**US District Court vs. district court of the United States**

The Statutes at Large clearly identify who can/cannot bring suit as a party for the Government.

**Pleader Invokes Jurisdiction**

Pleader invokes jurisdiction of the "district court of the United States"[l] and NOT the

"United States District Court".

"**The United States District Court is not a true United States court established under Article III**

**of the Constitution to administer the judicial power of the United States therein conveyed.**

It is created by virtue of the sovereign congressional faculty, granted under Article IV, Section 3, of that instrument, of making all needful rules and regulations respecting the territory belonging to the United States. The resemblance of its jurisdiction to that of true United States courts in offering an opportunity to nonresidents of resorting to **a tribunal not subject to local influence**, does not change its character as **a mere territorial court**." (Mookini et al. v. U.S., 303 U.S. 201, head note 2. Courts) [Emphasis added.]

[2**]"The words "district court of the United States" commonly describe constitutional courts**

**created under Article III of the Constitution**, not the legislative courts which have long been

the courts of the Territories." [Int'l Longshoremen's and Warehousemen's Union et al.] v.

,Juneau Spruce Corp., 342 U.S. 237 (1952)] [Emphasis added.]

[3]**"These [territorial, USDC] courts then, are not Constitutional courts, in which the judicial**

**power conferred by the Constitution on the general government can be deposited. They are**

**incapable of receiving it. They are legislative courts**, created in virtue of the general rights of

sovereignty which exists in the government, or in virtue of that clause which enables

Congress to make all needful rules and regulations, respecting the territory belonging to the

United States. The jurisdiction, which they are invested, is not a part of that judicial

power which is defined in the 3d article of the Constitution, but is conferred by Congress, in

the execution of those general powers which that body possesses over the territories of the

United States. Although admiralty jurisdiction can be exercised in the States in those courts

only which are established in pursuance of the 3d article of the Constitution, the same

limitation does not extend to the territories. In legislating for them, Congress exercises the

combined powers of the general and of the State government.'' [Emphasis added.]

[4] (American Insurance Co. v.356 Bales of Cotton, 1 Pet. 511 (1828)

Judicial notice: **Supreme Court acknowledges distinction of jurisdiction between these two**

**courts via Federal Rules of Evidence**. [Emphasis added.]

[1] The term "District Courts of the United States," as used in Criminal Appeals Rules,

without an addition expressing a wider connotation, had its historic significance and

**described courts created under article 3 of Constitution, and did not include territorial**

**courts.** [Mookini et al. v. U.S., 303 U.S. 201][head note 2. Courts] [Emphasis added.]

[2] Legislative courts, so-called because they are created by Congress in pursuance of its

general legislative powers, have comprised a significant part of the federal judiciary.

[3] **The distinction between constitutional courts and legislative courts** was first made in

American Ins. Co. v. Canter,50 which involved the question of the admiralty jurisdiction of

the territorial court of Florida, the judges of which were limited to a four-year term in office.

Said Chief Justice Marshall for the Court: **"These courts, then, are not constitutional courts**,

in which the judicial power conferred by the Constitution on the general government, can be

deposited. They are incapable of receiving it. They are legislative courts, created in virtue of

the general right of sovereignty which exists in the government, or in virtue of that clause

which enables Congress to make all needful rules and regulations, respecting the territory

belonging to the United States. **The jurisdiction with which they are invested, is not a part of**

**that judicial power which is defined in the 3rd article of the Constitution, but is conferred by**

**Congress, in the execution of those general powers which that body possesses over the**

**territories of the United States.**" 51 [Emphasis added.]

[4] Chief Justice John Marshall sought to resolve the uncertainty in AMERICAN

INSURANCE CO. V. CANTER (1828) by inventing a new category called LEGISLATIVE

COURTS. Such a court, Marshall said, is not created under Article III, which provides for the

establishment of constitutional courts to exercise the JUDICIAL POWER of the United

States. Rather it is created by Congress in carrying out its general legislative powers under

Article I, including the power to provide for the government of the territories. Although the

case at hand was one of ADMIRALTY AND MARITIME JURISDICTION, plainly within the

federal judicial power, the fact that it arose in a territory made it appropriate for disposition

by such a "legislative" territorial court. The result made good sense in a territory (Florida)

that was to become a state; upon statehood, most of the work of the territorial courts would

be taken over by the state courts, and there would be no place for a large body of life-tenured

judges in the new federal courts. Furthermore, independence from the President and

Congress receded in importance in a territorial government that had essentially the same

power as a state to discard the principle of SEPARATION OF POWERS. Today legislative

courts continue to serve. [(1986) The Law of Federal Courts, 4th ed. Pages 14-15, 40-42, 49,

139-140. St. Paul, Minn.: West Publishing Co].

CITE- 18 USC Sec. 3231 01/22/02

-EXPCITE- TITLE 18 - CRIMES AND CRIMINAL PROCEDURE

PART II - CRIMINAL PROCEDURE

CHAPTER 211 - JURISDICTION AND VENUE

-HEAD- Sec. 3231. District courts

-STATUTE- The district courts of the United States shall have original jurisdiction, exclusive

of the courts of the States, of all offenses against the laws of the United States.

Nothing in this title shall be held to take away or impair the jurisdiction of the

courts of the several States under the laws thereof.

[7:37:18 AM] pt:

Did your alleged offense occur on U.S property within any exterior boundaries of your state??? They are simply administering to THEIR U.S. property.

[11:47:18 AM] GD:

OK; Criminal Actions are different than Civil Suits,

and there would be a great advantage to invoke

a Constitutional Court, because then all Pleadings

would be ruled by the Constitution, and not in

Admiralty, as is the case with USDC.

I filed Federal Civil suit captioned --

**"District Court of the United States"**

OF COURSE the Judge and Defendant Attorneys

came back with "USDC" pleadings and orders.

Is it still even possible to invoke the Constitutional

Court? And if we do that, then what advantage

is there in Civil Actions? Because my injuries by

the cops did not occur on “government property”,

but on the common ways (local streets).

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[11:54:22 AM] GD:

BTW - thanks for those excellent cites;

but we still need a roadmap, as to HOW

to invoke a Constitutional Court. I have

heard that we need to actually go to D.C.

to do it, where there is supposed to be a

Court of Common Law, somewhere in a

back room at the end of a long hallway,

in some obscure government office building.

But that is not confirmed.

Or possibly file in the D.C. USDC, and

caption it properly, because the Pleadings

are what invoke Jurisdiction, Venue and Law.

The U.S. Court of International Trade in NYC,

is also supposed to be in Common Law, as is

the Court in Philadelphia (not knows if State  
Supreme Court or Federal USDC). But again,

none of that is confirmed.

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