No. 25-1276

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

JAMES EDWARD WHITE, Plaintiff-Appellant,

- v. -

U.S. SUPREME COURT, ET AL., Defendants-Appellees.

On Appeal from the United States District Court for the Western District of Michigan Southern Division

A JURY TRIAL IS DEMANDED for this COMPLAINT and PETITION

REPLY TO BRIEF FOR APPELLEES

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STATEMENT OF ISSUES FOR REVIEW

The words of the Constitution and the history of its development clearly do not anticipate the government itself being immune from suit, quite the opposite (see Document 9, PageID.828-830, 833-845). The Justice "*doctrine* of sovereign immunity" was created apparently to ease the Justices workload, subvert the intent of the Constitution (a government *for* "the People"), and bypass the Constitution's amendment process. When a State (such as the State of Michigan) fails to treat the Constitution (at least its "due process," "taken," and "equal protection" clauses [Amendments V and XIV]) as the "supreme Law of the Land" (Article VI, Cl, 2) that same Constitution essentially demands (for support of the federal/state union) Supreme Court "original Jurisdiction" when "a State shall be Party" (Article III, § 2, Cl. 2) otherwise the effect is the State becomes a (final) "judge in [its] own cause" (e.g., Federalist No. 80, a fundamental failure of the requirement of due process). Therefore at least the Supreme Court's, the Congressional Representatives' impeach/oversight (Article I, § 2, Cl. 5), and the President's enforce-the-laws (Article II, § 3) failures carry the State's Constitutional "due process" failure through to the utter failure of "Justice" (Preamble; a primary intent of the Constitution). The very foundation of the Constitution's State/Federal union established by "the People" (Preamble) is lost when "the government" disregards its duty to "the People."

ARGUMENT

To Plaintiff it appears that Appellee went to great lengths to cherry pick words from cases with only very limited concern for the words of the Constitution or the actual precedent reasoning in the cited cases.

I. Subject-matter jurisdiction.

Appellee appears to disregard 28 U.S.C. § 1331 and perhaps 1291. Plaintiff cannot understand how *Kokkonen v. Guardian Life Ins. Co. of Am*., 511 U.S. 375, 377 (1994) would apply as it is a case of enforcing a stipulation which SCOTUS appears to believe should have been taken up in a State court (as a contract?). Likewise, *Moir v. Greater Cleveland Reg'l Transit Auth*., 895 F.2d 266, 269 (6th Cir. 1990) concerns itself with a case that should have followed through on State administrative procedures and/or been take up in a State court. The Plaintiffs' cases that occasioned Plaintiff's appeal to the Supreme Court went through Michigan administrative and court proceedings completely (see PageID.563) without regard to fundamental "due process" (Amendment IX correct arithmetic, valid logic, reading the words of the law) instead only doing "process" *steps* while skirting "Justice" and the Federal Government's branches all went along with omitting the fundamentals.

More on "jury trial" (and "sovereign immunity") later but Defendants' second paragraph (in their I. section) footnotes *Jones-Hailey v. Corp. of Tenn. Valley*

Auth., 660 F. Supp. 551, 552 (E.D. Tenn. 1987) and the cases it relies on make bold judicial statements that simply ignore the plain words of Amendment VII (which *is* the "supreme Law of the Land") let alone the long history of "the King" being "sued," *politely,* "by petition" and who turned such petitions over to a court "to make right."[1] By Article V Congress cannot pass a "waiver" law (and SCOTUS cannot demand that they do so) that overrides Amendment VII[2] as Congress must confine its laws within the parameters of the Constitution and SCOTUS must make its decisions within the Constitution's parameters. *United States v. Mitchell, 445 U.S. 535, 538 (1980)* was an Indian case (likely wrongly decided) which relied on *United States v. Sherwood*, 312 U.S. 584, 586 (1941) which belonged in the US Court of Claims and is therefore clearly distinct from the present case as *Mitchell* has no Constitutional aspect. *Sherwood* is therefore *not* any support for Defendants' immunity claim. Further *Reed v. Reno*, 146 F.3d 392, 398 (6th Cir. 1998) also relied on *Sherwood* but went on to cite words from *Coleman v. Espy*, 986 F.2d 1184, 1189 (8th Cir. 1993) that are nowhere in or implied by the Constitution. Defendant also points to *Clay v. United States*, 199 F.3d 876, 879

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[1]. A New Report of Entick v. Carrington (1765); Christian Burset, T. T. Arvind

[2]. Or Article III, § 2, Cl. 2, or Article VI, Cl. 2, or Amendment I.

(6th Cir. 1999) which again references *Sherwood* but in its essence is about a time to file not being met.

Toledo v. Jackson, 485 F.3d 836, 838 (6th Cir. 2007) again references *Sherwood* and has SCOTUS demanding a Congressional statutory waiver of the Constitution's clear intent and expressed Amendment I right "to petition the Government for a redress of grievances" but effectively is only a case about exhaustion of administrative procedures. *Rockefeller v. Bingaman*, 234 F. App'x 852, 855 (10th Cir. 2007) is more enlightening yielding:

> A court may regard a government officer's conduct as so "illegal" as to permit a suit for specific relief against the officer as an individual if (1) the conduct is not within the officer's statutory powers or, (2) those powers, or their exercise in the particular case, are unconstitutional.

Can anyone say that correct arithmetic, valid logic, and understanding the words of law (such as "individual," "however," and "unless,") are not mandatory for "due process" when any "government official" is examining and acting on a grievance? Defendants' note *Bivens* in their footnote 2 but it appears to Plaintiff that the SCOTUS *Bivens* doctrine was a SCOTUS formulation when they realized that the (unConstitutional) "sovereign immunity" formulation effectively voided the Constitution's "petition" rights that were "Bill of Rights" incorporated in order to hold the government and its officials all accountable to "Justice." Additionally, *Coleman* makes clear:

> As long as the government entity receives notice and an opportunity to respond, a suit against a government employee in his official capacity is to be treated as a suit against the entity.

Clearly then due to actors' "official capacity" a Bivens exception is not needed.

Defendants' on Document 10 page 11 assert, regarding U.S. Const. Art III, § 2, Cl. 1 (reference should be to Cl. 1 & 2):

> But this reliance is misplaced. The *doctrine* of sovereign immunity limits Article III's grant of federal court jurisdiction. (*emphasis added*)

Unfortunately (for Defendants) those assertions are based on a quote from *Alden v. Maine*, 527 U.S. 706, 749 (1999) which is emphatically on a State (such as Maine) having "sovereign immunity" (within limits) and is *not* applicable to the Federal Government. More rational is the material presented by Justice Souter in the four Justice dissent:

> [T]he Court abandons a principle nearly as inveterate, and much closer to the hearts of the Framers: that where there is a right, there must be a remedy. Lord Chief Justice Holt could state this as an unquestioned proposition already in 1702, as he did in *Ashby v. White*, 6 Mod. 45, 53-54, 87 Eng. Rep. 808, 815 (Q. B.):
>
> > "If an act of parliament be made for the benefit of any person, and he is hindered by another of that benefit, by necessary consequence of law he shall have an action; and the current of all the books is so" (citation omitted).[41] 812*812 Blackstone considered it "a general and indisputable rule, that where there is a legal right, there is also a legal remedy, by suit or action at law, whenever that right is invaded." 3 Blackstone *23. The generation of the Framers thought the principle so crucial that several States put it into their constitutions.[42] And when Chief Justice Marshall asked about Marbury: "If he has a right, and that right has been violated, do the laws of his country afford him a

> remedy?," *Marbury v. Madison*, 1 Cranch 137, 162 (1803), the question was rhetorical, and the answer clear:
>
> "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. In Great Britain the king himself is sued in the respectful form of a petition, and he never fails to comply with the judgment of his court." *Id.*, at 163.
>
> … A State is not the sovereign when a federal claim is pressed against it, and even the English sovereign opened itself to recovery and, 813*813 unlike Maine, provided the remedy to complement the right. To the Americans of the founding generation it would have been clear (as it was to Chief Justice Marshall) that if the King would do right, the democratically chosen Government of the United States could do no less.[43] The Chief Justice's 814*814 contemporaries might well have reacted to the Court's decision today in the words spoken by Edmund Randolph when responding to the objection to jurisdiction in *Chisholm*: "[The Framers] must have viewed human rights in their essence, not in their mere form." 2 Dall., at 423.

Plaintiff argues that the right to remedy from wrongs of the government is clearly included in the right "to petition the Government for a redress of grievances" (Amendment I) and Defendants only argue that a government body (SCOTUS), which has no Article V rights to amend the Constitution, can do so via "doctrine." While *Alden* was an effort to reconcile differing State court "sovereign immunity" suit results the official decision appears to be based on faulty reasoning in part based on the author's misconstrual of Federalist No. 81 as shown at PageID.839-840 which was explicitly about States refusing to answer in court their *legislature's right to control the State's own "securities,"* not a blanket right to

"sovereign immunity." I.e., Defendants quote unsupported dicta. The same is true of *United States v. Clarke*, 33 U.S. 436, 443 (1834) in which Marshall was dealing with an explicit Congressional act. *Poffenbarger v. Kendall*, No. 24-3417, 2025 WL 1367755, at *2 (6th Cir. May 12, 2025) illustrates the ridiculous extent to which courts will now go apparently to embarrass legislatures and/or demonstrate power-over-the-people while ignoring the longstanding common law of damages, e.g. from England, *Entick v. Carrington* 19 Howell's State Trials 1029 (1765) and the "where there is a legal right, there is also a legal remedy" noted in *Alden* above.

To put it in shorter form, the majority in *Alden,* without explicitly saying so, completely (and unConstitutionally) nullified the Article VI, Cl. 2 "[t]his Constitution … shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby" while (incidentally) ignoring their Article III, § 2, Cl. 2 "[i]n all Cases … in which a State shall be Party, the supreme Court shall have original Jurisdiction." (More in III. Jury Trial (Addressed by Defendants Footnote 1) below.) SCOTUS denied appropriate "original Jurisdiction" with no reason.

"Sovereign immunity" is much more thoroughly discussed in PageID.826, 828-830, and to the two papers referenced there.

II. Fifth, Ninth, and Fourteenth Amendments

To be very clear, when States ignore "the supreme Law of the Land" (Article VI, Cl. 2) it can only be made to work by the U.S. Supreme Court (perhaps in accordance with Congress and President actions) and the U.S. Supreme Court has failed in its Constitutional (Article III, § 2, Cl. 1 & 2) duty to do so.

A. Plaintiff's due process claims

1. Fourteenth Amendment

Yes, Amendment XIV applies to States (such as Michigan) but when the State of Michigan, including its courts, ignores Amendment XIV's "due process" and "equal protection" it falls to the U.S. Supreme Court to hold the State to that "supreme Law of the Land" (Article VI, Cl. 2). The words of the Constitution are sufficient authority. Correct arithmetic and valid logic clearly must be part of "equal protection" and reading the words of the law (e.g., "individual," "however," "unless") at least via Amendment IX ***begins*** "due process" yet the State of Michigan and the U.S. Supreme Court have paid attention to none of those. Defendants cite *Harden v. Hillman*, 993 F.3d 465, 481 n.4 (6th Cir. 2021) (also *United States v. Green*, 654 F.3d 637, 650-51 (6th Cir. 2011)) but fail to observe that n.4 also includes "We evaluate equal protection claims against the federal government under the Fifth Amendment just as we would evaluate equal protection claims against state and local governments under the Fourteenth Amendment." Defendants also cite *Scott v. Clay Cnty., Tenn.*, 205 F.3d 867, 873 n.8 (6th Cir.

2000) which relies on *Sturgell v. Creasy*, 640 F.2d 843, 850 (6th Cir.1981) which says:

> a challenge to the federal statutory and regulatory scheme *or the state's implementation of that scheme* on equal protection grounds requires identical analysis" (*emphasis added*).

2. Fifth Amendment

As *Fields v. Henry Cnty., Tenn*., 701 F.3d 180, 185 (6th Cir. 2012) requires (1) and (2) property of $362.00 (PageID.87, et al.) disregarding (3) "however" (et al.) (PageID.8, et al.) were clearly met and the U.S. Supreme Court via its denial and the House of Representatives and Executive Branch by their effective silence individually and collectively clearly failed to do their respective Constitutional "Jurisdiction" (Article III, § 2, Cl. 1 & 2), "good Behaviour" (Article III, § 1) oversight (Article I, § 2, Cl. 5, and Article III, § 1), and "take Care that the Laws be faithfully executed" (Article II, § 3), at least, *checks* on State government responsibilities.

Plaintiff fails to comprehend how Defendants' cites of *Minn. State Bd. For Cmty. Colleges v. Knight*, 465 U.S. 271, 283 (1984) and *Apple v. Glenn*, 183 F.3d 477, 479-80 (6th Cir. 1999) apply when they are very explicitly about "policy/action suggestions" whereas Plaintiff's claims are about "Justice" – the seventeenth word of the Constitution (Preamble). Plaintiff is certain that Defendants have failed in their responsibilities to provide a *check* on State

disregard of "the supreme Law of the Land" (Article VI, Cl. 2) and Defendants have made no effort whatsoever to show correct arithmetic, valid logic, or word understanding "due process" (all Amendment IX) in Plaintiff's cases to show that the laws of the Constitution and Michigan were faithfully executed by Defendants. Plaintiff notes that "due process" in reviewing theft by arithmetic mistake, denial of unemployment compensation right by ignoring the clear meanings of words such as "individual," "however," and "unless," and by ignoring valid logic in court decisions are fundamental ***beginnings*** to "due process" that were *not* done at *any* of the "process" steps at the Michigan UIA, ALJ, MCAC/UIAC, Michigan Courts, or the U.S. Supreme Court and no (known) effort was made to get that fundamental *beginning* set right by either the House of Representatives or the Executive Branch.

B. Ninth Amendment

Defendants rely on a complete misrepresentation of Amendment IX. Amendment IX does not "confer" any rights whatsoever. It was not meant to. Its plain English words "not … deny or disparage" very clearly simply ensure that all "rights of Englishmen," natural rights, whatever-you-want-to-call-them simply pass through the Constitution and apply to people in the United States of America. Rights such as correct arithmetic, valid logic, and reading and understanding of the words in the Constitution or Laws in plain English were givens even as

Blackstone[3] and others had noted before the Constitution was written. Judicial fiat by the 6th Circuit nor any other court changes that and cannot nullify Amendment IX. The *Gibson v. Matthews*, 926 F.2d 532, 537 (6th Cir. 1991) snippet Defendants quote clearly completely (incorrectly) reverses the meaning of:

> The ninth amendment "was added to the Bill of Rights to ensure that the maxim *expressio unius est exclusio alterius* [the expression of one thing is the exclusion of another] would *not* be used at a later time to deny fundamental rights merely because they were not specifically enumerated in the Constitution." *Id.* (*emphasis added* and [translation added])

The *Charles v. Brown*, 495 F.Supp. 862, 863-64 (N.D.Ala.1980) case that *Gibson* quotes correctly and eloquently states:

> The rationale behind this becomes apparent after one engages in an analysis of the Ninth Amendment. In contrast to the first eight amendments, the Ninth Amendment does not specify any rights of the people, *rather it serves as a savings clause to keep from* lowering, degrading or *rejecting any rights which are not specifically mentioned in the document itself*. (*emphasis added*)

Though it must be admitted that *Charles* goes on to spout an ambiguous pile of text that might not have been recognized or accepted by the Framers and that was clearly irrelevant to the dismissal decision which was expressly made "without prejudice."

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[3] Sir William Blackstone, Esq., Commentaries on the Laws of England, 1765 and subsequent editions. (see lonang.com)

C. Absolute immunity

Plaintiff notes that no individuals were named in the Complaint title, only government units and official positions. Whether the individuals taking the actions that resulted in the Complaint are individually responsible for damages or not is irrelevant to the Complaint and Plaintiff. What is clear to Plaintiff is that through the actions of individuals who may or may not expect qualified immunity there is no government absolute immunity as the Constitutions Amendment I makes clear with "petition the Government for a redress of grievances." Additionally, "where there is a right, there must be a remedy" quoted from *Alden* and the many Constitutional related quotes in the initial Complaint "Jurisdictional Statement" (Document 9 page 6-7) clear intent is to let the government be held liable for its wrongs.

Defendants in their footnote 2 (Document 10, page 10) suggest that "Plaintiff appears to seek discovery to determine the identities of specific staff" but Plaintiff would only seek discovery if it were essential that specific individuals had to be sued rather than the government itself. Without discovery it would be impossible to know who saw or did what that contributed to the Supreme Court denial of certiorari, etc., and for the House and Executive Branch too, but Plaintiff does not believe it is essential to go to those lengths since it should be entirely within the ability of any judge to conclude whether arithmetic is correct, logic is valid, or the

words of the law are understood in plain English. *Harlow v. Fitzgerald*, 457 U.S. 800, 807 (1982) has this to say about immunity and particularly why qualified immunity is "the best attainable accommodation":

> The resolution of immunity questions inherently requires a balance between the evils inevitable in any available alternative. 814*814 In situations of abuse of office, an action for damages may offer the only realistic avenue for vindication of constitutional guarantees. *Butz v. Economou*, supra, at 506; see *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U. S., at 410 ("For people in *Bivens'* shoes, it is damages or nothing"). It is this recognition that has required the denial of absolute immunity to most public officers.

At any time in the related series of lawsuits leading to the present one administrative staff or judicial parties could have looked at the arithmetic, the logic, and the word definitions but all have abused their power and chosen not to. Rather they have chosen to aim for a government win rather than working for "the People" clearly wronged by the government (and those to this day who continue to be wronged by the State of Michigan in violation of its own laws).

Hudson v. Tarnow, No. 14-2298, 2015 U.S. App. LEXIS 23431, at *5 (6th Cir. Mar. 10, 2015) states in regard to judicial immunity:

> This immunity is overcome only in two instances: (1) where the judge acts in a non-judicial capacity; and (2) where the judge acts "in the complete absence of all jurisdiction." *Mireles*, 502 U.S. at 11-12.

But Plaintiff suggests that there is possibly another major instance (though the penalty attaches to the government, not the judge) and that is where the general

judicial practice, likely based on good intentions, has adhered to erroneous precedent and the like to the detriment of both "Justice" (Preamble) and respect for the judiciary. "Sovereign immunity" (for Englishmen and) for the Federal Government is one such error. "Sovereign immunity," particularly with regard to the United States itself, is more thoroughly discussed in PageID.826, 828-830, and to the two papers referenced there. "Sovereign immunity" is rejected as invalid due to being predicated on misunderstandings of the Constitution and history. Simple logic dictates that when "sovereign immunity" is invalid any reliance on it fails.

The *Forrester v. White*, 484 U.S. 219, 225 (1988) and *Stump v. Sparkman*, 435 U.S. 349, 355-57 (1978) are clear that judges (and presumably Justices) are immune from suits "in carrying out their judicial duties" but Plaintiff contends that SCOTUS Justices, ignoring Constitutional "original Jurisdiction" (Article III, § 2, Cl. 2) where "a State shall be a party" (Article III, § 2, Cl. 2) and especially so "arising under this Constitution" (Article III, § 2, Cl. 1), were *not* carrying out their judicial duties though Chief Justice Taft promised SCOTUS would do so in arguing for the Judges Bill of 1925 and though the habit of certiorari denials without thorough analysis was the Justices' perceived right. Discovery is one way to definitively determine if the Justices did thorough analysis or not and another is for the Sixth Circuit to do the math, logic, and law understanding. *Jones v. Supreme Court of the U.S.*, 405 F. App'x 508 (D.C. Cir. 2010) says:

> To the extent appellant seeks to recover damages from individual judges or court officers, his claims are barred by absolute immunity. *See Sindram v. Suda,* 986 F.2d 1459 (D.C.Cir.1993).

Plaintiff is not seeking damages from "individual judges or court officers" (only the Federal Government where its internal personnel have collectively failed) and, as shown above, "absolute immunity" is not acceptable to "the People" as a way to run a government.

Regarding *Nixon v. Fitzgerald*, 457 U.S. 731, 756 (1982) Plaintiff notes that the Complaint included "The Executive Branch of the United States and employees" and Plaintiff believes it is unlikely that Joe Biden (though President at the time) was a decider in the Executive Branch action re the original SCOTUS appeal (22-387) and its follow-up. Having no evidence that SCOTUS took its "original Jurisdiction" seriously Plaintiff appealed to the President under his Constitutional obligations (Article II, § 3) to "recommend to their Consideration such Measures as he shall judge necessary and expedient" and to "take Care that the Laws be faithfully executed." *Trump v. United States*, 603 U.S. 593, 618 (2024) doesn't seem to apply because its main thrust is indemnification for the President (not all Executive Branch staff) for "criminal prosecution for actions within his conclusive and preclusive constitutional authority." (Though presumably that doesn't remove liability to "Indictment, Trial, Judgment and Punishment, according to Law." [Article 1, § 3, Cl. 7])

III. Jury Trial (Addressed by Defendants Footnote 1)

The District Court, without a jury trial and without reference to the Constitution, simply leaps to "sovereign immunity" as an excuse for dismissal which would be valid in a suit against the Federal Government for (among others) a non-Constitutional issue case against a law of the United States or (Congressional?) fiscal responsibility actions but which cannot be so for a Constitutional issue against the Federal Government for either themselves or the State of Michigan when each is violating at least Constitutional "due process." Amendment VII clearly reads:

> In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

This case exceeds $362 and certainly involves the common law to the extent that correct arithmetic, valid logic, and understanding the Constitution and laws in plain English are common law expectations. To quote *Alden* again (where the majority fully seems to recognize that their decision contravened the Constitution without justification):

> The text and the structure of the Constitution protect various rights and principles. Many of these, such as the right to trial by jury and the prohibition on unreasonable searches and seizures, derive from the common law. The common-law lineage of these rights does not mean they are defeasible by statute or remain mere common-law rights, however. *They are, rather, constitutional rights, and form the fundamental law of the land.* (*emphasis added*)

Defendants cite *Jones-Hailey* which cites *Lehman v. Nakshian*, 453 US 156 - Supreme Court 1981 which states:

> Held: Respondent was not entitled to a jury trial. Pp. 160-169.
>
> (a) Where Congress waives the Government's immunity from suit, as it has in the ADEA, the plaintiff has a right to a trial by jury only where Congress has affirmatively and unambiguously granted that right by statute. Pp. 160-161.

Except SCOTUS in *Lehman* appears to forget that Amendment I (and other parts of the Constitution already noted) permit or expect suits against the Federal Government and Amendment VII permits them to be jury trials; no statute can amend the Constitution per Article V and Article VI, Cl. 2. Or the case should have gone through the non-tort Court of Claims processes to simply enforce a "monetary claim" (*Id.* 160) where it is explained "the sovereign' (AKA the King) need not appear before a jury. Defendants' also cite *Harden* where footnote 6 cites *Minneapolis & St. Louis R. Co. v. Bombolis*, 241 US 211 - Supreme Court 1916 which states "(b) that the Seventh Amendment applies only[4] to proceedings in courts of the United States".[5]

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[4] "Only" was clearly in error and only citing matter predating Amendment XIV.

[5] Plaintiff believes the "Bill of Rights" amendments were intentionally written to restrict the Federal Government and to secure "the People's" rights with respect to States too otherwise they not be "rights." Amendment XIV made that emphatic.

Even at the time that the original (before the Bill of Rights) Constitution was being ratified it was recognized in Federalist No. 83 that there was tremendous benefit in jury trials as a needed check (beyond just Congress) on the judiciary:

> The excellence of the trial by jury in civil cases appears to depend on circumstances foreign to the preservation of liberty. The strongest argument in its favor is, that it is a security against corruption. As there is always more time and better opportunity to tamper with a standing body of magistrates than with a jury summoned for the occasion, there is room to suppose that a corrupt influence would more easily find its way to the former than to the latter. The force of this consideration is, however, diminished by others. The sheriff, who is the summoner of ordinary juries, and the clerks of courts, who have the nomination of special juries, are themselves standing officers, and, acting individually, may be supposed more accessible to the touch of corruption than the judges, who are a collective body. It is not difficult to see, that it would be in the power of those officers to select jurors who would serve the purpose of the party as well as a corrupted bench. In the next place, *it may fairly be supposed, that there would be less difficulty in gaining some of the jurors promiscuously taken from the public mass, than in gaining men who had been chosen by the government* for their probity and good character. But *making every deduction for these considerations, the trial by jury must still be a valuable check upon corruption. It greatly multiplies the impediments to its success*. As matters now stand, it would be necessary to corrupt both court and jury; for where the jury have gone evidently wrong, the court will generally grant a new trial, and it would be in most cases of little use to practice upon the jury, unless the court could be likewise gained. *Here then is a double security; and it will readily be perceived that this complicated agency tends to preserve the purity of both institutions. By increasing the obstacles to success, it discourages attempts to seduce the integrity of either. The temptations to prostitution which the judges might have to surmount, must certainly be much fewer,* while the co-operation of a jury is necessary, *than they might be, if they had themselves the exclusive determination of all causes*.

It is important to note that "corruption" is not necessarily due to financial or friendship or similar incentives. Corruption can be self-induced in a judge that

feels the need to exercise or exhibit more power than they have a right to exercise. Generally, this would take the form of ruling against the less powerful and/or in violation of justice because that shows more power than rubber stamping the law or right or "Justice."

IV. Abuse of Power (Not Addressed by Defendants)

While the following quote from Federalist No. 15 was specifically written in regard to States ("inferior orbs" [AKA members] of the union) it equally applies to any part of an organization, even the Federal Government with regard to the union or to any part of the Federal Government itself.

> In addition to all this, there is, in the nature of sovereign power, an impatience of control, that disposes those who are invested with the exercise of it, to look with an evil eye upon all external attempts to restrain or direct its operations. From this spirit it happens, that in every political association which is formed upon the principle of uniting in a common interest a number of lesser sovereignties, there will be found a kind of eccentric tendency in the subordinate or inferior orbs, by the operation of which there will be a perpetual effort in each to fly off from the common centre. This tendency is not difficult to be accounted for. It has its origin in the love of power. Power controlled or abridged is almost always the rival and enemy of that power by which it is controlled or abridged. This simple proposition will teach us how little reason there is to expect, that the persons intrusted with the administration of the affairs of the particular members of a confederacy will at all times be ready, with perfect good-humor, and an unbiased regard to the public weal, to execute the resolutions or decrees of the general authority. The reverse of this results from the constitution of human nature.

While the District Court clearly is allowed discretion in closing a case, that cannot be construed to mean an unlimited right to make its own life easy in

disregard “to Controversies to which the United States shall be a Party” (Article III, § 2, Cl. 1), “guarantee to every State in this Union a Republican Form of Government” (Article IV, § 4), and “petition the Government for a redress of grievances” (Amendment I), among others.

CONCLUSION

For the foregoing reasons the court should put this case on the path to "Justice" where the United States government is held accountable for its clear violations of the spirit, intent, and plain words of the Constitution itself. The relief requested remains unchanged.

Dated: July 1, 2025 ..... _____
..... s/ *James E. White*

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), James E. White hereby certifies that this reply complies with the type-volume limitation in Rule 32(a)(7)(B)(i) because, as counted by the Word for Microsoft 365 word count tool, this reply contains 5,136 words, excluding the parts exempted by Rule 32(f) and 6 Cir. R. 32(b)(1). This reply complies with the typeface requirements in Rule 32(a)(5)(A) and the type-style requirements in Rule 32(a)(6) because this reply has been prepared in proportionally spaced 14-point Times New Roman font.

Dated: July 1, 2025 ..... _____

..... s/ *James E. White*

DESIGNATION OF RELEVANT DISTRICT COURT DOCUMENTS

All District Court documents are relevant. Specific page numbers of some of them have been referenced above.

PROOF OF SERVICE

I, James E. White, certify and declare under penalty of perjury that this *Reply to Brief for Appellees* was served in accordance with Rule 25(a)(2)(A)(ii) by USPS Priority Mail (or overnight) to:

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Dated: July 1, 2025 ..... _____
..... s/ *James E. White*