

PRELIMINARY ALLEGATIONS

1. Each and every judge of Defendant Commonwealth of Pennsylvania is inherently biased due to the fact that he/she/they are elected and favor their constituents in deciding legal matters, and their elections/appointments are therefore null and void *ab initio* as in violation of Plaintiff Connelly's right to due process of law under the United States Constitution (**e.g.**, Amdt5, Amdt14) and similar provisions of the Pennsylvania Constitution. **See, e.g., Exhibit PC-5** (*amended petition for writ of habeas corpus against warden, berks county jail*).

2. As a corollary to the foregoing, each and every order/opinion issued by each and every judge of Defendant Commonwealth of Pennsylvania is a nullity and void *ab initio*.

3. The foregoing is especially true with respect to Defendant Commonwealth of Pennsylvania's magisterial district 'judges' who are not actually judges because they are not subject to Defendant Commonwealth of Pennsylvania's Code of Judicial Conduct, **Exhibit PC-37** (*Pa. Code of Judicial Conduct*) ("[t]his Code shall not apply to magisterial district judges and judges of the Traffic Court of the City of Philadelphia."), and usually not even lawyers. **See, e.g., Exhibit PC-***** (*In PA, it's easier to become a judge than a cosmetologist*).

4. Similarly, Defendant Commonwealth of Pennsylvania's domestic relations sections of its courts of common pleas are not courts but rather Pennsylvania's corrupt executive (Defendant Shapiro) masquerading it/himself as the judicial branch, which, as will be proven herein, are nothing but its/his criminal co-conspirators. That domestic relations sections of the Court of Common Pleas are not courts is evidenced by, **e.g.**, the fact that there is nowhere to file motions or pleadings in domestic relations matters (neither Defendant Commonwealth of Pennsylvania's Prothonotaries nor its Clerks of Courts accept child-support-related applications).

5. Consequently each and every order recommended by masters/hearing officers and thereafter illegally 'rubber stamped' by common pleas judges, **see, e.g., Connolly v. Connolly**, 2341 EDA 2020 (Pa. Cmmw. Ct. Oct. 15, 2021) (*citing Ashford v. Ashford*, 395 Pa. Super. 125, 132 (Pa. Super. Ct. 1990)) ("In *no case* is the *de novo* procedure to be simply a review for error or a rubber stamp approval of the recommendation of the hearing officer") (emphasis in the original)) is a nullity and void *ab initio* as a matter of constitutional due process and/or the constitutional requirement of the separation of powers. **E.g., United States v. Alvarez**, 132 S. Ct. 2537 (2012).

6. The entirety of Defendant, Commonwealth of Pennsylvania's judicial branch in its present instantiation thus violates, in fact and law, the United States Constitution, specifically the

Fifth Amendment, the Fourteenth Amendment, and the Separation of Powers Doctrine, **e.g.**, ***United States v. Alvarez***, 132 S. Ct. 2537 (2012).

7. The structure and form of the Pennsylvania judiciary having its roots in the Constitution of the Commonwealth of Pennsylvania, that Constitution, therefore, violates, in fact and law, the United States Constitution (**e.g.**, Amdt5, Amdt14, Separation of Powers Doctrine), and must be deemed null and void.

8. Due to the criminal, tortious, and grossly negligent official conduct described herein, and the absence/failure of safeguards competent to adequately address such official misconduct, sovereign immunity in all its forms must be abolished throughout Defendant United States and its states/commonwealths, including but not limited to Defendant Commonwealth of Pennsylvania, in order to allow aggrieved private parties like Plaintiff Connelly and his long-suffering plaintiff children to be made whole. The ‘criminals in robes’¹ identified herein will *never* police themselves.

9. United States Supreme Court case law, **e.g.**, ***Perez v. United States***, 402 U.S. 146 (1971), so broadly interpreting the Commerce Clause of the United States Constitution as the ‘jurisdictional hook’ for the legislation/enforcement of federal criminal law, that the Tenth Amendment (and federalism along with it) has been rendered a nullity, especially in this era of persistent and complete digital interconnectivity, must be overruled, because the framers of the constitution specifically reserved ‘police powers’ singularly to the states by way of (1) the Tenth Amendment and (2) the Double Jeopardy Clause (“[n]o person shall be subject for the same offense to be twice put in jeopardy of life or limb”), which Clause clearly does not contemplate the two-sovereign doctrine (for which there is no rational or practical basis (one will suffice)).

10. Such case law violates these two fundamental constitutional principles and indeed the very federalist spirit of the constitution, and moreover constitutes ‘judicial legislation’ by hypocritical ‘strict constructionist’ Supreme Court Justices.

11. Consequently, federal law criminalizing marijuana possession and use, including, but not limited to, the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. §801–971 (1970) (“Controlled Substances Act” or “CSA”) is also unconstitutional pursuant to the Double Jeopardy Clause and/or the Tenth Amendment, and must be struck and deemed null and void.

12. There is no scientific, rational or legal basis under the United States Constitution to classify citizens on the basis of race. We are all African Americans, after all. **See, e.g.**, Ulf Gyllenstein *et al.*, *Paternal inheritance of mitochondrial DNA in mice*, 352 Nature 255 (1991)

¹ **See, e.g.**, **2023-11-29 (non) appearance before m. theresa johnson JCCP (Exhibit PC-6).**

(analyzing complete mtDNA sequences from diverse human populations and concluding that the greatest genetic diversity exists within African populations, supporting the “Out of Africa” theory of human origins).

13. There is no rational or legal basis under the United States Constitution to classify citizens on the basis of sex. The continued classification of citizens on the basis of sex is a form of ‘separate but equal’ treatment prohibited by ***Brown v. Bd. of Educ. of Topeka***, 347 U.S. 483 (1954) (holding that state-sponsored segregation in public schools violated the Equal Protection Clause of the Fourteenth Amendment and overruling ***Plessy v. Ferguson***, 163 U.S. 537 (1896)).

14. The Establishment Clause of the First Amendment to the United States Constitution prohibits the government from establishing a religion, stating that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” U.S. Const. amend. I.

15. Discrimination on the basis of sex by Defendant United States violates the Establishment Clause, because, as noted, there is no rational basis for such discrimination, and therefore, its roots must be supernatural, e.g., religious. **See, e.g.**, Gen. 1:27 (New International Version) (“So God created mankind in his own image, in the image of God he created them; male and female he created them.”); Gen. 2:24 (New International Version) (“That is why a man leaves his father and mother and is united to his wife, and they become one flesh.”); Matt. 19:4-6 (New International Version) (“(4) ‘Haven’t you read,’ he replied, ‘that at the beginning the Creator ‘made them male and female,’ (5) and said, ‘For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh’? (6) So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.”); Mark 10:6-9 (New International Version) (“(6) But at the beginning of creation God ‘made them male and female.’ (7) ‘For this reason a man will leave his father and mother and be united to his wife, (8) and the two will become one flesh.’ So they are no longer two, but one flesh. (9) Therefore what God has joined together, let no one separate.”); Eph. 5:31 (New International Version) (“For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh.”).²

16. There is no rational basis under the United States Constitution to classify citizens on the basis of gender. This is a word that citizens invented to protest Defendant United States’ unlawful discrimination against them on the basis of assigned sex, over which they were given

² **See, also**, pretty much every ‘doctrinal statement’ of pretty much every ‘Christian’ religious entity within Defendant, United States, including Liberty University’s. We all know what’s happening here. And the founding fathers are rolling in their graves.

no control. Like race it has no scientific or rational basis, and like sex, gender-based government discrimination violates the Establishment Clause on the reasoning stated above.

17. The following defendants are sued as tenants in the entireties because they were at all relevant times married to one-another or engaged in a domestic partnership as defined by the laws of their state of residency: Defendants Dora and Scott Kassel; Defendants Arvil Wayne and Janet Prewitt; Defendants Lorena Montecalvo and Joseph Kayati; Defendants Kenneth and Claire Domenick; and Defendants Jeffrey and Tina Boyd.

18. Each and every human/sentient defendant herein is sued both individually and as an officer/employee/agent/servant of the legal entities, also defendants herein, to whom/which they are responsible.

19. Each legal entity defendant herein is sued both individually and as officer/employee/agent/servant of the legal entities, defendants herein, to whom/which they are responsible, and for the conduct of its own human/sentient officers/employees/agents/servants in *respondeat superior*.