

SUPREME COURT OF THE UNITED STATES

IN THE SUPREME COURT OF THE UNITED STATES

- - - - -

HHPRINCEGEORGE,)

Petitioner,)

v.)

UNITED STATES,)

Respondent.)

- - - - -

Pages: 1 through 9

Place: Washington, D.C.

Date: May 4, 2018

HERITAGE REPORTING CORPORATION

Official Reporters
1220 L Street, N.W., Suite 206
Washington, D.C. 20005
(202) 628-4888
www.hrcourtreporters.com

1 P R O C E E D I N G S

2 (6:33 p.m.)

3 JUSTICE GINSBURG: We'll hear argument this
4 evening in Case 5-25, HHPrinceGeorge versus the United
5 States.

6 Petitioner, your time begins as soon as you
7 begin.

8 MR. DIZZLE: Justice Ginsburg, and may it
9 please the Court:

10 Today we approach to consider and debate the
11 legality of a Senate appointment made by TimGeithner, in
12 his official capacity as President, which elevated Mr.
13 ConnerRusso to the office of Senator. In doing so,
14 there are questions of fact and of law to consider.

15 Before getting into these questions, the
16 Petitioner wishes to affirm standing and jurisdiction.
17 Petitioner HHPrinceGeorge has standing as a sitting
18 Senator who has, in effect, suffered vote dilution
19 directly caused by the appointment. Further, given that
20 we have the Anytime Review clause to consider, the Court
21 has the ability to hear the arguments it pleases
22 regardless of standing.

23 Firstly, the Petitioner argues against the
24 assumption that the appointee in question met an
25 accumulative time of 2 months as a citizen, this is a
26 presupposed conclusion based on little evidence. It can
27 be seen through the audit log that Mr. Russo was granted

1 citizenship on the eleventh of April of this year at
2 around 10:35 PM EST, and it can be seen that Mr. Russo
3 was previously granted citizenship on the third of
4 October of the preceding year. However there is no
5 evidence of when Mr. Russo left, due to the nature of
6 audit logs and the data they carry, and there is no
7 evidence of presence in the audits either. Due to this
8 lack of data, the idea that Mr. Russo met an
9 accumulative requirement, assuming that is the standard,
10 must be met with skepticism.

11 JUSTICE THOMAS: Can you clarify what you mean
12 by "vote dilution"?

13 MR. DIZZLE: Yes, Your Honor.

14 Essentially, when I say vote dilution I refer
15 to the fact that a Senator's voting power is lessened by
16 the addition of more members of the Senate. Of course
17 they still have one vote, but their relative share of
18 the vote has lessened, and they have less power and
19 influence than they did before. Of course this is
20 typical when the Senate has vacancies, but it becomes an
21 issue if it's the result of an illegal action.

22 May I continue? I apologize, I thought
23 Justice Kagan had a follow up question.

24 JUSTICE THOMAS: They do; seems they're just
25 taking a few moments to type it out.

26 JUSTICE KAGAN: Isn't the Senator's voting
27 power only diluted if the entire Senate is in session?

1 MR. DIZZLE: It is diluted on any matter that
2 the additional Senator votes on, as they wouldn't have
3 been participating otherwise. For instance if there's a
4 matter that 9 Senators vote on including that additional
5 Senator, it would have been 8 if they had not been
6 appointed. Of course this is typical, as I said it is
7 only an issue if it results from illegal means.

8 JUSTICE GORSUCH: I too have a question.

9 MR. DIZZLE: Yes, Your Honor?

10 JUSTICE GORSUCH: I just want to make sure
11 we're clear, voter dilution was something aimed at
12 protecting minorities from an unequal representation in
13 Congress. Are you making the claim that HHP is a
14 minority that feels there is unequal representation in
15 congress as a result of the Senate appointment?

16 I mean, correct me if I am wrong, but I feel
17 that, your claim is just a little out of the spectrum
18 here.

19 MR. DIZZLE: That is the traditional context,
20 however as has been seen NUSA can deviate from
21 tradition. This is not a claim appearing just today, I
22 refer also to the statement by Justice Bork when the
23 Court denied the motion to dismiss.

24 NUSA/ROBLOX is accumulative, I will refer to
25 precedent to show this but first I want to highlight
26 said difference. The language used for this
27 accumulative requirement is "shall not have attained to

1 the age of." Similar language could and should have
2 been used, were the Constitution to have mandated an
3 accumulative requirement for citizenship. Instead we
4 see that the requirement is that, prior to assuming
5 office, one shall not be a Senator unless they have
6 "been two Months a Citizen of the United States." I
7 assert that this wording implies a consecutive,
8 uninterrupted duration leading up to assuming office.
9 Back to the age requirement, the basis for it being
10 accumulative goes back to the case of King_Fruits v.
11 Federal Elections Commission. In this controversy the
12 Court decided that age is accumulative, as it was
13 determined that the legal age of any individual must
14 account for previous accounts they had. Likewise, the
15 qualification for Representatives works the same. This
16 difference is logical as the intention of the
17 citizenship clause is not only the thorough weaning
18 "from the prepossessions and habits" that may be
19 incident to foreigners, but also to prevent the creation
20 of a "a channel for foreign influence on the national
21 councils" as noted in Federalist No. 62. This purpose
22 shows the intent of an uninterrupted duration, as
23 accumulative time does not necessarily prevent for such
24 foreign influence, and would thus undermine said
25 purpose.

26 That will wrap up my opening argument, thank
27 you Your Honors.

1 JUSTICE GINSBURG: You have time remaining.

2 MR. DIZZLE: Your Honors, Respondent has
3 alleged that there is no textual evidence for a
4 continuous qualification in the "whole Constitution."
5 In support of this, Respondent paraphrases the relevant
6 clause. Before continuing, let us evaluate the exact
7 wording of the Constitution for certainty, which
8 declares that "no Person shall be a Senator who shall
9 not have attained to the Age of six Months on ROBLOX,
10 and been two Months a Citizen of the United States, and
11 who shall, when elected, be an Inhabitant of a different
12 United States of America group on ROBLOX." The
13 particularly relevant portion could be read as "no
14 Person shall be a Senator who shall not have been two
15 Months a Citizen of the United States." I would say
16 that Petitioner has already put forth textual evidence
17 combined with precedent and evidence of intent to
18 support this assertion, and now this evidence should be
19 refuted by Respondent.

20 JUSTICE GINSBURG: You do not have to use up
21 all your time, counsel.

22 MR. DIZZLE: Respondent has appealed to the
23 current opinion of the President, as a former member of
24 this high Court, and implicitly as author of the
25 Constitution. This sort of argument must be dismissed
26 as a matter of precedent. Consider the controversy of
27 YoutubeDizzle100 v. United States. Consider the

1 statement by Chief Justice Holmes in his vote "Nay. I'd
2 rather not succumb to the purported 'intent' of the
3 author (I'm a textualist), especially given that the
4 author in this case didn't alter in any form, the text
5 being cited by the petitioner." The petitioner made the
6 same appeal to the author, and it was denied.

7 Thank you.

8 JUSTICE GINSBURG: General.

9 GEN. IRISH: Justice Ginsburg, and may it
10 please the Court:

11 If we review my opposing counsel's first
12 argument, he states that we must approach my claim with
13 skepticism as there are no logs of leaving the group.
14 Your Honors, by his statement we must think that maybe
15 he did serve 2 months. Furthermore, Your Honors, the
16 President took an oath entering office to protect the
17 U.S. Your Honors, the petitioner is accusing the POTUS
18 of a crime and reverting to the very basis of our
19 justice system, they must show that, with law, they are
20 correct. I am more inclined to believe the POTUS who
21 served on this very Court to act in according to the
22 Constitution over some Senator who rarely attends
23 sessions.

24 JUSTICE GORSUCH: Can you explain to me how the
25 Senate currently does votes? If I recall correctly,
26 wasn't it both in-session and on a public forum? If

1 that is so, then why bring up the petitioner's
2 attendance?

3 JUSTICE KAGAN: And wouldn't the Senator's vote
4 still be "diluted" in the other mediums of voting?

5 GEN. IRISH: If I could continue, Your Honors,
6 I have a future statement regarding that.

7 JUSTICE GORSUCH: Thank you, General. But I
8 still don't see how the Senator's attendance would in
9 any way have relevance to your current argument.

10 You can continue.

11 GEN. IRISH: Your Honors, on that question from
12 Justice Kagan.

13 The petitioner is claiming he is being injured
14 by the equalization of congress, basically he is being
15 injured by democracy. If I have satisfied your request,
16 Your Honor, I'd like to move onto my final point.

17 If I may cite the petitioner counsel statement
18 "NUSA/ROBLOX is accumulative." The word accumulative,
19 defined as "gathering or growing by gradual increases"
20 is in support of my earlier claim that the Constitution
21 does not have a consecutive citizenship requirement but
22 instead an accumulative conservative requirement of
23 citizenship. Your Honors, the precedent mentioned by
24 the petitioner supports that citizenship in NUSA is a
25 conservative thing and builds up over time rather than
26 directly preceding something.

1 To conclude, the petitioners statement does
2 not defer from the fact there is no textual evidence or
3 precedent to support their proposal and even writes a
4 supporting statement for our claim.

5 Thank you.

6 JUSTICE GINSBURG: Thank you, counsel. The
7 case is submitted.

8 (Whereupon, at 7:41 p.m., the case was
9 submitted.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24