

# Appendix 9

*Noll v. Rehnquist*, 2:02-484-EJL (D. Idaho)

Clifford Louis Noll  
% 715 N. 13<sup>th</sup> Streen  
Coeur d'Alene, Idaho  
U.S.A.  
Ph. (208) 765-4562

COURTS

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FILED  
CAMERON S. BURKE  
CLERK, IDAHO

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

Clifford Louis, Noll )  
Petitioner, )  
vs. )  
United States Supreme Court )  
William H. Rehnquist, real party of )  
interest, )  
Respondent. )

Case No. CIV 02-0484 - N-LMB

COMPLAINT



Certified to be a true and correct copy of original filed in my office.  
Elizabeth A. Smith, Clerk  
U.S. Courts, District of Idaho  
By Sunny Trumbull  
on Jul 21, 2015 8:48 am

**JURISDICTION & VENUE**

The United States District Court for the District of Idaho has original common law jurisdiction to hear this matter pursuant to Article III, Section 1 and Section 2 of the Constitution of the United States of America, as amended AD 1791 to protect rights guaranteed to the Petitioner by said Constitution. Venue for this court is established under Title 28 U.S.C. § 1391(e). No monetary damages are sought in this action.

**CAUSE OF ACTION**

The Petitioner, as a free Inhabitant Citizen of the United States of America, has a right, under the common law, to redress his Constitutional due process deprivations Complaint, Clifford L. Noll, et ux. v. John Peterson, et al, supreme Court case no. 01-10645. The office of the Clerk of United States Supreme Court notified the Petitioner, by letter dated October 7, 2002, that his common law appeal was denied but said notification does not show cause as to the courts authority to deny hearing and issuing a ruling on the matter.

2

The matter was timely appealed from the 9<sup>th</sup> Circuit Court of Appeals which had refused to review the Constitutional cause of action that had been refused by the United States District Court for the District of Idaho. The Petitioner has alleged, in the original Complaint, that John Peterson, et al, has seized and sold his home and other personally owned real estate, located in Idaho, along with thousands of dollars from his bank account without a court order or an opportunity to be heard. The District Court refused to hear the Constitutional due process deprivations complaint under a guise usurping admiralty jurisdiction. The U.S. District Court asserted that Title 26 USC §7421 prevents suits against UNITED STATES, and/or its agents who seize and sell private property from a natural Citizen without a court order are immune from Constitutional deprivations prosecution.

The Petitioner respectfully seeks a court order requiring William H. Rehnquist, to appear in his official capacity, at the U.S. Court House, Coeur d'Alene, Idaho, and show cause why the supreme Court for United States has denied the Petitioner his right to be heard in his Constitutional deprivations Complaint.

Respectfully submitted this 16<sup>th</sup> day of October, 2002.

*Clifford Louis, Noll*

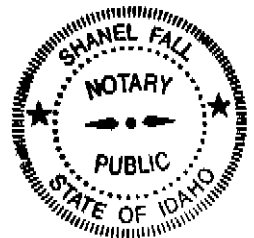
Clifford Louis, Noll pro se and in forma pauperis

State of Idaho }  
Kootenai county } S.S.

On this 16 day of October, 2002, before me, Shanel Fall, a notary public for Idaho, appeared Clifford Louis, Noll, known or identified to me, and his did set this hand to the above Complaint.

Shanel Fall  
Notary Public

10-19-02  
My commission expires



CERTIFICATE OF SERVICE

I hereby certify that I served upon the Respondent, William H. Rehnquist, as an officer of the United States, a true and complete copy of the foregoing Complaint by sending it by first class mail, postage prepaid, to;

Solicitor General of the United States  
Room 5614  
Department of Justice,  
950 Pennsylvania Ave. N.W.  
Washington D.C. 20530-0001

Clifford Noll date Oct 16, 2002  
Process server

C.C. William H. Rehnquist  
% U.S. Supreme Court  
One First St. N. ~~W~~E.  
Washington D.C.  
20543



Certified to be a true and correct copy of original filed in my office.

Elizabeth A. Smith, Clerk  
U.S. Courts, District of Idaho  
By Sunny Trumbull  
on Jul 21, 2015 8:50 am

U.S. COURTS

2003 MAR -4 P 4: 03

REC'D FILED  
CAMERON S. BURKE,  
CLERK IDAHO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

CLIFFORD LOUIS NOLL, )  
)  
Plaintiff, )  
)  
vs. )  
)  
UNITED STATES SUPREME COURT )  
WILLIAM H. REHNQUIST, )  
)  
Defendants. )  
\_\_\_\_\_ )

Case No. CV02-484-N-EJL

**ORDER**

Pending before this Court is Plaintiff's Complaint seeking this Court order Chief Justice of the United States Supreme Court, William H. Rehnquist to appear at the United States Courthouse in Coeur d'Alene, Idaho, and show cause why the Supreme Court for the United States has denied him his right to be heard in his "constitutional deprivations complaint." In addition, Plaintiff has filed a Motion to Proceed In Forma Pauperis, and a Motion for Judgment. The Court reviews the complaint to determine

**ORDER 1**

6

whether Plaintiff is entitled to proceed in forma pauperis and whether the allegations of the complaint are subject to summary dismissal under 28 U.S.C. § 1915(e)(2). Having carefully reviewed the record, and otherwise being fully informed, the Court enters the following Order.

**I.**

**REVIEW OF COMPLAINT**

**A. Standard of Review for Summary Dismissal**

The Court is required to review complaints filed in forma pauperis to determine whether summary dismissal is appropriate. 28 U.S.C. § 1915. The Court must dismiss a complaint or any portion thereof which states a claim that is frivolous or malicious, that fails to state a claim upon which relief may be granted, or that seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). In addition, the Court is obligated to raise the issue of subject matter jurisdiction *sua sponte*. See *Solano v. Beilby*, 761 F.2d 1369, 1370 (9th Cir. 1985); *Miller v. Transamerican Press, Inc.*, 709 F.2d 524, 527 n.2 (9th Cir. 1983).

**B. Discussion**

Plaintiff's complaint states that he petitioned the United States Supreme Court for a writ of certiorari following the dismissal of his cause of action by the Ninth Circuit Court of Appeals. The Supreme Court denied the writ. Plaintiff alleges that this denial is insufficient to show the Supreme Court's authority to deny a hearing in the matter, and

**ORDER 2**

requests this Court compel Chief Justice Rehnquist to appear in Idaho. Plaintiff has failed to allege, and this Court can find no authority that grants it jurisdiction to compel the United States Supreme Court to grant certiorari or to compel an appearance by its Chief Justice. Plaintiff has failed to state a claim upon which relief can be granted. Therefore, Plaintiff's complaint will be dismissed with prejudice. As a result, Plaintiff's Motion to Proceed In Forma Pauperis, and Motion for Judgment will be denied.

**II.**

**ORDER**

NOW THEREFORE IT IS HEREBY ORDERED that Plaintiff's Motion to Proceed In Forma Pauperis (Docket No. 1) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Judgment (Docket No. 4) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Complaint is hereby **DISMISSED** with prejudice.

DATED this 4<sup>th</sup> day of March, 2003.

  
EDWARD J. LODGE  
UNITED STATES DISTRICT JUDGE

**ORDER 3**

United States District Court  
for the  
District of Idaho  
March 4, 2003

\* \* CLERK'S CERTIFICATE OF MAILING \* \*

Re: 2:02-cv-00484

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:


Clifford Louis Noll  
715 N 13th St  
Coeur d'Alene, ID 83814

\_\_\_\_ Chief Judge B. Lynn Winmill  
\_\_\_\_ Judge Edward J. Lodge  
\_\_\_\_ Chief Magistrate Judge Larry M. Boyle  
\_\_\_\_ Magistrate Judge Mikel H. Williams

Visiting Judges:  
\_\_\_\_ Judge David O. Carter  
\_\_\_\_ Judge John C. Coughenour  
\_\_\_\_ Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 3-5-03

BY:   
(Deputy Clerk)