2023: Abolish the Standing "Requirement" in Federal Courts

By: Devvy

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"When once a Republic is corrupted, there is no possibility of remedying any of the growing evils but by removing the corruption and restoring its lost principles; every other correction is either useless or a new evil." —Thomas Jefferson

Americans, well those of us paying attention to the rot and tyranny in Washington, DC and our federal judicial system, hear a case is thrown out because some federal judge decides the plaintiff(s) do not have "standing" to bring the case. I see it as an escape for gutless judges who are either too afraid of a particular case or are in the closet partisan puppets.

Cydney Harris wrote it honestly[1]: "What is one reason why standing is an important criterion for the Supreme Court? It allows the Supreme Court to duck hearing politically sensitive cases by ruling that the plaintiff does not have standing."

Standing at the state level in my humble opinion is no less a denial of the right to bring a case in front of a jury. Yes, there are looney lawsuits filed all the time going after big pockets or retaliation for some perceived grievance which can be disposed of pretty quickly. In the legal world they're

called frivolous lawsuits which most certainly applies to this absurdity: Man Sues Dry Cleaners for $65 Million After They Lose His Pants.

Long story short, the cleaners couldn't find his pants for two days and when they did, the plaintiff – *a judge at the time* – said those aren't mine despite the matching receipts. The plaintiff was eventually suspended for his "abusive tactics". The Appeals Court said the judge should have taken the small claims court route instead of a frivolous lawsuit. Judge Pearson, lost his case and wasted resources for legitimate lawsuits, not to mention it was totally disgusting how he treated the mom-and-pop immigrants from South Korea.

Going back to standing, it varies from state to state. Here in Texas, we have what's known as "taxpayer standing" which allowed me to sue the Secretary of State over the fraudulent ratification of the Seventeenth Amendment to the U.S. Constitution regarding the election of U.S. Senators without having to fight the standing "requirement" issue. Of course, the gutless judge *who never read my filing or evidence* dismissed my case and blew a gasket when the two state attorneys told da judge no sanctions against me. Boy, I wish there had been a camera in that empty courtroom.

The appellate court issued the usual BS white wash when they don't want to take on a potentially explosive case – IGNORING the fact I had all the EVIDENCE to prove my case. No sense in wasting more time and money with the Texas Supreme Court lorded over by "conservative" judges.

One of the biggest constitutional court battles was back in 2008 when Hussein Obama ran for president even though he IS constitutionally ineligible to hold the office of president. The prostitute media and RINO Republicans protected him all the way as did the Democrat/Communist Party USA. Case after case was filed and each one was flushed down the standing toilet.

This is the legal analysis on standing by my good friend, a wonderful person and constitutional attorney, Edwin Vieira, Jr., Ph.D., J.D. If I had only 10% of his brain power, I'd consider myself blessed. From Edwin's Oct. 29, 2008 column:

"In disposing of the lawsuit *Berg v. Obama*, which squarely presents the question of Obama's true citizenship, the presiding judge complained that Berg "would have us derail the democratic process by invalidating a candidate for whom millions of people voted and who underwent excessive vetting during what was one of the most hotly contested presidential primary in living memory." This is exceptionally thin hogwash. A proper judicial inquiry into Obama's eligibility for "the Office of President" will not deny his supporters a "right" to vote for him—rather, it will determine whether they have any such "right" at all. For, just as Obama's "right" to stand for election to "the Office of President" is contingent upon his being "a natural born Citizen," so too are the "rights" of his partisans to vote for him contingent upon whether he is even eligible for that "Office." ***If Obama is ineligible, then no one can claim any "right" to vote for him. Indeed, in that case every American who does vote has a constitutional duty to vote against him***.

"The judge in *Berg v. Obama* dismissed the case, not because Obama has actually proven that he is eligible for "the Office of President," but instead because, simply as a voter, Berg supposedly lacks "standing" to challenge Obama's eligibility:

regardless of questions of causation, the grievance remains too generalized to establish the existence of an injury in fact. * ** [A] candidate's ineligibility under the Natural Born Citizen Clause does not result in an injury in fact to voters. By extension, the theoretical constitutional harm experienced by voters does not change as the candidacy of an allegedly ineligible candidate progresses from the primaries to the general election.

“This pronouncement does not rise to the level of hogwash.

“First, the Constitution mandates that “[t]he judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution” (Article III, Section 2, Clause 1). Berg’s suit plainly “aris[es] under th[e] Constitution,” in the sense of raising a critical constitutional issue. So the only question is whether his suit is a constitutional “Case[ ].” The present judicial test for whether a litigant’s claim constitutes a constitutional “Case[ ]” comes under the rubric of “standing”—a litigant with “standing” may proceed; one without “standing” may not. “Standing,” however, is not a term found anywhere in the Constitution. Neither are the specifics of the doctrine of “standing,” as they have been elaborated in judicial decision after judicial decision, to be found there. Rather, the test for “standing” is almost entirely a judicial invention.

“True enough, the test for “standing” is not as ridiculous as the judiciary’s so-called “compelling governmental interest test,” which licenses public officials to abridge individuals’ constitutional rights and thereby exercise powers the Constitution withholds from those officials, which has no basis whatsoever in the Constitution, and which is actually *anti*-constitutional. Neither is the doctrine of “standing” as abusive as the “immunities” judges have cut from whole cloth for public officials who violate their constitutional “Oath[s] or Affirmation[s], to support this Constitution” (Article VI, Clause 3)—in the face of the Constitution’s explicit limitation on official immunities (Article I, Section 6, Clause 1). For the Constitution does require that a litigant must present a true “Case[ ].”

“Yet, because the test for “standing” is largely a contrivance of all-too-fallible men and women, its specifics can be changed as easily as they were adopted, when they are found to be faulty. *And they must be changed if the consequences of judicial ignorance, inertia, and inaction are not to endanger*

America's constitutional form of government. Which is precisely the situation here, inasmuch as the purported "election" of Obama as President, notwithstanding his ineligibility for that office, not only will render illegitimate the Executive Branch of the General Government, but also will render impotent its Legislative Branch (as explained below).

"Second, the notion upon which the judge in *Berg v. Obama* fastened—namely, that Berg's "grievance remains too generalized to establish the existence of an injury in fact," *i.e.*, if *everyone* is injured or potentially injured then no one has "standing"—is absurd on its face."

Skipping a small section, picking up: "These obvious harms pale into insignificance, however, compared to the national disaster of having an ***outright usurper*** purportedly "elected" as "President." In this situation, it is downright idiocy to claim, as did the judge in *Berg v. Obama*, that a "generalized" injury somehow constitutes no judicially cognizable injury at all. Self-evidently, to claim that a "generalized" grievance negates "the existence of an injury in fact" is patently illogical—for if everyone in any group can complain of the same harm of which any one of them can complain, then the existence of some harm cannot be denied; and the more people who can complain of that harm, the greater the aggregate or cumulative seriousness of the injury.

"The whole may not be greater than the sum of its parts; but it is at least equal to that sum! Moreover, for a judge to rule that no injury redressable in a court of law exists, *precisely because* ***everyone*** *in America will be subjected to an individual posing as "the President" but who constitutionally cannot be (and therefore is not) the President*, sets America on the course of judicially assisted political suicide.

"If Obama turns out to be nothing more than an usurper who has fraudulently seized control of the Presidency, not only will

the Constitution have been egregiously flouted, but also this whole country could be, likely will be, destroyed as a consequence. And if this country is even credibly threatened with destruction, every American will be harmed—irretrievably, should the threat become actuality—*including those who voted or intend to vote for Obama, who are also part of We the People*. Therefore, in this situation, **any and every American must have "standing" to demand—and must demand, both in judicial fora and in the fora of public opinion—that Obama *immediately and conclusively* prove himself eligible for "the Office of President."**

"Utterly imbecilic as an alternative is the judge's prescription in *Berg v. Obama* that, [i]f, through the political process, Congress determines that citizens, voters, or party members should police the Constitution's eligibility requirements for the Presidency, then it is free to pass laws conferring standing on individuals like [Berg]. Until that time, voters do not have standing to bring the sort of challenge that [Berg] attempts to bring * * *.

"Recall that this selfsame judge held that Berg has no constitutional "Case[ ]" because he has no "standing," and that he has no "standing" because he has no "injury in fact," only a "generalized" "grievance." This purports to be a finding of constitutional law: namely, that constitutionally no "Case[ ]" exists. How, then, can Congress *constitutionally* grant "standing" to individuals such as Berg, when the courts (assuming the Berg decision is upheld on appeal) have ruled that those individuals have no "standing"?

"If "standing" is a constitutional conception, and the courts deny that "standing" exists in a situation such as this, and the courts have the final say as to what the Constitution means—then Congress lacks any power to contradict them. Congress cannot instruct the courts to exercise jurisdiction beyond what the Constitution includes within "the judicial Power." *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 173-180

(1803).

“In fact, though, a Congressional instruction is entirely unnecessary. Every American has what lawyers call “an implied cause of action”—directly under Article II, Section 1, Clause 4 of the Constitution—to require that anyone standing for “the Office of President” must verify his eligibility for that position, at least when serious allegations have been put forward that he is not eligible, and he has otherwise refused to refute those allegations with evidence that should be readily available if he is eligible. That “Case[ ]” is one the Constitution itself defines. And the Constitution must be enforceable in such a “Case[ ]” in a timely manner, by anyone who cares to seek enforcement, because of the horrendous consequences that will ensue if it is flouted.”

And from Edwin’s Dec. 8, 2008 column on another Hussein case:

“So much for Martin’s lawsuit. It would be laughable if its result did not hammer another twisted judicial nail into America’s coffin. Martin’s suit, moreover, is not the last of its type that will be dismissed on purported “standing” grounds, because the judge-contrived rules of “standing” applicable to this situation are sufficiently illogical, non-scientific, and even anti-intellectual—that is, contrived from question-begging and ultimately undefinable, unverifiable, and unfalsifiable legalistic mumbo jumbo—that they can rationalize whatever result judges desire to reach, howsoever illogical, perverse, and even dangerous to the national interest it may be.

“And, particularly in this situation, judges will desperately desire to escape having to take upon themselves the responsibility for the political consequences—let alone the odium whipped up by Obama’s touts in the big media—that will flow from the courts’ declaring Obama ineligible for the Office of President. Which responsibility and vilification wily judges can craftily evade by denying that voters,

electors, candidates, and various other would-be litigants have “standing” to challenge his eligibility.

“For then the judges can claim both that, on the one hand, they have no authority to declare Obama ineligible because no litigant has “standing” to demand such relief, and that, on the other hand, by dismissing the cases solely on “standing” grounds they have not declared him eligible, either. Perhaps when each judge publishes these rulings, the statue of Justice holding the sword and scales should be replaced in his courtroom with one of Pontius Pilate washing his hands.”

COVID related lawsuits have been dismissed over “standing” such as this one, Case No. 2:21-cv-702-CLM:

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION
Dr. David Calderwood, Joseph Makowski, Michael Nelson, and Joseph Leahy, Plaintiffs,
v.

The United States of America, Xavier Becerra, Secretary of the U.S. Department of Health and Human Services, U.S. Department of Health and Human Services, Dr. Janet Woodcock, Acting Commissioner of the Food and Drug Administration, and Food and Drug Administration, Defendants.

This was another EUA (Emergency Authorization Order) lawsuit over the COVID experimental gene editing technology injections. The Order refers to them as vaccines but legally they are NOT. The case was dismissed because “Plaintiffs lacked standing.” No jury trial.

This is a very serious legal issue Congress ignores with their hot-shot committees. The U.S. House of Representatives Judicial Committee has been chaired by blithering idiot and liar, Gerald Nadler, Democrat/Communist Party USA. The subcommittee, Courts, Intellectual Property, and the Internet is chaired by same party hack, Henry C. “Hank” Johnson. He’s

been on the public dole since 2007; another morally bankrupt "progressive".

U.S. Senate has the Committee on the Judiciary headed up by corrupt, rotten piece of garbage, Dick Durbin, who wants to make thousands of health supplements illegal has been on the public payroll since entering the U.S. House in 1983 and then Senator in 2015. Also a member of the Democrat/Communist Party USA. Durbin Bill Signals End of High-Dose Supplements, "Powerful forces, including Senator Dick Durbin (D-IL), Bill Gates, and the National Academies, are working to bring about supplement bans. We must stop them. Action Alert!" 89-year old Altzheimer senator, Diane Feinstein (on the public dole in Congress since 2007) who makes Cheater China Joe Biden sound coherent is also on that committee. The prostitute media has tried to keep a lid on Feinstein's OBVIOUS mental absence – worse than Biden but even her staff have leaked to the media.

Since 1803 a whopping 15 federal judges have been impeached or removed by the Senate. 15. It should be hundreds by now but it's just a big game to those poltroons. You scratch my back, I'll do yours.

So, what can be done to get rid of this standing "requirement" which is nowhere to be found in the U.S. Constitution? Quite honestly, I don't know. Edwin would have a better answer but it wouldn't be the Supreme Court. I don't know if you can challenge a federal judge's ruling over the standing "requirement" as Dr. Edwin Vieira so brilliantly explained. A federal judge tosses your case on standing. Can you appeal that judge's decision by *challenging this made-up standing "requirement"*?

Republicans are going to take charge of those committees this month just as they have in the past under Trump and other periods over the decades when they held the majority and did NOTHING to permanently fix our broken judicial system regarding judges. Reelect the same senators (both parties)

with a few exceptions and expect anything to change? Dream on.

But, a lawyer or retired judge could write a bill to end "standing" in federal courts. Then get as many attorneys and retired judges to sign on your cover letter to every Republican on both the House and Senate Judiciary committees. If they got hundreds or better yet a thousand letters, there might be some progress made. Make it an issue within the legal community and in their districts for 2024. I believe a high number of Americans would get behind a bill if presented properly and start the fight. It wouldn't happen overnight as the communists hold the majority in the senate thanks to election fraud. The usurper in the WH is currently vacationing in St. Croix eating ice cream cones and Biden only reads what he's told by his handlers.

In the meantime, legitimate cases such as those dealing with the fake COVID "vaccines" and other critical issues will continue to be dismissed for this fantasy called the standing "requirement". **If we do nothing, nothing will change.**

Also, I need to address the Brunson case and "Devvy, why won't you cover the Brunson case? It's going to be heard by the Supreme Court!!!" One email said shame on alternative media who are ignoring this historic case. Well, I've been doing what I do for 31 years now and have been blessed to have brilliant attorneys like Larry Becraft and Dr. Edwin Vieira as dear friends who have taught me so much about the law. After reading the case and Larry's opinion, I also believe it will be dismissed on Jan. 6, 2023.

Larry wrote in email: "Do not get me riled up about standing matters because I have been engaged in that battle for the last 2 years regarding COVID cases. In Brunson's case, **the 10th circuit disposed of his appeal to it on standing grounds, and that was the only issue. That is the only issue that can be presented to the Supremes.** Nothing in the pleadings in this

case gives any indication that there is some "national security" matter. This is more patriot mythology (as if we did not have too much already)."

This is a pro se case meaning Mr. Brunson is representing himself. (His brothers also heavily involved from what I've read.) Back in the 1990's there were a lot of lawsuits filed over unconstitutional "laws" on many issues by what we called PPP's or Poorly Prepared Patriots. Not that their hearts, passion and patriotism didn't shine bright. But best intentions sometimes end up setting bad precedents and courts jump on those to dismiss a case.

The hype over that lawsuit is remarkable. Interviews on radio and mountains of emails to me that case is akin to the Second Coming. Sadly, I've seen this too many times over the decades. **Build people's hope to fever pitch and when 'case dismissed' is issued, hope is crushed.**

I've read quite a few opinions on that case and listened to a couple of interviews but the one analysis I believe is the one **everyone should read**: The Truth About the Brunson Case, by Adam Carter and Tracy Beanz, Dec. 30, 2022. It's not what those so hopeful about that case want to read but the authors have done a superb job in breaking it down. They also wrote and which is so very true:

"Understandably, there are many who are frightened, confused, and feeling desperate after witnessing all of this. They are hoping for a "hail mary" to come flying in that will restore the country to the constitutional republic—with *equal justice under the law*—that she was meant to be. And in their desperation, they are prone to cling to whatever appears promising that'll make it happen.

"Sadly, there are people out there who will exploit, profit from, or simply "grift" off that desperation by filling the need with false hope—or "hopium." It appears, unfortunately,

that *Brunson v. Alma S. Adams; et al.* (No. 22-380)—also known as *"The Brunson Case"*—pending before the U.S. Supreme Court (SCOTUS), is just such an example."

Continuing towards the close: "This story is "clickbait" gold and has caught fire on social media and among the *America First* base like few other stories we've seen, but it seems to be falling into a pattern we've kept seeing over the last few years. There's always a "plan" or a "miracle case" for which we all keep waiting. Some *magic bullet* or savior that will come in and save us all without us having to do much ourselves." (End)

Yes, just like the bull crap from "Q", Simone Parkes, fake "judge" Anna von Reitz and the rest of the bunch who've popped up over the last few years. So do take the time to read The Truth About the Brunson Case as it's an excellent teaching on history, the Constitution and how the system actually works – or shall I say, intended to work. When the Brunson case is rejected, we'll see all the conspiracy yakking about SCOTUS by people who know nothing about history or what the Supreme Court cannot do.

For a thorough, comprehensive education on the Fed, the income tax, education, Medicare, SS, the critical, fraudulent ratification of the Seventeenth Amendment and more, be sure to order my book by calling 800-955-0116 or click the link, "Taking Politics Out of Solutions". 400 pages of facts and solutions. Order two books and save $10.00

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Footnote:

[1] What is meant by standing in judicial review?

Bio: Dr. Edwin Vieira – short version