

1 John Q Public
John_Q_Public@email.com

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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF COLUMBIA

10 UNITED STATES OF AMERICA ex rel

Case No.:

11 JOHN Q PUBLIC

12 Petitioner Demandant,

13 vs.

14 MICHEAL JOHNSON,

15 MARJORIE TAYLOR GREENE

16 JAMES JORDAN

17 THOMAS TUBERVILLE

18 AND

19 DOES 1 TO 270

20 in their official capacities as members of
21 the Unites States Congress of the
22 Republican party,

23 Respondents.
24

PETITION FOR BOND AMOUNT
AND FOR LEAVE OF COURT TO
FILE PETITION IN QUO
WARRANTO UPON CONTRACT OF
QUALIFIED COUNSEL

25
26 Comes now American Citizen John Q Public to move the court for a Bond amount,
27 and leave of court to file a Complaint in Quo Warranto for insurrectionist

28 disqualifying activity of the named and DOE defendants based on giving "aid and

PETITION FOR LEAVE TO FLE AND BOND AMOUNT

1 comfort" thereto US enemy Russia and Donald John Trump (Trump) a now
2 adjudged insurrectionist as determined by Judge Sarah Wallace on November 17,
3 2023 as "engaged in insurrection" by "incitement to insurrection" found in the
4 United States law as 18 USC 2383 as per Section 3 of the 14th amendment and
5 affirmed by the Colorado Supreme Court December 19, 2023 ordering Trump
6 barred from the Colorado primary ballot, which per the final sentence of Section 3
7 of the 14th amendment is final and which directs appeal by the final sentence of
8 Section 3 **ONLY** to Congress on the grounds as follows :

9
10 1. I do not seek to prosecute this pro per. I seek to know the bond amount so I
11 can raise funds in crowd funding to hire proper counsel and have funds for
12 the bond. I am 68 years old, hold a degree in Law Studies from
13 the University of xxxxxxxxxx and am disabled. I was damaged by the
14 Trump administration when upon taking office Trump shut down much
15 of the EPA ending any ability of my firm to do business until Biden came
16 into office and re- opened up the EPA, but the damage was done having
17 halted any business activity not to mention my increased age and
18 deterioration of my health as an amputee. Here in a documentary video
19 Attorney Leeja Miller describes how the Trump EPA was crippled regarding
20 at least one area of jurisdiction. The EPA is part of the "deep state" Trump
21 and the Heritage Foundation through its Project 2025 plan seeks to
22 destroy. See
23 minimally <https://www.youtube.com/watch?v=HuOgNJbQ5LY&t=418s>

24
25 2. I am an interested American Citizen as there is a plethora of reports and
26 books on the subject that Mr Trump and his followers seek to basically do
27 all they can to disrupt and destroy the American form of government. Mr
28 Trump himself is also directly saying so. As a person believing in the "more

1 perfect union" side of the American Democracy equation I am more than an
2 "interested person".
3

4 3. I attach the letter of _____ 2023 sent the USDOJ seeking the
5 USDOJ prosecute this matter and the two cover pages of the complaint
6 drafts sent them attached as Exhibit A. The email and addressed sent to is
7 also attached as Exhibit B. Finally a reworked and comprehensive
8 development Complaint in Quo Warranto since service of that request is
9 attached as Exhibit C
10

11 4. The rebellion against the Constitution of the United States and United States
12 Government has remained active and strengthens within Congress
13 itself. Quo Warranto to Judicially remove the insurrectionists who are
14 inside the government is the method by which Section 3 of the 14th
15 amendment is self executing and enforced. As long as no one moves a court
16 to act, the constitutional provisions in our Constitution cannot come to life
17 on their own to protect the nation.
18

19 5. In year _____ 2023 I drafted sample petitions and served them on the
20 DOJ with a cover letter seeking they act and develop them for filing
21 under <https://code.dccouncil.gov/us/dc/council/code/titles/16/chapters/35> at
22 <https://code.dccouncil.gov/us/dc/council/code/titles/16/chapters/35/subchapters/I>
23 under 16-3502. It in my email on Gmail servers as proof, they are
24 attached.
25

26 6. The writ is to remove from office parties following Mr Trump in his
27 insurrection and rebellion efforts against the Constitution of the United
28 States past and ongoing, violations of their oaths of office to obstruct the

1 United States and ongoing official government functions, and for support of
2 Russia who is an enemy of the United States and Mr Trump who by code is
3 likewise.
4

5 7. Since I have served these draft complaints on both the Civil rights division
6 and and US Attorney for DC, I meet 16-3503 to petition for a bond amount
7 in preparation to file
8

9 8. With the Colorado ruling November 17, 2023 defining Trump engaged in
10 insurrection by incitement for the purpose of interfering with a government
11 function, to follow him and give "aid and comfort" thereto him and his
12 ongoing campaign subjects all who do to Section 3 of the 14th amendment
13 and 18 USC 2383 to be removed from office fined, jailed and barred from
14 office.
15

16 9. That ruling and the charge of incitement by the House of Representatives to
17 insurrection cast the bar to office by 18 USC 2383, - that Trump was NOT
18 acquitted for because no constitutional trial occurred because the Chief
19 Justice did not preside. Because both Section 3 of the 14th amendment and
20 18 USC 2383 by command of the language are self executing as to the bar to
21 office, Trump would have needed 67 not guilty votes in the Senate and then
22 290 in the house to clear the automatic bar to office by charging with
23 "incitement to insurrection" by the house articles.
24

25 10. The Colorado Supreme Court on December 19, 2023 ordered Trump barred
26 from the Colorado primary ballot, which per the final sentence of Section 3
27 of the 14th amendment is final, directs any further appeal by the final
28 sentence of Section 3 to Congress

1
2 11. See "The Sweep and Force of Section Three"

3 (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4532751) and
4 Congressional Research Service -

5 <https://crsreports.congress.gov/product/pdf/LSB/LSB10569/2> - The
6 Insurrection Bar to Office: Section 3 of the Fourteenth Amendment - under
7 "Implimentation" - "A private injured party could also ask a judge to issue a
8 writ of quo warranto to prevent the seating of, or oust from office, an
9 individual who allegedly engaged in disqualifying activities". According to
10 the final sentence of Section 3 of the 14th amendment only Congress may
11 review the finding and grant relief of the "disability" or or construe the
12 ruling based on "engaged in insurrection". Of course right now that has
13 been ignored for the norm of up the courts.

14
15 12. The general jurisdiction of federal district courts is limited and defined
16 strictly by statute. Courts cannot look beyond Congressional enactments to
17 determine the extent or scope of this jurisdiction. In the absence of specific
18 statutory provision, jurisdiction relies on two sections of Title [28 U.S.C.A.](#)
19 [§§ 1345](#) and 1651(a). Section 1345 provides:

20
21 13. "Except as otherwise provided by Act of Congress the district courts have
22 original jurisdiction of all civil actions, suits or proceedings commenced by
23 the United States or by any agency or officer thereof expressly authorized to
24 sue by Act of Congress."

25
26 14. Section 1651(a), supra, provides:

1 15. "The Supreme Court and all courts established by Act of Congress may issue
2 all writs necessary or appropriate in aid of their respective jurisdictions and
3 agreeable to the usages and principles of law."

4
5 16. This provision does not enlarge or expand the jurisdiction of the courts but
6 merely confers ancillary jurisdiction where jurisdiction is otherwise granted
7 and already lodged in the court. *Covington and Cincinnati Bridge Co. v.*
8 *Hager*, 1906, [203 U.S. 109, 111](#), [27 S.Ct. 24](#), [51 L.Ed. 111](#), and *Knapp v.*
9 *Lake Shore and Michigan Southern Ry. Co.*, 1905, [197 U.S. 536](#), [25 S.Ct.](#)
10 [538](#), [49 L.Ed. 870](#). The statute presupposes existing complete jurisdiction
11 and does not contain a new grant of judicial power. In passing upon the
12 meaning and purpose of this section this court has said:

13
14 17. "[w]hile the section augments the power of the court in cases of existing
15 jurisdiction, it in no wise expands or extends its territorial jurisdiction."
16 *Edgerly v. Kennelly*, 7 Cir., 1954, [215 F.2d 420, 422](#).

17
18 18. There are few authorities touching upon the jurisdiction of a district court to
19 entertain an information in the nature of *quo warranto*. "No instance is
20 known of the use of writ of *quo warranto* in a district court of the United
21 States other than the District Court of the District of Columbia." *Cyc. of*
22 *Federal Procedure*, 2d Ed., Sec. 7098. The court, in *United States v. Malmin*,
23 3 Cir., 1921, 272 F. 785, 790, indicated that *quo warranto* is the proper
24 remedy to try the title of a judge of a court of the United States but did not
25 indicate in what court it could be entertained. In a suit to enjoin defendant
26 city from levying taxes the court noted that the state law provided the
27 exclusive remedy in an action for *quo warranto* and stated, "** * * the federal*
28 *courts, * * * have not the right to exercise the quo warranto jurisdiction * **

1 *." (our emphasis). *Morin v. City of Stuart*, 5 Cir., 1940, [111 F.2d 773, 775](#).
2 Doubt was expressed that federal courts have *quo warranto* jurisdiction,
3 except as specifically authorized by statute in *Cleveland Cliffs Iron Co. v.*
4 *Village of Kinney*, 8 Cir., 1919, 262 F. 980, 984, and *In re Yancey*, 6 Cir.,
5 1886, 28 F. 445, 451.

6
7 19. Thus this court has jurisdiction. See *United States v. First Fed. Sav. Loan*
8 *Ass'n*, 248 F.2d 804 (7th Cir. 1957) [https://casetext.com/case/united-states-](https://casetext.com/case/united-states-v-first-fed-sav-loan-assn#p808)
9 [v-first-fed-sav-loan-assn#p808](https://casetext.com/case/united-states-v-first-fed-sav-loan-assn#p808)

10
11 20. A writ of *quo warranto* is not a petition, but a notice of demand, issued by a
12 demandant, to a respondent claiming some delegated power, and filed with a
13 court of competent jurisdiction, to hold a hearing within 3 to 20 days,
14 depending on the distance of the respondent to the court, to present proof of
15 his authority to execute his claimed powers. If the court finds the proof
16 insufficient, or if the court fails to hold the hearing, the respondent must
17 cease to exercise the power. If the power is to hold an office, he must vacate
18 the office.

19
20 21. The writ is unlike a petition or motion to show cause, because the burden of
21 proof is on the respondent, not on the demandant, it is more like an "order to
22 show cause."

23
24 22. By the very terms of Section 3 of the 14th amendment, in this case there is
25 no appellate ladder but to Congress itself by the final sentence of Section 3
26 unless the facts do not fit the averred violation of the Article and Section of
27 the Constitution named.

1 23. Upon these facts of law and the attached draft Petition in quo warranto I ask
2 for a Bond amount be set, if any, so I may raise funds to hire an attorney and
3 for formal filing.
4

5 Respectfully submitted,
6

7 I declare under penalty of perjury under the laws of the _____ the
8 forgoing is true and correct, signed this ___ day of January, 2024 at _____
9

10 _____
11 John Q Public
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