CASE NUMBER:

IN THE SUPREME COURT OF ARKANSAS

Sherrel-Jean: House of Courvelle

Petitioner

Vs.

STATE OF ARKANSAS

 Respondent

ON PETITION FOR AN EXTRAORDINARY WRIT POSITION

FOR A WRIT OF PROHIBITION

 ON PETITION FOR A MOTION OF DISCHARGE

 FOR FALSE IMPRISONMENT

TO THE SUPREME COURT OF ARKANSAS

PETITION FOR A WRIT OF PROHIBITION

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Sherrel-Jean: House of Courvelle©

The Arkansas state Common Law Court

P.O. Box 1142

Little Rock, Arkansas [72203]

arjuralassembly@gmail.com

COMMENCEMENT

 COMES NOW Sherrel-Jean: House of Courvelle (hereinafter “Petitioner”), who is at all times mentioned in the following declarations and actions in law, one of the people of Arkansas, lawfully domiciled on Arkansas state, an American State Citizen, having come of full age, having been found to be living, competent to give the testimony stated herein, comes upon a Petition of Writ of Prohibition and calls upon the Supreme Court of Arkansas to answer to wit:

JURISDICTION

A writ of prohibition is a judicial order that may be used, at a higher court’s discretion, to prohibit a lower court from issuing orders over matters it has no jurisdiction over. Alternatively, the writ is also used to prevent re-litigating issues that have already been decided by a higher court. A writ of prohibition is a “drastic remedy” and as a result any petition for the writ should only be granted where the petitioner has no other adequate means of relief.

On August 1, 2023, the Petitioner challenged Jurisdiction in both GARLAND COUNTY DISTRICT COURT and GARLAND COUNTY CIRCUIT COURT (hereinafter “LOWER COURTS”). Petitioner proved on the record of the LOWER COURTS to be a living woman, permanently domiciled on Arkansas, one of the People owed all her God-given, natural, unalienable rights and guarantees as a living woman. Petitioner demanded to have cases all transferred to the Arkansas State Common Law Court and a Trial by jury of Petitioner’s Peers be convened. The LOWER COURTS did not respond to the challenge of jurisdiction, even after an opportunity to cure with an added 10 (ten) days to respond. The LOWER COURTS are in Default in Dishonor and the matter of Jurisdiction was ignored by the LOWER COURTS. Every action taken against Petitioner since August 1, 2023, has been in excess of their jurisdiction and in excess of their power.

On November 5, 2023, Sherrel Courvelle’s case came before the Arkansas State Grand Jury. After hearing the case, the Grand Jury sent a Cease-and-Desist order with indictments against the LOWER COURTS to David Clay Fowlkes, the U.S. District Attorney, for implementation. David Clay Fowlkes acted with negligence and in dereliction of his duty to carry out the will of the Arkansas State Grand Jury. The Grand Jury then had said indictments process served to the LOWER COURTS. A Notice was also sent to Sarah Sanders, Arkansas Governor; Tim Griffin, Attorney General; David Clay Fowlkes, U.S. District Attorney; and John Dan Kemp, Chief Justice of the Arkansas Supreme Court.

The Notices of indictments and Trial by Jury (all above State officials received invitations to attend the trial) were received by all officials except for John Dan Kemp, Chief Justice of the Arkansas Supreme Court which was marked “Return to Sender.”

A Common Law Trial by Jury was held on January 21, 2024, hearing all of Petitioner’s LOWER COURT cases. On January 23rd, 2024, a Writ of Mandamus, Writ of Coram Nobis, and writ of De Amoveus Manus was hand delivered by Arkansas State Justice Will Harrison to the LOWER COURTS. The Circuit Clerk, Kristie Womble-Hughes, assured Will that the Writs would be hand delivered to Judge Kara Ann Petro. At 12:08 p.m. on January 23rd, 2024, the DISTRICT COURT Chief Administrator, Chris Burrows, acted in dereliction of his duty, refusing to accept or deliver the Writs to Judge Meredith Switzer or Judge Joe Graham. Chris Burrows even outright refused to place the Writs in the judges’ office mailboxes from another SUPERIOR court justice’s hands. Chris Burrows is in contempt of court. On February 22, 2024, the Jury declared their General Verdict of innocence to Petitioner. Five judges and one prosecuting attorney were found guilty.

On February 29, 2024, Petitioners house was raided by a large SWAT team with drawn Assault weapons who unlawfully batter-rammed through Petitioner’s door and falsely, and unlawfully imprisoned Petitioner. On March 1, 2024, the General Verdict of the Common Law Jury was recorded on the LOWER COURTS docket. When Petitioner went before Judge Joe Graham on March 1, 2024, Petitioner advised the court she is/was falsely imprisoned and that a Common Law Trial by Jury already decided said cases and that a copy of the General Verdict was on the court docket. Judge Joe Graham responded that the common law court was bogus and fictitious and that it was not recognized by his court and that said Petitioner would be prosecuted to the fullest extent of the law in his court even though jurisdiction was never established. Petitioner was then sent back to prison and is still unlawfully bound and unfree.

WRIT OF PROHIBITION

A Writ of Prohibition is used to prevent a lower court from re-litigating issues that have already been decided by a higher court, in this case the Arkansas State Common Law Court. As stated above, the lawful Tribunal of the Arkansas State Common Law Court delivered their General Verdict on all the cases concerning said Petitioner in the LOWER COURTS on February 22, 2024. The LOWER COURTS unlawfully imprisoned Petitioner continuing to act in excess of their jurisdiction. In addition, Judge Joe Graham, Judge Kara Petro, Prosecuting Attorney Michelle Lawrence, Arkansas Attorney General, Tim Griffin, and Arkansas Chief Supreme Court Justice John Dan Kemp have all acted in excess of their power and in excess of their jurisdiciton bringing harm, loss, injury, and damage to the Claimant by openly rejecting the decision of the Superior Court. Claimant exhausted every lawful action she had for remedy. Petitioner comes now before the Chief Justice of the Supreme Court to Petition for a Writ of Prohibition to be granted since the Petitioner has no other adequate means of relief.

The exemplary case of Ex Parte Milligan, in which Lambda Milligan had no other remedy but to pursue “the only remedy which the law afforded him” (Ex Parte Milligan, 71 U.S.113), ended up being the only one by which he could recover his liberty. It was noted in Ex Parte Milligan that cause was “a suit or action in court; any legal process which a party institutes to obtain his demand, or by which he seeks his right, or supposed right” and “One of the questions in *Weston v. City Council of Charleston*, [Footnote 8] was whether a writ of prohibition was a suit, and Chief Justice Marshall says: ‘The term is certainly a comprehensive one, and is understood to apply to any proceeding in a court of justice by which an individual pursues that remedy which the law affords him.’”

The LOWER COURTS refuse to take notice of the General Verdict in the case of Sherrel Courvelle, continuing Petitioner’s false imprisonment. In Mr. Milligan’s case, several of the remedies according to Ex Parte Milligan 71 U.S. 110, was “by writ of error or appeal, if the court renders a final judgment refusing to discharge him; but if he should be so unfortunate as to be placed in the predicament of having the court divided on the question whether he should live or die, he is hopeless, and without remedy.” The Petitioner, Sherrel Courvelle, is “hopeless, and without remedy” without the right to be heard by a jury of her peers in a common law court of justice. How is it that the LOWER COURTS jurisdiction was challenged and yet never responded to or addressed in any capacity? Who has jurisdiction? Under the Supreme Law of the Land, under land and soil jurisdiction, that jury was convened, and a verdict was rendered by our Arkansas State Common Law jury on February 22nd, 2024. However, the LOWER COURTS have failed to acknowledge that decision as both the District and Circuit Courts were noticed on multiple occasions as to the Superior Court’s rendering of a cease-and-desist order initially rendered by a Grand Jury. The LOWER COURTS are in contempt of the Grand Jury and the Arkansas State Court. Therefore, it is the Petitioner’s will that the General Verdict of the Arkansas State Court which holds Superior General Concurrent Jurisdiction be compelled onto the LOWER COURTS.

In reference to Ex Parte Milligan 71 U.S. 3 and 4, “Military commissions organized during the late civil war, in a State not invaded and not engaged in rebellion, in which the Federal courts were open, and in the proper and unobstructed exercise of their judicial functions, had no jurisdiction to try, convict, or sentence for any criminal offence, a citizen who was neither a resident of a rebellious State nor a prisoner of war, nor a person in the military or naval service. And Congress could not invest them with any such power. The guaranty of trial by jury contained in the Constitution was intended for a state of war, as well as a state of peace, and is equally binding upon rulers and people at all times and under all circumstances. The Federal authority having been unopposed in the State of Indiana, and the Federal courts open for the trial of offences and the redress of grievances, the usages of war could not, under the Constitution, afford any sanction for the trial there of a citizen in civil life not connected with the military or naval service, by a military tribunal, for any offence whatever. Cases arising in the land or naval forces, or in the militia in time of war or public danger, are excepted from the necessity of presentment or indictment by a grand jury, and the right of trial by jury in such cases is subject to the same exception. Neither the President nor Congress nor the Judiciary can disturb any one of the safeguards of civil liberty incorporated into the Constitution except so far as the right is given to suspend in certain cases the privilege of the writ of habeas corpus.

A citizen not connected with the military service and a resident in a State where the courts are open and in the proper exercise of their jurisdiction cannot, even when the privilege of the writ of habeas corpus is suspended, be tried, convicted, or sentenced otherwise than by the ordinary courts of law. A person who is a resident of a loyal State, where he was arrested, who was never resident in any State engaged in rebellion, nor connected with the military or naval service, cannot be regarded as a prisoner of war. No graver question was ever considered by this court, nor one which more nearly concerns the rights of the whole people, for it is the birthright of every American citizen when charged with crime to be tried and punished according to law. The power of punishment is alone through the means which the laws have provided for that purpose, and, if they are ineffectual, there is an immunity from punishment, no matter how great an offender the individual may be or how much his crimes may have shocked the sense of justice of the country or endangered its safety. By the protection of the law, human rights are secured; withdraw that protection and they are at the mercy of wicked rulers or the clamor of an excited people. If there was law to justify this military trial, it is not our province to interfere; if there was not, it is our duty to declare the nullity of the whole proceedings. The decision of this question does not depend on argument or judicial precedents, numerous and highly illustrative as they are. These precedents inform us of the extent of the struggle to preserve liberty and to relieve those in civil life from military trials. The founders of our government were familiar with the history of that struggle and secured in a written constitution every right which the people had wrested from power during a contest of ages. By that Constitution and the laws authorized by it, this question must be determined. The provisions of that instrument on the administration of criminal justice are too plain and direct to leave room for misconstruction or doubt of their true meaning. Those applicable to this case are found in that clause of the original Constitution which says, "That the trial of all crimes, except in case of impeachment, shall be by jury," and in the fourth, fifth, and sixth articles of the amendments. The fourth proclaims the right to be secure in person and effects against unreasonable search and seizure and directs that a judicial warrant shall not issue "without proof of probable cause supported by oath or affirmation." The fifth declares "that no person shall be held to answer for a capital or otherwise infamous crime unless on presentment by a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger, nor be deprived of life, liberty, or property without due process of law." And the sixth guarantees the right of trial by jury, in such manner and with such regulations that, with upright judges, impartial juries, and an able bar, the innocent will be saved and the guilty punished.” Petitioner continues to be charged with criminal charges having never received a presentment or an indictment by a Grand Jury.

MOTION OF DISCHARGE FROM FALSE IMPRISONMENT

Therefore, it is the Petitioner’s will that the General Verdict of the Arkansas State Common Law Court which holds Superior General Concurrent jurisdiction be compelled onto the LOWER COURTS. It was the Grand jury and Trial by jury’s wish, as well as the Petitioners will, to be discharged immediately and cessation from all false imprisonment and all action by the LOWER COURTS stopped.

The Grand Jury, the Trial by Jury, and Petitioner request that Chief Justice John Dan Kemp immediately discharge Petitioner from being falsely imprisoned at the Garland County Detention Center. The entire court case and verdict is available to read at [**thearkansasassembly.net**](http://thearkansasassembly.net). Click on Arkansas State Common Law Court to view the entire case with all evidence.

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Will Harrison©

Arkansas State Justice

Arkansas State Common Law Court

P.O. Box 1142

Little Rock, Arkansas 72203

arjuralassembly@gmail.com

Phone (276) 365-6108

