

STRITZINGER v STRITZINGER ET ALL

IN THE CIRCUIT COURT OF SOUTH CAROLINA  
AND THE COURT OF APPEALS, SOUTH CAROLINA

Appeal No. 2025-000964

Trial Court Cause # 2019CP4004271

RECEIVED

JUN 27 2025

SC Court of Appeals

FORMAL BILL OF EXCEPTION TO PROBATE COURT ACTION

APPELLANTS STATEMENT ON EVIDENCE AND WHY THIS COURT SHOULD RECONVENE TO REVIEW IT

Excluding everything else, and because there is no trial court record, Appellant/CounterPetitioner will provide a list of evidence he believes which was not marked but handed to the trial court which would constitute a record in the probate court.

A. AFFADAVIT OF JOHN S. STRITZINGER

**APPELLANT OFFERS THE FOLLOWING AFFADAVIT OF HIS RECOLLECTION OF THE PROBATE ACTION**

"John S. Stritzinger made a full market bid for the home he was living in Florida with the affirmation from BBT that a 200K home would be bought with improvements, and a 600K home in Texas would be sold which had a balance of roughly 200K owed to Bank of America. Appellant expected he should receive a payment in cash of roughly 150-200K after settlement as the litigation in Texas might have been more complex. BBT was going to underwrite that action.

I was sued by my brother for eviction after he told him me he would not accept a full market bid for the home he was living and despite having sufficient collateral. The Florida Circuit court signed this order prior to trial, and set the trial more than 30 miles from Appellants residence in an absolutely humungous county which is almost as large as South Carolina. The trial was set for more than 10 days thereafter, requiring a cost to stay plus transportation over 2K dollars which was irrational. The situation with this court he believed was even more difficult as he believed they took the original statement from the City of Orlando Police, or reviewed it prior to this trial.(3<sup>rd</sup> one in florida).

Appellant believes that was the case, because David A. Stritzinger was financing litigation of his father James R. Stritzinger Sr. against Katherine Wright which spanned several states and because Jim Sr. wanted to steal John S. Stritzingers house in Austin, Texas. In other words James R. Stritzinger Sr. believed his company was forced into bankruptcy as a result of the divorce process by the Wright Family, and had filed conspiracy complaints against Wright lawyers in six states. The Summary Below represents my recollection of the background and what happened before the court took the appeal in this case. I believe literally all the evidence entered into the record by the Probate court was inadmissible under the SC Rules of Evidence."

B. SUMMARY OF THE PROBATE ACTION AND PROBLEMS

**INITIATION OF THE PROBATE ACTION**

he probate Action was initiated by James R. Stritzinger Jr, a resident of 695 Bluff Pt Road, Columbia, SC part of the district of the Dutch Fork Magistrate, and Southwestern Columbias border with the city of Sumter county – LadyLake).

#### **SUBSTANCE OF THE PROBATE ACTION AND VALIDATION**

James R. Stritzinger apparently filed a MH petition with some County Magistrate which was accepted and sealed by the court. We believe Judge Maurer ordered it to be served. Judge Maurer did not ask Richland county detectives to validate the complaint as they never took John S. Stritzingers statement who was a Virginia resident who was staying at his brothers rental property in Florida while multiple proceedings with Verizon Federal were underway primarily in Maryland, and Florida, but in the US District courts of three districts.

We assume that it was with Judge Maurer who was the Magistrate for Dutch Fork in 2018. We presume this only because this office was less than 3M from James R. Stritzingers home, and on the way to his workplace and the I26 Hwy. We say apparently because Appellant was never served this document. Appellant has never seen it. For the same reason Appellant could not respond to it, only Mr. Bartlett could as Mr. Bartlett has electronic access to the MH docket in the probate court.

#### **JURISDICTION AND STANDING**

James R. Stritzinger had not spoken to John S. Stritzinger except over a dinner paid for by Appellant for James R. Stritzinger and James Stritzinger at Carolina Ale House in the Vista on St. Patricks Day. Prior to that they had no contact with each other for more than 2 years. Appellant was staying at the Masters Inn in Lexington County, and took a cab to dinner. (Checker Yellow). That was a normal dinner, and nothing substantial happened. It was the only time John S. Stritzinger was in the city except to go to the US District Courthouse. Richland county had no basis to serve a complaint against John S. Stritzinger who was living in a different county and had been in the County less than 5 hours on the night in question.

Appellant believes that James R. Stritzinger is not a lawyer, or a MH professional and did not have the powers given to deputies of the state to initiate actions. Furthermore, he did not have first hand knowledge of anything he apparently swore to in his filing." He has no standing to request relief because he was not physically harmed by John S. Stritzinger which is the basis the US Supreme Court has made to establish the same. The list of references are endless. James R. Stritzinger Jr's filing was MOOT.

Furthermore apparently James R. Stritzinger attached to his statement a medical report which WAS A PARTIAL COURT RECORD FROM A PREVIOUS TRIAL IN VIRGINIA OF MANY REPORTS WHICH APPELLANT NON.

James R. Stritzingers filing represented a felony theft of medical records, violation of HIPAA compliance, perjury, double jeopardy, etc. Without the Medical documents it would not have been served. "

#### **RICHLAND COUNTY DETECTIVE AFTER SERVICE WOULD NOT PROVIDE A COPY OF THE COMPLAINT SECOND AFFADAVIT OF JOHN. S. STRITZINGER**

"An unknown deputy said he was given a MH document from a County Magistrate. He told me that it included a medical document from Virginia, and a statement from my brother stating I was homeless, jobless, and ranting about the Central Intelligence Agency was the basis of his filing which was brief. He took me to the intake of the ER room at Prisma Hospital and said it was up to them whether it would be upheld. They had 48 hours to determine the merits of the filing according to the deputy but he did not cite South Carolina code, provide an attorney or give me a copy of the document so I could prepare my thoughts. He offered nothing else. He didn't ask me any questions. He said that was Prisma's job. He said if my responses were ok then I would be released.

When I arrived at Prisma, I was made to wait until well into the evening before I could even get a sandwich. I was starving and the ER room I was staying in was very very cold. Below 65 degrees and I didn't have my clothes with me which were at my hotel as I recall. I believe my hotel drove them to the Amtrak at CLB site as I had to check out over the phone and they were in Amtrak storage. All my other possessions were in my 4 bedroom home in Texas and a storage unit there."

#### **JUDGE MAURER HAS NO SOUTH CAROLINA LAW DEGREE AND CANNOT RULE ON JURISDICTION AND STANDING WITHOUT FURTHER TRAINING OR BRIEFING BY LEGAL EXPERTS**

As seen in Exhibit A – The training required to review standing and Jurisdiction are lengthy requiring at least 3CH at a public law school or University. Judge Maurer's service of this claim is illegal and a violation of the South Carolina Constitution (Double Jeopardy).

#### **ACTIONS BY VERIZON WHICH MADE EMPLOYMENT DIFFICULT**

Verizon filed a civil action with the State of Virginia Employment Commission by Samuel Asiedu without contacting Verizon management. (Self Filed). Furthermore Mr. Asiedu after being denied access to a classified extension to a US Government bid, filed a criminal complaint against orders from internal counsel as well at the direction of his mom and father who are both US Immigrants who went to law schools in the United States. In other words Verizon via Samuel Asiedu had sued John S. Stritzinger both on a civil complaint, and a criminal complaint in multiple jurisdictions when he had almost no cash flow.

Furthermore the criminal complaint was served to Virginia which blocked owed paid Vacation Time, and his sales commissions which were worth approximately 30K dollars, and would have been sufficient to return to Texas. Under Virginia law, a Wage claim greater than 10K has to be served by the Circuit Court on a **Criminal Bench Warrant**. Such an order would have precluded John S. Stritzinger from EVER RETURNING TO VERIZON EVEN THOUGH MR. ASIEDU WAS DIRECTLY VIOLATING A NATIONAL SECURITY ORDER ISSUED BY PRESIDENT OBAMA.

#### **PREVIOUS TRIALS ALREADY DETERMINED IN OTHER JURISDICTIONS STATES IN THE SAME MATTER**

"I believe the States of Florida, Virginia, and Delaware had all heard related trials related to this action, and were using evidence and data from Texas. I believe Judge Smiley's hearing was the 5<sup>th</sup> incident. These incidents were all related to irrational garnishments by Texas. Pennsylvania and North Carolina effectively denied trials. In other words Mr. Asiedu's actions spanned PA, NJ, DE, MD, NC, SC, FL, TX. I needed 14 sets of counsel to resolve this complaint if Judge Wooten didn't order an order on the merits in US District Court. I believe that Judge Wooten acted in a criminal manner in this case, he both denied

a hearing on the merits, and then denied Bankruptcy proceedings citing Federal Benefits and low expenses.”

#### **PRELIMINARY HEARING – SMILEY**

“Prior to my hearing with Judge Smiley, I met with Dr. Raynor every day for a few minutes. This went on for some 90 days. The complexity of the Verizon Action was very great, and even Mr. Bartlett took more than a week to understand. It was beyond the reach of Dr. Raynor, and his resident Ms. Noggle. Ms. Noggle is a much better than average looking female about 35 years old, and Dr. Raynor was her certifying doctor. Occasionally a third doctor appeared when Ms. Noggle was on vacation. Dr. Raynor is the hospital director, and he told me about the facility. I joined as many groups as I could to make time pass, but they essentially try to get you to recant all the facts you told them to leave. An employment action against Verizon Federal in South Carolina had zero chance of success, and he suggested I return to Virginia right away. He said he used to work there. He believed that the legal situation was so bad that it might take a decade to restoration. That was the basis of his finding.

Judge Smiley held a hearing about 10 days later. Ms. Noggle wrote a report stating that they had called the Doctor who wrote the report in Virginia, and they weren't going to do an evaluation beyond what he already did. They said it was sufficient to enter into the record. They emailed this report and their notes on the conversation to Judge Smiley, and he entered a 90 day patient stay. This stay cost the US Government more than 200K dollars, as RH charges over 2000 dollars a day. What they do is they charge you personally, then file a request with the US Government for reimbursement. My bill reached 200K at my discharge, and sometime within 60 days thereafter it was paid a long with a large lump sum of 65K dollars in January.

The issue is this is cascading hearsay because the Virginia Doctor in Question Dr. Vyas, was reviewing the FBI bid and the Verizon Action in Virginia which is quite a complicated set of issues in itself. Dr. Vyas has no national security clearance yet works in a Nuclear Military area. It was beyond amazing. Dr. Vyas said he was relying on a divorce report filed by Maureen Burroughs a Texas Professional.

So we had a SC professional reviewing a VA professional, reviewing a TX professionals documents none of which had any primary data of their own. They never saw me acting irrational in the equivalent of a hotel room at Richland Hospital with a TV, and a game room.

Judge Smiley said he was signing a 90 day order but it was only in effect in South Carolina, and I was free to leave thereafter. He asked me what I was going to do, I told him my plan was to return to Bob Evans who gave me benefits with BCBS while I tried to resolve the VZ complaint. I tried to do that in Florida, but judges who signed probable cause statements for felony criminal issues, are not inclined to hear cross-claims without some statement by third party counsel. I believe the two Senior judges in Florida were already tainted by Verizon who hoped to steal my bid work and intellectual property which included upwards of 150 preliminary patents.

The issue in this case was emailed and stolen records. Mr. Greg Parker said he was the ad litem attached to the case, and it wasn't his job to do anything but call the state as a witness. In other words Greg Parker called Dr. Raynor and Ms. Noggle as witnesses, and they entered the Virginia Documents into the record along with the full medical documents gathered by Prisma. Nurses take notes every day so after two weeks they have 20-50 pages of documentation usually. This is usually just bio-rhythm data.

The issue is the holding area at RH is a hotel room, and the longer term stay is very different with full spectrum issues. The spectrum of treatable disorders in this hospital was much larger than I have seen before as the State of Virginia has a much larger hospital, and the first trial in Delaware (yes that's right this is the third trial on the same filings) was essentially a rehab hospital for drug users. They prescribe methodone and wait two weeks effectively to see what you are like without toxins in your body.

Its my experience that most patients in the hospital are at the verge of starvation so their MH issues are related to nourishment problems. After a week in the hospital with 3 trays and lots of sleep most patients recover. Charging the US Government 200K for homeless services is ridiculous. I believe Governor McMaster does not do his job. In Columbia alone they are short about 5K beds, and I believe in Myrtle Beach about 2500 beds.

Greg Parker told me he was going to be my lawyer. I asked him to get my resume, and validate my work history and he refused. He told me the first hearing was a formality. I believe he filed one or more statements with the court on his 2 min discussion with me.

I am a previously sworn Federal Law Enforcement officer, and I believe that Mr. Parker committed Felony Perjury on our very first encounter. I filed a bar complaint against him for the same. I also believe the State of South Carolina has a process problem. In Virginia every patient gets an attorney without requesting one, and the state has a prosecutor for each and every case which is usually outside counsel with special training on medical issues."

#### **BELTON ON THE MERITS**

"Judge Belton accepted my motion for counsel and appointed Mr. Bartlett. She told us she was going to review the whole case including Judge Smileys order. Mr. Bartlett let Greg Parker who was now acting as the State Prosecutor to enter the entire record from the first hearing without objections. He did not seek to cross-examine James R. Stritzinger or review the states process for initiating the case, the amounts billed by prisma which were excessive. Mr. Bartlett did nothing at all. He request Mr. Bought night who became the 4<sup>th</sup> Prisma doctor along with Ms. Finks, Dr. Raynor, and Dr. Noggle and he offered no legal theories, offered nothing nice to say about me, and did not make any effort to send subpoenas or do some statement on previous job history. Effectively Mr. Bartlett became Greg's assistant in prosecuting his client which is a clear claim for a bar compliant in TOTAL INEFFECTIVENESS OF COUNSEL. No legal theories, No evidence, No effort to call me as a witness. No discussion of Florida, or recent travels or staying in another county. Furthermore, after doing nothing at all Mr. Bartlett served the court for a bill of 10K dollars when he did no preparation at all. He met me once in his office. After that Mr. Bartlett and Mr. Parker submitted a draft order to the court which I understand was a draft order they use in every medical case. It effectively gives all your money and property to an executor and suspends all of your rights as a US Citizen. I believe the order itself is illegal and unconstitutional. Courts only have the power to enter orders related to pleadings they have received and evidence on the record. There was no responsive pleadings representing that order, and no evidence in support of the drastic basis of it in the first place. That order however is signed by every south Carolina state Judge in every probate matter. It may take a Federal Trial to rectify the process, but that's several years longer in practice.

James R. Stritzinger took the stand and said I was incompetent and he was simply trying to save his brothers life. He testified for several minutes. The court did not allow me to cross-examine him on

process issues, and Mr. Bartlett asked him no question at all. He did nothing at all but send the court a bill.

I believe James R. Stritzinger has a narcissistic personality disorder. He was a Microsoft Vice President who lost all of his money after starting his own company, and lost his new job at SCRA a South Carolina State appointed job by the Governor for having an affair with his corporate secretary. After the affair he was fired and had no money to pay for his 3M mortgage in Hilton Head. He had put all of his own money in trust, and was living off trust payments, but he was forced into bankruptcy as a result of his own poor personal conduct.

I told the FBI when I was an executive at Bank of America in 2009, he called me to tell me he was leaving his wife of many years, and that he was in love. He asked to stay with me in Charlotte. I told him no, I liked his wife, and he wasn't separated or divorced yet. He believes that that phone call was wiretapped by Bank of America security or Katherine Wrights counsel in Texas, and they (one or both) filed an anonymous complaint with his manager in South Carolina which resulted in losses in excess of 5M dollars by my estimation. My brother was quite rich at one time with a boat on the lake.

My brothers problems had nothing to do with me. I made no errors at Verizon. I made no bad decisions, but James R. Stritzinger sr, his dad joined the criminal action with Dollar Rental Car in Florida on affidavit which has mostly destroyed my life and my kids lives. Jim Sr, also insulted a Texas judge who barred him from the court room and assessed 100K dollars in legal fees which is the primary issue in the garnishment case. In other words in a custody battle Jim Sr. who began to drink heavily insulted the court operations officer of the 345<sup>th</sup> district court on tape, after he called my ex wife an expletive in the hallway. She was standing right next to him as I recall. They then played a tape of the exchange at the last day of the trial. After that I had to evict him from my home as my kids didn't like him around. They complained he was mean."

## SUMMARY OF EVIDENCE

### 1) SMILEY

- a) Reports – Initial Filing by James R. Stritzinger Jr. with Dr. Vyas Report (INADMISSABLE STOLEN EVIDENCE & HERESAY – TWO OBJECTIONS).
- b) Statement of John S. Stritzinger about the perjury of Gregory Parker – Reardon Law Firm who was the States Appointed Ad-Litem. Mr. Parker told Appellant he was his lawyer and would be defending him. Mr. Parker then took multiple statements about the Verizon case which were included in the record.
- c) Reports and Statements by Noggle, Raynor which were related to Dr. Vyas report. After 1 week they had not done their own. Appellant objects to these as neither Dr. Noggle, or Raynor were psychologists nor was Dr. Vyas, they have no training to review Dr. Burroughs report who had a Masters in Psychology, and her PHD in Psychiatry. Dr. Burroughs in my opinion is significantly more qualified to the other three doctors, but even her report was one of six filed in Texas. The State of South Carolina only review negative evidence admitted in other states not anything positive. Furthermore Dr. Noggle, and Dr. Raynor neither have any national security experience or any technology experience and could not provide comments about the Verizon FBI bid which was the basis of their report.

- d) Statement by James R. Stritzinger asking for a 90 day stay who did not have standing, experience, or background to enter an expert report.
  - e) Statement of Greg Parker claiming he also supported a longer review of the case.
  - f) I don't believe that any of the experts who testified are qualified to provide comments on the Verizon Federal Bid received from the FBI, none saw John S. Stritzinger behaving irrationally, and none could support James R. Stritzinger previous perjured complaint which was admitted before the hearing even began by email.
- 2) BELTON
- a) NOGGLE, RAYNOR filed a report after 90 days. Bartlett appears. Objections to NOGGLE AND RAYNORS appearance would have been ignored by most courts.
  - b) Court orders a report by Boughtnight requested by Bartlett who was his friend. A 5<sup>th</sup> grade math test was rendered, and Mr. Boughtnight said I was dyslexic when he met me. Like Dr. Raynor, and Noggle he was not qualified to review the Verizon case, and was equally skeptical like most psychologists.
  - c) Counsel Bartlett after temporary orders by Judge Smiley had to review the entire process, previous trials and other states, a felony crimes by the Stritzinger family in a trial on the merits. If this case is reviewed that's what needs to happen.
  - d) Counsel Bartlett offered no legal theories, no competing experts, no cross-examination, no documents in support, no work history, no property ownership statements in Texas. He did nothing at all.
  - e) Judge Belton refused to let me cross-examine witnesses as she had appointed Mr. Bartlett to do that.
  - f) As a result of the complete incompetence of Mr. Bartlett at trial, only the State of South Carolina proceeded. There was no defense allowed to be presented.
  - g) Judge Belton taped the courtroom proceedings, and entered documents into the record without marking them and stating what they are. As a result her trial is not renewable on a per document basis.
  - h) Judge Belton was presented a form draft order by Greg Parker which he apparently had already sent to Jim Jr, and Bart Barlett. The three parties had agreed before the trial what they were going to ask the court to order.

## OTHER ISSUES – PREVIOUS TRIALS AND DOUBLE JEAPORDY

- a) William R. Stritzinger(DE), Jim Sr(FR) had filed identical trials and complaints they lost.
- b) Samuel Asiedu had filed an identical statement in Virginia and he lost, because the Chief Judge of Virginia Beach County(Lahne) met me on emergency orders WHILE I WAS STILL AN EMPLOYEE OF VERIZON.
- c) The filing by James R. Stritzinger Jr. was not double jeopardy it was a 4<sup>th</sup> Jeopardy event all filed by the direct family of John S. Stritzinger AFTER ALL BEING FORCED INTO BANKRUPTCY BY MS. WRIGHT AND HER COUNSEL.

## MAJOR COMPLAINTS ON A REVIEW/APPEAL

- a) No Reporters Record by the clerks affidavit from either Smiley or Beltons Case.
- b) No Service of Process of the original Action which is required in all Civil and Criminal Causes.

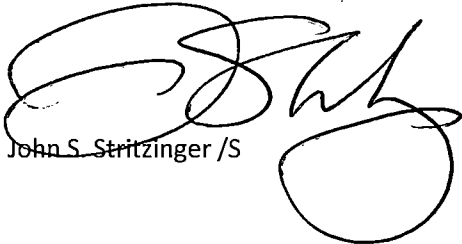
- c) Illegal interrogation not by a Richland Detective on Tag Jurisdiction, but by Ms. Finks at between 2am-4am if I am not mistaken. Otherwise I would have been released at 7am. Her interrogation was on the CIA which James R. Stritzinger Jr. Applied to and wanted to work for but I did not.
- d) Cross-Claims on Appeal not allowed to be served at the Circuit Court Level – Cross-Criminal charges against James R. Stritzinger.
- e) Circuit Court denies right to correct the record, cross-examine the original witnesses.
- f) Circuit Court denies to suspend Ms. Wrights garnishment, or enforce subpoenas issued by the clerk in the Circuit Court.

John S. Stritzinger /S



**CERTIFICATE OF SERVICE**

This document was served electronically to James R. Stritzinger Jr. before filing by electronic methods in its entirety including exhibit A, and B.



John S. Stritzinger /S

John S. Stritzinger  
1800 Washington Street  
Columbia, SC 29201

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SC Court of Appeals

EXHIBIT A - List of United States Supreme Court cases involving standing  
 From Wikipedia, the free encyclopedia

A number of United States Supreme Court opinions have been important for their development of the doctrine of legal standing in the context of federal law in the United States. Some of those opinions include:

Case	Year decided	Holding	Voting
<u><i>Dred Scott v. Sandford</i></u>	1857	People of African ancestry (whether free or not) were not United States Citizens, and therefore lacked standing to sue. This ruling stood as precedent until the ratification of the <u>Fourteenth Amendment to the United States Constitution</u> .	7–2
<u><i>Georgia v. Tennessee Copper Co.</i></u>	1907	States, as quasi-sovereigns, have <i>parens patriae</i> standing to sue for environmental harms, in this case fumes from copper mining. <sup>[1]</sup>	9–0
<u><i>Fairchild v. Hughes</i></u>	1922	A New York resident (whose state had women's suffrage) lacked any particularized standing to challenge alleged state-level ratification of the <u>Nineteenth Amendment to the United States Constitution</u> . This was a landmark case; prior to this, private citizens were permitted to litigate public rights.	9–0
<u><i>Frothingham v. Mellon</i></u>	1923	The generalized injury of higher taxation overall is insufficient to give a taxpayer standing to challenge federal spending. This case is considered the genesis of the doctrine of <u>standing</u> . <sup>[2]</sup>	9–0
<u><i>Poe v. Ullman</i></u>	1961	The plaintiff lacked standing to challenge a law banning contraceptives as it had never been enforced, and the controversy was not yet <u>ripe</u> . The same law was successfully challenged four years later in <u><i>Griswold v. Connecticut</i></u> .	5–4
<u><i>Baker v. Carr</i></u>	1962	Voters have standing to litigate when their constitutional <u>right to vote</u> is infringed.	7–2

<u><i>Epperson v. Arkansas</i></u>	1968	In contrast to <i>Poe</i> , the court did recognize standing in a case for overturning an unenforced Arkansas state law prohibiting the teaching of <u>evolution</u> . <sup>[3]</sup>	9-0
<u><i>Flast v. Cohen</i></u>	1968	Clarified that <i>Frothingham</i> did not deny all taxpayer lawsuits; identified the <u>Flast test</u> , which gives standing to taxpayers challenging laws are based on the congressional <u>power to tax and spend</u> , and if the challenged law can be shown to exceed any constitutional limitations on that power. <sup>[4]</sup>	8-1
<u><i>Sierra Club v. Morton</i></u>	1972	An environmental group, as a corporate entity, did not by itself have standing to challenge a development permit, but such a group could sue on behalf of any of its members if those members had, themselves, a particularized interest. <sup>[5]</sup>	4-3
<u><i>United States v. SCRAP</i></u>	1973	SCRAP, despite alleging quite attenuated injuries to the local environment due to a proposed rail freight increase on recyclable materials, did assert a particularized harm by showing that its members made use of those areas, and thus enjoyed standing to sue under the principles enunciated in <i>Sierra Club</i> . <sup>[6]</sup>	8-0
<u><i>DeFunis v. Odegaard</i></u>	1974	A student who had challenged a school's racially discriminatory admissions standards, but who had been allowed to attend college while the case proceeded, lacked standing due to <u>mootness</u> .	5-4
<u><i>Valley Forge Christian College v. Americans United for Separation of Church and State</i></u>	1982	<u>Americans United</u> lacked standing on the grounds that the conditional gift of surplus federal property to a religious college was the result of an executive branch action under <u>Article IV</u> rather than a congressional action taken under the <u>Taxing and Spending Clause</u> , and therefore was not covered under the <u>Flast test</u> . <sup>[7]</sup>	5-4
<u><i>Havens Realty Corp. v. Coleman</i></u>	1983	An organization may sue in its own right if it has been directly injured, for example through a "drain on the organization's resources", and that so-called "testers", individuals who sought to determine if a company was in violation of the law, may have standing in their own right. <sup>[8]</sup> <small>[full citation needed]</small>	9-0 <sup>[9]</sup>

<u><i>City of Los Angeles v. Lyons</i></u>	1983	A plaintiff had standing to sue for damages from being subjected to a <u>chokehold</u> that was allowed under Los Angeles Police Department policy, but did not have standing to sue for an injunction against the chokehold policy itself because the plaintiff could not show a "real and immediate threat" that he would be subjected to the same policy in the future. <sup>[10]</sup> The Court clarified that courts must find standing for different forms of relief individually. <sup>[11]</sup>	5-4
<u><i>Allen v. Wright</i></u>	1984	A group of African-American parent plaintiffs lacked standing to challenge what they saw as a lack of enforcement of restrictions by the <u>Internal Revenue Service</u> on certain private school tax exemptions, as the plaintiff parents' children had never applied, and had no plans to apply to those schools.	5-3
<u><i>County of Riverside v. McLaughlin</i></u>	1991		
<u><i>Lujan v. Defenders of Wildlife</i></u>	1992	Plaintiff environmental organizations lacked standing under the Endangered Species Act; such a plaintiff must have suffered a tangible, particular harm.	7-2
<u><i>Northeastern Fla. Chapter, Associated Gen. Contractors of America v. Jacksonville</i></u>	1993		
<u><i>Raines v. Byrd</i></u>	1997	Individual members of Congress lack the particularized interest required for standing for issues affecting the entire Congress, in this case the <u>Line Item Veto Act of 1996</u> .	7-2
<u><i>DaimlerChrysler Corp. v. Cuno</i></u>	2006	State taxpayers do not have standing to challenge state tax laws in federal court.	9-0
<u><i>Massachusetts v. EPA</i></u>	2007	States have standing to sue the EPA to enforce their views of federal law, in this case, the view that <u>carbon dioxide</u> was an air pollutant under the <u>Clean Air Act</u> . Cited <i>Georgia v. Tennessee Copper Co.</i> as precedent.	5-4

<u>Hein v. Freedom From Religion Foundation</u>	2007		
<u>Bond v. United States</u>	2011	Plaintiff had standing to argue that a federal law enforcing the <u>Chemical Weapons Convention</u> in this instance intruded on state police powers. (On the merits, Bond's claim was later rejected.)	9-0
<u>Hollingsworth v. Perry</u>	2013	Proponents of a California ballot initiative against gay marriage did not have standing to defend the law in court after the governor and attorney general refused to do so; the decision had the effect of legalizing gay marriage in California	5-4
<u>Spokeo, Inc. v. Robins</u>	2016	There is a distinction between the "concrete" and "particularized" requirements for the "injury in fact" element of the standing test. The case was remanded without deciding the standing question. <sup>[12]</sup>	6-2
<u>Thole v. US Bank</u>	2020	Statutory cause of action to sue does not satisfy Article III standing requirements; plaintiffs must have suffered concrete and particularized injury.	5-4
<u>Carney v. Adams</u>	2020	Plaintiff did not have Article II standing to challenge the legality of a law limiting who can apply for judicial vacancies because he failed to show that he was "able and ready" to apply for a judicial vacancy and thus did not suffer personal, concrete, and imminent injury.	8-0
<u>Uzuegbunam v. Preczewski</u>	2021	<u>Nominal damages</u> satisfy Article III's requirement of redressability.	8-1
<u>California v. Texas</u>	2021	States and individuals have no Article III standing to block a federal <u>individual mandate</u> of \$0 because there is no penalty.	7-2
<u>TransUnion LLC v. Ramirez</u>	2021	Only plaintiffs concretely harmed by a defendant's statutory violation have Article III standing to seek damages against that private defendant in federal court.	5-4

<u><i>FDA v. Alliance for Hippocratic Medicine</i></u>	2024	A plaintiff's desire to make a drug less available for others does not create Article III standing.	9-0
<u><i>Murthy v. Missouri</i></u>	2024	States and individual social media users have no Article III standing to enjoin government agencies and officials from pressuring or encouraging social media platforms to suppress protected speech in the future.	6-3

EXHIBIT B – STATE COURTS RULING ON FEDERAL LAW

# CONSTITUTION ANNOTATED

Analysis and Interpretation of the U.S. Constitution

## ArtIII.S1.6.4 State Court Jurisdiction to Enforce Federal Law

Article III, Section 1:

*The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.*

Unless the federal courts possess exclusive jurisdiction over a matter, state courts may hear cases over which federal courts would have also had jurisdiction.<sup>1</sup> However, it does not necessarily follow from the fact that state courts are *authorized* to hear claims arising under federal law that the state courts *must* agree to hear federal claims. In deciding multiple cases on this issue, the Supreme Court has ruled that state courts generally must hear federal law claims unless state law bars a state court from hearing a federal claim through a “neutral rule of judicial administration” that does not improperly burden claims arising under federal law.<sup>2</sup>

In the 1876 case *Clafin v. Houseman*, the Supreme Court held that state courts could hear cases arising under federal bankruptcy law.<sup>3</sup> The Court reasoned:

The laws of the United States are laws in the several States, and just as much binding on the citizens and courts thereof as the State laws are. The United States is not a foreign sovereignty as regards the several States, but is a concurrent, and, within its jurisdiction, paramount sovereignty.<sup>4</sup>


The Court thus held that “the State courts have concurrent jurisdiction whenever, by their own constitution, they are competent to take it.”<sup>5</sup> While *Clafin* concerned when state courts may exercise jurisdiction over federal claims, a number of subsequent cases have cited *Clafin* when considering when state courts may validly *decline* jurisdiction over federal claims.

In several cases, the Supreme Court has upheld state courts’ refusal to hear federal claims, finding that state law provided a “valid excuse” to decline jurisdiction. For instance, in *Douglas v. New York, N.H. & H.R. Co.*, the Court upheld a state law that allowed state courts to decline jurisdiction over both state and federal law claims when neither party was a resident of the State.<sup>6</sup> The Supreme Court noted that there was nothing in the federal statute at issue “that purports to force a duty” to hear cases on state courts “as against an otherwise valid excuse.”<sup>7</sup> In *Howlett v. Rose*, the Court summarized cases like *Douglas*, where states had validly declined to hear federal claims, as involving “neutral rule[s] of judicial administration.”<sup>8</sup>

By contrast, in *Mondou v. New York, N.H. & H.R. Co.*, a Connecticut court declined to hear a case arising under federal law, in part because the state court held it was “at liberty to decline cognizance of actions to enforce rights arising under [the federal] act,

because . . . the policy manifested by it is not in accord with the policy of the state.”<sup>9</sup> The Supreme Court rejected that proposition and held that the state court must hear the case. In so holding, the Court emphasized that the case did not involve “any attempt by Congress to enlarge or regulate the jurisdiction of state courts, or to control or affect their modes of procedure,” but only a question of when state courts must hear federal claims that fall within their “ordinary jurisdiction, as prescribed by local laws.”<sup>10</sup>

Similarly, in *Testa v. Katt*, the Rhode Island Supreme Court declined to enforce a federal statute containing a punitive damages provision, finding that the law was penal in nature and the “state need not enforce the penal laws of a government which is ‘foreign in the international sense.’”<sup>11</sup> The U.S. Supreme Court reversed, holding that the Rhode Island court must enforce the federal statute, and that a state policy of not enforcing penal statutes of other sovereigns was not a “valid excuse” under *Douglas*.<sup>12</sup> Among other things, the Court explained that “[i]t cannot be assumed, the supremacy clause considered, that the responsibilities of a state to enforce the laws of a sister state are identical with its responsibilities to enforce federal laws.”<sup>13</sup>

In the 2009 case *Haywood v. Drown*, the Supreme Court considered a state statute that divested New York state courts of jurisdiction over suits under 42 U.S.C. § 1983  seeking money damages from corrections officers, as well as similar state law claims against corrections officers.<sup>14</sup> The Court held that the New York law violated the Supremacy Clause. Writing for the majority, Justice John Paul Stevens explained, “we have emphasized that only a neutral

jurisdictional rule will be deemed a ‘valid excuse’ for departing from the default assumption” that state courts will hear federal claims.<sup>15</sup> Although the New York statute removed jurisdiction over both state and federal claims, the Court held, “equality of treatment” between state and federal claims “does not ensure that a state law will be deemed . . . a valid excuse for refusing to entertain a federal cause of action.”<sup>16</sup> Rather, by distinguishing between Section 1983 claims against corrections officers and all other Section 1983 suits, New York undermined the federal policy of making relief under Section 1983 broadly available. The Court held that this was impermissible: “having made the decision to create courts of general jurisdiction that regularly sit to entertain analogous suits, New York is not at liberty to shut the courthouse door to federal claims that it considers at odds with its local policy.”<sup>17</sup>

The question of state court enforcement of federal law is related to, but distinct from, the anti-commandeering doctrine.<sup>18</sup> In *Printz v. United States*, the Supreme Court distinguished between federal control over state courts and commandeering of the political branches of state government. Justice Antonin Scalia’s majority opinion surveyed federal legislation from early Congresses that required state courts to take certain actions, such as recording applications for citizenship, but noted that state courts are bound by the Supremacy Clause, which expressly requires them to apply federal law. The Court thus concluded, “we do not think the early statutes imposing obligations on state courts imply a power of Congress to impress the state executive into its service.”<sup>19</sup>

## Footnotes

1. <sup>^</sup> See, e.g., *Clafin v. Houseman*, 93 U.S. 130, 136 (1876) [↗](#); *Charles Dowd Box Co. v. Courtney*, 368 U.S. 502, 507 (1962) [↗](#); *Gulf Offshore Co. v. Mobil Oil Corp.*, 453 U.S. 473, 477–84 (1981) [↗](#).
2. <sup>^</sup> *Howlett v. Rose*, 496 U.S. 356, 374 (1990) [↗](#).
3. <sup>^</sup> 93 U.S. 130 (1876) [↗](#). Currently, federal law grants the federal courts exclusive jurisdiction over bankruptcy cases, 28 U.S.C. § 1334 [↗](#), but that was not true at the time of the events at issue in *Clafin* [↗](#).
4. <sup>^</sup> 93 U.S. at 136.
5. <sup>^</sup> *Id.*
6. <sup>^</sup> 279 U.S. 377 (1929) [↗](#). See also *Herb v. Pitcairn*, 324 U.S. 117 (1945) [↗](#) (upholding state court's application of state venue laws to dismiss for want of jurisdiction of an action brought under federal law because the cause of action arose outside the city court's territorial jurisdiction); *Missouri ex rel. S. R. Co. v. Mayfield*, 340 U.S. 1 (1950) [↗](#) (holding that a state's application of the forum non conveniens doctrine to bar adjudication of a federal claim brought by nonresidents was constitutional as long as the policy was enforced impartially); *Johnson v. Fankell*, 520 U.S. 911 (1997) [↗](#) (holding that a state rule limiting interlocutory jurisdiction did not discriminate against federal claims). A related question is whether federal procedural rules apply in state courts when they hear federal claims. The Supreme Court rejected that proposition in *Minneapolis & St. Louis R. Co. v. Bombolis* [↗](#), in which it declined to apply the Seventh Amendment's jury trial requirement to state courts enforcing a federal statute. 241 U.S. 211 [↗](#). The rule that state courts must entertain federal claims, the Court explained, did not imply that "for the purpose of enforcing the right, the state court was to be treated as a Federal court." *Id.* at 222.
7. <sup>^</sup> 279 U.S. at 388.
8. <sup>^</sup> 496 U.S. 356, 374 (1990) [↗](#).
9. <sup>^</sup> 223 U.S. 1, 55 (1912) [↗](#).
10. <sup>^</sup> *Id.* at 56–57. See also *McKnett v. St. Louis & S.F. Ry.*, 292 U.S. 230, 233–34 (1934) [↗](#) ("[T]he Federal Constitution prohibits state courts of general

jurisdiction from refusing to do so solely because the suit is brought under a federal law.”).

11. [^ 330 U.S. 386, 388 \(1947\) ↗](#).
12. [^ \*Id.\* at 393.](#)
13. [^ \*Id.\* at 389.](#)
14. [^ 556 U.S. 729 \(2009\).](#)
15. [^ \*Id.\* at 735.](#)
16. [^ \*Id.\* at 738.](#)
17. [^ \*Id.\* at 740.](#)
18. [^ For further discussion of the anti-commandeering doctrine, see Amdt10.4.2 Anti-Commandeering Doctrine.](#)
19. [^ 521 U.S. 898, 907 \(1997\) ↗](#).

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