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TITLE 18

The U.S. Criminal Code - Void *ab initio* *

*From the Beginning

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NO CRIME, NO TIME

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NEW Supreme Court Rules

Petitions filed on or after October 1, 2007, are subject to the new rules of the Court.

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News Coverage

"[T]he practice of arbitrary imprisonments, have been in

MEDIA ADVISORY

September 24, 2007

Prisoners argue constitutionality of U.S. criminal code

For dozens of prisoners, attorneys Barry Bachrach and James W. Parkman, III, filed a petition today with the **United States Supreme Court** that challenges Public Law 80-772 (including Title 18, or the U.S. Criminal Code). Tens of thousands of federal prisoners prosecuted since 1948 may be affected by the Supreme Court's response.

"Public Law 80-772 is invalid," Bachrach asserted. "This is a case where numerous procedural errors occurred. The law is clear; an act of Congress cannot become a law unless it follows each and every procedural step as defined in Article I of the U.S. Constitution."

A bill originates in either the House of Representatives or Senate, but its *exact text* must be approved by a majority vote in *both* chambers. While Congress is in session, that text must be certified as having been passed in identical form by both Houses (or "truly enrolled") and then signed by the Speaker of the House and President pro tempore of the Senate. After, the bill is presented to the President to sign into law.

According to Bachrach, spokesman for the petitioners, H.R. 3190 was passed by the House on May 12, 1947. The resolution came before the Senate, but Congress adjourned before the bill could be passed. The Senate should have returned the bill to the House to be resubmitted to the Senate during a later session. Instead, during the following session, the Senate Committee on the Judiciary continued its review of H.R. 3190 and added a volume of amendments to the bill. The Senate passed "H.R. 3190 As Amended," which was sent to the House for a vote. While the House agreed with the amendments, the members failed to vote on "H.R. 3190 As Amended."

According to the Constitution, valid business is conducted only when Congress

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Prisoners argue constitutionality of U.S. criminal code

Supreme Court Docket

*Case No. 07-414;
Filed 09/21/07;
Docketed 09/26/07;
Petition Denied
10/26/07*

Petition for Rehearing

NEW Secret

Conference, Arbitrary Denial and the Great Writ

is in session and a majority of members of both Houses are present. Yet, Congress authorized the House Speaker and President of the Senate to sign enrolled bills during an adjournment of indefinite length that began on June 20, 1948. This incomprehensible error was compounded when the Chairman of the Committee on House Administration mistakenly certified as enrolled the original H.R. 3190. Still more errors occurred: the House Speaker and President of the Senate signed the Senate's "H.R. 3190 As Amended," the bill was then misrepresented to President Truman as being enrolled, and Truman signed the bill.

"Congressional journals clearly show that the House and Senate each passed two separate bills that were grossly different. According to the Constitution, this means that neither bill ever became law," Bachrach said.

"Under P.L. 80-772, U.S. district courts were given jurisdiction over all federal offenses. With P.L. 80-772 being invalid, however, the district courts clearly lack jurisdiction. The convictions and sentences of these prisoners are therefore void."

Countries having extradition treaties with the U.S. since 1948 and their citizens, who were turned over for trial in U.S. district courts, also may be affected by the outcome of this case.

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Note: Federal prisoners are all encouraged to file behind this landmark petition as soon as possible. If you do so, please notify us at info@NoCriminalCode.us.

Disclaimer: The legal information provided here is not the same as legal advice, i.e., the application of law to an individual's specific circumstances. While we've gone to great lengths to make sure our information is accurate and useful, we recommend you consult a lawyer if you want professional assurance that our information, and your interpretation of it, is appropriate to your particular situation.

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