

America's Turncoat Courts

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Corruption in our courts by unwise and careless judges and lawyers has overtaken our lawful constitutional system. The system has been hijacked and morphed into something sinister. These treasonous 'insiders' are ignoring our foundational principles, rules, laws, due process, and unalienable rights. American Citizens are shown bias and contempt by elected officials if they try defend their rights. The servant has become the master, and the master, the servant. Historian Will Durant observed, "A great civilization is not conquered from without until it has destroyed itself within." In America, the wrecking balls are working overtime.[1]

In the introduction of his book, 'The Fraternity', by John Fitzgerald Molloy, he states that "lawyers and judges have both profited from our legal system and has been altered in favor of lawyers, to the detriment of society...the legal profession has continuously re-shaped the law, in subtle but significant ways, to make legal services ever more necessary and more lucrative for the Fraternity. The power the Fraternity now exercises, including the power to decide President Bush over Gore, has been accomplished by creating a new religion, that of worshiping the Constitution in ways the founders did not intend – with lawyers and judges the priests of that religion." [2]

In a William and Mary Law School faculty publication entitled, "Why the Supreme Court Cares About Elites, Not the American

People”, the academic publication states that “the Supreme Court, like other people, care a great deal about what people think of them.” 2 “They are attentive to the views of individuals with post-graduate degrees than it is the public as a whole.” Id. “The Supreme Court Justices are interested in winning favor with audiences they care about. We will argue that Supreme Court Justices care more about elite audiences than they do about the mass public.” Id. 1529 “The desire to be liked and respected by other people is fundamental psychological motivation, and self-esteem depends heavily on the esteem in which one is held by others. We would hardly expect Supreme Court Justices to be immune to this motivation.” Id. 1532 “Political leaders act on their needs for achievement, power, and affiliation. An individual’s interest in the approval of others arises largely from the need for affiliation. But that interest may also reflect a need for power – that is a need to influence others and to control or shape the surrounding world.” Id. 1536 “Correspondingly, a considerable degree of the salience of elite groups is tied to the simple fact that all Supreme Court Justices – irrespective of their family background – are themselves part of the elite American society and spend a high proportion of their time with other members of the elite. Certainly their associations are not limited to members of elite groups. But the people who are most important to them typically have high status. Supreme Court Justices are like other people in that they are very concerned with how they are perceived by the people closest to them. As a result, they are most susceptible to being influenced by people who share their educational attainment and social status.” Id. 1537

Their psychological need for ‘affiliation’ drives their behavior and decisions, not principles, laws, or morals. Ego and status rule in their inner circle. Victor David Hanson states, “There really are no consequences for any of these people. They are part of a brotherhood or womanhood...married to the right people, in the right zip code, and going to the

right university.”[3]

We the people are partly to blame for this condition. In John Gentry’s legislative Petition, he states, “We must recognize that fundamental rights are routinely denied for corrupt purposes, and comprehend the great harm and cost to individuals and to society. This unfortunate circumstance is not the fault of any person, but the result of passage of time causing us to forget the lessons of our past, and a largely complacent and uninformed society. Fundamental rights of due process, equal protection, and right to petition redress of grievance caused by state officials have been usurped. The facts proving this assertion are incontrovertible. All our courts should be open and every man should have a remedy by due process of law and right justice administered without sale, denial, or delay.[4]

Judges and state officials have been given tremendous power. Preventing abuse of that power is necessary to the imperative, to preserve the state’s republication character, to ensure the physical, emotional and financial health and well-being of the state’s Citizenry and PEOPLE, and to ensure overall economic stability. Id. 10

In the year 1822, Tennessee’s 3rd governor, William Carroll, addressed the general assembly: A well-regulated and independent judiciary is so essential to the character of the State... that it has a strong claim upon your attention at all times. In Tennessee [and all other states] today, there is no objective oversight of our judiciary, and Tennesseans [and all Citizens] are routinely subjected to federal law and rights violations, and have no means to seek redress, and no means to enforce constitutionally protected rights. The government of the State of Tennessee [and all states] has so far departed from the principles upon which our country was founded, the State has forsaken its republican character and subjects its people to despotism. Id. 10 In routine practice, throughout the courts of Tennessee [and all other state courts], judges

in collusion with attorneys and other agents and agencies of the state, conspire to deprive rights and perpetrate crimes under color of law with impunity. Color of law is defined as follows:

The appearance or semblance, without the substance, of legal right. Misuse of power, possessed by virtue of state law and made possible only because the wrongdoer is clothed with the authority of state, is action taken under "color of law". Black's Law Dictionary 5th Edition.

These crimes routinely perpetrated upon THE PEOPLE under COLOR OF LAW, include, but are not limited to:

18 U.S.C § 241 – Conspiracy against rights; If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; They shall be fined under this title or imprisoned not more than ten years, or both;

18 U.S. Code § 242 – Deprivation of rights under color of law
Whoever, under color of any law, ..., willfully subjects any person in any State, ... to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ...shall be fined under this title or imprisoned not more than one year

Tenn. Code Ann. § 39-14-112 – Extortion; (a) A person commits extortion who uses coercion upon another person with the intent to: (1) Obtain property, services, any advantage or immunity. Id. 11

Respected members of the judiciary have warned of the great peril we find ourselves facing today. Speaking at a conference sponsored by the BAR at Columbia Univ., as reported on May 28, 1977, by The New York Times, Supreme Court Chief Justice Warren E. Burger warned: "but the harsh truth is that if we do

not devise substitutes for the courtroom processes, and do not do it rather quickly, we may well be on our way to a society overrun by hordes of lawyers, hungry as locusts, and brigades of judges in numbers never before contemplated." Id. 12 Consider a judge who is a "jury of one", easily corrupted, who often sees the same attorneys in case after case, day in and day out, and often fraternizing together outside the courtroom. Consider how that circumstance alone facilitates attorneys and judges in collusion, the opportunity to "strategize" in each case for corrupt purposes, and especially with the attorneys knowing the exact financial resources of both parties – to the penny.

Add to that "recipe", the legal profession's solid organization, high intelligence, and convenience of unconstitutional statutes that provide them false immunities, special privileges, and statutes and court rules that confound due process and deprive protected rights; and it becomes a simple matter for attorneys and judges in collusion to "orchestrate" proceedings, through various "dog-whistle" and cue phrases, to extract all financial resources from the parties. These unfortunate circumstances result in "mock trials" which our founders declared an act of tyranny in our Declaration of Independence.

Our courts are no longer on the "edge of chaos" as quoted by Judge Molloy, but rather in a state of chaos!... Our courts now serve the primary purpose of generating as much revenue as possible for the legal profession, without regard for fairness or justice, causing great emotional, and financial harm to the parties of the case, their children, and to the economy overall. Id. 13

Whether by design, or happenstance accumulation of one unconstitutional circumstance on top of another, our present society effectively finds itself subject to a new "aristocracy" comprised of members of the BAR, operating in the "practice of law", or from the bench, and/or from

attorneys in legislative seats. This new "aristocracy", in character and form, (1) lobbies the legislature, (2) enacts unconstitutional statutes for their own benefit as members of the legislative bodies, (3) establishes their own unconstitutional rules of procedure, to complicate process and to confound due process, (4) creates their own oversight agencies that do not provide objective oversight and while operating in the dark, (5) establishes ethical rules providing only an illusion of ethical standards, all the while holding themselves above the rules, ethical standards, and statutes they put in place – holding themselves above the law. The BAR and the bench, in collusion, use the convenience of the statutes they enact, and control of the courts and oversight functions, to violate rights and perpetrate crimes with impunity. The facts proving these assertions are undeniable, and one need only look with open eyes to know this is true. Id. 13-14

Oversight agencies, federal and state court judges, all look the other way and conceal the evidence of misconduct and operate in the dark. Law enforcement and legislators always direct those complaining of judicial misconduct to the agencies that protect them through willful gross negligence, thus aiding and abetting rights violations and crimes perpetrated under color of law....To compound injury, attorneys and judges are the ones who draft and edit the final language of our statutes, to suit corrupted purpose.

Further consider the wisdom of our founders who included in our Declaration of Rights, Art. I § 1, an unalienable and inalienable right to reform, alter or abolish our government, Art. I § 6 an inviolate right of trial by jury, Art. I § 19, an invaluable right to speak, write, and print on any subject including the official conduct of men in public capacity, Art. I § 23, right to redress of grievance by address of remonstrance, and Art. 5, Impeachments.

These protected rights and provisions set forth in our

constitution are why Thomas Jefferson declared the Tennessee Constitution the "least imperfect and most republican". These declared rights and provisions were set forth in our constitution, according to the wisdom of the founders, because they learned from lessons of the past and knew these eventualities would come to pass. These rights and provisions are prima facie evidence of the need to protect against tyranny and oppression of THE PEOPLE by the judiciary. Our founders were so concerned to preserve declared rights of THE PEOPLE, they further declared in Tenn. Const., Art. XI, § 16:

The declaration of rights hereto prefixed is declared to be a part of the Constitution of the state, and shall never be violated on any pretense whatsoever. And to guard against transgression of the high powers we have delegated, we declare that everything in the bill of rights contained, is excepted out of the general powers of the government, and shall forever remain inviolate. Id. 14

Let us not pretend that rampant corruption does not exist in our courts. Let us not pretend that judges and attorneys are all saints and never deserving of impeachment or discipline, despite the fact that there has not been an impeachment of a judge since 1958 and little if any disciplinary action. In Federalist Paper 83, written by Alexander Hamilton: "The excellence of the trial by jury in civil cases appears to depend on circumstances foreign to the preservation of liberty. The strongest argument in its favor is, that it is a security against corruption." Yet, THE PEOPLE are routinely and unconstitutionally denied trial by jury for the purpose of subjecting them to the despotism and oppression of corrupted court proceedings.

Tenn. Const. Art. I, § 17 states that all courts shall be open but somehow the "administrative courts" of the Tenn. Board of Judicial Conduct and Board of Professional Responsibility, and courts of record such as the Court of Appeals, all operate in the dark, without public or legislative oversight, and

complaints and appellant briefs are kept "confidential" or concealed from the public, thus concealing the misconduct of attorneys and judges.

Without publicity, all other checks are insufficient: in comparison of publicity, all other checks are of small account. Recordation, appeal, whatever other institutions might present themselves in the character of checks, would be found to operate rather as cloaks than checks; as cloaks in reality, as checks only in appearance. (J. Bentham, Rationale of Judicial Evidence 524 (1827). (at 569) Id. 15

Not only is there no objective oversight of the legal profession and judiciary through "self-policing", there are no performance measurements whatsoever. In corporate America, businesses meticulously measure performance of employees and contractors down to minute detail. Performance measurements take many forms including customer satisfaction surveys, manager evaluations, independent third party surveys. Some leading-edge companies even utilize third-party blind surveys of employees on the performance of upper management. Id. 15-16

Where is the scorecard for judges? Where is the measuring of performance of judges? There is none. So even if the general public did engage in elections of judicial officials, there is no information available to the public to scrutinize, or with which to gauge if they are voting for a knowledgeable and fair judge, let alone one corrupted such as Casey Moreland, recently sentenced in federal court, and who remained on the bench despite multiple complaints against him. How is the legislature able to manage compensation and reward good judges, or how is the legislature to make determination whether or not a bad actor judge should be removed or impeached? The legislature cannot, because the legal profession and judiciary operate in the dark, without transparency, and without any oversight whatsoever. The current situation is a culmination of circumstance that invites and propagates corruption.

Not only is there a lack of self-policing, and lack of performance measurement, but judges and attorneys are corruptly held above the law. It is an undeniable fact that attorneys will neither bring suit on behalf of a non-legal professional, against another member of BAR, nor against a member of the judiciary, particularly when the suit arises out of family or child custody court cases. It is also an undeniable fact, as the proof will show, that both state and federal judges, including state and federal appellate court judges proactively and criminally protect the criminal and unconstitutional conduct of judges and attorneys for crimes and rights violations perpetrated under color of law. This is yet another declared act of tyranny as aggrieved in our Declaration of Independence!

Many of the grievances stated in our Declaration of Independence are the same injustices to which Tennessee [and all other states] litigants are routinely subjected. These "long train of abuses and usurpations" provide sound justification for demanding reform, just as the grievances stated in our Declaration of Independence justified our independence from Great Britain. To name a few ...:

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people;

For protecting them, by a mock Trial, from punishment for any Murders (crimes) which they should commit on the Inhabitants of these States;

For depriving us in many cases, of the benefits of Trial by Jury; For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments;

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever. Id. 16

The misuse of authority abounds throughout the whole judicial

system. We the people have rights, and as such, they should be honored. These 'insiders' have usurped their authority. Future representatives and government employees should be required to demonstrate that they understand the basic principles of our Republican form of government before taking a position in that administration. Let us not forget that the government answers to the people, and not the people to the government. Dr. Edwin Vieira, author, speaker, and constitutional attorney states, "The people themselves are the sovereigns, governments are simply instruments that are created by the people under certain circumstances in order to protect the set of unalienable rights that people have as a result of, as the constitution states, "the laws of nature and of nature's God'. [5]

Those in trusted positions must show themselves worthy of their post or be removed. We the people must take responsibility for the oversight of the government and for our own education. We must hold rogue officials accountable for the infringement on our rights. John Philpot Curran's statement is so accurate and timely when he said, "The condition upon which God hath given liberty to man is eternal vigilance; which condition if he breaks, servitude is at once the consequence of his crime and the punishment of his guilt." [6] -- America, the wrecking balls are working overtime, now is the time for eternal vigilance to come to the forefront if we ever hope to reverse our sad condition as a county.

Until man extends his circle of compassion to all living things, man will not himself find peace. ~ Albert Schweitzer

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Footnotes:

1- Will Durant quote, "[A great civilization is not....](#)".

2- "Why the Supreme Court Cares About Elites, Not the American People." College of William and Mary Law School; Faculty Publications, 2010,. Lawerance Baum & Neil Devins.

3- [Victor David Hanson Shared TERRIFYING Message To The West.](#)

4- [Petition of Remonstrance, John Anthony Gentry.](#)

5- [How We Went From Sovereigns to Slaves](#) | Dr Edwin Vieira
PhD, JD

6- John Philpot Curran, "[The condition upon which God has given liberty.....](#)"