?

3) Should the Party be subject to entry of Sentence imposed contrary to statutory scheme?

Criteria for Review

The undersigned seeks review of issues based upon a circuit court competency to act is a question of law which generally a appellate court review de nova. Village of Shorewood -v- Steinberg, 174 Wis.2d 191, 200, 496 N.W.2d 57, 60 (1993).

Formal objections on jurisdiction turns on question of law may not be waived. State -v- Bratrud, 204 Wis.2d 445 (1995). Defenses based on the lack of jurisdiction cannot be waived and may be asserted at anytime. Matter of Green, 313 S.E.2d 193 (N.C. App 1984).

The U.S. Court of Appeals for the Seventh Circuit opinion referred to as Graham -v- Borgen, 483 F.3d 475 (2007) acknowledged Wisconsin Supreme Court's rationale in State -v- Evan, post-conviction appeal(s), on the other hand, provide an independant and civil inquiry into the validity of a conviction and sentence, and as such are generally limited to challenges to constitutional jurisdiction or other fundamental violations that occurred at trial. Id.

The Seventh Circuit Court opinion referred to as Kelly -v- US, 29 F.3d 1107, 1113 (1994), oberved, "a jurisdictional defect cannot be procedurally defaulted" . . . .because "the court has an independant duty to assure itself that its jurisdiction is properly had. . . ." The court stated that it was a "non-sequitor" therefore to suggest that the court could not deal with the lack of jurisdiction because the defendant had not shown cause for not raising the issue earlier. Id.

STATEMENT OF THE CASE

The former-accused, John Casteel, (hereinafter referred to as 'the undrsigned') seeks equity relief under common law and his natural inherent rights which enhances fairness in the administration of justice on various equitable grounds rooted in commercial standards under International Laws and as once quoted by Henry David Thoreau that "There will never be a free and enlightened State until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly."

The undersigned was previous convicted and sentenced by Brown County [Incorporated] judicial system by a bench trial to court and another trial by jury for alleged armed robbery for two (2) separate local Green Bay area banks and felon with a weapon and was sentence to a total of ifty (50) years in prison by a purported trial court without competent jurisdiction to impose a penalty under § 939.73.

The historical trial court public records will attest to criminal complaint and summons was drafted by the district attorney office accusing the undersigned as defendant in count 1 of committing the crime of armed robbery contrary to section § 943.32(2) and count 2 of committing act for possession of Tetrahydracannabinol contrary to section § 161.41 (3) which was merely dated on July 8, 1985(solar).

Whereby the district attorney had solely provided defense counsel and court commioner at time of intial appearance review with its unauthentic criminal complaint and summons which was not signed, notarized nor filed with clerk office prior to officially commencing the criminal action. For informational purposes, a copy of criminal complaint and summons is hereto attached to petition.

The undersigned raised the objection based on common-law opinion in McMillian -v- Warner Mut. Ins Co, 465 N.W.2d 201 (1997), where court applied the former version of § 802.05(1) did not allow for missing or inadequate signature to be cure.

The undersigned previously expressed that there was a "fraud" by the district attorney attempts to file its criminal complaint later signed after the undersigned's initial appearance because it was establish by common-law opinion in Dugan -v- County of Pierce, 486 N.W.2d 579 (1992) that service of an unauthenticated summons and complaint on a defendant before filing it with the trial court was a fundamental error.

The historical trial court public records are not in any disputes that the undersignad filed a formal objection based on Notice of Want of Jurisdiction, however, the trial court decline ot provide any type of evidentiary hearing to resolve the factual and legal issues that criminal proceedings was void.

The historical trial court public records will attest to undersigned's Notice of Want of Jurisdiction being filed on August 16, 1985(solar) where establish Rule § 802.06(4) mandates a defense for lack of jurisdiction "shall" be heard in accordance with § 801.08.

It was establish principle of law in common-law opinions referred to as Bielefeldt -v- St. Louis Fire Door Co., 90 Wis.2d 245 (1979), observed "the circuit court erred in failing to hold an evidentiary hearing on the jurisdictional issue.

Section 801.08 expressly provides that legal and factual issues are to be heard and determination in a pretrial jurisdictional hearing. The question before the circuit court on motion to dismiss was not solely a question of law. Factual issues were raised, and the circuit court had to make factual determinations. The appellate court observed that the Bielefeldts were entitled not only to a hearing on the legal issue but also to evidentiary hearing.

The undersigned's trial court public records are devoid of any necessary evidentiary hearings as "mandated under purported statutory [private] scheme in § 802.06(4) to hear and determine the legal and "factual" claims raised by the undersigned in timely manner. To ignore these statutory mandates constitute a violation of substantive due process, and misconduct in public office by circuit court.

The circuit court nor appellate courts can not bar a party from challenging a void judgment and sentence where the facts are sufficient to warranting the court to vacate the judgment from being enforced specially where the lawful claims was not definitely passed upon.

While it may be true that the undersigned have attempted to raise these issues in the past, two (2) things are also equally true, (1) the undersigned may have understandingly fumble the issues in his pro se endeavor, and yet (2) the trial court never addressed the real merits of the undersigned's lawful claims.

It is not difficult to discern in the pursuit the undersigned's effort to point out legal issues he felt had been mishandled in his purported trial proceedings where recently based upon new material changes in law.

Rather than instruct the undersigned to further brief his issues based on recent material changes in law, or frame them in proper terms, or take them to the proper forum, the trial court simply construed the motion as re-challenging prior motion and deem the lawful claims procedurally bar. The trial court never reached the merits of those issues.

In either events, when the undersigned attempted to raise the merits in a more accurate frame-works based on recent material changes in law, the trial court doubled-down and, invoking the undersigned's previous motion that had been misconstrued as procedural bar.

The historical trial court public records are not in dispute that the purported appellate counsel withdrew without filing a motion to appellate court for permission to withdraw as previous address in common-law opinion in McCoy -v- Court of Appeals, 486 US 249 (1988) "If counsel finds his case to be wholly frivolous, after a conscientious examination of it, he should so advise the court and request permission to withdraw.

No dispute the undersigned was deprive of effective appeal by purported appellate counsel's action to withdraw without first filing an motion to withdraw. No evidentiary hearing have been establish whether the undersigned had knowingly and intelliently waived the right to counsel on direct appeal from those 1985 convictions.

The U.S. Court of Appeals for the Ninth Circuit held on November 29, 2019(solar), that evidence obtained by the district court at a hearing on whether state post-conviction counsel was ineffective could be used in order to grant habeas relief, despite the ban on evidentiary hearing to develop facts that were not addressed in state court.

However, the Supreme Court held in Martinez -v- Ryan, 566 US 1 (2012), that "cause" can be establish to allow a district court to hear a claim not raised in a post-conviction review motion in state court if, in the post-conviction review proceedings, "there was no counsel or counsel in that proceeding was ineffective" for not raising a "substantive ineffective assistance claim."

Eventually, the district court held a hearing in 2017 pursuant to Martinez on whether Jone's post-conviction counsel was ineffective for not raising the ineffective assistance of counsel claim he presented in his § 2254 petition. The court concluded that post-conviction counsel was ineffective, which provided "caused" to excuse the procedural default and allow the court to hear his claim in full. The court then found Jone's trial counsel was ineffective and granted the petition. Jones -v- Shinns, 943 F.3d 1211 (2019).

The undersigned expressed the purported appellate counsel who withdrew without permission constitutes "cause" because "there was no counsel" to assist on raising his lawful claims during his pursue for certain remedy allowed by substantive law in constitution.

The undersigned avers that he didn't have an unobstructed shot at presenting his lawful claim by shopwing the legal basis for the claim where some arose after the direct appeal and post-conviction stage and mostly because of recent material changes in law relevant to the claim, openning the door(s) for a proper challenge now. Since the undersigned's direct appeal, and post-conviction was effected by recent material changes in the applicable law, the undersigned did not have an unobstructed procedural shot to present those claims.

The historical trial court public records indicates, on September 3, 2015(solar), prison registrar forward a legal correspondence to the circuit court requesting clarification on judgment of conviction dated December 17, 195 in case no 85-CF-780.

In February, 2016, the judgment of conviction in case no 85-CF-780 was "amended" to include the habitual criminality penalty enhancer, and to reflect a 30 years prison sentence on armed robbery count.

Then on May 9, 2018(solar), the circuit court for second time, "amended" the judgment of conviction to reflect a purported "concealing identity penalty enhancer."

The undersigned have have been able on appellate review to raise legal question whether trial judge's "amendment" or "reclassification" on February 16, 2016(solar) to include enhancer of habitual criminality and then on May 9, 2018(solar) to reflect the concealing identitly penalty enhancer created a new judgment to allow a legal challenge on all lawful claims based on recent material change in law.

Because the Court of Appeals for the Ninth Circuit opinion in Morales -v- Sherman, 946 F.3d 474 (2020), explained that the "reclassification" of a prior conviction created a new judgment in the case that allowed for a new federal habeas petition attacking the entire case, which would not be a "second or successive" petition.

The court observed the Supreme Court's opinion in Magwood -v- Patterson, 561 US 320 (2010), that when a "new," intervening judgment" is entered by the court, another habeas petition challenging that new judgment is not "second or successive."

The Ninth Circuit concluded that it was a new, intervening judgment on all of the counts. The court reasoned that "ecause these actions led to a change in the sentence and judgment, the abstract of judgment had to be amended as well." The rule in the Ninth Circuit is that another habeas petition challenging a new judgment, not just the changed portion, allows an attack on the entire judgment. Wentzell -v- Neven, 674 F.3d 1124 (2012).

The undersigned express a great deal of concerns with regards to two (2) penalty enhancement relates to habitual criminality for possession of fire-arm by felon included on Feburary 16, 2016(solar) amend judgment as well as concealing identity penalty enhancer on May 9, 2018(solar) was void.

The Ninth Circuit finally answer a question on February 24, 2020 (solar) that had been left open in the circuit whether a person may be "actually innocent" of an erroneous mandatory career offender sentence, openning the door for relief under the saving clause. Its yet another case expanding the reach of the so-called saving clause. Bailey -v- US, 516 US 137 (1995)("actually innocent" of fire-arm convictions).

The Ninth Circuit review in Allen -v- Ives, 950 F.3d 1184 (2020) actual innocence criterion for the saving clause which was originally premised on a case where the petition was innocent of his conviction, the question in Allen's case was whether he could be innocent of a sentencing enhancement.

The undersigned express there is not real way that the district attorney nor State can dispute in the facts [original] that the criminal complaint was actually devoid of any formal charges for two (2) recent enhancement penalty imposed by trial court in her recent "reclassification" of judgment of convictions.

similar to Allen's action meeting saving clause requirements, the appellate court concluded that he made a "cognizable claim" for the saving clause and that he in fact may have been "actually innocent" of his career offender sentence.

The undersigned express that the circuit court recent inadequate two (2) page decision and order that the undersigned may be procedurally deafulted the claim under Escalona bar because he never raised it on direct appeal does not apply here. While its generally true that a claim raised for the first time on post-conviction motion could have been raised on appeal is procedurally barred from relief.

Wisconsin Supreme Court must note an "exception" here as recognized by other courts; as the undersigned may be "actually innocent" of enhancement penalties which avoids any procedural bar and recent material changes in law on this topic.

The saving clause requires a showing of innocence that could not have been raised earlier for whatever reasons. The saving clause as post know it today was created in the mid-1990's when the Supreme Court interpreted federal fire-arm statute in Bailey -v- US, 516 US 137 (1995), which left hundreds of federal incarcerated person's "actually innocent" of his [or her] fire-arm convictions.

The appellate court naturally misapplied the establish application of law when appellate court merely alleged "his current appeal raises an issue upon which relief could be grant"; we will not accept his notice of appeal for filing, where a successive post-conviction motion is based upon newly discovered evidence or a new rule to cases on collateral review that was prevously unavailable. The appellate court have intentionally over-looked new rule made retroactive by the Supreme Court and relief where new evidence showing "actual innocence" to enhancement penalty.

The undersigned respectfully requets Wisconsi Supreme Court to grant this petition for review because it is an important issue that has wide-ranging implicatons for both incarcerated persons and other civil litigants and the court of appeal's decision was erroneous.

ARGUMENT

I) Constitution does establish its Subtantive Law to be Binding on all Government Agencies.

1) Statutory Scheme Discriminatory:

The undersigned sought relief based on recent material change in statutory scheme relates to modification of sentance in § 302.113, however, the trial court applied the statute in a discriminatory fashion.

State's law application such as § 302.113 does leaves the undersigned and other incarcerated persons without a certain remedy or legal forum. D.H. -v- State, 251 N.W.2d 196 (1977) ("When an adequate remedy or forum does not exist to resolve dispute or provide due process, the court, under Wisconsin Constitution, can fashion an adequate remedy").

The undersigned sought a motion for sentence modification based on recent material change in § 302.113 as applied to him constitute a new factor warranting modification of his sentence.

The trial court denied motion for sentence modification because he was not subject to § 302.113. That section applies only to inmates serving bifurcated sentences imposed under § 973.01. The undersigned, on the other hand, is serving indeterminate sentences imposed under § 973.013(1)(2). Necessarily, the undersigned failed to allege a new factor because the statute he cited does not apply to him--therefore, trial court denied motion for sentence modification. Id at page 2, court's order.

There's question whether legislators created and enacted another discriminatory statute against a certain class of incarcerated persons as legislators enacted in former § 302.05, and the appellate court review in common-law opinion referred to as State -v- Ludtke, 724 N.W.2d 203 (2006), where court observed, § 302.05 of the statute that were not imposed under Rule 973.01, court agree that it must apply retroactivelt and not to incarcerated persons sentence under the statute.

In sum, Wisconsin Supreme Court is now dealing again with a discriminaton application to statute against a certain class of incarcerated persons.

2) Material Changes in Law:

The undersigned's motion and/or remedy concern the defects in earlier criminal proceedings which led to the judgment and sentence itself on grounds asserted in the prior [original] claim to set aside prior judgment denying relief on a traditional application of law to include an intervening changes in the law applicable to the original proceedings and its claims. Ritter -v- Smith, 811 F.2d 1398, 1401 (1987)(prior to enactment of AEDPA, Rule 60(b) sometimes available as a result of change in the law); Allstate Ins Co -v- Burnwick, 740 N.W.2d 888 (2007) ("§ 806.07 authorities a court to grant relief based on change in the law that renders judgment unjust").

The "core of operate facts" is the corner-stone in any amended petition filed after the deadlines. Mayle -v- Felix, 545 US 644 (2005) ("A amended petition does not relate back, 'when it assert a new ground for relief supported by facts that different in both time and type from the original set-forth." But an amendment that raises grounds "tried to a common core of operate facts" of the original claims does relate back").

The primary purpose of common-law as well as statutory scheme is to fix any dificiences in the original petition. Amended grounds that correct or modify the original facts, restate the original claim with more particularity or that amplify the details of the claims relates back under relate-back doctrine.

In February, 2016, the judgment of conviction in the undersigned's case was amended to include the habitual criminality enhancer penalty, and to modify the county jail-time credits from four (4) months to zero based off prison registrar's motion to clarify the judgment. The prison registrar misrepresented that judgment was credited with four (4) months when it was not placed the undersigned beyond mandatory release date on November 18, 2020(solar).

An En Banc Ninth Circuit Court opinion referred to as Ross -v- Williams, 950 F.3d 1160 (2020) provides Guidance on when amended petition "relates back" to original claim to avoid dismissal as untimely or even when a new "legal theory" is proposed in an amended petition, but the facts are the same, there is a common core of facts to meet the relate-back doctrine, the court instructed.

The court cited its decision in Nguyen -v- Curry, 736 F.3d 1287 (2013), where it determined that an amended claim of ineffective assistance of counsel for appellate counsel's failure to raise a double jeopardy claim related back to an original claim of double jeppardy that did not include ineffective assistance of counsel.

The Ninth Circuit concluded that Ross' amended petition, even if it offered a new legal theory, could still relate back to the factual bases of Ross' original claims.

And finally, the court reiterated that pro se filing are to be "liberally construed." Ross' original petition was filed pro se., and then he was appointed counsel who filed amended petition.

As mentioned on the historical trial court public records demonstrates that the undersigned original petition was filed pro se., and the records shown that appointed appellate counsel abandoned him on first appeal.

In April, on 9th date, 2018(solar), the trial court entered a second decision and order to amend the judgment of conviction to include the "reclassification" on penalty enhancer for concealing identity during the commission of his criminal offense(s).

Generally speaking, "Alteration means (i) an unauthorized change in an instrument that purports to modify in any respect the obligation of a party, or (ii) an unauthorized addition of words or number or other change to an incomplete instrument relating to the obligation of a party." UCC 3-407(a).

An alteration of an instrument that is "fraudulently made may dischange a party whose obligation is affected by the alteration unless that party asserts or is precluded from asserting the luteration." UCC 3-407(b). A non-fraudulent alteration is benign, but the instrument is enforceable only to the extent of its original, unaltered terms. Id.

The undersigned formal challenges to these amended instrument [re, judgment], can prove entitlement to enforce the court to vacate and/or discharge instrument under Article 3-301 or 3-308.

especially where, the circuit court could have exercise his [or her] equitable power to relieve an aggrieved individual from a judgment procure by fraud, and where refusing to afford would subject the party to an unconscionable judgment.

In the instance action, the circuit court acted contrary to Supreme Court Rule 60.03 and 60.04, where she [judge] would act in her independant capacity to investigate facts in this action and decine to consider only the evidence presented. People -v- Towns, 125 N.E.3d 816 (2019) (Court observed, "as the U.S. Supreme Court wrote in Rippo -v- Baker, 137 S.Ct. 905 (2017), 'the risk of bias was too high to be constitutionally tolerable'" It stated that such a deviation deprived defendant of a "fair trial in a fair tribunal, and this error was not subject to harmless review").

The proof is always part of a prima facie case and is made from the instrument [re, Matrix statute] itself if the undersigned and/or party is a holder under § 3-301(1), 30308 comment 2. ["mere production ****proves entitlement"].

When then, the district attorny must produce the instrument [re, jury transcript or verdict] for its findings for concealing identity and habitual criminal history before enhancer under § 939.641(2). Ring -v- Arizona, 536 US 504 (2002)(where only juries can find these aggravating factors).

But where also, the district attorney would not be totally home-free even if he [or she] makes their prima facie case. their purported standing is diluted or lost to the extent that "the undersigned proves a defense or claim in recoupment" in Article 3-308(b). Then in this instance, the district attorney nevertheless counters and may finally succeed "to the extent that STATE of WISCONSIN [Incorporated] as plaintiff proves that the plaintiff has right as holder in due course which are not subject to the defense or claim. Id.

The Fourteenth Amendment to U.S. Constitution section § 1; "No State shall make or enforce any law which shall abridge the privilege and immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protect of the law." Corfiel -v- Coryell, 4 Wash CC 380, Fed Cas. (no 3230)(1823)(Justice Washington enumerated the privileges and immunities of citizens of the States (U.S. Cont. art. IV, sec. 2) as including "the right of citizen of one State to pass through, or to reside in any other State).

usually, a privilege and immunity depends upon incarcerated persons or citizens, whether or not a claim or a defense is proven and, if so, whether or not the party is subject or immune to the claim or defense, which means incarcerated persons takes free of most claims and defense(s) that arose before the instrument [re, criminal complaint or judgment] was negotiated against him [or her].

The personal defense(s) and recoupment are good against STATE of WISCONSIN [Incorporated] who purports to enforce the instrument based on constitution or other statutory [private] scheme. Article 3-305(a)(2-3). They are good against everybody entitled to enforce an instrument, except a person with the rights as holder in due course. incarcerated persons are immune to them. STATE of WISCONSIN [Incorporated] are not immune to real defense(s) employ by Article 3-305(a)(1)(ii) and by the Fourteenth Amendment mandates that no State "shall" make or enforce any law which "shall" abridge the privileges or immunities of citizens.

Rule § 972.11(1) reads in pertinent part, "The rules of evidence and practice in civil actions "shall" be applicable in all criminal proceedings, unless the context of a section or rule manifestly requires a different construction.

even a party]re, incarcerated persons] in purported criminal proceedings may not assume the parol evidence rule applies, in various forms, to other written contracts.

The parol evidence rule is actually a rule of substantive law rather than a rule of evidence. It applies when two (2) parties reduce their agreement to writing, being under no mistake with respect to what the writing provides, with the intention of adopting the writing as the final and complete expression of their contract.

Depending on the facts, a writing in the form of instrument [re, judgment] may constitute neither a complete or a partial integation of the agreement between the parties.

Although the parol evidence rule plays an important part of protecting an instrument against proof that is not what it seems to be, there are a number of exceptions to the rule's operation. They apply even though both parties intended that the instrument was a total or partial integration of the agreement, however, its was never concede by undersigned in this action or matter.

Parol rule doesn't prevent a party from introducing evidence to avoid, or set aside, an instrument, rather than vary it, by proving fraud, mistake, duress, undue influence, infancy or ordinary incompantency.

A party may show that he]or she] was discharge from liability by an agreement or in any of the other ways recognized by law.

Finally, he [or she] may introduce evidence to show that the instrument never took effect [re, lack of jurisdiction] so as to impose liability [re, penalty or § 939.73] on him [or her] because it arose from an illegal transaction or for some other reasons as will be discussed in next section on subject of Judicial Authority.

Instrument(s) are, first contracts. It includes the constitution, and enforcement of statutory scheme. Furthermore, an instrument is property by focusing on the most fundamental property interest with respect to an instrument, the right to enforce it. Contract and/or compacts such as constitution, statutes and actual signed written agreement determines rights of each party.

The undersigned should not have to point out nor stress the legal points that the purported government agencies is a fictional character or entity in law, created by bankrupt government.

These corporate laws and regulations referred to as STATE of WISCONSIN statutes and their effect and control over human beings and incarcerated persons is deceptively obtained by consent through civil contracts?

But legally, most of these civil contracts lacked "MUTUALLY" meaning that all registrar must understand the true nature and intent of the contract and subsequently must knowing accept or consent to the terms of those contracts.

Generally, Rule § 403.305(1) have allowed for collection of real defense(s) including but not limited to "illegality of the transaction," as to render the obligation [re, judgment] of the party a "nullity."

In short, when any individual is arrested or sued for a statutory [private] scheme, also known as criminal or civil law, he [or she] is actually being accused of violating a corporate [private] regulation, or corporate breach of contract. A civil contract that only exist over human beings by deception and fraud.

The undersigned express that most civil contracts were secured by and through several federal and state voluntary registration programs such as birth certificates, social security, etc., but was designed to convert and enslave flesh and blood American citizens of the Republic into corporate property.

In the present context, in order to promulgate and enforce criminal laws to govern the Sovereign public [people], government must be sovereign too, which is an accepted Rule of Law derived from the Ancient Law of Kings. Since corporation(s) are not and can never be sovereign. They are not real; they are a fiction and only exist on paper!

Since, STATE of WISCONSIN [Incorporated] and BROWN COUNTY Judicial system [Incorporated] are no sovereign, they cannot promulgate or enforce criminal laws; they can only create and enforce civil laws, which are duly bound to comply with the law of contracts. The law od contracts required signed written agreement and complete transparency!

As being discussed as defense(s), these subversive tactic by STATE of WISCONSIN and BROWN COUNTY perverts "MUTUALLY" and lawfully eliminate any and all contractual relationship, a/k/as Uniform Commercial Codes. see, 70 Minn. L. Rev. 713-Article (Cure after breach of contract under Restatement (second) of Contracts an Analytical comparsion with Uniform Commercial Codes).

The undersigned's "story" for false arrest, false imprisonment and detriment of character operates upon the district attorney, circuit court clerk and circuit judge's oath of office.

The district attorney has no document(s) that the undersigned is a party or other evidence on file which would demonstrate and/or support a claim to any social compact or contract which can demonstrate to operate or confer any contractual, controlling, insurable, regulatory, or any other interest in the undersigned's person and/or property to the benefit of BROWN COUNTY or STATE of WISCONSIN [Incorporated].

The district attorney cannot provide a valid claim as the government is insolvent and has no value to give, ergo no value to recover. Due to insufficiency of purported criminal complaint(s), there is no verified document to be presented for defense to set-off. The United States as "Corporator" (Title 22 U.S.C.A. § 286(e)), and "STATE" (C.R.S. 24060-1301) had declared "insolvency."

By becoming a "Corporator" the government laye down its sovereignity and took on that of a private citizen (Title 22 U.S.C.A. 286(e)). It can exercise no power which is not derived from the corporate charter.

The undersigned was not in possession of any charging instrument or other document(s) bearing a Blue-ink signature or an "enacting clause" within Wisconsin statue books. Not only has the circuit court been unable to provide a valid claim for the undersigned to believe that he, [a man], have been charged, but there no corrobating entity such as district attorney or clerk's office has any record(s) of any alleged claim nor can formally dispute the July 8, 1985(solar), unauthenticated criminal complaint. Proceeding on a "false claim" is constructive fraud. For informational purposes, a copy of criminal complaint and summons dated July 8, 1985(solar) is hereto attached to petition.

In recent materical change in law by the Court of Appeals for the Ninth Circuit Court referred to as Morales -v- Sherman explained that the "reclassification" of a prior conviction created a new judgment in the case that allowed a new federal habeas corpus petition attacking the entire case, which would not be a "second or successive" petition.

The court reasoned that "because these actions led to a change in the sentence and judgment, the abstract of judgment had to be amended as well." The rule in the Ninth Circuit is that another habeas petition challenging a new judgment allows an attack on the entire judgment, not just the changed portion of it. Wentzell -v- Neven, 674 F.3d 1124 (2012).

On face of the undersigned's amended judgment of conviction demonstrates § 939.62(b) habitual criminality for possession of ifre-arm by felon was included on February 12, 2016(solar), For informational purposes, a copy of amended judgment is hereto attached to petition.

Generally, "the double jeopardy clause does no more than prevent the sentencing court from proscribing a greater punishment than the legislature intended." State -v- Muhammad, 451 P.3d 10160 (2019).

Wisconsin Supreme Court have to begin its analysis in the instant appellate review by comparing the armed robbery and felong with a weapon does not similarly authorized multiple punishment.

In another recent material change in law, the undersigned express the legal points found by the Court of Appeals for the Fifth Circuit had observed that the U.S. Supreme Court's recent opinion in US -v- Davis, 139 S.Ct. 2319 (2019), declaring another residual clause unconstitutional is "retroactive" and further held that a conspiracy to commit a crime could not support a conviction for use of a fire-arm during a crime of violence.

The case came before the Fifth Circuit Court after Antonio Reese filed a motion to vacate his conviction and sentence imposed under 18 USC 924(c) that were connect to conspiracy to commit several bank robberies. Reese had gone to trial and wad found guilt of numerous crimes, including conspiracy to commit bank robbery and actual bank robbery, which were all connected to several convictions under § 924(c) for carrying a fire-arm during all these bank robberies offenses.

The undersigned's lawful claim here similarly argues that the application of multiple punishment are unconstitutional in light of other recent actions to invalidate its statute and that felon with a weapon could not be supported in conviction of this action. US -v- Reese, 938 F.3d 630 (2019).

As usual, the circuit court merely cited this motion is a new spin on arguments that Casteel has already made or are otherwise barred by § 974.06(4) and State -v- Escalon-Naranjo, which requires that defendant raise all grounds for relief in his original, amended, or supplement post-conviction motion unless the defendant provides sufficient reason for why the issues could not have been raised previously Id at page 2, court's order.

The federal court noted that Davis would apply to Reese's case if it announced a new rule of constitutional law. A new rule is announced by a case when "the result was not dictated by precedent existing at the time of the defendant's conviction became final." In re Willaims, 806 F.3d 322 (2015). "[A result] is no so dictated. . . .unless it would have been apparent to all reasonable jurists." Chaidez -v- US, 586 US 343 (2013).

The Fifth Circuit concluded that Davis announced a new substantive rule because "the residual clause invalidation narrow the scope of conduct for which punishment is now available. Therefore, the court ruled "that Davis announced a new rule of constitutional law retoractively applicable on a habeas petition," and as a result, we consider the merits of Reese's petition.

The undersigned will express mateeial change in law wherein the circuit court misapplied the law and its allegation that the undersigned may be procedurall defaulted this claim under Escalon bar because he never raised it on direct appeal does not apply here. While its generally true [but not concede by the undersigned] that a claim raised for the first time on post-conviction motion could have been raised on appeal is procedurally barred from relief. US -v- Frederiksen, 2019 US Dist Lexis 184292 (2019)(The government's "mis-statement," as the court repeatly referred to it, was "plainly improper" and rendered frederiksen's trial "unfair" Frederiksen's last chance for a judgment of acquittal or new trial was dashed by counsel's ignorance of common rules of procedure in criminal cases.).

wisconsin Supreme Court must note an exception here;as the undersigned is "actually innocent" of charges relates to felon with weapon, which avoids any procedural bar. The undersigned's conviction for felon with a weapon constitutes false and inaccurate information within his prison records that have had a constitutional signification impact on his statu. Under the law, this type of inaccurate information must be expunged from judgment. US -v- Tucker,404 US 443, 447, 92 S.Ct. 589 (1972)(sentencing decision was founded upon misinformation of a constitutional magnitude when it relied upon defendant's prior convictions which were later held unconstitutional).

Finally answering a question that had been left open in the circuit, the Ninth Circuit Court held on February 24, 2020(solar), that a person may be "actually innocent" of an erroneous mandatory career offender sentence, opening the door for relief under the saving clause. Its yet another case expending the reach of the so-called saving clause. Bailey -v- US, 516 US 137 (1995)("Actually innocent" of fire-arms convictions).

In Allen -v- Ives, 950 F.3d 1184 (2020), court's opinion of actual innocence criterion for the saving clause was orginally premised on a case where the petitioner was innocent of his conviction, the question in Allen's case was hwether he could be innocent of a sentencing enhancement.

The Ninth Circuit held that Allen being sentenced under mandatory career offender guideline was no different from being sentenced under a statute. The court cited Alleyne -v- US, 570 US 99 (2013), in which the Supreme Court held that a fact that increase the mandatory minimum sentence is "element of the offense that must be found by a jury."

That is exactly what the career offender penalty did in Allen's case--requiring a minimum sentence the court had to impose, without anything more than the judge finding the facts to support it. This was a violation of Alleyne, the Ninth Circuit suggested.

The undersigned express [as here] there are no real ways that the district attorney nor STATE of WISCONSIN [Incorporated] can dispute the facts [original] that the criminal complaint was devoid of any formal charges in instrument to establish Notice for Enhance penalty on concealing an individual identity or as enhancement for repeater on habitual criminality status.

On December 17. 1985(solar), the BROWN COUNTY Clerk office issued the judgment of conviction wherein this instrument listed only duly convicted crimes as armed robbery and possession of fire-arm by felon.

The undersigned will boldly repeat the lawful claims that the district attorney failure to allege the crime and punishment within the context of instrument for his [or her] criminal complaint, prior to the entry of any plea, the specific to establish its enhancement for concealing individual identity and habitual criminality status are void.

Furthermore, the Sixth Amendment guarantee that an individual whether [man or woman] must be informed of charges. These constitutional mandates establish at least three (3) minimum requirements. It must inform the individual of the nature of the charges so that he [or she] may prepare a defense. Secondly, it must inform the individual adequately of element of the crime charge, and finally, the charging instrument must allow the individual to plead the judgment as a bar to any future prosecution for the same offense. In particularly, the undersigned attest if the charging instrument is jurisdictionally defective and void it constitutes a fraud upon the court. Torres -v- Oakland Scavenger Co, 487 US 312, 317, n. 3. 108 S.Ct. 2405, 2409 (1988) ("A litigant's failure to clear a jurisdictional hurdle can never be harmless").

Accordingly, the undersigned took his cue from common-law opinion referred to as McClaughry -v- Deming, where the U.S. Supreme Court convey that inferior courts of limited jurisdiction, whose jurisdiction might be question collaterally to wit:

> In order to give effect to the judgment of a court of that nature it must appear affirmatively and unequivocably that the court was legally constituted; that it had jurisdiction and that all of the statutory requirements governing its proceedings had been complied, and it sentence was conformly to the law. Their authority is statutory, and the sentence under which they proceed must be followed throughout. The fact necessary to show their jurisdiction, and their sentence were conformable to law, must be stated positively and it is not enough that they may be inferred argumentively.

The undersigned will attest to legal points which remain the same, court has limited jurisdiction, like county courts, being mere creature of the statute(s), have no power except such as derived from the statute, and it must appear upon the face of their proceedings that he [or she] had acted within the power granted. If this does not appear, all he [or she] does is Coram nonjudice and void. McClaughry -v- Deming, 186 US 49, 22 S.Ct. 786 (1952)(A court-martial, is the creature of statute, and as a body or tribunal, it must be convened and constituted in entirely conformly with the provisions of the statute, or else it is without jurisdiction).

The historical trial court public records clearly indicated numerous flaws and serious disregard for purported statutory scheme because the purported prosecution was never commence accordingly to statutory [private] scheme nor by constitution prohibitions constitutes a fraud upon the court. Bulloch -v- US, 765 F.2d 1115, 1121 (1985)("fraud upon the Court, 'it is where the judge has not performed his judicial function--thus where the impartial function of the court has been clearly corrupted").

The criminal complaint, viewed as district attorney discloure, was grossly fraudulent, in that the criminal complaint omitted signature and facts for enhancement on concealing individual identity and for habitual criminality repeater status, which should have been charged on instrument against the accused.

The criminal complaint, in the particular form, was exhibited to deceive the accused, defense attorney and the circuit court on July 8, 1985(solar). District attorney, however, by his deputy district attorney, fraudulently induced the circuit court to confirm the criminal complaint and thereafter prevent the undersigned from procuring any relief therefrom on post-conviction attempts by representing that the criminal complaint was filed with a signature after initial appearance.

The undersigned will direct the justice(s) attention to mandatory requirements in § 970.02(1), where the court was mandated to inform the defendant of the charge against him, and "shall" furnish the defendant with a copy of complaint which "shall" contain the possible penalties for the offense.

Admittedly, the court commissioner failed to perform this mandatory duty to furnish the undersigned with a copy of the complaint, or to inform the undersigned of the peanlty enhancement or forfeiture hearing at time of initial appearance prior to his plea on July 8, 1985 (solar). Where defense counsel formally informed the circuit court. Your Honor, number one, I again raise the issue of timely notice of the motion and service upon the attorneys for Mr. Casteel. And just briefly, looking at § 968.20, the statute that Mr. Nick and the bank--other bank, Mr. Robert Schultz (sic) are referring to, in looking over section § 973.075, Your Honor, which is the forfeiture statute, which specifically states certain properties seized, the proper procedure to go about that; and apparently in reading that statute there would be a limitation as to--or time limit as to when that action can commence, and that's thirty days from the date the property's seized or thirty days from the time of conviction, whichever occurs earlier, that that action must

be commenced by the service of the summons and complaint. And at this time I raise a serious question of whether that--they're trying to circumvent § 973.075 by going with § 968.20. I don't believe that the banks have any standing in this matter at this time, assuming we go under § 973.075 (sic). I think we're going about this the wrong way, and perhaps even they are estopped from proceeding because of the time limits as set-forth in the forfeiture section of the Wisconsin statutes. Sentencing transcrpt in case no 85.CF-1026 on page 19-20.

The district attorney made no systemic effort before the circuit court to explain its fraud(s) in filing of its unauthenticated summons and criminal complaint which omitted a blue-ink signature or "enacting clause" on law on July 8, 1985(solar), when district attorney presented the instrument to defense counsel. Likewise, the district attorney declined to explain the reasons for its failure to charge the accused with both enhancement penalty being omitted for 33 years. The district attorney decline to comply with forfeiture statute.

The undersigned will further direct the justice(s) attention to mandatory requirement in § 971.05(3), where the district attorney "shall" deliver to the defendant a copy of the information in felony cases and in all cases "shall" read the information to the defendant unless the defedant waives such reading.

The undersigned's "story" attest to the following facts and comment which appear as part of the trial transcripts on pages 5-6 after the trial judge acknowledge the late filing of criminal information.

The Court: The information is signed by Peter Naze, district attorney. It is dated the 1 of August 1985, and, as mentioned earlier, was filed on August 16, 1985, in the offfice of the cler of court;

Mr Naze: Your Honor, I think the filing date is error, but I don't know if that is of any significance. our record show we filed it on August 1, of 1985;

The Court: All right, The date that's stamped on it is August 16 date but I would assume that given the fact that it was signed on August 1, that in all likelihood it was also filed on that date;

The historical trial court public records attest at every stage from commencing its unauthenticated summons and criminal complaint to the above mentioned sequence of criminal information report was not filed in entirely accordingly to statutory [private] scheme which caused the trial court to lose jurisdiction.

The undersigned attest that the district attorney and defense counsel conceal evidence and factual information to the underlying defense and the circuit court's application for procedural bar is constitutionally flaw as explained by recent material changes in law.

The undersigned maintained that the trial judge imposed an unreasonable sentence contrary to Matrix statute where judge failed to articulate reason for doing so. The undersigned's sentence was not in compliance with Matrix because judge relied upon erroneous and extremely prejudical comments and hearsay-on-hearsay information which the undersigned was unable to correct at the time.

It was irrelevant that parole agent's presentence reports summarized the undersigned alleged criminal history siuce a summary does not establish a burden of proof.

The prior sentence or conviction, however, listed by mere hearsay comments was not admitted by the undersigned at any stage.

In recent material change in law by common-law opinion referred to as State -v- Cate, 2019 Wash Lexis 822, court observed that "[i]t is irrelevant that the prosecutor summarized [cate's] criminal history since a summary does not satisfy the State's burden of proof." State -v- Hunley, 287 P.3d 584 (2012).

And Cate's failure to object to the summary could not be construed as a waiver of the issue because he did not affirmatively acknowledge the criminal history. Id. Cate had only admitted to two convictions and vaguely acknowledged two more.

The judgment and sentence, however, listed numerous convictions not admitted to by Cate, including felony bail jumping and intimidating a public servant. While RCW 9.94 A 530(2) does state that a defendant's failure to object at the sentencing hearing amounts to an acknowledge of his criminal history, the court had previously held that portion of the statute unconstitutional because it risked shifting the burden to prove criminal history from the state to the defendant. Id.

Undoubly, the undersigned have articulated sufficient facts to meet the related-back doctrine may require the sentence to be set-aside where he shown that inaccurate information was part of the basis for the sentence. The two (2) elements for showing are first, the information before the sentencing court was inaccurate, and second, that sentencing court relied on the mis-information in passing sentence. For informational purposes, a copy of sentencing transcript based on inaccurate information is hereto attached to petition.

The sentencing court gave "explicit attention" to the undersigned's invalidated disciplinary reports in his prison records, and parole agent's allegations that the undersigned was involved in some sort of moneyplauding scheme and other criminal activities based on hearsay-on-hearsay allegations were untrue and false information. US -v- Harris, 558 F.2d at page 371 (agent's belief that defendant was involved in "familty" drug operations); US -v- Weston, 448 F.2d 626, 633-64 (allegations that defendant was major drug dealer). The undersigned satisfied requirements by demonstrating an unlawful error in the presentence reports, within his prison records and to uncounsel juvenile proceedings were inaccurate.

In recent material change in law by common-law opinion referred to as US -v- Hatcher, 947 F.3d 383 (2020), court observed, approximately two weeks before the sentencing hearing, the district court gave Notice of possible upward departure from the advisory sentencing Guideline range. The court's Notice made no mention of a shooting incident involving Hatcher as being a factor for increasing his sentence.

On appeal, Hatcher, argued, inter alia, that the district court's reliance on his alleged involvement in the April 10th shooting was surprising and prejudical and that a prepondence of the evidence did not support the district court's reliance on his alleged involvement in the shooting. because Hatcher's counsel made only a general objection to the upward departure, the Sixth Circuit reviewed for plain error. US -v- Simmons, 587 F.3d 348 (2009).

A plain error is an error that was obvious and affected the defendant's substantial rights, and it should be corrected if it seriously affected the fairness, integrity or public reputation of the judicial proceedings. US -v- Olano, 507 US 725 (1993).

If a sentencing court bases it sentence on erroneous information, an error occurs. US -v- Flemming, 894 F.3d 764 (2018). If a defendant is not provided this information before sentencing and given an opportunity to contest it, he is "surprised and prejudice." Id. A sentencing error affects substantial rights if there is a reasonable probability that, absent the error, the defendant would have received a more lenient sentence. US -v- Wilson, 614 F.3d 219 (2010). While a sentencing court may consider a defendant's conduct when fashioning a sentence--even conduct for an offense of which he was acquitted--the conduct must be supported by prepondence of the evidence. US -v- Watts, 519 US 148 (1997).

The Sixth Circuit concluded that, based on the district court's statement, the sentence imposed was based on erroneous information. Consequently, a clear error occurred. And it affected Hatcher's substantial rights because the district court imposed a sentence that was an upward departure of 21 months from the highest end of his Guidleline range, i.e. there was a reasonable probability that, but for error, Hatcher would have received a more lenient sentence.

Furthermore, because Hatcher was not permitted to challenge the Government's assertion that he was involved in the April 10th shooting, he was surprised and prejudice. Finally, because the Government's comments revealed it lacked evidence to tie Hatcher to the April 10th shooting, the district court's reliance was not based on a prepondence of evidence.

Accordingly, the court vacated Hatcher's sentence and remanded for resentencing consistent with the court's opinion.

The undersigned's action originally decline to provide an advance Notice with grounds that the trial judge contemplated an upward departure from Matrix statutes. At any rate, it was arbitrary for trial judge to categorically imposed a penalty without permitting a challenge to State's assertion that he was involved in numerous crime convey by parole agent.

The parole agent's presentence interview with the undersigned's wife (re, Denisa) were accustory in nature because parole agent asked his wife questions about his involvement in other crimes, which the sentencing court considered at sentencing. For informational purposes, a copy of sentencing transcript in case no 85-CF-780 at pages 4 thru 19 is hereto attached to petition.

The interviews with the undersigned's wife were accusatory in nature and the undersigned's Miranda warning were required. Colombe -v- Connecticut, 367 US 568, 581-82 (1961). The undersigned's privileges and immunity in not receiving Miranda warning, the sentencing court's consideration of wife's admissions in imposing its sentence violated the undersigned's privileges and immunities under constitution mandates. J.E.B., 161 Wis.2d at 663(A sentence may not be based on the violation of constitutional right. Despite this need for all relevant information concerning an offender facing sentencing. The trial court's sentencing discretion is also subject to limitations. Under both federal and Wisconsin law, a sentence may not be based on constitutional invalid grounds).

Under these extraordinary circumstances, [as here], the undersigned's sentence was based, [in part], on inaccurate information from an ordinary reliable source from parole agent. Inaccurate information was directly linked to the purpose of penalty imposed contrary to § 939.73. Rizzo -v- US, 821 F.2d 1271; Welch -v- Lane, 783 F.2d 863 (1984).

In Welch, the judge specifcially mentioned that; he was increasing the defendant's sentence due to the facts that the defendant's prior conviction was a serious crime.

> "Taking all these matters into account and in summary, the court is satisfied that the Matrix should not be followed in this case, that there are aggravating circumstance that requires the court to go beyond the Matrix in term of sentencing." Transcript in case no 85-CF-780.

The trial judge robbed the jury of its task to determine aggravating factors including enhancement penalty whether state laws allows a sentencing court to increase a sentence beyond the Matrix statutes for crimes on aggravating factors. Alleyne -v- US, 570 US 99 (2013).

Similarly to Allen's action meeting the saving clause requirements, the appellate court concluded that he had made a "cognizable claim" for the saving clause and that he in fact may have been "actually innocent" of his career offender sentence.

The sentencing court's failure to properly explain its reasoning for departure of Matrix statute did not adequately account for the undersigned's alleged extensive criminal history.

The undersigned raise legal question before Wisconsin Supreme Court [re, justices] whether recent trial court amendment or "reclassification" on February 12, 2016(solar) **to include enhancer of habitual criminality penalties create a new judgment to allow a legal challenge on all lawful claim?** Morales -v- Sherman, 949 F.3d 474 (2020).

There's actual proof within the historical trial court public records to incldue defense counsel caution during sentencing on page 44 of the transcript wherein counsel directed in these exact words to trial court, "This court has sat through a trial to the court and has sat through a jury trial. Mr Casteel is continually--has continuous attacked the jurisdiction of this court and will continue, I believe, to do that." Where the trial court abuse its discretion when he intentionally ignore constitution mandates.

The historical trial court public records reveals numerous times how defense counsel argued before the purported tricl court for a sentence shorter than that sought by the district attorney that defense counsel perserved for appeal purposes any claim that the longer sentence ultimately imposed was greater than necessary to comply with the statutory purposes for Matrix statute. Holguin-Hernabdez -v- US, 140 S.Ct. 765 (2020). For informational purposes, a copy of portion from sentencing transcript with defendse counsel oral comments at page 12 in case no 85-CF-780 and page 43-44 on case no 85-CF-1026 is hereto attached to petition.

Furthermore, the sentencing transcript attest to defense counsel summary, where defense counsel engage into plea neogatiation with the district attorney, where the district attorney offer defendant counsel's client an opportunity to plead guilty to first and second counts of armed robbery for a twenty (20) years sentence to run concurrent to each other. Defense counsel was aware of the plea negotiation but decline to mentioned plea negotiation until sentencing phrase so it was in existence at sentencing. Sentencing transcript at page 45-46 in case no 85-CF-1026 also attached to petition.

On yet another recent material change in law referred to common-law opinion in Missouri -v- Frye and Lafler -v- Cooper, court observed, "when a plea offer by the State is rejected due to ineffective assistance of counsel, the defendant may be entitle to a second chance at accepting the offer--even if he subseuqntly pleaded to less favorable terms, or went to trial, was found guilty and received a longer sentence than that provided for in the original plea offer.

In Frye, the defendant was charged with a felony for a fourth offense of driving with a revoked license. The prosecutor sent Frye's lawyer a letter offering to reduce the charge to a misdemeanor if Frye plead guilty within a specific time period and agreed to a 90-days sentence. Counsel never informed his client of the offer before the dead-line for acceptance, and the offer expired. Then Frye, ignorant that the plea offer has lapsed, plead guilty without conditions and was sentenced to 3 years in prison--more than 10 times the sentence he would have received had he accepted the plea offer. Missouri -v- Frye, 132 S.Ct. 1399 (2012).

In Cooper, the defendant was charged with assault with intent to murder after he shot a woman in the butt-lock. Prosecutors offer a plea deal with a recommended term of four to seven years. However, Cooper's attorney advised him to reject the offer because the lawyer insisted that State law did not permit on attempt murder conviction for wounds inflicted below the waist. The lawyer's advice was 100% wrong, but Cooper relied on it and rejected the plea offer. Cooper went to trial, was convicted and received a mandatory minimum sentence of 15 to 30 years--more than 4 times greater than the sentence he would have, had he taken the plea bargain. Lafler -v- Cooper, 132 S.Ct. 1376 (2012).

The undersigned's purported criminal action is tantamount to both Frye and Cooper where district attorney engaged in 20 years term to run "concurrent" in a plea agreement and defense counsel failed to inform his client and defense counsel advised his client that trial court did not have jurisdiction in matter.

The first question that Supreme Court tackled in these cases was whether the well-establish Strickland standard--which holds that an defendant can have his conviction and/or sentence reversed if he can show deficient performance by his lawyer and resulting in prejudice--applies to rejected plea offer such as those implicated here--like Frye and Cooper.

The undersigned can answer inquiry with recent material change in law referred to common-law in US -v- Lockhard, 947 F.3d 197 (2020), where the court review for plain error, which require (1) an error, (2) that was obvious occurred, (3) that affected his substantial rights, and (4) that seriously affected the fairness, integrity or public reputation of the judicial proceedings. US -v- Olano, 507 US 725 (1993).

The court observed that the first two factor were obviously satisfied. The Supreme Court has explained; "If the judge told the defendant that the maximum possible sentence was 10 years and then imposed a sentence of 15 years based on ACCA, the defendant would have a ground for moving to withdraw the plea." US -v- Rodriguez, 553 US 337 (2008). Such erroneous information given during a Rule 11 plea colloquy cannot be corrected by contrary information in a later prepared PSR. US -v- Goins, 51 F.3d 400 (1995).

Because Lockhard lacked information to engage "in the calculas necessary to enter into plea" the court concluded the error "seriously effected the fairness, integrity, or public reputation of judicial proceedings." The court rejected the government's reliance on defense counsel's post-sentencing statement that he had informed Lockhart of the consequence of a potential sentence under the ACCA prior to pleading.

Accordingly, the court vacated Lockhard's plea and remanded to the district court for further proceedings.

The undersigned assert that ineffective assistance of defense counsel caused him to reject a plea offer that provided for a lesser sentence exposure for 20 years to run concurrent than later imposed after going to trial and being found guilty and sentence to 50 years rather than 20 years because defense counsel failed to inform him. Padilla -v- Kentucky, 130 S.Ct. 1473 (2010)(counsel failed to tell the defendant that his guilty plea would likely result in deportation). The U.S. Supreme Court have observed that plea bargain is an essential component of the criminal justice system that the Sixth Amendment right to effective assistance of counsel at every "critical stage" of the process.

Additionally, the district attorney]originally] charged the undersigned wit two (2) felony counts for armed robbery and possession of a controlled substances, and there was motion filed to suppress "all evidence obtained as the result of an illegal, warrantless entry into [his] residence and/or illegal arrest of person."

The Fourth Amendment to the U.S. Constitution protects "[t]he right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures." Historically and textually, a person's home is the center-piece of the Amendment's Protection. Collins -v- Virginia, 138 S.Ct. 1663 (2018).

In order to have standing, the undersigned merely needed to show his Fourth Amendment rights were violated, that is, he personally had a reasonable expectation of privacy in the place search. Byrd -v- US, 138 S.Ct. 1518 (2018). Entry into his residence, as well as the search of his person, vehicle and belongings, gave him standing.

The trial court recast the State's argument as one (1) based on consent instead of standing. But in the instant case, there were no law enforcement agents obtaining a valid warrant, much less any lawful search being conducted. Courts are not to speculate what law enforcement agents may have done absent the unlawful conduct, but must look at whate was done. State -v- Mxim, 2019 Ida. Lexis 216 (2019) (court reversed the district court's denial of the motion to suppress, vacated the conviction, and remanded for further proceedings consistent with the court's opinion).

The district attorney's own witness, laura J. Voight, submitted her own sworn affidavit declaring that she actually perjured herself and recalled statement because law enforcement agents coerced her to make untruthful statements, and district attorney, Peter Naze, was fully aware of these untruthful statement when he had Ms. Voight testify during criminal proceedings. For informational purposes, a copy of transcript in case no 85-CF-1026 at page 5 and affidavit of Ms. Voight is hereto attached to petition.

The U.S. Court of Appeals for the First Circuit vacated conviction of Bryan Moran because his sister, Alysha, had neither actual nor apparent authority to consent to a search of several closely opaque, black plastic garbage bags, he had placed in Alysha's storage unit.

The First Circuit observed that the Fourth Amendment generally required the government to obtain a warrant based on probable cause before conducting a search. Katz -v- US, 389 US 347 (1967). But police need not seek a warrant when voluntary consent has been obtained from the individual whose property is earched or from a third party who possesses common authority over the property. Illinois -v- Rodriguez, 497 US 177 (1999). Common authority rests on mutual use of property by persons generally having joint access or control for most purposes. US -v- Matlock, 415 US 164 (1974).

However, even if the person consenting to the search doesn't have actual authority over the property to consent to a search, the prosecution may still use the fuits of the search if the police reasonably believed the person had authority to consent to the search. Rodriguez. This is known as "apparent authority." Id. But if the person granting consent informs officers that the property in question belongs to another, then the consent becomes ambiguous, and officers may no longer reasonably believe the person has authority to consent to the search. US -v- Infante-Ruiz, 13 F.3d 498 (1994).

In the instant action, the Court determined that Alysha did not have mutual use of the property inside the bags. The court concluded the search was unlawful, and the evidence ontained from the black plastic bags must be suppressed.

Accordingly, the Court reversed the denial of the motion for reconsideration and vacated the conviction, and remanded the case to the district court. US -v- Moran, 2019 US App Lexis 35574 (2019).

The original sentence was based upon materially inaccurate information and a medical report from Winnebago Mental Health Institute were it would require complete sentence to be void because of lack of jurisdiction. For informational purposes, a copy of sentencing transcipt in case no 85-CF-780 at pages 9, 10, 12 & 24 and case no 85-CF-1026 at page 51.

The historical trial courts public records is undisputed that the trial court's sentence was based upon pretrial psychiatric evaluation by a psychiatist for competency and mental responsibility violated the undersigned's Fifth and Fourteenth Amendments rights and to Sixth Amendment right to effective assistance of counsel.

The use of pre-trial psychiatic evaluation during sentencing phrase and elsewhere violated the undersigned's Fifth Amendment right to be free from self-incrimination and his Sixth right to the effective assistance of counsel. Estelle -v- Smith, 451 US 454, 101 S.Ct. 1866 (1981).

The constitutional rights were violated when, before the pre-trial examinations, he was not advsed that he had the right to remain silent and his statements and the report themselves could later be used againt him during the sentencing phrase.

In Estelle, the Supreme Court convey that the privileges against self-incrimination applies to court-ordered pre-trial psychiatic examinations, stating that; "A criminal defendant, who neither initiates a psychiatic evaluation, nor attempts to ontroduce any psychiatic evidence, may not be compelled to respond to a psychiatrist if his statements can be used against him at a capital sentencing proceedings. Id at 468. Any statements made by the defendant during such an examination can only be used if the defendant has been advised of his [or her] Miranda rights and knowingly waives them. Estelle, 451 US at 469.

The undersigned had never waived his Fifth Amendment rights when, trial court initiated a psychiatric evaluation and placed his mental capacity into controversy by direct challenges to the undersigned's competency to understand the purported legal proceedings.

The undersigned would have deserved a specific Notice that his mental evaluation could be used to establish any future act of dangerousness at sentencing as aggravating factor as claimed by sentencing court.

The trial court expressed a belief that the report show that the undersigned had certain mental health issues that increased his risk of being dangerous to public. The mental health evaluation suggested a pronosis of a dangerous risk was beyond its proper "understanding and assist" scope, and therefore was materially inaccurate in a constitutional magitude.

The undersigned prior juvenile proceedings were constitutionally invalid under Gideon -v- Wainwright, 372 US 335, 83 S.Ct. 792 (1963), resulted from proceedings in which the undersigned had been unrepresented by legal counsel and that he had been neither advised of his right to legal assistance nor did he intentionally and understandingly waive this right to the assistance of counsel. Tucker, 404 US at 445.

Undoubtly, the "reclassification" of enhacement penalties were predicated on prior convictions, the U.S. Constitution requires trial courts to consider, an "offener's allegation that prior convictions was invalid, if the challenge to prior convictions was based in part on the denial of the accused's constitutional rights to lawyer."

In sum, the circuit court evaded jurisdictional defense(s) by subterfuges which is unworthy of the dignity of the bench, and di not observe them longer than they were contrained by the weight of binding Supreme Court precedents as discussed in next section. State ex rel Granyski -v- Pruss, 233 Wis. 600 (1943)(Parties may not either by stipulation or an application of the principle of estoppel confer upon a court jurisdiction over subject-matter which it never had or which it lost).

3) Judicial Authority:

The very essence of civil liberty certainly consist in the right of every individual whether [man or owman] to claim the protections in the constitution and International Laws, whenever he [or she] receives an personal injury. One of the first duties of government is to afford that protection.

Firstly, "[t]he inherent authority of a circuit court--derived from the very nature and existence of his [or her] judicial--is the broad field which Rule of Procedure are applied.

The circuit court's "inherent power" must be invoked with the utmost caution, particularly where the matter under consideration is governed by other procedural rules, lest the restrictions in those rules becomes meaningless. Corley -v- Rosewood Care Center Inc, 142 F.3d 1041, 1059 (1998)(Ellipsis quotation mark omitted).

However, "the circuit court, in devising means to control cases before it, may not exercise its inherent authority in a manner inconsistent with rule or statutes. . . ." Such power should be "exercised in a manner that is in harmony with the Rule and Procedure." This means that "where the rules directly mandates a specific procedure to the exclusion of others, inherent authority is proscribed." G. Heilman Brewing Co Inc -v- Joseph Oat Corp, 877 F.2d 648, at page 652 (1989).

The undersigned does convey the reasons for this examination relates to the undersigned's conatitutional challenges upon factors that the circuit court may have over-looked the application to a number of statutes and procedure which existed as well as to constitution prohibitions. The lawful claims needs to be clarified because constitution ensure a "certain remedy", "without denial," and promptly in section 9, Article I, Wisconsin constitution. Verill -v- City of Concord, 577 F.2d 664, 665 (1977)(recalling mandate because court simply over-looked an existing statute applicable to the case).

The undersigned may challenge any lawful claim based on Fraud, and lack of competent jurisdiction to impose the penalty in this action under the application of statute discussion. The undersigned's lawful claims does, in part, challenge the underlying convictions or the authority to impose the penalty in sentence as embody in § 939.73 requirements.

In fact, the U.S. Supreme Court observed that with respect to courts of special and limited authority; there is no presumption of law in favor of their jurisdiction; that must affirmatively appear by sufficient evidence or proper averment in the record or their judgment are deemed void on their face. Galpin -v- Page, 85 US 350, 21 L.Ed. 959 (1873); see also In Re Copper, 143 US 472, 12 S.Ct. 453 (1892).

The undersigned avers that because the criminal complaint did not make necessary reference to certain charges, penalty or other penalties enhancement to be imposed as sanction, he did not receive advance Notice from the district attorney's intention to subject him to increase penalty before a circuit court with proper judicial authority because of his alleged criminal history or as part of forfeiture process. For informational purposes, a copy of transcript in case no 85-CF-1026 related to "forfeiture" proceedings is hereto attached to petition.

In short, the actual contumacious conduct and fraudulent advise and representation to its purported rule and procedure by district attorney office and judicial system to conceal excuplatory evidence that has been withhel to establish whether there has been competent jurisdiction to impose a penalty pursuant to § 939.73 constitutes a Fraud upon the Court. Whitney -v- Brunett, 15 Wis. 16 ("The proceeding by attachment are special statutory proceedings and the statute must be substantially, if not, strictly and exactly complied with, to give court or officer issuing the writ jurisdiction").

If there was an error, it would have been crucial to the ultimate judgment because the undersigned could not have been sentence or convicted by a purported circuit court who had not possess authority to impose a penalty under § 939.73 or pursuant to prohibitions in constitution. Fisher -v- Muller, 53 Mich App 110, 218 N.W.2d 821 (1974)("Of course, timely objection before the board of review was not required if the board did not have jurisdiction in the first place Grelick -v- traverse City, 231 Mich 699, 204 N.W. 718 and cases cited therein").

The vality of any charging instrument, if the instrument or documents are void or fatally defective, there is no subject-matter jurisdiction. When an individual is also indicted or charge upon criminal complaint based on not yet effective statutes, the charging instrument or criminal complaint is likewise void. Undoubtly, if it is not constructed in a particular mode or form prescribed by constitution or statutes. 42 C.J.S. "Indictment and Information" § 1, page 833. It can be defective and void when it tends to charge a violation of a law and those laws are void, unconstitutional or non-existent, court's subject-matter does not exists.

> It is said, in Keyes -v- US, 109 US 336, that where statutory condition as to constitution or jurisdiction of the court are not oberved, there is no tribunal authorized by law to render the judgment. . . .

There would be miscarriage of justice which should afford a remedy. Misapplication or erroneoue view of law is erroneously exercise or misuse of discretion. State -v- Plymesser, 172 Wis. 2d 583 (1992).

Correct terminology is now whether trial court "errnoeous exercised" its discretion rather than "abused" its discretion. but substance of review is unchanged. City of Brookfield -v- Milwaukee Metro Sewer Dist, 171 Wis.2d 400, 423 (1992).

The undersigned will express for the records a confirm legal point that it will be difficult, if not impossible, for circuit court clerk office, district attorney office and attorney general office, to actually establish that the purported circuit courts in Wisconsin as being a actual judicial tribunal or embody within the structual authority derived upon the U.S. Constitution.

> No one is bound to obey unconstitutional law
> and no court are bound to enforce it.

16 Am. jur.2d section 177, late 2 ed., section § 256.

The constitution was framed in the same language of the English common-law. Denver & R.G.R Co -v- US, 241 F. 614 (1917). Plus, any and all statutes including but not limited to "STATE of WISCINSIN" [Incorporated] must also be read in the light of the common-law. US -v- Caill, 105 US 61, 62 (1881). In the absence of statute, one must follow the common-law. Ex Parte Peters, 12 F. 461, 463 (1880).

The undersigned is suggesting that "STATE of WISCON" [Incorporated] statute books label as Wisconsin Statute Annotation are unconstitutional; and the "law" cannot be enforced without first being in strict compliance with constitution mandates, [re, substantive law]. If one is obliged or required to obey a law, there must be authority for law to exist. Norton -v- Shelley County, 18 US 425, 442 (An unconstitutional act if not law; it confer no right; it imposes no duties; afford no protection; it creates no offense; it is an legal contemplation, as "inoperated" as throug it has never been passed).

The undersigned attest to the facts that none of laws cited within his purported unsigned criminal complaint was legally valid because there are no "enacting clause" located within Wisconsin Statutes Annotation books to provide authority, and the mandate required by constitution was not in strict compliance or adherent too!

The undersigned further attest how he was repeatedly deprive of certain fundamental rights by the circuit court who had no legal jurisdiction to conduct or hear the matters. The common-law opinion referred to as Schrole -v- City of Green Hills, 542 F.Supp 821, 828 (1982), observed, "It is asserted that any individual charged with a criminal offense has a right to be fairly appraised of his constitutional protection and has a right to have the matter heard in a court of proper jurisdiction."

If circuit court lacks competent jurisdiction over individual or party, then it lacks "all jurisdiction" to adjudicate that individual's right, whether or not the subject-matter is properly before it, see, e.g., Kulko -v- Superior Court, 436 US 84, 91 S.Ct. 1690, 1696 (1978)(Court observed, "]i]t has long been the rule that a valid judgment imposing a personal obligation or duty in favor of the plaintiff may be entered only by a court having jurisdiction over the person of the defendant....").

Wisconsin was free to provide greater protection for individual's rights than is minimally required by the First, Fourth, Fifth, Sixth, Ninth and Fourteenth Amendments as found in Bill of Rights and U.S. Constitution. In other words, the U.S. Constitution set-forth the minimum endowment of individual right for which the State have no power to violate. But it does not limit a State's power to invest its citizens with more, or greater, rights than the federal constitution minimum guarantees. State -v- Chacan Areola, 290 P.3d 983 (2012) (Washington Constitution "provide greater protection than the U.S. Constitution).

The common-law opinion referred to as State -v- Holm, 62 N.W.2d 52, 55 (1954), court observed, "In construing a provision of our constitution, however, we are governed by certain well-establish rules. Foremost among those if the rule that, where the language used is clear, explicit and unambiguous, the langauge of the provision itself is the best evidence of the intention of the framer of the constitution. If the language is free from obsurity, the court must give the ordinary meaning of the words used."

Wisconsin legislature attempted to enact a statutory provision where instead of requiring for indictment by a grand jury to commence a legal action, circuit court subverst this fundamental examination, where circuit court, rather than an lawful empanel jury, decides whether the county has probable cause to believe that the accused had committed a felony crime is constittionality deficient and void.

> "Where rights secured by the constitution are involved, there can be no rule-making or legislation which would abrogate them."

Miranda -v- Arizona, 383 US 436, 491.

The Fifth Amendment guarantee the right of an accused to be tried on charges in an indictment returned by a lawful empanel grand jury. Stirone -v- US, 361 US 212 (1960). The institution is not mentioned in the body of Constitution, but the Bill of Rights, Fifth Amendment. It is thus a "consttutional fixture in its own right."

The necessarity for insuring the grand jury to be informed of all the evidence cannot be ignored. As the Supreme Court announce in Wood -v- Georgia, 370 US 375, 390, 82 S.Ct. 1364, 1373 (1962) "(the grand jury) has been regarded as a primary security to the innocent against hasty, malicious and oppressive prosecution." It is that body which determines whether "a charge is founded upon reason or was dictated by an intimidating power or by malice and person ill-will." We have rejected the proposition that the grand jury is simply a prosecutor's tool and have noted its constitutional role as a shield against unjustified charges. see, US -v- Goldstein, 502 F.2d 526 (1974) (en banc); US -v- Servbo, 604 F.2d 807 (1979); In re Grand Jury Proceedings, (Schofield) 486 F.2d 85 (1973).

More specifically, "[r]espect for law, particularly amongst circuit courts responsible for admintration of State's purported criminal justice system, is in itself a matter of the highest public interest. The public at large is not served by. . . .the willful or wanton disregard for incarcerated persons constitutional guarantees. Green -v- Johnson, 513 F.Supp 965, 707 (1981)("The public interest is served by the due and faithful fullfillment by public officials of the duties imposed upon them by law").

Every accused individual whether [man or woman] has constitutionally enforceable liberty interest in the proper application and enforcement of purport criminal law proceedings delineated in Wisconsin statutes to the extent that they contain statutory lanuage "of an unmistakably mandatory character, requiring that certain procedures 'shall,' 'will,' or must' be employed.'" Cain -v- Lane, 875 F.2d 1139, 1144 (1988)(citing Hewitt -v- helms, 459 US 460, 471-72 (1983)).

The district attorney and circuit courts were under a ministerial duty as defined in § 19.42(8) to comply with the legislators mandates discussed in context of this Petition. This is not a action in which the undersigned has alleged a denial of due process simpliciter. To the contrary, the undersigned have identified the source of constitution and statutory scheme which created a vested entitlement and expectation.

Accordingly, due process under the circumstances of this legal action challenge. The undersigned need only plead and prove that the legislators and circuit courts failed to perform his [or her] constitutional, mandatory duties, under constitution, or Supreme Court Rules 60.03 and 60.04 and that failure cause the irreparable harm. Nicolett -v- Brown, 740 F.Supp 1286-87 (Official's failure to perform a mandatory, non-discretionary, duty is arbitrary and denies substantive due process).

Thus, if the undersigned or any other incarcerated persons criminal charging instrument [complaint] are invalid, there is a lack of competent jurisdiction.

> "Without a formal and sufficient indictment or information, a court does not acquire subject-matter jurisdiction and thus an accused may not be punished for a crime."

Honomichl -v- State, 233 N.W.2d 797, 798 (1983); State -v- Barrera, 2008 Ariz. App. Lexis 231

> "A formal accustion is essential for every trial of a crime. Without it the court acquire no jurisdiction to proceed, even with the consent of the parties, and where the indictment or information is invalid, the court is without jurisdiction."

State -v- Kusel, 29 Wyo. 287, 213 P. 367 (1923).

The undersigned further express the legal point all criminal charging instrument must not only be in a particular mode or form proscribed by constitution and statute to be valid, but it also must contain reference to valid laws. Without a valid law, the charging instrument is insufficient and no subject-matter jurisdiction can exist for the matter to be tried;

> "Where an information charge no crime, the court lacks jurisdiction to try the accused."

People -v- Hardman, 347 N.W.2d 460, 462, 132 Mich App. 382 (1984);

> "An invalid law charged against one in a criminal matter also negates subject-matter jurisdiction by the sheer fact that it fails to create a cause of action. Subject-matter is the thing in controversy."

Holmes -v- Mason, 115 N.W. 770, 80 Neb. 454, citing Black's Law Dictionary;

Without a valid law, there is no issue or controversy for a court to decide upon. Where a law does not exist or does not constitutional exist, or where the law is invalid, void or unconstitutional there is no subject-matter to try anyone for an criminal offense. People -v- Katrinak, 185 Cal. Rptr. 869, 136 Cal. App.3d 145 (1982); Trants Enterprises inc -v- Onelow County, 320 N.C. 776, 360 S.E.2d 783 (1987); IDK Inc -v- County of Clark, 599 F.Supp 1402 (1984).

Whenever a person whether [man or woman] are criminally charge under a purported "statute which does not create a criminal offense," such a person was never really lawfully charged with any crime or lawfully convicted because the trial court did not possess jurisdiction of the subject-matter. State ex rel Hanson -v- Rigg, 104 N.W.2d 553 (1960). There must be a valid law in order for subject-matter to exist. Davis -v- Bennett, 400 F.2d 279 (1968).

In extraordinary circumstance(s), where a person was convicted of violating certain sections of law, he [or she] later claim that the law were unconstitutional which so happen to deprive the court of its jurisdiction to be tried for those offense(s). The Supreme Court of Oregon, observed;

> "If these sections are unconstitutional, the law is void and an offense created by them is not a crime and a conviction under them cannot be a legal cause of imprisonment, for no court acquire jurisdiction to try a person for acts which are made criminal only be an unconstitutional law."

Kelly -v- Meyers, 263 Pac. 903. 905 (1928).

The above-cited authorities made it abundantly clear that if there are no valid laws properly charge against a person, there is nothing that can be deem a crime, and without a crime there is no sibject-matter jurisdiction. Furthermore, invalid or unlawful laws makes a criminal complaint [charging instrument] fatally defective and insufficiently void. People -v- Peters, 2012 Mic. App. Lexis 1168; see also State -v- Manifield, 579 P.2d 1276 (1978)(If the complaint was faulty in the city court, it remain faulty on appeal).

The common-law opinion referred to as Ekern -v- Zimmerman, 187 Wis. 180, 240 N.W. 803 (1925), court observed, "unless a constitutional provision shows upon its face that it was intended to be discretionary, it must be accepted as the imperative mandate of the sovereign people, and not good advise which legislature or court may accept or reject as they PLEASE! The safety of the State and the protection of the liberaties and rights of the people demand that the rule be strictly adherent to."

As well as common-law opinion referred to as US -v- Bankston, 945 F.3d 1316 (2019), observed, the district court relied on the presentence investigation report (PSR) when calculating Bankston's sentence, which enhanced his sentence.

Because Bankston failed to object to the enhancement, the court reviewed for plain error. US -v- Beckes, 565 F.3d 832 (2009). "An error is obvious when it files in the face of either binding precedent or the explicit language of a statute or rule." US -v- Chau, 426 F.3d 1318 (2005).

Since the error caused Bankston to be sentenced under a Guideline range higher than the rabge calculated without the two-level enhancement, he domonstrated the error was prejudice. Molina-Martinez -v- US, 136 S.Ct. 1338 (2016).

The faulty enhancement subject Bankston's to a potentially longer sentence and a "risk of unnecessary deprivation of libert," the error undermined "the fairness, integrity, [and] public reputation of judicial proceedings. Rosales-Miracles -v- US, 138 S.Ct. 1897 (2018).

Accordingly, the court vacated Bankston's sentence and remanded for resentencing without the body-armoer enhancement.

As being establish, the authority from the U.S. Supreme Court or other Supreme Courts throughout our nation not only suggest for courts who sit on bench in Wisconsin should apply the constitution and Universal Declaration of Human Rights in all types of criminal or civil action, but it may be violative of the constitution Full Faith and Credit Clause if he [or she] refused to do so.

The common-law opinion referred to as State -v- Kreis, 451 P.3d 954 (2019), court observed, under Oregon law, a person guilty of interfering with a peace officer only when refusing to obey a lawful order. An order is "lawful" when it is "authorized by, and is not contrary to substantive law." State -v- Ausmus, 85 P.3d 864 (Ore. 2003).

Turning to the question of whether Crino has issued a "lawful order," the court explained that "an order that is not consisted with Article I, section 9" of the Oregon Constitution, "or that is issued in violation of that provision is not a 'lawful order.'"

"An order is. . . .contrary to substantive law when it interferes with an individual's liberty interest to be free from unreasonable search and seizure," the court observed.

Kreis "had liberty interest with which Crino could not interfere absent constitutional justification."

Accordingly, the court reversed the decision of the court of aooeals and remanded to the trial court for further proceedings consistent with its opinion.

With constitution being the substantive law [as here], STATE of WISCONSIN's "law" used against the undersigned and other incarcerated persons were not and/or never properly named as mandated by Wisconsin Constitution [re, mode or form]. It shows no sign of authority on its face [enacting clause] as recorded within Wisconsin Statutes Annotation. Commonwealth -v- Illinois Cent R. Co., 170 S.W. 170, 171, 60 Ky. 745 (1981)("The alleged Act or law in question is unnamed;it shows no sign of authority; it carries with it no evidence that the General Assembly or any other law-making power is responsible or answrable for it").

The undersigned continues only to stress legal points found upon authorities cited in similar action(s) by other Supreme Courts across the nation that before a person whether [man or woman] and even "children" in our State can be legally punish, his [or her] criminal charges/offense(s) must be plainly and unmistakingly found within the statute books bearing its "enacting clause" to assert its alleged authority. State -v- Burrow, 104 S.W. 526, 529, 119 Tenn, 476 (1907) (quoting the first portion from Sojberg -v- Security Saving & Loan Ass'n, 73 Minn. 203, 210-13 (1898)("The purpose of provision of this character is that all statutes may bear upon their face a declaration of sovereign authority by which they are enacted and declared to be law, and to promote and preserve uniformly in legislation").

It is a well settle principle of law a statute book without an enacting clause are null and void. The Supreme Court of Minnesota observed;

> "Upon both principle and authority, we hold that Article 4, § 13, of our constitution, which provides that "the style of all laws of this state shall be,'Be in enacted by the legislation of the State of Minnesota,' is mandatory and that a statute without any enacting clause is void."

Sojoberg -v- Security Saving & Loan Ass'n, 73 Minn. 202, 212 (1898).

There are no valid reason for STATE of WISCONSIN [Incorporated] not to use the mandatory directive for an "enacting clause" to appear on face of all its statute books or codes. see, Ruling Case Law, vol. 25, "Statutes," § 133, page 884, citing L.R.A. 1915B, page 1065.

There are valid reasons for mandate for its enacting clause so all citizens as been discussed by our nation's Supreme Courts cited today. One of main objective of the constitution mandates is to show that the "Law" is one enacted by the legislative body which has been given the legal authority under the constitution.

> "The purpose of thus prescribing an enacting clause is to establish it; to give it permance, uniformly, and certainly; to identify the act of legislation as of the general assembly; to afford evidence of its legislative statutory nature; and to secure uniformly of identification, and thus prevent inadvertance, possibly mistake and fraud."

State -v- Patterson, 4 S.E. 350, 352, 98 N.C. 660 (1887); Jonier -v- State, 155 S.E.2d 8, 10, 223 Ga. 367 (1967); see, 82 C.J. S. "Statutes," § 65, page 104.

Broadly defined, contract implies an enforcement obligation, that is, a promise for the breach of which the substantive law in the constitution gives a certain remedy, without denial, promptly and without delays as mandates in section 9, Article I, Wisconsin Constitution.

The failure of a law to display on its face an "enacting clause" deprives it of essential legality, and renders a statute which omits such mandates as a "nullity" and of no force of law." Jonier, supra. As discussed and lawfully claimed, the purported STATE of WISCONSIN statutes cited within the undersigned as well as every other incarcerated person's criminal complaint or charging instrument(s) had no jurisdictional identity and were not authentic law under the constitution mandates. U.C.C. § 3-305(a)(1)(ii)(duress, lack of legal capacity, or illegality of the transaction which, under other law, nullities the obligation of the obligor). 70 Minn. L. Rev. 713-Article (Cure after breach of contract under restatement (second) of Contracts an Analytical comparsion with Uniform Commercial Codes).

The same application does applies to actual wording as mandated in Article IV, section 17(1), Wisconsin Constitution. As the word "shall" being a causative term. Morgan -v- Murry, 328 P.2d 664, 654 (1958).

Furthermore, any purported statutes which has no enacting clause on its face, is not a constitutional law at all nor is it binding and obligatory on the sovereign public [regnat populus], and void as a matter of law. The Supreme Court of Michigan referred to enacting clause as a requisite to any valid law since it was mandatory by indication within constitution.

> "It is necessary that every law should show on its face the authority by which it is adopted and promulgated, and it should clearly appear that it is intended by the legislative power that enacts it that it should take effect as law."

People -v- Dettenhaler, 77 N.W. 450, 451, 118 Mich 595 (1898)(citing Swann -v- Buck, 40 Miss. 270; Jackson -v- Rivard, 2011 US Dist Lexis 143631.

In regard to the validity of a law that was discover in their statute books with a defective enacting clause. The Supreme Court of Nevada redress this concern that if enacting clause does not appeal upon the face of statute books that it is not law.

> "Our constitution expressly provided that the enacting clause of every law shall be, 'The People of the State of Nevada, represented in senate and assembly, do enact as follows.'" This langaue is susceptible of but one interpretation. There is no doubtful meaning as to the intention. It is, in our judgment, an imperative mandate requiring that all laws, to be binding upon them shall upon their face, express the authority by which they were enacted; and, since this act comes to us without such authority appearing upon its face, it is not law."

State of Nevada -v- Rodger, 10 Nev. 120, 261 (1875); Caine -v- Robbins, 131 P.2d 516, 61 Nev. 416 (1942); Kefauver -v- Spurling, 290 S.W. 15 (1926); see also Otey -v- Common Council of Milwaukee, 281 F.Supp 264 (1968).

The undersigned stress only legal points based upon authorities cited in context of Petition based by nation's Supreme Court that before a person whether [man or woman] and our children can be legally punish, his [or her] criminal charges/offense(s) must plainly and unmistakenly found within Wisconsin statute books bearing its enacting clause to asserts its authority or else its void. US -v- Lachner, 134 US 624, 10 S.Ct. 625.

The undersigned and general sovereign public of Wisconsin [de jure] will all agree that Article IV, section 17(1) are not in the least bit ambiguous or susceptible to any other interpretation than its plain and apparent meaning. In fact, the Supreme Court of Montana in construing such provision found it so entirely free from ambiguity. Vaughn & Ragsdle Co -v- State Bd. of Eq., 96 F.2d 420, 423, 424.

The Supreme Court of Minnesota has been quite helpful on subject of how statutes should be construed by the courts.

> "In the treating of constitutional provision, we believe it is the general rule among courts to regard them as mandatory, and not to leave it to the will or pleasure of a legislature to obey or disregard them. Where the language of the constitution is plain, we are not permitted to indulge in speculation concerning its meaning, nor whether it is the embodiment of great wisdom. **** The rule with reference to constitutional construction is also well stated by Johnson J. in the case of Newell -v- People, 7 N.Y. 9, 97 as follow; "If the words embody a definite meaning, which involves no contradiction between different parts of the same writing, than that meaning apparent upon the face of the instrument is the one which alone we are at liberty to say was intended to be conveyed. In such a case there is no room for construction. That which the words declare is the meaning of the instrument; and neither courts nor legislatures have the right to add to or take away from the meaning. **** It must be very plain, nay, absolutely certain--that the people did not intend what the language they have employed in its natural signification imports, before a court will feel itself at liberty to depart from the plain meaning of a constitutional provision."

State ex rel -v- Sutton, 63 Minn. 147, 149, 150, 65 N.W. 262 (1895); affirmed, State -v- Holm, 62 N.W.2d 52, 55 (1954); see also, US -v- Will, 499 US 200, 101 S.Ct. 471 (1980).

It makes no different on how STATE of WISCONSIN [Incorporated], attorney general office, courts of even Governor office tends to relied upon Wisconsin Statute Annotation as being a law, it use can never be regarded as an exception to the constitution [re, substantive law] mandates for enacting clause to appear upon the face of every statute.

There can be no other speculation or desire for exception to such plain and unambiguous language in Wisconsin Constitution provisions.

> "The general rule of law is, when a statute or constitution is plain and unambiguous, the court is not permitted to indulge in speculation concerning its meaning, nor whether it is the embodiment of great wisdom. A constitution is intended to be framed in brief and precise language. **** It is not within the province of the court to read an exception in the constitution which the framers thereof did not see fit to enact therein."

Baskin -v- State, 232 Pac. 388, 389, 107 Okla. 272 (1925); Warick -v- State, 548 P.2d 384 (19760.

The 72 Wisconsin Judicial system including but not limited to circuit courts, appellate courts and Supreme Court were knowingly aware to facts and effects that majority of convicted persons or incarcerated persons were out-side of its jurisdiction, and the mis-application of STATE of WISCONSIN [Incorporated] ["private statute] constitutes the personal injury defense(s) by which such injury defense(s) was foisted upon the undersigned and on behalf of all other incarcerated persons similarly situated, when such social compact, or officers of trust, or honor to such compact [re, contracts] assumed a delegation of authority by the constitutional mis-application of such internal management policies and procedures to justify and use of force or coersion in a rush judgment.

In statutory contract law [contract of adhesion] the terms of the contract are subject to change at the whim of the legislature or the purported judicial system responsible for administering/supervising functions of civil laws.

That such statutory contract of adhesion robs the undersigned of His International Laws and constitution protections. The quasi-contractual nature and scheme for STATE of WISCONSIN's statutory [private] scheme does not exist against criminal action(s).

Furthermore, it cannot be said that the use of these defective statutes without enacting clause [re., law] can be justified due to expediency. As Judge Cooley clearly expressed to wit:

> "A constitution is not to be made to mean one thing at one time, and another at some subsequent time when the circumstances may have changed as perhaps to make a different rule in the case seem desirable. A principal share of the benefit expected from written constitution would be lost if the rules established were so flexible as to bend to circumstances or be modified by public opinion. **** [A] court or legislature which should allow change in public sentiment to influence it in giving it to written constitution a construction not warrant by the intention of its founders. would be justly chargeable with reckless disregard of official oath and public duty' and if its course could become a precedent, these instrument would be of little avail. **** What a court is to do, therefore, it to declare the law as written."

T.M. Cooley, A Treatise on the Constitutional Limitation, 5th edition. page 54, 55.

The original intent of Wisconsin [re, substantive law] Constitution as discussed above cannot be stretched to cover its use as such. This provision cannot be regarded as antiquated, unnecessary or of no importance, since, no section of a constitution should be considered as "superfluous." Butler Taconit -vs- Roemer, 282 N.W.2d 876, 870 (1979). The constitution was written for all times and circumstances as binding, because it embodies a fundamental principle which did not change with time.

It is to be understoos in factual allegation sense the district attorney and county clerk office(s) so dominated the corporate owners that the had and exerted full power over all corporate transaction under § 969.13 [ex. bail bond].

The undersigned was lead to believe; the STATE of WISCONSIN and BROWN COUNTY [Incorporated] failure and/or refusal to adhere to its own statutory scheme and/or commercial standars in contract laws was based upon a personal interest in his [or her] public office or as state employee's position to gain a financial or other advantage or personal interest contrary to Ethical Code in § 19.41(1), 19.45 and 19.59. Four purpose of this sub-section "GOOD CAUSE" is shown if a right under the constitution and/or statutory scheme would be maintained in a factual context for expedited consideration on merits!

The STATE of WISCONSIN [Incorporated] currently and in past have accepted and received substantial awards in "billions" to increase as Part I Violent Offenders arrested,' sentenced to prison and/or serving longer periods of confinement constitutes once again another illegal form of slave market for O'mighty dollar!. For informational purposes, a copy of award agreement with U.S. Attorney general office, on payment, is hereto attached to Petition.,

The constitution are the "compact"/contract that operate upon public officials and state employee(s) by their official oath of office that he [or she] taken such oath not to violate the constitution of United States or Wisconsin and as generally cited the same by DEPARTMENT of CORRECTIONS Mission Statement. State ex rel Voss -v- Houk, 69 Wi. 84, 33 N.W. 592 (1887)(We think that the circuit court decided correctly that such defects were jurisdictional and the decision or determination of the commissioners was therefore void. The case is as if no bond has been given and no oath taken).

However, the undersigned can further establish with actual proof where a majority of BROWN COUNTY CIRCUIT Judge(s) does not have a certify official oath and bond on file or executed as mandated by constitution or under § 19.01(4)(c) requirements. Sherry Bowen -v- Commonwealth of Kentucky ex rel Michael A. Stodhan, 887 S.W.2d 350 (1994)("The court reasoned that both the requirement of filing a bond and filing it before they take office are couched in clear, plain, mandatory language. Because of her action or failure to act, pursuant to directive which she is presumed to know, she was not constitutionally and statutorily qualified to serve).

Governor, State Employee(s) for DEPARTMENT of CORRECTIONS [Incorporated] and BROWN COUNTY [Incorporated] misconduct in public office is part of a pattern of "Extortion, favoritism, improper influense, personal self-enrichment, self-dealing, concealment and conflict of interest constitutes a Fraud upon the Court.

The undersigned attest to STATE of WISCONSIN and BROWN COUNTY [Incorporated] non-compliance to adhere to purported statutory scheme and/or commercial standards in Uniform Commercial Codes are based upon a personal interest in his [or her] public office to gain a financial advantage or personal interest by marketing incarcerated persons's bail bonds on International markets.

Additionally, even in § 969.12(2) always begins, however, at the beginning with incarcerated persons having to demonstrate his [or her] right to enforce the instrument imposed by circuit court and sometimes having to establish the validity with the purported circuit court having jurisdiction or whether it loss and/or never possess competent authority to impose a penalty under § 939.73. The undersigned's lawful claim for recoupment is generally referred to as counter-claim asserted defensively to include but not limited to loss of authority and/or judgment being void.

To plainly state the law, the common-law for "discharge" that govern simple contract applies to judicial instrument [re, judgment] pursuant to § 3-601(a). Thus, a demand to "discharge" liability on an instrument [re, bail bond] is enforceable under Article 3 to extent that contract laws enforce it, even in the absence of renounciation, cancellation, or any other discharge provided by Article 3, itself.

The undersigned's common-law defense(s) against BROWN COUNTY and STATE of WISCONSIN [Incorporated] judgment of conviction(s) will prevent the STATE of WISCONSIN and DEPARTMENT of CORRECTIONS [Incorporated] from becoming a holder in due course for bail bond and/or judgment of convictions under Article 3-202(a)(2)(ii). Actually, NOTIFICATION [as here] constitutes the defense(s) for "discharge" in Article 3-601(b) and located in § 818.23 and 818.24 stats.

In general, a transaction is illegal if it contrary to public policy as by statute, [re, § 939.73], or as declared by the courts. Illegality is a real defense, if the transaction is render void. Article 3-305(a)(1)(ii). Sandler -v- Eighth Judicial District Court, 96 Nev. 622, 614 P.2d 10 (1980)(Check issue for purpose of gambling void, illegality a defense against holder in due course).

The fraud in the factum or fraud in the essence, occurred by STATE of WISCONSIN [Incorporated], trustees, [court or legislators] by deception because Wisconsin citizen/residents trusted a theretofore trustworthy state official/employees. The renounciation of criminal obligation was complete by this signed writing! United States -v- Mitchell, 322 US 65 (1944)("The court remarked, however, that [i]llegality is illegality, and officers of the law should deem themselves spcial guardians of the law").

The undersigned does hereby in "writing" revoke, rescind, renouncing and cancel any and all silent or assumed power of any parties, known or unknown contract of adhesion, or bail bond, and judgment of conviction [lien] which was imposed deceptively and without any lawful authority.

The undersigned revokes and rescind any and all bonds, warrants, securities, hypothecations and related instrument previously issued as bail bond, restitution, forfeiture or judgment of convictions [lien] under the guise of consent in this instant matter/action(s) under U.C.C. 3-604(1)(renouncing rights against the party by a signed writint).

Wisconsin legislature exceed its purported authority by requiring circuit courts to exercise "the judicial power of the United States, U.S. Constitution Article III § 1, in a manner repugnant to the tex, structure and traditions of Article III.

There's lawful presumption drawn for the circuit courts public records to present evidence or fact to establish proof of his [or her] tribunel authority by legislature enactment in § 939.73, before a penalty for the commission of a crime may be imposed only after the actor has been duly convicted in a court of competent jurisdiction.

Generally speaking, the operation of any and all inferior courts must be within the frame-works of the requirement and limitation of the constitution. Although the Supreme Court need not face extent to constitutional question(s) at the out-set; Supreme Court cannot decide a action contrary to the constitution. Restatement (second) Conflict of Law § 43(a)(Tent draft no. 3, 1956); Jackson Full Faith and Credit-The Lawyer's Clause of the Constitution, 45 Limitation of State's Choice of Law, 44 Iowa. L. Rev. 449 (1959)(The impact of constitution concept, such as due process and full faith and credit, upon the law to be applied is not clear. It does seems, however, that the dark fringes of the problem, Constitution Limitation may be found. A State does not have unfettered freedom in conflict of law cases, at some point the federal constitution steps in and imposes certain limitations).

In Short, Wisconsin judicial system does not purport to have "all the powers attached to" the position of an Article III judge. McDowal, 159 US at page 601, 16 S.Ct. 111. Accordingly, Wisconsin judicial judge's participation contravene the statutory limitation in § 939.73 set-forth by legislators for composition of competent court to impose a penalty. Moran -v- Dillingham, 174 US 135, 158, 19 S.Ct. 620 (1899) ("This court considered whether that decree was or was not erroneous in other respects, order the decree of the circuit court of appeals to be set aside and quashed, and the case remanded to that court to be heard and determined according to law by a bench of competent judges").

Similarly, in Wingo -v- Wedding, 418 US 461, 94 S.Ct. 2014 (1974), a case concerning the authority of magistrate judge, the court affirmed the Sixth Circuit's decision to reverse the district court's judgment because the magistrate judge had conducted a evidentiary hearing in a habeas corpus case, and the version of the magistrate Act then in effect did not allow that. The court reached its conclusion without considering whether the defendant was harmed.

In Essence, the U.S, Supreme Court have agreed to correct, at least on direct review, violation of statutory provision that "embodies a strong policy concerning the proper administration of judicial business" even though the defect was not raised in a timely manner. Glidden Co -v- Zdanok, 370 US at page 536, 82 S.Ct. 1459 (1962) (plurality opinion); see also William Cramp & Sons & Engine Building Co -v- International Curtiss Marine Turbine Co, 228 US 645, 33 S.Ct. 722 (1913).

In American Constr. Co -v- Jacksonville, T & K.W.R. Co, 148 US 372, 13 S.Ct. 758 (1893), the case Justice Harlem cited for this proposition in Glidden, a judgment of the circuit court of appeals was challenged because one member of that court had been prohibited by statute from taking part in the hearing and decision of the appeal. This Court succinctly observed, "If the statute made him incompetent to sit at the hearing, the decree in which he took part was unlawful, and perhaps absolutely void, and should certainly be set-aside or quashed by any court having authority to review it by appeal, error or certorari," Id at page 387, 13 S.Ct. 758.

The U.S. Supreme Court teaches that when a federal judge or tribunal perform an Act of consequence that Congress has not authorized, reversal on appeal may be appropriate even if the defendant has waived the issue or otherwise consented, even if the judge acted reasonable on the merits and even if the defendant cannot show prejudice or harm. Rivera -v- Illinois, 556 US 148, 161, 129 S.Ct. 1446 (2009)(identifying as a category of cases "in which federal judges or tribunal lacked statutory authority to adjudicate the controversy"); see Nguyen -v- US, 539 US 69, 123 S.Ct. 2130 (2003)(The Supreme Court's review regarding whether the judgment was invalid because of the composition of the panel. 539 US at page 73. The fact that "the defect was not raised in a timely matter" did not stop the court from the statutory question embodies a strong policy concerning proper administration of judicial business" Id at 78).

But to ignore the violation to the designation in policy concerning the proper administration of judicial business in § 939.73 and U.S. Constitution prohibitions in the undersigned as well as other incarcerated persons criminal proceedings would incorrectly suggest that some action [or inaction] on the undersigned's part could create authority U.S. Congress has quite carfully withheld.

Even if the parties had expressly stipulated to the participation of judge, no matter how distinguished and well qualified the judge might be, such a stipulation will not CURE the palin defect in the composition of judicial authority. William Cramp & Sons, 228 US at page 650, 33 S.Ct. 722.

The court observed only that courts constituted "in violation of the express prohibition of [a] statute" lack the authority to act. William Cramp & Sons, 228 US at page 650, 33 S.Ct. 722. (emphasis supplied). The circuit court in this matter/action does runs afoul of § 939.73 comprehensive and inflexible statutory prohibitions.

The undersigned' lawful defense(s) cover a wide range. At one end are common-law defense(s) concerning with fairness in the very beginning of purported criminal proceedings when it was formed under a fraud and misrepresentation. US -v- Hudson & Goodwin, 11 US 32, 3 L.Ed. 259, 1812 U.S. Lexis 365, 7 Cranch 32 ("Although this question is brought up now for the first time to be decided by this court, we consider it as having been long since settle in public opinion. The course of reasoning which leads to this conclusion is simple, obvious, and admits of but little illustration. Certain implied powers must necessarily result to our courts of justice from the nature of their institution. But jurisdiction of crimes against the State is not among those powers").

The common-law opinion cited above in Bankston action in context of this Petition clearly indicated. "An error is obvious when it flies in the face of either binding precedent or 'the explicit langauge of a statute or rule.'" US -v- Chau, 426 F.3d 1318 (2005). "No sanction can be imposed absent proof of jurisdiction." Stanard -v- Olesen, 74 S.Ct. 786.

The binding precedents and the explicit language of statutory scheme and constitution prohibits cannot be disputed [as here] by the district attorney or attorney general office otherwise it would further demonstrate the reaches for public officials to commit a fraud and treason. State -v- Hobson, 218 Wis.2d 350 (Common-law privilege to resist an unlawful arrest).

More importantly, without mistaking constitutional claims, Wisconsin statutory scheme to create a judicial court system contrary to U.S. Constitution have been reviewed. The approach to constitutional analysis was rejected by no less an authority than Chief Justice John Marshall, for unanimous U.S. Supreme Court, in Marybury -v- Madison, 5 US (1cranch) 137, 2 L.Ed. 60 (1803). Although the case is obviously most revere for its forceful articulation to the judicial review power; the underlying question that precipitated that declaration of principle was jurisdictional; which the Judiciary Act of 1789 could confer upon the Supreme Court a form of jurisdiction not included in the constitutional jurisdictional grant. Marybury, 5 US at 73-74. The Supreme Court, of course, said No! Id at 180.

A void judgment neither binds nor bars anyone. All acts perform under it, and all claims flowing out of it, are absolutely void. The parties [re, STATE of WISCONSIN, Incorporated], attempting to enforce it are "TRESPASSER," High -v- Southwestern Insur Co, 520 P.2d 662, 1974 Okla. 35 (Okla 3/19/74); and a void judgment cannot constitute res judicata.

Denial of previous motions to vacate a void judgment could not validate the judgment or be considered as res judicata, for the reason that the lack of judicial power inheres in every stage of the proceedings in which the judgment was rendered. Bruce -v- Miller, 360 P.2d 308, 1960 Okla. 266 (Okla. 12/27/60).

The Marybury action strongly convey the particular phraseology of the Constitution of the United States confirms and strengthens the principle supposed to be essential to all written constitution, that a law repugnant to the constitution is void, that courts, as well as other department of government are bound by the instrument.

CONCLUSION

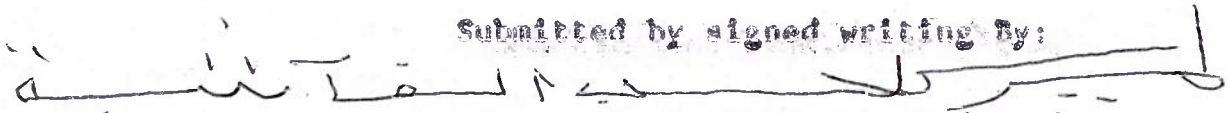
The undersigned is never, ever to be injury and/or damage by a corporate court only having power over corporate entities. It was and is the duty of State's trustees to "protect" the Beneficiary of the public trust, which duty the purported de facto judicial courts elected to violate. It was discussed in full details because the STATE of WISCONSIN [incorporated] public officials and/or employees' contumacious behavior acknowledges that he [or she] were above the substantive law [re, constitution] and would not be sanction for his [or her] misconduct in public office and/or other crimes contary to statutory [private] scheme.

Thus, the appellate court demonstrated by declining to grant review of appeal, where the undersigned sought relief had acted promptly and face a grave hard-ship or irreparable harm such as false imprisonment which there are no other adequate remedy at law other than section 9, Article I, Wisconsin Constitution can fasion a remedy/release.

WHEREFORE, the undersigned respectfully request the Court to grant review of Petition, and to order and vacate the judgment of conviction and sentence and to hnor the formal discharge for release from unlawful obligations and to order the immediate release of person unlawfully detained. Any and all other equity relief the Court may deem fair and just.

Executed on this 23rd day of November 2020(solar)

Submitted by signed writing By:



Tayr Kilaab al Chashiyah (Khan)
without prejudice
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