April 16th 2015

Clayton R. Higgins,

You’ve sent this petition back to me twice. I believe both times you made mistakes that were obvious. The first petition was labeled a “Writ of Habeas Corpus.” But you claimed it was a “Writ of Certiorari.” You listed conditions as being unmet but yet were not applicable to a Writ of Habeas Corpus.

Upon resubmission with a few unrelated changes, you similarly made mistakes. You claimed that the petition does not show how the writ will be in aid of the courts appellate review but in fact I give a reason for filing with the US Supreme Court. The reason is given that serious crime is being committed and lower courts are refusing to take action, and the issue of citizens being assaulted with directed energy and spied on with through the wall radar imaging technologies is out of control. Citizens have died. It’s an emergency. Therefore this court, the Supreme Court, needs to take action where no other court has to date despite thousands of previous lawsuits over this issue. The court needs to set a precedent and review the systems current operation to determine if it’s abusing citizens and failing to take care of the issue.

The petition has a reason as required by 2242 for going directly to the US Supreme Court. But you claim it does not. It’s on the first few pages of the petition, In re Todd Giffen as the court requires. It says that I had filed in lower courts and they refused to hear the case, in violation of due process, making it so I cannot have my case heard leaving me to die and suffer injuries from continuous assaults and assassination attempts by the government. It is an emergency and therefore I’m filing it with the US Supreme Court to determine if they will act or not. Habeas Corpus has protective mechanisms to free someone deprived of liberty, and restraint, it is used to get relief when a person is being abused.

Proof of service/affidavit/declaration of service was provided but you say it was not. This is following rule 20.2 where it says, “The petition shall be served as required by Rule 29 (subject to subparagraph 4(b) of this Rule). “ Under rule 20.4(b) it says Habeas Corpus is ex-parte, meaning the other party does not need to be involved or notified of the filed Habeas Corpus. The Court makes a decision on its own, unless they order the other party to respond. Quoted, rule 20.4(b): “(b) Habeas corpus proceedings, except in capital cases, are *ex parte,* unless the Court requires the respondent to show cause why the petition for a writ of habeas corpus should not be granted. A response, if ordered, or in a capital case, shall comply fully with Rule 15. Neither the denial of the petition, without more, nor an order of transfer to a district court under the authority of 28 U. S. C. § 2241(b), is an adjudication on the merits, and therefore does not preclude further application to another court for the relief sought.” Definition of ex-parte is, “*ex parte* means a legal proceeding brought by one person in the absence of and without representation or notification of other parties.”

The petition does follow rule 14, as required by rule 20.2 “as applicable” precisely as the text reads.

The final thing you stated was that a corrected petition must be served on opposing counsel but that’s not applicable to an ex-parte case like Writ of Habeas Corpus, see the above explanation.

If the judges refuses to take the case, their job as listed under USC 28 2241(b) states “(b) The Supreme Court, any justice thereof, and any circuit judge may decline to entertain an application for a writ of habeas corpus and may transfer the application for hearing and determination to the district court having jurisdiction to entertain it.” The law says you cannot return the petition to the Petitioner but must transfer it to the lower court having the jurisdiction to entertain it.

The rules were followed. You’re the one making the mistakes. You’ve put my life at risk and I’ve faced assaults and abuse because you haven’t taken your job seriously enough.

The Petition has been returned to you for making mistakes and because the petition is good enough and follows the rules and law.

-Todd Giffen 5039675202