Roberts's Illegal and Malicious Scheme to take control of American's Most Substantial Liberties and Freedoms.

Chief Justice John G. Roberts has illegal fabricated a federal nationwide policy that authorizes the state to assert and take jurisdiction over American's most substantial rights, liberties and freedoms based on the false predicate that the *"domestic relations [and domestic violence] exception [DRE] to federal subject-matter jurisdiction is a legitimate judicial doctrine of deference to federalism in family law."* Roberts's DRE policy is in fact an authorization of federal and state judicial takeover of subject matter entirely outside of government's jurisdiction. Roberts can only enforced DRE rulings against Americans by authorizing the worse forms of federal and state judicial corruption: the deliberate and malicious use of the state's coercive power against innocent Americans that have violated no law, done no wrong, nor imposed .

1. The DRE denies Americans' liberties that have been ruled to be *"far more precious than property rights."* **[Note i]**

2. The DRE is a fraudulent scheme to assert power over unassailable liberties and freedoms that are rights that government cannot legitimately regulate *"at all, no matter what process is provided"* **[Note ii]**

3. These unassailable rights are American liberties *with which neither public power nor majoritarian views can interfere*—these are liberties that cannot be codified under neutral principles.[1] Thus, neither judges nor legitimate law can govern them. **[Note iii]**

4. These unassailable rights are sacred private American privileges **[Note iv]** that belong exclusively to individual Americans.

5. They are unassailable liberties that are far beyond the legitimate powers of government to regulate **[Note v]**.

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i. "The Court has frequently emphasized the importance of the family. The rights to conceive and to raise one's children have been deemed 'essential,'[1] 'basic civil rights of man,'[2] and **'<u>rights far more precious . . . than property rights</u>**.'[3] 'It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder.'[4] The integrity of the family unit has found protection in the Due Process Clause of the Fourteenth Amendment, the Equal Protection Clause of the Fourteenth Amendment,[2] and the Ninth Amendment." 5 *Stanley v. Illinois*, 405 U.S. 645, 651, 92 S.Ct. 1208, 1212-13, 31 L.Ed. 2d 551 (1972):

1 *Meyer v. Nebraska*, 262 U.S. 390, 399, 43 S.Ct. 625, 626, 67 L.Ed. 1042 (1923)
2 *Skinner v. Oklahoma*, 316 U.S. 535, 541, 62 S.Ct. 111 0, 111 3, 86 L.Ed. 1655 (1942)
3 *May v. Anderson*, 345 U.S. 528, 533, 73 S.Ct. 840, 843, 97 L.Ed. 1221 (1953)

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1. The neutrality principle "forbids courts to 'mak[e] law or policy out of whole cloth, [or] . . . to impose substantive judicial judgments on disputes not capable of resolution through the application of neutral principles to sharply defined sets of facts.'" Richard H. Fallon, Jr., *Reflections on the Hart and Wechsler Paradigm,* 47 V and. L. Rev. 953,976 (1994).

4 *Prince v. Massachusetts*, 321 U.S. 1 58, 1 66, 64 S.Ct. 438, 442, 88 L.Ed. 645 (1944)
5 *Griswold v. Connecticut*, 381 U.S. 479, 496, 85 S.Ct. 1678, 14 L.Ed. 2d 510 (1965)
6 *Stanley v. Illinois*, 405 U.S. 645, 651, 92 S.Ct. 1208, 1 21 2–13, 31 L.Ed. 2d 551 (1972)

"Neither decisional rule nor statute can displace a fit parent . . . the courts and the law would, under existing constitutional principles, be powerless to supplant parents except for grievous cause or necessity in which the principle is plainly stated and stressed as more significant than other essential constitutional rights . . . The private interest here, that of a man in the children he has sired and raised, undeniably warrants deference and, absent a powerful countervailing interest, protection. It is plain that the interest of a parent in the companionship, care, custody, and management of his or her children come(s) to this Court with a momentum for respect lacking when appeal is made to liberties which derive merely from shifting economic arrangements . . . It is firmly established . . . that . . .wherever possible, the best interests of a child lie in his being nurtured and guided by both of his natural parents . . . Interference with the relationship between the child and the non-custodial parent is 'an act so inconsistent with the best interest of the child that it raises a strong presumption that the offending parent is unfit to act as custodial parent . . . The custodial parent's anger, hostility and attitude toward the non-custodial parent can substantially interfere with her ability to place the needs of the children before her own in fostering a continued relationship with then on custodial parent . . . Furthermore, the custodial parent's conduct can be so egregious as to warrant a change of custody . . . The fostering of a relationship with the noncustodial parent is an important consideration in a custody determination."

Bennett v. Jeffreys, 40 N.Y.2d 543, 548, 356 N.E.2d 277, 282-83 (1976) Daghirv. Daghir, 92 A.D.2d 191,193,441 N.Y.S.2d 494 (2d Dept. 1981) *Prugh v. Prugh*, 298 A.D.2d 569 (2nd Dept. 2002) *Young v. Young*, 212 A.D.2d 114, 123 (2nd Dept. 1995) *Landau v. Landau*, 214 A.D.2d 541 (2nd Dept. 1995) Matter of *Esterle v. Dellay*, supra, 281 A.D.2d at 726.

"It is firmly established . . . that . . . wherever possible, the best interests of a child lie in his being nurtured and guided by both of his natural parents." *Daghir v. Daghir*, 92 A.D.2d 191,193,441 N.Y.S.2d 494 (2d Dept. 1981).

"Interference with the relationship between the child and the noncustodial parent is 'an act so inconsistent with the best interest of the child that it raises a strong presumption that the offending parent is unfit to act as custodial parent.'" *Prugh v. Prugh*, 298 A.D.2d 569 (2nd Dept. 2002).

"The fostering of a relationship with the noncustodial parent is an important consideration in a custody determination." *Matter of Esterle v. Dellay*, supra, 281 A.D.2d at 726.

"A parent's desire for and right to the companionship, care, custody, and management of his or her children is an important interest that undeniably warrants deference and, absent a powerful countervailing interest, protection… [P]arent's interest in accuracy and justice of decision to terminate parental status is an extremely important one." *Lassiter v. Department of Social Services of Durham County, N.C.*, 452 U.S. 18, 101 S.Ct. 2153, 68 L.Ed. 2d 640 (1981).

"The right to be heard is fundamental to our system of justice . . . [and p]arents have an equally fundamental interest in the liberty, care and control of their children." *In re Jung*, 11 N.Y.3d 365 (N.Y., 2008).

"The right of a parent to the custody and control of a minor child is one of our fundamental rights as United States citizens." *Mark N. v. Runaway Homeless Youth Shelter*, 189 Misc. 2d 245, 733 N.Y.S.2d 566 (Fam.Ct. 2001).

ii. Neither Congress nor judges have the power to govern fundamental liberties simply because they cannot be prescribed by law, statute, rule, policies, codes or judged by neutral principles. "The neutrality principle" forbids courts to **"mak[e] law or policy out of whole cloth**, [or] . . . to impose substantive judicial judgments on disputes not capable of resolution through the application of neutral principles to sharply defined sets of facts." Richard H. Fallon, Jr., *Reflections on the Hart and Wechsler Paradigm,* 47 Vand. L. Rev. 953, 976 (1994).

"The identification and protection of fundamental *rights"* (see *Obergefell v. Hodges*, 135 S.Ct. 2584, 2597–98, 192 L.Ed. 2d 609 [2015]) and the duty to protect fundamental liberties "deeply rooted in this Nation's history and tradition" (*id.*, at 503, 97 S.Ct., at 1938 [plurality opinion] *Snyder v. Massachusetts,* 291 U.S. 97, 105, 54 S.Ct. 330, 332, 78 L.Ed. 674 [1934]) that are "so rooted in the traditions and conscience of our people as to be ranked as fundamental" and so "implicit in the concept of ordered liberty" that "neither liberty nor justice would exist if they were sacrificed" (*Palko v. Connecticut,* 302 U.S. 319, 325, 326, 58 S.Ct. 149, 152, 82 L.Ed. 288 [1937]) and that neither judges nor Congress can govern, "***at all, no matter what process is provided***" (*Washington v. Glucksberg*, 521 U.S. 702, 719–21, 117 S. Ct. 2258, 2267–68, 138 L. Ed. 2d 772 [1997]).

"The Fourteenth Amendment, as now applied to the States, protects the citizen against the State itself and all of its creatures—Boards of Education not excepted. These have, of course, important, delicate, and highly discretionary functions, but none that they may not perform within the limits of the Bill of Rights. That they are educating the young for citizenship is reason for scrupulous protection of Constitutional freedoms of the individual, if we are not to strangle the free mind at its source and teach youth to discount important principles of our government as mere platitudes . . . The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections . . . Nor does our duty to apply the Bill of Rights to assertions of official authority depend upon our possession of marked competence in the field where the invasion of rights occurs. True, the task of translating the majestic generalities of the Bill of Rights, conceived as part of the pattern of liberal government in the eighteenth century, into concrete restraints on officials dealing with the problems of the twentieth century, is one to disturb self-confidence. **These principles grew in soil which also produced a philosophy that the individual was the center of society, that his liberty was attainable through mere absence of governmental restraints, and that government should be entrusted with few controls and only the mildest supervision over men's affairs.** We must transplant these rights to a soil in which the laissez-faire concept or principle of non-interference has withered…" *W. Virginia State Bd. of Educ. v. Barnette,* 319 U.S. 624, 637, 63 S.Ct. 1178, 1185, 87 L.Ed. 1628 (1943).

Under the Due Process Clause of the Fourteenth Amendment, no state shall "deprive any person of life, liberty, or property, without due process of law." The fundamental liberties protected by this clause include most of the rights enumerated in the Bill of Rights. See *Duncan v. Louisiana*, 391 U.S. 145, 147–149, 88 S.Ct. 1444, 20 L.Ed.2d 491 (1968). In addition, these liberties extend to certain personal choices central to individual dignity and autonomy, including intimate choices that define personal identity and beliefs. See, e.g., *Eisenstadt v. Baird*, 405 U.S. 438, 453, 92 S.Ct. 1029, 31 L.Ed.2d 349 (1972) and *Griswold v. Connecticut*, 381 U.S. 479, 484–486, 85 S.Ct. 1678, 14 L.Ed.2d 510 (1965). **The identification and protection of fundamental rights is an enduring part of the judicial duty to interpret the Constitution.** See *Obergefell v. Hodges*, 135 S.Ct. 2584, 2597–98, 192 L.Ed. 2d 609 (2015).

iii. The due process, rule of law, or any other form of justice cannot exist without neutral principles. The neutrality principle "forbids courts to 'mak[e] law or policy out of whole cloth, [or] . . . to impose substantive judicial judgments on disputes not capable of resolution through the application of neutral

principles to sharply defined sets of facts.'" Richard H. Fallon, Jr., *Reflections on the Hart and Wechsler Paradigm,* 47 V and. L. Rev. 953,976 (1994)

iv. US Supreme Court Louis Dembitz Brandeis and his law partner, Samuel D. Warren, published an article in the *Harvard Law Review* in December 1890 titled "**The Right to Privacy**." In this article Justice Brandeis wrote that "to protect Americans in their beliefs, their thoughts, their emotions and their sensations . . . against the Government, the right to be let alone [is] the most comprehensive of rights and the right most valued by civilized men." The DRE is the most violent and intolerable offense on the right to "let alone."

v. "The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say there are twenty gods, or no god. It neither picks my pocket nor breaks my leg." Thomas Jefferson, *Notes on the State of Virginia*. *Query XVII.* Published in English in London in 1787. Published anonymously in Paris in 1785.