(A/5) ***precedent established by the Rule of Law***
Plaintiff assert that the legal standard applied by district court's opinion or decisions ignored Rule 15(a)(2) and the ***precedent established by the Rule of Law****, being more particularly described in* ***Exhibit U#36***

U.S. SUPREME COURT DOCTRINES AND DECISIONS

Marbury v. Madison, 5 U.S. (1 Cranch) 137, 163 (1803)
"The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws whenever he receives an injury. One of the first duties of government is to afford that protection."

Cantwell v. Connecticut, 310 U.S. 296, 304 (1940)
"Freedom of conscience and freedom to adhere to such religious organization or form of worship as the *individual may choose cannot be restricted by law*. On the other hand, it safeguards the free exercise of the chosen form of religion. Thus the Amendment embraces two concepts, ***- freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be.*** Conduct remains subject to regulation for the protection of society. The freedom to act must have appropriate definition to preserve the enforcement of that protection." (Emphasis added)

Ashcroft v. Free Speech Coalition, 535 U.S. 234,253 (2002)
"First Amendment freedoms are most in danger when the government seeks to control thought or to justify its laws for that impermissible end. The right to think is the beginning of freedom, and speech must be protected from the government because speech is the beginning of thought."

Ashcroft v. American Civil Liberties Union, 535 U.S. 564, 573 (2002)
"[A]s a general matter, 'the First Amendment means that government has no power to restrict expression because of its message, its ideas, its subject matter, or its content'"

Employment Div. v. Smith, 494 U.S. 872, 888 (1990)
"As we reaffirmed only last Term, '[i]t is not within the *judicial ken* to question the centrality of particular beliefs or practices to a faith, or the validity of particular litigants' interpretation of those creeds.' Hernandez v. Commissioner, 490 U.S. at 490 U. S. 699. *Repeatedly and in many different contexts, we have warned that courts must not presume to determine the place of a particular belief in a religion or the plausibility of a religious claim."* (Emphasis added).

Employment Div. v. Smith, 494 U.S. 872, 888 (1990)
"The *compelling interest test* effectuates the First Amendment's command that religious liberty is an independent liberty, that it occupies a preferred position, and that the Court will not permit encroachments upon this liberty, *whether direct or indirect*, unless required by clear and compelling governmental interests "of the highest order," Yoder, supra, 406 U.S. at 406 U. S. 215"

California Motor Transport Co. v. Trucking Unlimited, 404 U.S. 508, 510-511 (1972)
The Free Petition Clause encompasses petitions to all three branches of the federal government—the Congress, the executive including administrative agencies and the judiciary.

Neitzke v. Williams, 490 U.S. 319, 328 (1989).
"There, we stated that an appeal on a matter of law is frivolous where '[none] of the legal points [are] arguable on their merits.' Id. at 386 U. S. 744. By logical extension, a complaint, containing as it does both factual allegations and legal conclusions, is frivolous where it lacks an arguable basis either in law or in fact."

Thomas v. Review Bd., Ind. Empl. Sec. Div., 450 U.S. 707, 714 (1981)
"The determination of what is a "religious" belief or practice is more often than not a difficult and delicate task, as the division in the Indiana Supreme Court attests. [Footnote 7] However, the resolution of that question is not to turn upon a judicial perception of the particular belief or practice in question; ***religious beliefs need not be acceptable, logical, consistent, or comprehensible to others*** in order to merit First Amendment protection." (Emphasis added)

Schneckloth v. Bustamonte, 412 U.S. 218, 229 (1973)
"It may be that it is the obnoxious thing in its mildest and least repulsive form; but illegitimate and unconstitutional practices get their first footing in that way, namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of person and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of courts to be watchful for the constitutional rights of the citizen and against any stealthy encroachments thereon."

The ***Unconstitutional Conditions Doctrine*** is a rule which describes that the government cannot condition a person's receipt of a governmental benefit on the waiver of a constitutionally protected right; even if the government may withhold that benefit altogether. This doctrine further hold that the government cannot force a person to choose between two constitutionally protected rights, in exchange for discretionary benefits, where the property sought has little or no relationship to the benefit conferred.

Perry v. Sindermann, 408 U.S. 593, 597 (1972)
"It may not deny a benefit to a person on a basis that infringes his constitutionally protected interest, especially his interest in freedom of speech. For if the government could deny a benefit to a person because of his constitutionally protected speech or associations, his exercise of those freedoms would in effect be penalized and inhibited. This would allow the government to 'produce a result which [it] could not command directly.' Speiser v. Randall, 357 U. S. 513, 357 U. S. 526. Such interference with constitutional rights is impermissible."

<u>Substantive Due Process Doctrine</u>

The courts have viewed the Due Process Clause and sometimes other clauses of the Constitution as embracing those fundamental rights that are "implicit in the concept of ordered liberty. Such protections, sufficient and timely notice regarding why a party is required to appear before a court or notice provided prior to encroaching government action(s), the right to an ***impartial trier of fact*** and ***trier of law***, and the right to give testimony and present relevant evidence at hearings.

Palko v. Connecticut, 302 U.S. 319, 327, (1937)

“This is true, for illustration, of freedom of thought, and speech. Of that freedom one may say that it is the matrix, the indispensable condition, of nearly every other form of freedom. With rare aberrations, a pervasive recognition of that truth can be traced in our history, political and legal.”

United States v. Lanier, 520 U.S. 259, 266 (1997)

“There are three related manifestations of the fair warning requirement. First, the vagueness doctrine bars enforcement of ‘*a statute which either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application.*’” Connally v. General Constr. Co., 269 U. S. 385, 391 (1926); accord, Kolender v. Lawson, 461 U. S. 352, 357 (1983); Lanzetta v. New Jersey, 306 U. S. 451, 453 (1939).”