

**SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

RECEIVED

NOV 12 2020

SUPREME COURT
WESTERN DISTRICT

Joe Myers, **PETITIONER**

VS.

Timothy F. McCune, Joseph H. Chivers, John/Jack Murtagh Jr., Graydon Brewer, Carl V. Nanni, Jack Lewis, Jim Gallagher, Hank Leyland, Greg Loverick, Edward Tasse, AK Steel (now Cleveland Cliffs) et al, UAW (formerly Butler Armco Independent Union) et al, Angelo Papa, William Cunningham, Michael Lettrich, Maria Millie Jones, Dennis Roman, Nicholas Koch, Adam Hobaugh, John T. Bender, Alice Beck Debow, Carolyn H. Nichols, Joseph D. Seletyn, **RESPONDENTS**

Petitioner's Notice of Appeal Addendum

Notice is hereby given that Joe Myers, Petitioner named above, WARNS the Supreme Court of Pennsylvania in this **Addendum** with appended **Violation Warning** letter and WARNING the Court of **U.S.C. Title 50 Section 841**.

CIVIL DIVISION

Superior Court No. 1892 WDA 2019

Supreme Court No. 283 WAL 2020

Joe Myers

12137 Emerald Green Court

Jacksonville, FL 32246

904-254-6472

1776ToTyranny@gmail.com

November 7, 2020

Supreme Court of Pennsylvania – Western District

Mr. John Vaskov

801 City-County Building

414 Grant Street

Pittsburgh, PA 15219-2463

RE: Joe Myers, Petitioner v. Timothy F. McCune et al, Respondents

No. 283 WAL 2020

Mr. Vaskov,

Please find enclosed ***Petitioner's Notice of Appeal Addendum*** dated 11-7-20 with ***Appellant's Motion for Declaratory Judgement*** recorded by your office on 10-20-20.

The ***Petitioner's Notice of Appeal Addendum*** dated 11-7-20 is because of the letter from your office dated 10-21-20. This new court filing has appended a Violation Warning letter to the Supreme Court of Pennsylvania as well as warning the Court of ***U.S.C. Title 50 Section 841***.

Enclosed is the extra cover sheet for ***Petitioner's Notice of Appeal Addendum*** dated 11-7-20. Please time/date stamp the cover sheet and return in the self-addressed stamped envelope.

If you have any questions, please contact me.

Sincerely,



Joe Myers

12137 Emerald Green Court

Jacksonville, FL 32246

904-254-6472

1776ToTyranny@gmail.com

CC: All Appellees and their legal counsel

SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

Joe Myers, **PETITIONER**

vs.

Timothy F. McCune, Joseph H. Chivers, John/Jack Murtagh Jr., Graydon Brewer, Carl V. Nanni, Jack Lewis, Jim Gallagher, Hank Leyland, Greg Loverick, Edward Tasse, AK Steel (now Cleveland Cliffs) et al, UAW (formerly Butler Armco Independent Union) et al, Angelo Papa, William Cunningham, Michael Lettrich, Maria Millie Jones, Dennis Roman, Nicholas Koch, Adam Hobaugh, John T. Bender, Alice Beck Debow, Carolyn H. Nichols, Joseph D. Seletyn, **RESPONDENTS**

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CIVIL DIVISION

Superior Court No. 1892 WDA 2019

Supreme Court No. 283 WAL 2020

Joe Myers

12137 Emerald Green Court

Jacksonville, FL 32246

904-254-6472

1776ToTyranny@gmail.com

**ADDENDUM TO APPELLANT'S NOTICE OF APPEAL and
APPELLANT'S NOTICE OF APPEAL SUPPLEMENT
TIME/DATE STAMPED 9-17-20 and APPELLANT'S
MOTION FOR DECLARATORY JUDGEMENT TIME/DATE
STAMPED 10-20-20**

As in other court filings Appellant provides **ALL
INCULPATORY EVIDENCE** and **court filings** on the
Timeline of CORRUPTION page on website
1776ToTyranny.com

Appellant files this **Addendum** and RETURNS
Appellant's Motion for Declaratory Judgement to BE
LAWFULLY FILED in response to the **appended** letter Appellant
received from the **Supreme Court of Pennsylvania** dated
10-21-20 as the Court is clearly VIOLATING Appellant's
CONSTITUTIONAL RIGHTS of the United States of America
which is the SUPREME LAW of the land as well as the

SUBSTANTIVE LAW. The aforementioned letter to Appellant

DOES NOT FOLLOW THE LAW!

The **Supreme Court of Pennsylvania** NOR ANY COURT can use Rules of Procedure to USURP APPELLANT'S SOVEREIGN INDIVIDUAL RIGHTS and Black's Law Dictionary is very clear on the definition of **SUBSTANTIVE LAW**:

*"That part of the law which the courts are established to administer, **as opposed to the rules** according to which the **substantive law** itself is administered. That part of the law which creates, defines, and **regulates rights**, as opposed to adjective or remedial law, which prescribes the method of enforcing rights or obtaining redress for their invasion."*

(Emphasis added)

OUR FOUNDING DOCUMENTS are **SUCCESSIVE** in the **PROTECTION** of **INDIVIDUAL RIGHTS** and the lower Commonwealth and Superior Courts of Pennsylvania are clearly violating **APPELLANT'S PROTECTED INDIVIDUAL RIGHTS!**

The **appended** letter Appellant received from the **Supreme Court of Pennsylvania** dated 10-21-20 stated the Court is UNLAWFULLY attempting to apply Pennsylvania Rules of Appellate Procedure (PRAP) YET the COURT did not state the **Pennsylvania Constitution** nor the **Constitution of the United States of America**, which are **LAW** and NOT **RULES**, which CLEARLY SUPERCEDE **PRAP**.

The **Constitution of the United States** - that was ratified by the States - is the **SUPREME LAW of the land** and the **JUDGES** in every state **SHALL BE BOUND THEREBY!**

"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." (Emphasis added) **Constitution of the United States - Article VI: Clause 2**

Notwithstanding definition "in spite of; without being opposed or prevented by."

The **PREAMBLE** to the **Bill of Rights** below is very CLEAR that the States were concerned about **misconstruction** and **abuse of power** as the Pennsylvania courts are attempting against Appellant's **Constitutional Rights** and is why they added the **Bill of Rights** to FURTHER restrict anyone

in government positions that have SWORN an OATH to UPHOLD the Constitution of the United States.

*"The Conventions of a number of the States, having at the time of their adopting the Constitution expressed a desire in order to **prevent misconstruction** or **abuse of its powers**, **that further declaratory and restrictive clauses should be added**: And as extending the ground of public confidence in the Government will best ensure the beneficent ends of its institution." (Emphasis added)*

RIGHTS definition "a moral or legal entitlement to have or obtain something"

Because the States knew ***We the People*** would have corrupt PRESIDENTS, CONGRESSMAN and JUDGES like the

Commonwealth and Superior Court judges **HAVE PROVED** the STATES ratified the first 10 Amendments and specified GUARANTEED RIGHTS that demand DUE PROCESS and EQUAL PROTECTION of CONSTITUTIONAL LAWS in the Amendments:

Amendment V - *"nor be deprived of life, liberty, or property, without due process of law"*

Amendment IX - *"The enumeration in the Constitution, of certain rights, **shall not be construed to deny or disparage others retained by the people.**" (Emphasis added)*

Amendment XIV was ratified some 70 years after the first 10 Amendments because the STATES were again concerned the **CONSTITUTION** was not restrictive enough to the **executive, legislative and judicial** branches so the

States wanted to again reestablish DUE PROCESS and EQUAL PROTECTION of the LAWS as INDIVIDUAL RIGHTS were being USURPED.

"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 person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." (Emphasis added)**

The ***Pennsylvania Constitution*** validates rules that are NOT CONSISTENT with the ***Pennsylvania Constitution*** CANNOT abridged Appellant's CONSTITUTIONALLY PROTECTED

SUBSTANTIVE LAW RIGHTS, yet the Pennsylvania courts have ***abridged*** Appellant's CONSTITUTIONALLY PROTECTED SUBSTANTIVE LAW RIGHTS!

"if such rules are consistent with this Constitution ***and*** ***neither abridge, enlarge nor modify the substantive rights of any litigant***" (Emphasis added)

FURTHERMORE, ALL Appellees knew the lower court dismissed the Rules of Procedure as the following evidence proves:

- The lower Court threw out the Rules of Procedure when the Court allowed ***Appellee Koch*** to file his Notice of Appearance filed on 6-21-19 ***AFTER*** Koch filed his Preliminary Objections and Brief in

Support of Preliminary Objections to Plaintiff's

Complaint on 6-19-20.

- The lower Court threw out the Rules of Procedure when the Court, almost FOUR MONTHS after Appellant's initial Complaint was filed on 5-29-19, allowed **Appellee Hobough** to file his Notice of Appearance, Preliminary Objections and Brief in Support of Preliminary Objections to Appellant's initial Complaint was filed on 9-24-20.
- The lower Court threw out the Rules of Procedure when the Court, almost FIVE MONTHS after Appellant's initial Complaint was filed on 5-29-19, allowed **Appellee Papa** to file his Limited Special Appearance Preliminary Objections on 10-22-20.
- On 10-16-19 Appellant filed Notice to Butler County, Notice of Judicial Misconduct, Attorney Misconduct. This court filing called into question

the illegal acts of **ALL Appellees** with a law license and specifically Appellee Cunningham.

- **All APPELLEES** were warned when on 10-21-19 Appellant filed Amended Legal Notice & Violation Warning of Denial of Plaintiff's Rights Under Color of Law of the United States of America.

The court filing had the Color of Law Violation Warning letter for every **Appellee** as part of the filing.

- On 10-29-19 Appellant filed Amended Court Filing Adding Defendants & for Continued Violation of Plaintiff's Rights Under Color of Law of the United States of America. The court filing adds **ALL Appellees** with a law license as **DEFENDANTS** which at that point **Appellee Cunningham** was prohibited from any further judicial actions and lawfully had to recuse himself from Appellant's

case INSTEAD Appellee Cunningham went ahead and filed his unlawful OPINION on 11-21-19.

- **Appellee Koch** filed a Motion to Strike on 11-19-19 against Appellant's Amended Court Filing Adding Defendants & for Continued Violation of Plaintiff's Rights Under Color of Law of the United States of America again siting Appellant must follow Rules of Procedure YET APPELLEES DID NOT HAVE TO FOLLOW THE SAME RULES or the LAW!
- On 4-20-20 Appellant filed Appellants Brief in PA Superior Court which had 9 QUESTIONS to the Court which the COURT nor ANY APPELLEE responded to. This very act threw out the Rules of Procedure.
- On 7-2-20 Appellant filed Appellant's Demur To Non-Precedential Decision and WARNING to the COURT warning the Superior Court justices and the Prothonotary of their illegal activity against Appellant of dismissing Appellant's case because

Appellant was 2 days late filing a Concise Statement when IN FACT the Superior Court KNEW of all the violations of the SO-CALLED Rules of Procedure. This very act threw out the Rules of Procedure. The court filing had the Color of Law Violation Warning letter for each **judge and the Prothonotary** as part of the filing.

This case started when **Appellee AK Steel et al** EXTORTED Appellant's property and ALL **Appellees** have willfully **DEFRAUDED** the courts since then because Appellant's Brief or the Concise Statement appended to said Brief are very clear **Appellee UAW et al** is a fraud at Appellee AK Steel plant in Butler PA because **Appellee AK Steel et al** provides an on property Appellee UAW et al union hall and pays the salaries of the officers and overtime the officers do not have to work for as well which is a violation of **National Labor Relations Act (NLRB) Section 8 (a)(2) and** makes it an unfair labor practice for an employer:

...to **dominate or interfere** with the **formation** or **administration** of any labor organization **or contribute financial or other support to it.**" (emphasis added)

Appellees failed to respond to the CRIMES committed against Appellant and the legal issue of **FRAUD** committed by **Appellee AK Steel et al** as well as **Appellee UAW et al** spelled out very clearly again in Appellant's Brief and the Concise Statement.

Appellee McCune REFUSED to investigate the CRIMES and prosecute all involved which makes him part of the **conspiracy**.

The ***Constitution of the United States*** and ***Pennsylvania Constitution*** also GUARANTEE Appellant and ALL SOVEREIGN INDIVIDUALS a RIGHT to a TRIAL BY JURY that NO COURT can DENY and is NOT subject to PRAP!

Amendment VII - "In Suits at common law, where the value in controversy shall exceed twenty dollars, **the right of trial by jury shall be preserved**, and no fact tried by a jury, shall be otherwise re-examined in any Court of the **United States**, than according to the rules of the common law." (*Emphasis added*) ***Constitution of the United States***

"***Trial by jury*** shall be as heretofore, **and the right thereof remain inviolate**. The General Assembly may provide, however, by law, that a verdict may be rendered by not less than five-sixths of the jury in any civil case. Furthermore, in criminal cases the Commonwealth shall have

the same right to trial by jury as does the accused.” (Emphasis added) **ARTICLE I DECLARATION OF RIGHTS Section 6**
Pennsylvania Constitution

Appellant holds ALL Appellees to the violation of the following **United States Codes** with the definitions spelled out in Appellant’s court filing **Appellant’s Notice of Appeal** to the **Supreme Court of Pennsylvania** recorded by the Court on 9-17-20. If the **Supreme Court of Pennsylvania** refuses to enforce the **COURT ORDER** that Appellant made part of the aforementioned **Appellant’s Notice of Appeal** then Appellant files these charges against the **Supreme Court of Pennsylvania** as well that EVERY State is bound by.

- U.S.C Title 18 Section 241 *Conspiracy Against Rights*
- U.S.C Title 18 Section 242 *Deprivation of Rights*

Under Color of Law

- U.S.C Title 18 Section 245 *Federally Protected Activities*
- U.S.C Title 42 Section 1982 *Property Rights of Citizens*
- U.S.C Title 42 Section 1983 *Civil Action for Deprivation of Rights*
- U.S.C Title 42 Section 1985 *Conspiracy to Interfere with Civil Rights*
- U.S.C Title 42 Section 1986 *Action for Negligent to Prevent*

U.S.C Title 50 Section 841 Findings and declarations of fact is added by Appellant as well as the Commonwealth and Superior Court of Pennsylvania are either part of the Communist Party or Communist sympathizers and any judicial or prothonotary member involved must be prosecuted:

*"The Congress finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to political parties, **but denying to all others the liberties guaranteed by the Constitution.**"* (Emphasis added)

To further validate the conspiracy against Appellant the letter from the **U.S. Department of Justice – Federal Bureau of Investigations** to **Senator Rubio** that started a **Congressional Inquiry** on Appellant's behave as well as the response letter Appellant sent to the **Federal Bureau of Investigations** is appended.

The **Constitution of the United States - Article VI:**
Clause 2 is very clear ALL LAWS of the United States shall be the SUPREME LAW of the LAND and ALL JUDGES in EVERY STATE shall be bound by them so Appellant puts the **Supreme Court of Pennsylvania** on notice that if the Court does not either award Appellant the punitive and compensatory damages requested or schedule a JURY TRIAL then the **Supreme Court of Pennsylvania** is SERVED with the **appended** COLOR OF LAW VIOLATION WARNING Letter for CONSPIRING against Appellant's CONSTITUTIONALLY PROTECTED RIGHTS!

If the **Supreme Court of Pennsylvania** does not award Appellant either the compensatory and punitive damages requested or a JURY TRIAL and sign the **COURT ORDER** Appellant provided in **Appellant's Notice of Appeal** then

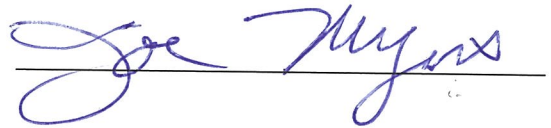
Appellant holds the ***Supreme Court of Pennsylvania*** in CONTEMPT OF COURT and OBSTRUCTION OF JUSTICE as well.

This court filing complies with the perverted PRAC and the Public Access Policy but MORE IMPORTANTLY the CONSTITUTION OF THE UNITED STATES.

The entirety of this writ and ALL writs by Appellant should issue, and the full weight of the ***Constitution*** must be followed to the prosecution of ALL Appellees and the compensatory and punitive damages restored to Appellant.

This Court has only one duty and that is to follow the ***Constitution of the United States*** and ***STRIKE*** the recent ORDERS dated May 26th and 27th of 2020 and execute the ORDER attached to ***Appellant's Notice of Appeal*** recorded in the Supreme court of Pennsylvania on 9-17-20.

Dated this 7th day of November, 2020



Joe Myers

12137 Emerald Green Court

Jacksonville, FL 32246

Phone: 904-254-6472

Email: 1776ToTyranny@gmail.com

Form **COL**

**Violation Warning
Denial of Rights Under Color of Law**

▶ Violation Warning—18 U.S.C. §242; 18 U.S.C. §245; 42 U.S.C. §1983

Name and address of Citizen

Joe Myers
12137 Emerald Green Court
Jacksonville, FL 32246

Name and address of Notice Recipient

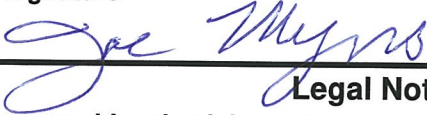
Supreme Court of Pennsylvania
801 City-County Building
414 Grant Street
Pittsburgh, PA 15219-2463

Citizen's statement:

Violation of MY Rights under the United States of America Constitution, specifically a JURY TRIAL, DUE PROCESS and EQUAL PROTECTION of LAWS
Violations of U.S. Codes - Title 18 Section 241, Section 242, Section 245, Section 35559 / Title 15 Section 2087 / Title 29 Section 654 / Title 50 Section 841

I certify that the forgoing information stated here is true and correct.

Citizen's signature

▶ 

Date ▶ 11-7-20

Legal Notice and Warning

Federal law provides that it is a crime to violate the Rights of a citizen under the color-of-law. You can be arrested for this crime and you can also be held personally liable for civil damages.

Attempting to cause a person to do something by telling that person that such action is required by law, when it is not required by law, may be a felony.

18 USC §242 provides that whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District 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, or both.

18 USC §245 provided that Whoever, whether or not acting under color of law, intimidates or interferes with any person from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [or] applying for or enjoying employment, or any perquisite thereof, by any agency of the United States; shall be fined under this title, or imprisoned not more than one year, or both.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Warning, you may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages! Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

You are advised to cease and desist with your demand and to seek *personal* legal counsel if you do not understand the law.

Notice of Service:

I, Joe Myers certify that I personally delivered this notice to above named recipient and address on / in court filing at Supreme Court of Pennsylvania Western District



U.S. Department of Justice
Federal Bureau of Investigation

Washington, D. C. 20535-0001

The Honorable Marco Rubio
United States Senator
Suite 350
201 South Orange Avenue
Orlando, FL 32801

FEB 11 2020

2020 FEB 20 9:53

Dear Senator Rubio:

I am writing in response to your September 23, 2019, letter to Assistant Attorney General Stephen Boyd, which was forwarded to the Federal Bureau of Investigation (FBI). You wrote on behalf of your constituent, Mr. Joe Myers, who has corruption allegations against federal, state, and local government officials.

In order for the FBI to initiate an investigation of any complaint we receive, specific facts must be present to indicate a violation of federal law within the FBI's jurisdiction has occurred. Our Jacksonville Field Office has reviewed your constituent's allegations and, based on the information provided, is unable to determine if such a violation exists.

If Mr. Myers has additional information he would like to provide, he may contact the FBI's Jacksonville Field Office, located at 6061 Gate Parkway, Jacksonville, Florida 32256, telephone number 904-248-7000.

I appreciate your bringing this matter to our attention, and I hope this information will be helpful to you in responding to Mr. Myers.

Sincerely,

Calvin A. Shivers
Deputy Assistant Director
Criminal Investigative Division

We The People of the United States, in Order to form a more perfect Union, ESTABLISH JUSTICE...

Joe Myers

12137 Emerald Green Court

Jacksonville, FL 32246

904-254-6472

1776ToTyranny@gmail.com

May 8, 2020

Federal Bureau of Investigations – Jacksonville Field Office
Criminal and Civil Division
6061 Gate Parkway
Jacksonville, FL 32256

FBI Criminal and Civil Divisions,

My name is Joe Myers and per my phone call today with the FBI Jacksonville field office I am writing this correspondence for a full criminal and civil investigation regarding the violation of my Constitutional Rights at the local, state and federal level.

This letter and supporting evidence is because of the directive of **Calvin A. Shivers, Deputy Assistant Director of the Criminal Investigative Division**. Mr. Shivers gave this directive in his enclosed letter to Senator Rubio time/date stamped 2-12-20 after Senator Rubio and Congressman Rutherford had started a Congressional Inquiry with the U.S. Department of Justice and the Federal Bureau of Investigations (see enclosed email from Senator Rubio to me stating he was starting a Congressional Inquiry).

I was born and raised in Butler, PA for 42 years and then moved to Jacksonville, FL in 2004. While living in PA a crime was perpetrated against me at the local, state and federal level. Since I moved to Florida I had former President Bush Jr., former FBI Director Mueller, OSHA, former Senator Martinez, former Senator Nelson as well as other government officials and agencies violate and refuse to protect my Constitutional RIGHTS GUARANTEED to me and EVERY CITIZEN.

Only Senator Rubio and Congressman Rutherford have started a **Congressional Inquiry** since I refiled a lawsuit in May 2019 in PA and sent them both a letter regarding my new lawsuit. I have recently requested Senator Rubio and Congressman Rutherford to schedule a **Congressional Hearing** to investigate and prosecute all of those in local, state and federal government that were part of conspiring against my rights under **Title 18 Section 241 Conspiracy Against Rights**.

Also enclosed is my **Appellant's Brief** that I filed in the Superior Court of Pennsylvania that details the corruption of the past 2 administrations. My request is for you to use your authority as the FBI to seek justice and the prosecutions of all of those involved that have violated my Constitutional Rights. Additionally you will see the evidence of corruption at the local level by former Pennsylvania Butler County District Attorney Tim McCune.

Visit my website www.1776ToTyranny.com and go to the "**Timeline of Corruption**" page **TO REVIEW ALL THE EVIDENCE/EXHIBITS** and read the letter I sent to **then U.S. Attorney General Ashcroft on March 7, 2003** detailing the corruption perpetrated on me from local, state and federal government officials – which is criminal!

Review the **Government Exhibits** on the website and the letters I received back from President Bush Jr., Senator Nelson and Senator Martinez. **Government Exhibit 9** is letter dated March 16, 2005 from OSHA Regional Director Richard D. Soltan to me lying stating OSHA could not take any action with regarding my discharge from AK Steel because OSHA did not receive a complaint of discrimination from me. He ignored the numerous correspondences between OSHA Area Director Robert Szymanski and myself since my illegal termination in 2001. **ALL officials and agencies did nothing!**

May I remind the FBI the words of **Justice Brandeis** as he eloquently affirmed his condemnation of abuses practiced by Government officials in the case of **Olmstead vs. U.S. 277 US 438, 48 S.Ct. 564, 575; 72 L ED 944 (1928)** he declared:

"Decency, security, and liberty alike demand that Government officials shall be subjected to the same rules of conduct that are commands to the Citizen. In a Government of laws, existence of the Government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher.

For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a law-breaker, it breeds contempt for law; it invites every man to become a law unto himself. It invites anarchy. To declare that, in the administration of the law, the end justifies the means would bring a terrible retribution. Against that pernicious doctrine, this Court should resolutely set its face."

I would be glad to come to the Jacksonville office to meet with the agent in charge of my case to discuss further.

I have sent letters to **President Trump** and U.S. **Attorney General Barr** as well apprising them of the corruption.

This is a government for the people and by the people so please don't let us down!

I look forward to hearing from the FBI very soon.

Sincerely,



Joe

"In free governments the rulers are the servants, and the people their superiors and sovereigns." – **Benjamin Franklin**



SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

John A. Vaskov, Esquire
Deputy Prothonotary

Patricia A. Nicola
Chief Clerk

October 21, 2020

801 CITY-COUNTY BUILDING
PITTSBURGH, PA 15219-2463
(412) 565-2816
www.pacourts.us

Mr. Joe Myers
12137 Emerald Green Court
Jacksonville, FL 32246

Re: Joe Myers, Petitioner v. Timothy F. McCume, et al, Respondents
No. 283 WAL 2020

Dear Mr. Myers:

We received your document titled "Appellant's Motion for Declaratory Judgement" referencing the matter identified above on October 20, 2020. The rules of appellate procedure governing petitions for allowance of appeal contemplate that the Court will decide the matter based on the petition and answer, if any. See Pa.R.A.P. 1121. No further filings are called for. Please note as well that Pa.R.A.P. 1116(a) specifically authorizes a respondent to submit a letter stating that an answer will not be filed, and states that "failure to file an answer will not be construed as a concurrence in the request for allowance of appeal." Thus the absence of a response does not require the Court to decide the matter in your favor.

Because it cannot be accepted for filing, your document is being returned.

Very truly yours,

Office of the Prothonotary

cc: Nicholas J. Koch, Esquire
Marie M. Jones, Esquire
Michael Lettrich, Esquire
Dennis Roman, Esquire
Adam Hobaugh, Esquire
Mr. Angelo Papa
Mr. Graydon Brewer

**SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

Joe Myers, **Appellant**

vs.

Timothy F. McCune, Joseph H. Chivers, John/Jack Murtagh Jr., Graydon Brewer, Carl V. Nanni, Jack Lewis, Jim Gallagher, Hank Leyland, Greg Loverick, Edward Tasse, AK Steel (*now Cleveland Cliffs*) et al, UAW (formerly Butler Armco Independent Union) et al, Angelo Papa, William Cunningham, Michael Lettrich, Maria Milie Jones, Dennis Roman, Nicholas Koch, Adam Hobaugh, John T. Bender, Alice Beck Dubow, Carolyn H. Nichols, Joseph D. Seletyn, **Appellees**

RECEIVED

OCT 20 2020

SUPREME COURT
WESTERN DISTRICT

Appellant's Motion for Declaratory Judgement

Notice is hereby given that Joe Myers, Appellant above named, hereby files this **Motion for Declaratory Judgement** for the failure of Appellees to reply to Appellant's Notice of Appeal per the letter from the Supreme Court of Pennsylvania dated the 17th day of September, 2020.

CIVIL DIVISION:

Supreme Court No. 283 WAL 2020
Superior Court No. 1892 WDA 2019

Joe Myers
12137 Emerald Green Court
Jacksonville, Florida 32246

SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT

Joe Myers, **Appellant**

vs.

Timothy F. McCune, Joseph H. Chivers, John/Jack Murtagh Jr., Graydon Brewer, Carl V. Nanni, Jack Lewis, Jim Gallagher, Hank Leyland, Greg Loverick, Edward Tasse, AK Steel (*now Cleveland Cliffs*) et al, UAW (formerly Butler Armco Independent Union) et al, Angelo Papa, William Cunningham, Michael Lettrich, Maria Milie Jones, Dennis Roman, Nicholas Koch, Adam Hobaugh, John T. Bender, Alice Beck Dubow, Carolyn H. Nichols, Joseph D. Seletyn, **Appellees**

Appellant's Motion for Declaratory Judgement

Notice is hereby given that Joe Myers, Appellant above named, hereby files this **Motion for Declaratory Judgement** for the failure of Appellees to reply to Appellant's Notice of Appeal per the letter from the Supreme Court of Pennsylvania dated the 17th day of September, 2020.

CIVIL DIVISION:

Supreme Court No. 283 WAL 2020
Superior Court No. 1892 WDA 2019

Joe Myers
12137 Emerald Green Court
Jacksonville, Florida 32246

APPELLANT'S MOTION FOR DECLARATORY JUDGEMENT

Appellant files this **MOTION** as this Court must follow the LAW and award Appellant punitive and compensatory damages requested OR schedule a JURY TRIAL specified in the attached **Court Order** as Appellees have NEVER responded with any exculpatory evidence to prove their innocence in ANY COURT or **respond to any QUESTIONS** Appellant asked in Appellant's Appeal to the Superior Court of Pennsylvania nor did the Appellee justices which grants Appellant the award.

Appellant DOES NOT in any way relinquish any of Appellant's **Constitutional GUARANTEED Rights** and specifically **DUE PROCESS** and **EQUAL PROTECTION** of the LAWS with this **Declaratory Judgement Motion**. This Court can only award Appellant Damages OR schedule a JURY TRIAL with this **Motion**, nothing else.

Appellant filed a **CONSTITUTIONAL SUBSTANTIVE LAW COMPLAINT** and the *Superior Court and Commonwealth Court* ILLEGALLY used **Rules of Procedure** to UNLAWFULLY attempt to dismiss Appellant's argument that violated Appellant's CONSTITUTIONAL RIGHTS while at the same time the justices violated their SWORN OATHS to uphold the Constitution as well as their oath as a Pennsylvania attorney.

ALL judicial Appellees have violated the 4 key elements of the **RULE OF LAW** and Appellant has been denied ALL facets of the **RULE OF LAW**:

- The transparency of the law
- Access to a true legal remedy for a fair outcome
- Equal treatment of the law
- Independent judiciary

As stated in Appellant's court filings the **PREAMBLE to the Bill of Rights** was written and ratified because the States were still concerned the Constitution was not restrictive enough and Appellees *John T. Bender, Alice Beck*

Dubow, Carolyn H. Nichols and William Cunningham

PROVED why the STATES were concerned because we unfortunately have EVIL and CORRUPT judges like the Appellees mentioned above which is **TREASON**.

"When a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason." – **Cohens v. Virginia, 19 US (6 Wheat) 264, 404, 5 L.Ed 257 (1821)**

Appellant adds the **CONCISE STATEMENT** as though it was part of this MOTION to prove the *Superior Court* and *Commonwealth Court* ignored the criminal act of Appellee AK Steel verballing directing Appellant to operate a Stake Truck against their own written directives which is PUBLIC POLICY LAW that resulted in the truck rolling over with Appellant inside when Appellee AK Steel had pictures of the Stake Truck almost rolling over on former co-worker Dan Reddick. Appellee McCune the former Butler County District Attorney refused to investigate the CRIME against Appellant.

The **CONCISE STATEMENT** details the letters as **Exhibits** sent by Appellant and Appellant's legal counsel prior to Appellants illegal termination for Whistle Blowing to Appellee AK Steel regarding the illegal activity committed by Appellee AK Steel. Appellant contacted David Devries from the PA Attorney General's office prior to Appellant's illegal termination and informed Appellee Tassej of that conversation which is **WHY** Appellant was fired for Whistle Blowing.

The **CONCISE STATEMENT** details the death of Keith Eckenrode at Appellee AK Steel Butler Plant that Appellee McCune had warnings of illegal activity via letters from Appellant's former legal counsel and Appellant which if McCune would have investigated could have saved the life of Mr. Eckenrode by putting a stop to the criminal activity.

Appellant spoke with legal counsel, Chris Cahillane, for Mr. Eckrode's widow and he stated to Appellant he was not allowed to discuss the case unless he was ordered by a court to do so. This court could find additional facts of criminal activity.

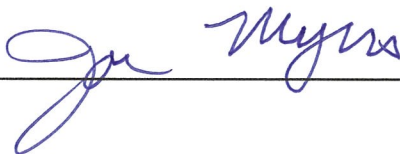
The **CONCISE STATEMENT** details the FRAUD of Appellees AK Steel supplying an on plant union office and paying the salaries and overtime of Appellee UAW officers which makes ALL the arbitrations and contract negotiations a FRAUD. All Appellees DEFRAUDED the courts with their lies and trying to use labor law to supersede CRIMINAL AND CIVIL LAW, which is a CRIME.

Appellant makes **ALL Appellant's court filings** as though the court filings are part of this MOTION detailing the state and federal laws that were violated by ALL Appellees against Appellant!

The entirety of this writ and ALL court filings by Appellant should issue, and the full weight of the **Constitution** must be followed to the prosecution of **ALL Appellees** for CONSPIRING AGAINST CONSTITUTIONALLY PROTECTED APPELLANT'S RIGHTS and the compensatory and punitive damages restored to Appellant.

The **SUPREME COURT** has only one duty and that is to follow the **United States Constitution** and **STRIKE** all **ORDERS** from the Commonwealth and Superior Court of Pennsylvania and execute the attached **ORDER**.

Dated this 14th day of October, 2020



Joe Myers

12137 Emerald Green Court

Jacksonville, FL 32246

904-254-6472

1776ToTyranny@gmail.com

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: APPELLANT
(E.g., Appellant, Appellee, Petitioner, Respondent)

Signature: Joe Myers
Name: JOE MYERS

Attorney No. (if applicable): _____

CERTIFICATE OF COMPLIANCE

I hereby certify that this court filing complies with PRAP.

Appellant puts the ***Supreme Court of Pennsylvania*** on **NOTICE** of your SWORN OATH to uphold the Constitution of the United States of America and ALL judges are bound thereby under Article 6 as well as the PREAMBLE to the Bill of Rights that further restrict judges specifically the 7th, 9th, 10th and 14th Amendments

Additionally, your OATH OF OFFICE under Pennsylvania Title 42 Chapter 25 Section 2522:

"I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity, as well to the court as to the client, that I will use no falsehood, nor delay the cause of any person for lucre or malice."

Dated this 14th day of October, 2020

/s/ Joe Myers

IN THE SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT

283 WAL 2020

Joe Myers

APPELLANT

vs.

Timothy F. McCune, Joseph H. Chivers, John/Jack W. Murtagh Jr., Graydon Brewer, Carl V. Nanni, Jack Lewis, Jim Gallagher, Hank Leyland, Greg Loverick, Edward Tasse, AK Steel et al, UAW et al (formerly Butler Armco Independent Union), Angelo Papa, William Cunningham, Michael Lettrich, Maria Milie Jones, Dennis Roman, Nicholas Koch, Adam Hobaugh, John T. Bender, Alice Beck Dubow, Carolyn H. Nichols, Joseph D. Seletyn

APPELLEES

ORDER

AND NOW, this _____ day of _____ 2020, upon the facts and evidence provide by Appellant, it is hereby ORDERED by the Supreme Court that:

- (a) All ORDERS by the Commonwealth and Superior Court related to this case to date are hereby STRIKEN from the record as well as ALL Briefs filed by Appellees as the Appellees perverted the LAW and did not honor their sworn oath to the Constitution;

- (b) Appellant is awarded either the full punitive and compensatory damages requested of \$100 Million from Appellee AK Steel and \$10 Million per each Appellee or a JURY TRIAL is scheduled;
- (c) That Supreme Court of Pennsylvania invokes an injunction on Appellee AK Steel et al (now Cleveland Cliffs) Butler plant for the ALL criminal activity and specifically the hauling of the coils on grossly overloaded trailers coming down a steep hill with a 90 degree bend in it to an intersection Appellee AK Steel allows the public at large to enter their property to purchase material from Hecketts Slag a public company when Appellee AK Steel written directives (Public Policy Law) state to obey the Pennsylvania Motor Code both inside and outside the plant;
- (d) The Supreme Court of Pennsylvania strips the license of ALL Appellees that were judges, legal counsel or prothonotary in the conspiracy against Appellant and NEVER allowed to practice law in the United States;
- (e) The Supreme Court of Pennsylvania invokes criminal charges against ALL Appellees with a law license for their part in the conspiracy against Appellant.

BY THE COURT

_____ J.

CERTIFICATE OF SERVICE

I, the undersigned, certify that the foregoing APPELLANT'S MOTION FOR DECLARATORY JUDGEMENT was served on the following via U.S. Mail, First-Class, this 14th day of October, 2020.

**Erie County Courthouse
Att: William Cunningham
140 West 6th Street
Erie, PA 16501**

**Administrative Office of Pennsylvania Courts
Att: Michael Dailey legal counsel for judges
John T. Bender, Alice Beck Dubow and
Carolyn H. Nichols
1515 Market Street, Suite 1414
Philadelphia, PA 19102**

**Frost Brown Todd LLC
Union Trust Building / Att: Nicholas J. Koch
501 Grant Street, Suite 800
Pittsburgh, PA 15219**

**Superior Court of Pennsylvania
Att: Joseph D. Seletyn
310 Grant Street, Suite 600
Pittsburgh, PA 15219-2297**

**JonesPassodelis PLLC
Gulf Tower /Att: Ms. Jones & Mr. Letterich
707 Grant Street, Suite 3410
Pittsburgh, PA 15219**

**Angelo Papa
318 Highland Ave
New Castle, PA 16101**

**Graydon Brewer
48 Crystal Drive
Oakmont, PA 15139-1051**

**Murtagh, Hobaugh & Cech
Att: Adam Hobaugh
110 Swinderman Road
Wexford, PA 15090**

**Marshall Dennehey Warner Coleman & Goggin
Union Trust Building / Att: Dennis Roman
501 Grant Street, Suite 700
Pittsburgh, PA 15219**



Joe Myers

CERTIFICATE OF SERVICE

I, the undersigned, certify that the foregoing **Petitioner's Notice of Appeal Addendum** was served on the following via U.S. Mail, First-Class, this 7th day of November, 2020.

**Erie County Courthouse
Att: William Cunningham
140 West 6th Street
Erie, PA 16501**

**Administrative Office of Pennsylvania Courts
Att: Michael Dailey legal counsel for judges
John T. Bender, Alice Beck Dubow and
Carolyn H. Nichols
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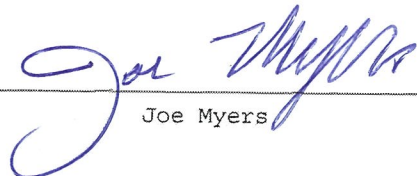
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