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CLERK OF WISCONSIN
COURT OF APPEALS

STATE OF WISCONSIN
COURT OF APPEALS

DISTRICT II

Appeal No. 2023AP000870 CR

Circuit Court Case No.
2022CM000066

State of Wisconsin,

Plaintiff-Respondent,

v.

Alan Nathan Carroll, Jr. a/k/a U'si Ch-ab,

Defendant-Appellant.

INITIAL BRIEF OF DEFENDANT-APPELLANT

APPEAL FROM A FINAL JUDGEMENT OF THE CIRCUIT COURT FOR
WASHINGTON COUNTY,
HONORABLE RYAN J. HETZAL, PRESIDING

N/K/A/ U'si Ch-Ab
Special Guest as Defendant-Appellant
C/O Near 1208 Carr Place
Oshkosh, WISCONSIN
Zip-Code Exempt DMM
602 1:3 e (2) / Near [54901]
(920) 385 - 1521

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STATEMENTS OF ISSUES

I. Did Officer Alexander Greenberg #963 for the Slinger Police Department deny me my right to due process of law by depriving me of my life, liberty, and my own automobile contrary to the U.S. Const. Amend. XIV. § 1. & 2.?

The trial court answered "No."

The assistant district attorney answered "No."

II. Should all the evidence used against me be suppressed because of a violation of my Constitutionally protected right to be free from this unreasonable seizure, contrary to Article I. Sec. 11. to the Wisconsin Constitution and the Fourth Amendment to the U.S. Constitution? Was the trial court in error of not finding a violation under Article I. Sec. 11. to the Wisconsin Constitution and the Fourth Amendment to the U.S. Constitution in my filed "Notice of Motion to Suppress Evidence" and "Memorandum of Law in Support of Motion to Suppress Evidence?"

The trial court answered "No" to all 2 questions.

The assistant district attorney answered "No" to all 2 questions.

III. Was the trial court and Assistant District Attorney Jeanette K. Corbett in error by misinterpreting, Article I. Section 2. Clause 3. to the U.S. Constitution and Amendment 14, Section 2. of the U. S. Constitution, regarding "Excluding Indians Not Taxed?" Did the trial court and Assistant District Attorney Jeanette K. Corbett disregard "the continuing government-to-government relationship between Indian tribes and the United States?"

The trial court answered "No" to all 2 questions.

The assistant district attorney answered "No" to all 2 questions.

STATEMENT ON ORAL ARGUMENT AND PUBLICATION

I. I will not ask for an opportunity for oral argument in this case.

II. The issue's raised in this unlawful case are rarely discussed in the U.S. published case laws. However, the publication of your court's decision is unnecessary for now.

STATEMENT OF THE CASE

A. NATURE OF THE CASE

On January 19th, 2022, at around 1 a.m. I, U'si Ch-ab, an Indigenous Aborigine American¹ (See. American²), mentioned in Art. I. Sec. 2. Cl. 3. as "Excluding Indians³ Not Taxed⁴," (See. Taxes⁵), to the U.S. Constitution⁶ was traveling in my automobile on public highway I-41, on my way to pick up my girlfriend and my son at the Children's Hospital near Milwaukee Wisconsin("R24:4").

1. American (n.) 1570s, originally "one of the aboriginal peoples discovered in the Western Hemisphere by Europeans," from Modern Latin Americanus, from America (q.v.). The original sense is now Native Americans; the sense of "resident of North America of European (originally British) descent" is from 1765. "Etymology Dictionary"

2. AMER'ICAN, noun A native of America; originally applied to the aboriginals, or coppercolored races, found here by the Europeans; but now applied to the descendants of Europeans born in America. "Webster's Dictionary 1828"

3. INDIANS. The aborigines of this country are so called. "A Law Dictionary Adapted To The Constitution And Laws Of The United States Of America And Of The Several States Of The American Union by John Bouvier Revised Sixth Edition, 1856"

4. TAXES. This term in its most extended sense includes all contributions imposed by the government upon individuals for the service of the state, by whatever name they are called or known, whether by the name of tribute, tithe, talliage, impost, duty, gabel, custom, subsidy, aid, supply, excise, or other name. "A Law Dictionary Adapted To The Constitution And Laws Of The United States Of America And Of The Several States Of The American Union by John Bouvier Revised Sixth Edition, 1856"

5. [T]ax (v.) c. 1300, "impose a tax on," from Old French taxer "impose a tax" (13c.) and directly from Latin taxare "evaluate, estimate, assess, handle," also "censure, charge," probably a frequentative form of tangere "to touch," from PIE root *tag- "to touch, handle." Sense of "to burden, put a strain on" first recorded early 14c.; that of "censure, reprove" is from 1560s. Its use in Luke ii for Greek apographein "to enter on a list, enroll" is due to Tyndale. Related: Taxed; taxing. "Etymology Dictionary"

6. "Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons....." "Article I. Section 2. Clause 3. of the U.S. Constitution"

When I was traveling through the Village of Slinger, I looked to my right and saw Officer Greenberg parked in his squad vehicle on top of the ramp. At that moment, there wasn't any suspicious activity, there were no traffic or equipment violations being committed by other people because the public roads were clear from other travelers and other people operating motor-vehicles⁷ for commercial purposes⁸ (See also. Commerce⁹) ("R76:133 @ 15-17").

7. (6) Motor vehicle. – The term "motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo. "18 USC § 31(a)(6)"

8. (10) Used for commercial purposes. – The term "used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit. "18 USC § 31(a)(10)"

9. Commerce, trade, contracts. The exchange of commodities for commodities; considered in a legal point of view, it consists in the various agreements which have for their object to facilitate the exchange of the products of the earth or industry of man, with an intent to realize a profit. Pard. Dr. Coin. n.

1. In a narrower sense, commerce signifies any reciprocal agreements between two persons, by which one delivers to the other a thing, which the latter accepts, and for which he pays a consideration; if the consideration be money, it is called a sale; if any other thing than money, it is called exchange or barter. Domat, Dr. Pub. liv. 1, tit. 7, s. 1, n. 2. Congress have power by the constitution to regulate commerce with foreign nations and among the several states, and with the Indian tribes. 1 Kent. 431; Story on Corst. 1052, et seq. The sense in which the word commerce is used in the constitution seems not only to include traffic, but intercourse and navigation. Story, 1057; 9 Wheat. 190, 191, 215, 229; 1 Tuck. Bl. App. 249 to 252. Vide 17 John. R. 488; 4 John. Ch. R. 150; 6 John. Ch. R. 300; 1 Halst. R. 285; Id. 236; 3 Cowen R. 713; 12 Wheat. R. 419; 1 Brock. R. 423; 11 Pet. R. 102; 6 Cowen, R. 169; 3 Dana, R. 274; 6 Pet. R. 515; 13 S. & R. 205. "A Law Dictionary Adapted To The Constitution And Laws Of The United States Of America And Of The Several States Of The American Union by John Bouvier Revised Sixth Edition, 1856"

As soon as my automobile and I passed Officer Greenberg, he puts his squad vehicle in drive to catch up to me. When Officer Greenberg caught up to me, he stayed behind me for a couple seconds and then he controlled his squad vehicle onto the left lane, as if to pass me by, but he stayed there, at

least one car length behind me for a few more seconds until Officer Greenberg controlled his squad vehicle back onto the right lane, just to get behind me again. When Officer Greenberg seen my automobile's Indigenous Aborigine American plates, which states directly in the Constitution, "Art. I. Sec. 2. Cl. 3. "Indians Not Taxed" "Aboriginal Americans," that's when Officer Greenberg made the unlawful traffic stop. ("R24:4 @ ¶2").

Officer Greenberg wanted to see if I had any U.S. state license plate for him to run, or if he could observe any traffic violation like lane deviation, speed, etc. Officer Greenberg was looking for any reason to conduct a random and unlawful traffic stop ("R76:133 @ 7-15").

While I was unlawfully stopped by Officer Greenberg, he approached the guest side of my automobile and stated that the only reason he made the traffic stop was because I do not have a registration plate on my automobile. Then Officer Greenberg started demanding State driver's license, registration and the legal fiction named: "ALAN N. CARROLL JR." Many times I refused Officer Greenberg's unlawful demands and many times I challenged Officer Greenberg's unlawful actions, by asking him what reasonable articulable suspicion he had against me to pull me over and his answer was that I

do not have any State registration plates on my automobile and that was allegedly illegal. I asked Officer Greenberg for his full name, badge number, I informed him he was being recorded by my dash cam device, and I asked Officer Greenberg if he honored his oath to support and defend the U.S. Constitution ("R24:5 @ ¶3").

I requested Officer Greenberg's supervisor, someone with more experience, to come to the scene. Greenberg dispatched on my request. While I waited, Officer Greenberg did not want to hear the truth about what my Indigenous Aborigine American automobile plates mean through Constitutional law "Art. I. Sec. 2. Cl. 3." "Indians Not Taxed" "Aboriginal Americans." Officer Greenberg did not want to hear the truth when I invoked my title and my identity as an Indigenous Aborigine American. Officer Greenberg did not care to hear the truth about my efforts in renouncing U.S. citizenship (See. Citizen¹⁰), renouncing the Wisconsin State i.d./driver's license (See. WI Stat. 343.265(1m)¹¹). Officer Greenberg did not want to hear the truth about this State dmv destroying the plates I had renounced, and when I invoked my constitutional right to travel through 49 U.S. Code § 102(f)(2)(A)(B)¹², Officer Greenberg ignored it. All Officer Greenberg wanted to know was why I wasn't meeting his unlawful

demands, including my right not to consent to exit my automobile. ("R41:1 @ 6:17 - 10:50").

10. Citizens, persons. 3. All natives are not citizens of the United States; the descendants of the [American] aborigines.... are not entitled to the rights of citizens. "A Law Dictionary Adapted To The Constitution And Laws Of The United States Of America And Of The Several States Of The American Union by John Bouvier Revised Sixth Edition, 1856"

11. WI. Stat. 343.265 Voluntary surrender and reissuance after surrender (1m). The department may accept the voluntary surrender of the operator's license of a person who no longer intends to exercise the privilege of operating a vehicle class or type authorized by that license, if the person's operating privilege is not subject to suspension or revocation for any reason. The department may issue a license under sub. (2), omitting the authorizations to operate a vehicle class or type that the person has relinquished.

12. 49 U.S. Code § 102 - Department of Transportation. (f) Office of Tribal Government Affairs. (2) Reservation of trust obligations. - (A) Responsibility of secretary. - In carrying out this title, the Secretary shall be responsible to exercise the trust obligations of the United States to Indians and Indian tribes to ensure that the rights of a tribe or individual Indian

are protected. (B) Preservation of united states responsibility.
-Nothing in this title shall absolve the United States from any responsibility to Indians and Indian tribes, including responsibilities derived from the trust relationship and any treaty, executive order, or agreement between the United States and an Indian tribe.

Deputy Sheriff Nathaniel Sincoular #464 along with Sergeant Herriges #415 and Sergeant Hood #416, for the Washington County Sheriff's Office arrived at the scene and immediately sided with Officer Greenberg without even hearing my side of the truth in this unlawful case. Deputy Sheriff Sincoular mentioned that I was detained for refusing to identify. Officer Greenberg also laid down spikes in the front and the back of my automobile tires, so I wasn't free to leave ("R76:113 @ 15 - 25"). I rebutted Deputy Sheriff Sincoular's claim that I was detained by stating that I was unlawfully detained because Officer Greenberg had no articulable reasonable suspicion, no probable cause or a warrant to conduct a random traffic stop against me. Deputy Sheriff Sincoular mentioned that none of that was necessary for Officer Greenberg to conduct a valid traffic stop. Again, I immediately rebutted Deputy Sheriff Sincoular's false claim

by stating that articulable reasonable suspicion, probable cause and/or a warrant is necessary for a traffic stop. Deputy Sincoular confirmed his oath to honor and support the U.S. Constitution. After that, I had the same conversation as I did with Officer Greenberg and again, Deputy Sheriff Sincoular did not want to hear the truth on what my Indigenous Aborigine American automobile plates mean through Constitutional law "Art. I. Sec. 2. Cl. 3." "Indians Not Taxed" "Aboriginal Americans." Deputy Sheriff Sincoular did not want to hear the truth when I invoked my title and my identity as an Indigenous Aborigine American. Deputy Sheriff Sincoular did not care to hear the truth about my efforts in renouncing U.S. citizenship, renouncing the Wisconsin State i.d./driver's license. Deputy Sheriff Sincoular did not want to hear the truth about this State dmv destroying the plates I had renounced, and when I invoked my right to travel through 49 U.S. Code § 102(f)(2)(A)(B), Deputy Sheriff Sincoular ignored it. ("R41:1 @ 10:51 - 15:25").

Officer Greenberg would approach the guest side of my automobile and threaten to damage my automobile by breaking the glass door windows and injuring my physical body by dragging me out of the broken glass door window if I did not provide him with the corporate fiction named: "ALAN N. CARROLL

JR." After I refused his verbal threats towards me, Officer Greenberg broke into the interior of my automobile by inserting his hand through the small space of the window and unlocked my door from the inside. Officer Greenberg then aims his Electronic Control Weapon (ECW) taser gun to my face, coerced¹³ me to exit my automobile and at that very moment I was handcuffed ("R41:1 @ 15:26 - 25:47").

13. COERCION, criminal law, contracts. Constraint; compulsion; force. 2. It is positive or presumed. 1. Positive or direct coercion takes place when a man is by physical force compelled to do an act contrary to his will; for example, when a man falls into the hands of the enemies of his country, and they compel him, by a just fear of death, to fight against it. "A Law Dictionary Adapted To The Constitution And Laws Of The United States Of America And Of The Several States Of The American Union by John Bouvier Revised Sixth Edition, 1856"

Lastly, I was unlawfully frisked, my wallet was stolen and searched for a State I.D. When Officer Greenberg did not find a State I.D. in my wallet, he searched through my wallet for some old cards that had the corporate fiction name imprinted on them: "ALAN N. CARROLL JR." ("R:2 @ p.2."). I was kidnapped¹⁴ to Officer Greenberg's work vehicle to be

falsely imprisoned at the Washington County Jail for over 24 hours ("R77:23 @ 13 - 17"). I was unlawfully charged with WI. Stat. 946.41 (1)¹⁵ - Resist/Obstructing an Officer WI and traffic violations. My automobile was stolen and stored at the Ackerville Towing & Service in the Village of Slinger, WI. ("R24:7-8 ¶7 & ¶8").

14. 18 U.S. Code § 1201 - Kidnapping. (a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when- (1) the person is willfully transported in interstate or foreign commerce, regardless of whether the person was alive when transported across a State boundary, or the offender travels in interstate or foreign commerce or uses the mail or any means, facility, or instrumentality of interstate or foreign commerce in committing or in furtherance of the commission of the offense;

15. WI. Stat. 946.41 Resisting or obstructing officer. (1) Whoever knowingly resists or obstructs an officer while such officer is doing any act in an official capacity and with lawful authority, is guilty of a Class A misdemeanor.

B. PROCEDURAL STATUS OF THE CASE

On January 19th, 2022, a criminal complaint was filed against me (R2:1-2). This unlawful case was first heard in

front of magistrate James G. Puros. I appeared in court via video conference, handcuffed and shackled against my own free will. James G. Puros would rule that allegedly there was probable cause for Officer Alexander Greenberg #963 to deny my right to due process of law by depriving me of my life as an Indigenous Aborigine American, depriving me of my protected right and liberty to travel on my ancestral lands now known as public highway I-41, and I was deprived of my own automobile, which I was traveling in (See. "R41:1 @ 1:03-3:25"). Assistant District Attorney Alyssa Schaller asked for a cash bail of 150 U.S. bank notes, I asked for a signature bond, and James G. Puros set bail at 750 U.S. bank notes ("R71:3 - 10"). My mother bailed me out of Washington County jail on January 20th, 2022 (Washington County Sheriff's Dept. Receipt #: 14108) and I bailed my automobile out of the Ackerville Towing Services for 205.73 U.S. bank notes (Invoice #: 11922J1).

I created a "Notice of Motion to Suppress Evidence" with a "Memorandum of Law in Support of Motion to Suppress Evidence," filed on January 5th, 2023. One ground to this motion was that Officer Alexander Greenberg #963 for the Slinger Village Police Department, Deputy Sincoular #464, Sergeant Herriges #415, and Sergeant Hood #416 for the

Washington County Sheriff Department knowingly violated Article I. Sec. 11. to the Wisconsin Constitution and the Fourth Amendment to the U.S. Constitution ("R24:2 @II."). In ground II., I argued that all evidence used against me at jury trial should be suppressed because Officer Alexander Greenberg #963, Deputy Sincoular #464, Sergeant Herriges #415, and Sergeant Hood #416 knowingly violated my right to be free from their unreasonable seizure towards me and my automobile and invaded on my right to keep the corporate fiction name: "ALAN N. CARROLL JR." private from them and private from the rest of the world ("R24:26 - 32 @ II.").

My "Notice of Motion to Suppress Evidence" with a "Memorandum of Law in Support of Motion to Suppress Evidence" would be heard at an unlawful jury status hearing on the day of January 18th, 2023. Magistrate Ryan J. Hetzal would deny my motion to suppress all evidence and treat that as a "Motion in Limine" for the up-and-coming jury trial. Assistant District Attorney Jeanette K. Corbett was prohibited from using my right to refuse to identify myself based on Ryan J. Hetzal's finding in my motion to suppress all evidence through: "Henes v. Morrissey, 194 Wis. 2d 338, 533 N.W.2d 802 (Wis. 1995)" ("R24:14 @ ¶22").

Magistrate Ryan J. Hetzal would unlawfully grant Assistant District Attorney Jeanette K. Corbett the ability to use my refusal to exit my automobile as new evidence for trial against me. Based on the new evidence, I immediately argued that Officer Greenberg lacked reasonable articulable suspicion and probable cause to conduct a random traffic stop. Magistrate Ryan J. Hetzal would unlawfully make a finding that the Officer's involved in this case had reasonable articulable suspicion and probable cause to conduct a random traffic stop solely to check to see if I had any driver's license and registration plates on my automobile. I argued that his findings in this unlawful case conflicted with the United States Supreme court decision in "Delaware v. Prouse, 440 U.S. 648 (1979)" and "Terry v. Ohio, 392 U.S. 1, 88 S. Ct. 1868 (1968)." Magistrate Ryan J. Hetzal would also make an unlawful finding that I was supposedly required to display registration plates when I already argued that the i.d./driver's license and registration plates has been rightfully renounced ("R79:12 @ 5 - 25 & R79:13 @ 1 - 22").

Lastly, on March 15th, 2023, magistrate Ryan J. Hetzal would state his misinterpretation of Article I. Section 2. Clause 3. regarding "Excluding Indians Not Taxed," to the United States Constitution and U.S. Const. Amend. XIV.

Section 1. & 2. of the United States Constitution, on the day that I was unlawfully sentenced. Magistrate Ryan J. Hetzal would state on the record that Article I. Section 2. Clause 3. to the U.S. Constitution is supposedly a "voting rights clause." Ryan J. Hetzal continues his misinterpretation by stating that I'm a U.S. citizen under and Assistant District Attorney Jeanette K. Corbett agreed ("R77:14 - 16 @ ¶16").

C. DISPOSITION IN THE TRIAL COURT

On February 7th, 2023, an all-white jury of European descent would find me guilty of allegedly obstructing Officer Greenberg contrary to WI. Stat. 946.41(1) based on the new evidence that magistrate Ryan J. Hetzal granted to District Attorney Jeanette K. Corbett, which was my refusal to exit my own automobile ("R76:214 @ 5-9).

On March 15th, 2023, magistrate Ryan J. Hetzal would order that I pay a fine of 1,713 bank notes. Magistrate Ryan J. Hetzal would also order that I pay 100 per month until the fine is paid in full ("R77:21 @ 3-24).

D. STATEMENT OF THE FACTS

The facts most related to the issues presented for review in this brief are mainly in "R10:1-5", "R24:1-32", "R41:1-1", "R49:1-30", "R50:1-3", "R76:1-223", and "R77:1-24."

Fact #1: Officer Greenberg neglected his own procedures by waiting for me and my automobile to pass him so that he could chase me down and find any reason to conduct a random traffic stop thus depriving me of all my Indigenous Aborigine American rights and liberties ("R41:1-1 @ 0:00-2:20"). Also, Officer Greenberg admits to not having any real objective before putting his squad vehicle in drive to catch up to me ("R76:133 @ 2 - 6").

Fact: #2: The evidence that was used against me at trial should have been suppressed because Officer Greenberg and his actions towards me and my automobile were unreasonable ("R24:26-32"). Since Officer Grenberg didn't have any objectives to chase after me, he lacked probable cause and reasonable articulable suspicion to conduct a random traffic stop, and Officer Greenberg admitted that the only reason why he controlled his squad vehicle back behind my automobile was to check to see if my automobile had registered plates from any State DMV ("R76:134 @ 2 - 5").

Fact #3: With all of the evidence that me and the Iroquois Confederacy of Aborigine American Peoples (I.C.A.A.P.) has presented in my support, magistrate Ryan J. Hetzal and Assistant District Attorney Jeanette K. Corbett is still unable to be a little enlightened when it comes to us

Indigenous Aborigine American's, our treaty rights, us being mentioned in the U.S. Constitution ("R10:1-3"), as well as one of the amendment to the Constitution and lastly, the true history of how those new laws and contracts originally became to be ("R49:3-18"). Under these bias acts and unusual presumptions towards me and the Chiefs that's for the I.C.A.A.P., magistrate Ryan J. Hetzal and Assistant District Attorney Jeanette K. Corbett strongly believes that there's only one government, that being the United States and magistrate Ryan J. Hetzal and Assistant District Attorney Jeanette K. Corbett strongly believes that me and everyone else in North America is a United States Citizen and in order to live here, than you must be a U.S. Citizen, that's it and that's all ("R77:6-7.").

ARGUMENT

I. OFFICER ALEXANDER GREENBERG #963 FOR THE SLINGER POLICE DEPARTMENT, DENIED ME MY RIGHT TO DUE PROCESS OF LAW BY DEPRIVING ME OF MY LIFE, MY LIBERTY, AND MY AUTOMOBILE, CONTRARY TO THE U.S. CONST. AMEND. XIV. § 1. & 2.

Although the U.S. Const. amend. XIV. § 1. mainly protects U.S. citizens when corporate States deny them due process of law by depriving them of life, liberty or property,

the protections of this fundamental right can be applied to me in this unlawful case because "[m]atters concerning indigenous [Aborigine American] individuals or their rights or interests in the jurisdiction of each State shall be conducted in such a way as to afford indigenous individuals the right to full representation with dignity and equality before the law. Consequently, they are entitled, without discrimination, to equal protection and benefit of the law." Quoting from the A.D.R.I.P. "Section Four: Article XXII - Indigenous law and jurisdiction @ "3.""

U.S. Const. amend. XIV. § 1. & 2. states as follows:

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any [Indigenous Aborigine American] of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

2. Representatives shall be apportioned among the several states according to their respective numbers,

counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

There are two types of Constitutional due process claims this State has acknowledged within your courts:

- 1.) “[A] procedural due process claim, it is not the deprivation of property or liberty that is unconstitutional; it is the deprivation without due process of law. *Arneson v. Jezwinski*, 225 Wis. 2d 371, 592 N.W.2d 606 (1999), 97-1867.”
- 2.) “Substantive due process guarantees [the] protect[ion of] [Indigenous Aborigine American] against arbitrary action[s] [made by officer’s, deputy sheriff’s, sergeants, etc]. To

violate substantive due process guarantees, a decision must involve more than simple errors in law or an improper exercise of discretion; it must shock the conscience. *Eternalist Foundation, Inc. v. City of Platteville*, 225 Wis. 2d 759, 593 N.W.2d 84 (Ct. App. 1999), 98-1944."

As I focus mainly on the substantive due process guarantees, the United States Supreme Court listed three elements that must be met in a due process claim. "[O]ur prior decisions indicate that identification of the specific dictates of due process generally requires consideration of three distinct factors: first, the interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the [substantive] procedures used, and the probable value, if any, of additional or substitute [substantive] procedural safeguards; and, finally, the [corporation's] interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail. See, e.g., *Goldberg v. Kelly*, 397 U. S. 254, 397 U.S. 263-271 (1970)." Quoting "*Mathews v. Eldridge*, 424 U.S. 319, 424 U.S. 334 - 335 (1976)."

Element 1: On January 19th, 2022, I would be denied my right to due process of law and deprived of my life as Indigenous Aborigine American, my Constitutionally protected liberty and my unalienable right to travel on my ancestral lands or so-called public highway I-41, and I would be deprived of my own automobile. These arbitrary and oppressive acts against me were made by Officer Greenberg #963, who is an employee for the Wisconsin, Slinger police department, contrary to U.S. Const. Amend. XIV. § 1. & 2. "[N]o [executive officer] shall... deprive any [Indigenous Aborigine American] of life, liberty, or property, without due process of law," U. S. Const., amend. XIV, § 1 [& 2,] to "guarante[e] more than fair process," *Washington v. Glucksberg*, 521 U. S. 702, 719 (1997), and to cover a substantive sphere as well, "barring certain [corporate] actions regardless of the fairness of the procedures used to implement them," *Daniels v. Williams*, 474 U. S. 327, 331 (1986); see also *Zinermon v. Burch*, 494 U. S. 113, 125 (1990) (noting that substantive due process violations are actionable under § 1983)." Quoting from "*County of Sacramento v. Lewis*, 523 U.S. 833, 523 U.S. 840 (1998)." "The [U.S.] Supreme Court has indicated that, to qualify as a substantive due process violation, an "executive action" must "shock the conscience." "[S]ee also *In re Paternity of J.L.H.* 149 Wis.2d 349, 359, 441 N.W.2d 273, 276 (Ct.App.

1989).” Quoting “Eternalist Foundation v. City of Platteville, 225 Wis. 2d 759, 777, 593 N.W.2d 84 (Wis. Ct. App. 1999).”

Element 2: Officer Greenberg’s #963 criminal acts consisted in the deprivations of my birthright and my own identity as an Indigenous Aborigine American that was taken away. My identity is the main function of my life. “Sec. Three: Cultural identity. Art. XIII - Right to cultural identity and integrity: 3. Indigenous [Aborigine American] people[s] have the right to recognition and respect for all [our] ways of life, cosmovisions, spirituality, uses, customs, norms, traditions, forms of social, economic, and political organization; forms of transmission of knowledge, institutions, practices, beliefs, values, dress, and languages, recognizing [our] inter-relationship as established in this Declaration.” (Note: Please refer to A. Full Supportive Resources on the A.D.R.I.P. from this Issue @ pg. 1. in the Appendix.)

I was unlawfully deprived of my protected liberty and unalienable right to travel in my own automobile, on public highway I-41. Although I did not elaborate enough on the Constitutional Right to Travel in any of my motions in this case, I did invoke 49 U.S. Code § 102(f)(2)(A)(B) (See.,

Footnote 12) while I was unlawfully detained by Officer Greenberg and Deputy Sherriff Sincoular.

Lastly, my own automobile was stolen from me and stored at a towing service business without my consent. "Sec. Three: Cultural identity. Art. XIII - Right to cultural identity and integrity: 2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous [Aborigine American] peoples, with respect to [our] cultural, intellectual, religious, and spiritual property taken without [our] free, prior, and informed consent or in violation of [our] laws, traditions, and customs." ("A.D.R.I.P.").

Element 3: Since no other travelers went south on public highway I-41 but myself, Officer Greenberg #963 deliberately waited for me and my automobile to pass him by so he could take away my identity, take away my protected liberty and unalienable right to travel on my ancestral lands here in Meskwa (i.e. Wisconsin), and Officer Greenberg #963 deliberately waited to steal my own automobile with no lawful or any adequate justifications for his actions towards me. "It is, on the contrary, behavior at the other end of the culpability spectrum that would most probably support a substantive due process claim; conduct intended to injure in

some way unjustifiable by any [corporation] interest is the sort of official action most likely to rise to the conscience-shocking level. See *Daniels v. Williams*, 474 U. S. 327 (1986), at 331 ("Historically, this guarantee of due process has been applied to deliberate decisions of [corporate] officials to deprive an [Indigenous Aborigine American] of life, liberty, or property." *County of Sacramento v. Lewis*, 523 U.S. 833, 523 U.S. 849 (1998)."

The fact is when Officer Greenberg #963 and his squad vehicle was just parked on the top entry ramp of the public highway, and as soon as me and my automobile passed him, he puts his squad vehicle in drive to chase me down to observe my automobile from two angles, three times, before he conducted the unlawful traffic stop. Officer Greenberg #963 knowingly created a lawless reason to make a random traffic stop and a lawless reason to injure me with no objective behind his actions prior to him chasing after me.

During the unlawful jury trial, I turned to the question about what Officer Greenberg #963 main objectives were before he chased after me:

U'si Ch - ab: "Okay. The day you seen me traveling on Highway 41, where were you?"

Officer Greenberg: "I was on the on ramp to 41 southbound from State Highway 144."

U'si Ch - ab: "Now were you parked or were you traveling?"

Officer Greenberg: "I was parked on the shoulder of the [top] ramp."

U'si Ch - ab: "Okay. You were parked... So when you w[ere] parked right there, did you see any traffic violations being committed before you drove off?"

Officer Greenberg: "No."

U'si Ch - ab: "[B]efore you decided to put your squad vehicle in drive, what was your main objective for following me?"

Officer Greenberg: "I didn't have any objection or objective at all."

Officer Greenberg's acts towards me were unconstitutional, arbitrary, oppressive, and this proof should be enough to create a shock to the conscience. "Substantive due process analysis is therefore appropriate here if [my] claim is "covered by" the Fourth Amendment. It is. In the[se] circumstances of a[ny] [lawless] chase aimed at [depriving an Indigenous Aborigine American of his protected liberty and unalienable right to travel in his own

automobile, for the sole] purpose to cause harm unrelated to [any] object of arrest will satisfy the shocks-the-conscience test." "Cf. Whitley v. Albers, 475 U. S. 312, 320-321 (1986)." Quoting from "County of Sacramento v. Lewis, 523 U.S. 833, 523 U.S. 834 (1998)." (Note: Please refer to B. Full Supportive Resources on Element 3 from this Issue @ pg. 4 in the Appendix.)

II. ALL EVIDENCE THAT WAS USED AGAINST ME AT TRIAL SHOULD HAVE BEEN SUPPRESSED BECAUSE THERE WAS A VIOLATION OF MY CONSTITUTIONALLY PROTECTED RIGHT TO BE FREE FROM THIS UNREASONABLE SEIZURE MADE BY OFFICER ALEXANDER GREENBERG #963 FOR THE SLINGER POLICE DEPARTMENT, DEPUTY SHERIFF NATHANIEL SINCOULAR #464, SERGEANT HERRIGES #415, AND SERGEANT HOOD #416 FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE, CONTRARY TO ARTICLE I. SEC. 11. TO THE WISCONSIN CONSTITUTION AND U.S. CONST. AMEND. IV.

Art. I. Sec. 11 to the Wisconsin Constitution and U.S. Const. amend. IV. both states that: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly

describing the place to be searched, and the persons or things to be seized.”

Although Art. I. Sec. 11. to the Wisconsin Constitution and U.S. Const. amend. IV. does not speak to Indigenous Aborigine Americans or “Excluding Indians Not Taxed” directly, however, Art. I. Sec. 11. to the Wisconsin Constitution and this U.S. amendment applies to me in this unlawful case, and I ask your court to again, recognize “Section Four: Article XXII - Indigenous law and jurisdiction @ “3.”” of the A.D.R.I.P. so that my identity is also protected (See., Pg. 21 in this Brief).

According to “B. Procedural Status of the Case” (See., Pg. 16-18 in this Brief), magistrate Ryan J. Hetzal denied my memorandum of law in support of my motion to suppress evidence, which was the fact that I refused to exit my automobile. Magistrate Ryan J. Hetzal made errors in finding probable cause and reasonable articulable suspicion for the unlawful traffic stop and my arrest was without a warrant. Magistrate Ryan J. Hetzal did not give any lawful interpretations as to why he made his decision. Therefore, “in this [unlawful] case, the question of whether the evidence should have been suppressed turns on whether [I] assert[ed] a claim [through] the Fourth Amendment. The United States

Supreme Court has refocused inquiry under the Fourth Amendment from traditional concepts of standing to challenge a seizure to an analysis of whether the disputed seizure has infringed on an interest of the accused which the Fourth Amendment [and Art. I. Sec. 11. to the Wisconsin Constitution] was designed to protect. Standing is now a matter of substantive Fourth Amendment law, framed in terms of reasonable or legitimate expectation of privacy. *Rakas v. Illinois*, 439 U.S. 128, 139-40 (1981).” Quoting from *State v. Dixon*, 177 Wis. 2d 461, 467, 501 N.W.2d 442 (Wis. 1993).

There is a distinction in *Dixon*, however, I’m only adopting key elements that is relevant and agreed upon this State Supreme Court which will also “conclude that under the totality of the circumstances [*Dixon*] had a reasonable expectation of privacy in the interior of the [automobile].” See., *Id.*, @ “177 Wis. 2d, 464.” This unlawful case shares more similarities in *Delaware v. Prouse*, 440 U.S. 648 (1979).

“The United States Supreme Court has stated that “legitimation of expectations of privacy by law must have a source outside of the Fourth Amendment, either by reference to concepts of real or personal property law or to understandings that are recognized and permitted by society.” *Rakas v. Illinois*, 439 U.S. 128, 144 n. 12 ([1978]).” Quoting

from State v. Dixon, 177 Wis. 2d 461, 468, 501 N.W.2d 442 (Wis. 1993).

Therefore, in this case, the Northwest Ordinance treaty of 1787 - is a source outside the U.S. Constitution and U.S. Const. amend. IV., when "The utmost good faith shall always be observed towards the Indians; [our] lands and property shall never be taken from [us] without [our] consent; and, in [our] property, rights, and liberty, [we] shall never be invaded or disturbed, @ "Section 14. Article 3."" In addition, "Sec. Three: Cultural identity. Art. XIII - Right to cultural identity and integrity @ 2." of the "American Declaration on the Rights of Indigenous Peoples (A.D.R.I.P.)," is also recognized and permitted by society when "States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous [Aborigine American] peoples, with respect to their cultural, intellectual, religious, and spiritual property taken without their free, prior, and informed consent or in violation of their laws, traditions, and customs."

"The determination of whether an accused has a reasonable or legitimate expectation of privacy in the place invaded depends on (1) whether the individual has by his or her conduct exhibited an actual (subjective) expectation of

privacy in the area searched and in the seized item, and (2) whether such an expectation is legitimate or justifiable in that it is one that society is willing to recognize as reasonable." See., Id., @ "177 Wis. 2d, 469." Therefore, (1) & (2) will be explained below:

(1) I was unlawfully detained when Officer Greenberg #963 and Deputy Sheriff Nathaniel Sincoular #464 kept asking me for the legal fiction named: "ALAN N. CARROLL JR.," and by this time, I kept that name private from Officer Greenberg #963 and Deputy Sheriff Nathaniel Sincoular #464 and private from the rest of the world. For the protection of my own life and my physical body, I rightfully refused everything that Officer Greenberg #963 and Deputy Sheriff Nathaniel Sincoular #464 had asked of me. As stated in "A. Nature of The Case" (See., Pg. 13-14 in this Brief), Officer Greenberg would approach the guest side of my automobile and threaten to damage my automobile by breaking the glass door windows and injuring my physical body by dragging me out of the broken glass door window if I did not provide him with the corporate fiction named: "ALAN N. CARROLL JR." The issue was never about me refusing to exit my automobile. After I refused to provide that information to him, Officer Greenberg broke into the interior of my automobile by inserting his hand through the small space of the window and unlocked my door from the

inside. Officer Greenberg then aimed his Electronic Control Weapon (ECW) taser gun to my face, coerced (See., Footnote 13) me to exit my automobile and at that very moment I was handcuffed. I was unlawfully frisked, my wallet was stolen and searched for a State I.D. When Officer Greenberg did not find a State I.D. in my wallet, he searched through my wallet for some old cards that had the corporate fiction name imprinted on them: "ALAN N. CARROLL JR."

"[Your] court has stated that the following factors are relevant in determining whether an accused has an expectation of privacy that society is willing to recognize as reasonable: (1) whether the accused had a property interest in the premises; (2) whether the accused is legitimately (lawfully) on the premises; (3) whether the accused had complete dominion and control and the right to exclude others; (4) whether the accused took precautions customarily taken by those seeking privacy; (5) whether the property was put to some private use; (6) whether the claim of privacy is consistent with historical notions of privacy. This list of factors is not controlling or exclusive. The totality of the circumstances is the controlling standard." "State v. Fillyaw, 104 Wis.2d 700, 711-12 n. 6, 312 N.W.2d 795 (1981)." See., Id., @ "177 Wis. 2d, 469."

(2) “[I’ll ask your court to] examine the totality of the circumstances in this case, to determine whether I had an expectation of privacy in my own automobile that society is willing to recognize as reasonable.” See., Id., @ “177 Wis. 2d, 469.” Although I did not see any invader search the whole interior of my automobile in my video recording, it is important to state that I had an interest to be left alone in my own automobile, and I still do because it is my automobile, and it rightfully belongs to me and only me. My Indigenous Aborigine American automobile plates states in the Constitution, “Art. I. Sec. 2. Cl. 3.” “Indians Not Taxed” “Aboriginal Americans,” therefore, since many people do not know what that means, it is my duty to truthfully inform anyone who is inquiring about it, whether they are acting lawfully or unlawfully. I travel in my automobile every day, back and forth to the job I share my skills to. I pick-up and drop-off my blood lineages when they need a ride in my automobile. I make sure my automobile has gas, oil, and if any of its parts need replacing, I travel to the auto shop and ask an experienced mechanic questions about the parts in my automobile that need to be replaced. I have the sole right to include and exclude anybody other than myself because it is my automobile. Last, my automobile and I have a special relationship that if I take care of my automobile, it will

take care of me. Therefore, “[t]his relationship and prior use of [my automobile should] point to [me] having an expectation of privacy in the interior [of my own automobile] that society is willing to recognize as reasonable.” See., Id., @ “177 Wis. 2d, 469.”

Since my automobile and I was unlawfully involved in an unreasonable seizure and not a search of the interior of my automobile, this case is closely related to “Delaware v. Prouse, 440 U.S. 648, 440 U. S. 650 (1979),” and “[t]he question [in this unlawful case should be] whether it is an unreasonable seizure under the Fourth and Fourteenth Amendments, as well as Art. I. Sec. 11. to the Wisconsin Constitution, to stop an automobile, [travelling] on public highway [I-41], for the purpose of checking [for] driving license..... and registration of the [automobile], where there is neither probable cause to believe nor reasonable suspicion that the [automobile] is [travelling] contrary to the laws governing the operation of motor vehicles [(See., footnote 7: motor-vehicles)] or that either the [automobile] or [the traveler] is subject to seizure or detention in connection with the violation of any other applicable law[?]”

The distinction in Prouse involved “[a] patrolman smelling [herb] smoke as he was walking toward the stopped

[automobile], and he seized [the herbs] in plain view on the car floor. Prouse was subsequently indicted for illegal possession of a controlled substance." See. Id. @ "440 U.S. 650."

In this case, my automobile and I was unlawfully seized because my Indigenous Aborigine American automobile plates states in the Constitution, "Art. I. Sec. 2. Cl. 3." "Indians Not Taxed" "Aboriginal Americans, also I was unlawfully detained and arrested because I refused to consent to anything that Officer Greenberg #963 and Deputy Sheriff Nathaniel Sincoular #464 asked of me, mainly because I rightfully kept the legal fiction named: "ALAN N. CARROLL JR.," private from Officer Greenberg #963, Deputy Sheriff Nathaniel Sincoular #464, and the rest of the world. Therefore, "[t]he Fourth and Fourteenth Amendments are implicated in this case because stopping an automobile and detaining [Indigenous Aborigine Americans] constitute a "seizure" within the meaning of those Amendments..... United States v. Martinez-Fuerte, 428 U. S. 543, 428 U. S. 556-558 (1976); United States v. Brignoni-Ponce, 422 U. S. 873, 422 U. S. 878 (1975); cf. Terry v. Ohio, 392 U. S. 1, 392 U. S. 16 (1968).

"The essential purpose of the proscriptions in the Fourth Amendment is to impose a standard of "reasonableness"

upon the exercise of discretion by [corporate] officials, including law enforcement agents, in order "to safeguard the privacy and security of [indigenous Aborigine Americans] against arbitrary invasions. . . ." Marshall v. Barlow's, Inc., 436 U. S. 307, 436 U. S. 312 (1978), quoting Camara v. Municipal Court, 387 U. S. 523, 387 U. S. 528 (1967)." See. Id. @ "440 U.S. 653-654." In this case, I ask the court of appeals to examine the totality of the circumstances to determine the reasonableness of Officer Greenberg's #963 random license checks and if his actions against my automobile and I were justified through U.S. Const. amend. IV. and Art. I. Sec. 11. to the Wisconsin Constitution "by balancing [his] intrusion on [my] Fourth Amendment interests against [the] promotion of [corporate] interests. Implemented in this manner, the reasonableness standard usually requires, at a minimum, that the facts upon which an intrusion is based be capable of measurement against "an objective standard," whether this be probable cause or a less stringent test. In those situations in which the balance of interests precludes insistence upon "some quantum of individualized suspicion," other safeguards are generally relied upon to assure that the individual's reasonable expectation of privacy is not "subject to the discretion of the official in the field," Camara v. Municipal Court, 387 U.S. at 387 U. S. 532. See id.

at 387 U. S. 534-535; *Marshall v. Barlow's, Inc.*, supra at 436 U. S. 320-321; *United States v. United States District Court*, 407 U. S. 297, 407 U. S. 322-323 (1972) (requiring warrants). See. Id. @ "440 U.S. 654-655."

As explained in Issue I., page 28 of this Brief, during the unlawful jury trial, with Officer Greenberg #963 on the stand, he admits that prior to stopping my automobile, he did not see any traffic violations, no suspicious activity, nor did he have an objective when he decided to put his squad vehicle in drive to chase me down. "[Officer Greenberg #963] was not acting pursuant to any standards, guidelines, or procedures pertaining to [his training or] document spot checks, promulgated by either his department or the State Attorney General." See. Id. @ "440 U.S. 650."

The new and unlawful evidence that was used against me at trial, which was my refusal to exit my own automobile when asked, should've been suppressed because Officer Greenberg #963 did not have a warrant to seize my automobile and myself, Officer Greenberg #963 lacked reasonable articulable suspicion to conduct a random traffic stop on public highway I-41, on the same account, Officer Greenberg #963 lacked "[p]robable cause [because t]here [were no] facts [or] circumstances within [Officer Greenberg's #963] knowledge and

[there was no] trustworthy information sufficient [enough] to warrant [him] of [any] reasonable caution in belief that an[traffic] offense has been or [w]as being committed." Carroll v. United States, 267 U. S. 132, 267 U. S. 162. Quoting from "Brinegar v. United States, 338 U. S. 160, 175-176 (1949)."

Further, "In dealing with probable cause, . . . as the very name implies, we deal with probabilities. These are not technical; they are the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act." "Brinegar v. United States, 338 U. S. 160, 175 (1949)." Quoting from "Terry v. Ohio, 392 U.S. 1, 38-39 (1968) (Mr. Justice Douglas, dissenting)." (Note: Please refer to C. for Full Supportive Resources on Officer Greenberg lacking probable cause and reasonable articulable suspicion to conduct a random traffic stop on public highway I-41. from this Issue. in the Appendix. @ pg. 9-12)

III. THE TRIAL COURT AND ASSISTANT DISTRICT ATTORNEY JEANETTE K. CORBETT MISINTERPRET ARTICLE I., SECTION 2., CLAUSE 3., OF THE U.S. CONSTITUTION AND AMENDMENT 14, SECTION 2., TO THE U.S. CONSTITUTION REGARDING "EXCLUDING INDIANS NOT TAXED." THE TRIAL COURT AND ASSISTANT DISTRICT ATTORNEY JEANETTE K. CORBETT COMPLETELY DISREGARDED "THE CONTINUING GOVERNMENT-

TO-GOVERNMENT RELATIONSHIP BETWEEN INDIAN TRIBES AND THE UNITED STATES."

Magistrate Ryan J. Hetzal claims that Art. I. Sec. 2. Cl. 3., regarding "Excluding Indians Not Taxed" is a "voting rights clause," and he thinks that Art. I. Sec. 2. Cl. 3. is no longer a law. Ryan J. Hetzal's false claims is without any lawful proof to this specific claim, and he cited no Constitutional rulings from the Federal Constitution or the U.S. Supreme Court. The United States Constitution is the most misunderstood document in the world. This is true because most people do not know that it is a contract and most people do not know that it is between two Nations: the U.S. corporation¹⁶ (See., Organic Act of 1871 Chap, LXII¹⁷) or Congress, or the European corporations and the Iroquois Confederacy of Nations, or the Iroquois Confederacy of Aborigine American Peoples or Onkwehonwe, the "first people on this land," or the Indigenous Aborigine Americans, (Note: Please refer to D. for "Full Interpretation of Art. I. Sec. 2. Cl. 3. Regarding "Excluding Indians Not Taxed" of the U.S. Constitution" @ pg. 12-17. of the Appendix.).

16. 28 U.S. Code § 3002 - Definitions. (15) "United States" means- (A) a Federal corporation; (B) an agency, department,

commission, board, or other entity of the United States; or (C) an instrumentality of the United States.

17. "Organic Act of 1871 Chap. LXII." "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same is hereby, created into a government by the name of District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this act."

"At the first peace treaty in 1776, [the agreement in the contract consisted of a promise from the U.S.] to always respect [the Iroquois Confederacy of Nations] land rights, [the United States] promised [to] respect [my ancestors] right to justice [and the United States] promised [my ancestors] would never have to fight in [any] wars unless [my ancestors] volunteered to do so." "S. Con. Res. 76: Concurrent Resolution @ pg. 13." "The original relationship between the United States [corporation and the Iroquois Confederacy of Nations] was [supposed to be] a brother-to-brother relationship, a

shoulder-to-shoulder relationship [and not just a government-to-government relationship]." See., Id @ "pg. 12." Magistrate Ryan J. Hetzal and Assistant District Attorney Jeanette K. Corbette do not honor their oath to support and defend "Excluding Indians Not Taxed" in Art. I. Sec. 2. Cl. 3. of the U. S. Constitution because both disregarded or failed to acknowledge the "government-to-government relationship" that the United States Congress currently has with the I.C.A.A.P.

Last, most people do not know that the "Kayanerekowa" the Great Law of Peace serves as an ancient American model in both principle and design for the United States Constitution. "[My Indigenous Aborigine American ancestors] have longed claimed [our] government [to] serve as a model for the United States. To put [our] tradition to the test, appropriate passages from the "Great Law of Peace" have been positioned side-by-side with the Constitution of the United States of America. The results proved striking. The parallels are unmistakabl[y similar]." "S. Con. Res. 76: Concurrent Resolution @ pg. 67." ["To America's Oldest Ally The Iroquois Confederacy "People of The Long House"]. By comparing the Great Law of Peace to the U.S. Constitution, you will see under "Apportionment of Chief Statesmens," of the Great Law of Peace, "[The number of Chief Statesmens [i]s set by the Peacemaker, not apportioned by [any] population. No direct

taxes [ever] existed. Slavery [is unlawful]. The idea of some people being considered less than whole [or a wanting to be enumerated into the jurisdiction of the United States as a citizen] [i]s foreign and [will] never [be] accepted. [Art. I. Sec. 2. Cl. 3.] "Indians not taxed" [of the U.S. Constitution is] considered [to be] separate [from the United States], [and "Indians not taxed" is] a [special] status still widely asserted [throughout North America] and [widely] defended. "S. Con. Res. 76: Concurrent Resolution @ pg. 74."

Therefore, in this case, magistrate Ryan J. Hetzal and Assistant District Attorney Jeanette K. Corbette, who agrees with the opinion of the circuit court, are incorrect in their interpretation of historical truth and Art. I. Sec. 2. Cl. 3 of the U.S. Constitution, which is the supreme law. (Note: Please refer to E. for Full Supportive Primary Resources in "100th Congress 1st Session S. Con. Res. 76: Concurrent Resolution" Regarding "Excluding Indians Not Taxed" and the Continuing Government-to-Government Relationship with Congress @ pg. 18-29 in the Appendix.).

Magistrate Ryan J. Hetzal also claims that I'm a U.S. citizen under U.S. Const. Amend. XIV. and Assistant District Attorney Jeanette K. Corbette agrees. Although magistrate Ryan J. Hetzal was not specific on how that amendment pertains

to me directly because he only cited to U.S. Const. Amend. XIV. § 1 and the Gregorian calendar year it was ratified: 1868. Clearly, that does not prove his claim. Magistrate Ryan J. Hetzal misinterprets U.S. Const. Amend. XIV. because he does not know the origins of why that Constitutional amendment was originally created and who it was originally meant for at the time of its creation. Again, it must first be understood that my Indigenous Aborigine American ancestors or Onkwehonwe lived here in the entire Western Hemisphere since time immemorial and we were here before the U.S. Const. Amend. XIV. was ratified: 1868. A dark-skinned European spy named Giovanni de Verrazzano the explorer has confirmed this:

"We were on land, and that which we were able to learn of their life and customs I will tell Your Majesty briefly : They go nude of everything except that . . . they wear some skins of little animals like martens, a girdle of fine grass woven with various tails of other animals which hang around the body as far as the knees; the rest nude; the head likewise. Some wear certain garlands of feathers of birds. They are of dark color not much unlike the Ethiopians, and hair black and thick, and not very long, which they tie together back on the head in the shape of a little tail." Quoting from the Library of Congress, "Verrazano's Voyage Along The Atlantic Coast of North

America 1524 @ pg. #6" (Note: Please refer to F. for Full Supportive Primary Resources from this Issue Regarding the Civil Rights Act of 1866, the origins of U.S. Const. Amend. XIV., Disfranchising the American Negro, etc. @ pg. 30-41 in the Appendix. Please refer to G. for the Findings or Opinions of the Circuit Court, limited portions of the Record Essential to an Understanding of the Issues Raised, Including Oral or Written Rulings Pursuant to "WI. Stat. 809.19 (2) (A) Rule (Appendix & Contents)).

CONCLUSION

With all of the facts and laws presented in this brief and in the Appendix, I ask the court of Appeals to reverse and remand this unlawful case back to the circuit court so it may be properly dismissed with prejudice.

Electronically Signed By: Alan N. Carroll Jr. A.K.A. U'si Ch-ab

Date: December 18th, 2023 (Gregorian Calendar Year)