

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF VIRGINIA
December 11, 2017

PETITION FOR AN INVESTIGATION OF THE COMPLICITY BY THE SUPREME COURT OF VIRGINIA, THE VIRGINIA STATE BAR DISCIPLINARY BOARD, THE VIRGINIA STATE BAR, AND THE OFFICE OF ATTORNEY GENERAL OF VIRGINIA TO VIOLATE THE LIMITATIONS AND PROHIBITIONS OF THE VIRGINIA CONSTITUTION, VA CODE, THE U.S. CONSTITUTION, AND THE VOID AB INITIO ORDER DOCTRINE.

The Petition seeks to stop the violations of the mandate of “due process” under the 5th, 7th, and 14th Amendments to the U.S. Constitution and the limitations\prohibitions of Art. I, and Art. VI §§ 1,¹ 5,² and 7³ of the Constitution of Virginia (VA Const.”), and VA Code § 54-1-3915,⁴ by the Supreme Court of Virginia (“Court”) issuance and use of illegal court rules in complicity with the Virginia State Bar, the Virginia State Bar Disciplinary Board (“VSBDB”), and the Office of Attorney General of Virginia (“Government Attorneys”). The benchmark of the Petition is President Theodore Roosevelt’s statement that, “**[n]o man is above the law and no man is below it: nor do we ask any man's permission when we ask him to obey it.**”

These allegations are based upon the irrefutable evidence of violations of VA Code § 54.1-3935,⁵ wherein the General Assembly used its exclusive power to establish **a decentralized attorney disciplinary system** granting authority and jurisdiction to discipline an attorney with statewide effect only to the judges it had chosen to the Court, Court of Appeals, and circuit court.⁶ Obedience to the **decentralized attorney disciplinary system** was mandated by Art. VI § 5 of the VA Const., and VA Code § 54-1-3915 restricting the delegation of rulemaking authority to the

¹ **Article VI, § 1. Judicial power; jurisdiction.** states in relevant part that **judicial power** in Virginia **shall be vested** in the Court, and, “**in such other courts of original or appellate jurisdiction** subordinate to the Supreme Court **as the General Assembly may from time to time establish.**” (Emphasis added)

² **Article VI, § 5.** states in relevant part that the Court shall have the authority to make rules, “**but such rules shall not be in conflict with the general law**” enacted by the General Assembly. (Emphasis added).

³ **Article VI, § 7.** states in relevant part that justices of the Court, and, “**all other courts of record shall be chosen by . . . the General Assembly.** . . . (Emphasis added)

⁴ **VA Code § 54.1-3915.** states in relevant part that the Court shall not issue rules that, “**are inconsistent with any statute; nor shall it promulgate any rule or regulation or method of procedure which eliminates the jurisdiction of the courts to deal with the discipline of attorneys.**” (Emphasis added)

⁵ **VA. Code § 54.1-3935. Procedure for revocation of license.**

A. If the Supreme Court, the Court of Appeals, or any circuit court of this Commonwealth observes, or if a complaint, verified by affidavit is made by any person to such court, that any attorney has. . . violated the Virginia Code of Professional Responsibility, the court may assign the matter to the Virginia State Bar for investigation. Upon receipt of the report of the Virginia State Bar, the court may issue a rule against such attorney to show cause why his license to practice law shall not be revoked. If the complaint, verified by affidavit, is made by a district committee of the Virginia State Bar, the court shall issue a rule against the attorney to show cause why his license to practice law shall not be revoked.

B. If the rule is issued by the Supreme Court . . . [it] shall be returnable to the Circuit Court of the City of Richmond...

⁶ This was done by the General Assembly to assist the Judicial Branch subsequent to *Legal Club of Lynchburg v. A.H. Light*, 13249, 430, 119 S.E. 55 (1923), citing *Fisher’s Case*, 6 Leigh (33 Va.) 619 (1835), which held that “**[t]he powers to . . . make suspension or revocation of license effective in all other courts of [Virginia] must be conferred by statute.**” although in a proper case a court does have inherent power to suspend or annul the license of an attorney **only** in that particular court (Emphases added). See *When Has the Supreme Court of Appeals Original Jurisdiction of Disbarment Proceedings?* R.H.C. *Virginia Law Review*, Vol. 10, No. 3 (Jan. 1924), pp. 246-248; see also David Oscar Williams, Jr., *The Disciplining of Attorneys in Virginia*, 2 *Wm. & Mary Rev. Va. L.* 3 (1954) <http://scholarship.law.wm.edu/wmrval/vol2/iss1/2>.

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Court under VA Code § 54.1-3909, prohibiting it from issuing rules **inconsistent with rights under either VA Const. and/or VA Code**, and restricting the Virginia State Bar created under Court rules only to the investigation of bar complaints, but solely upon the request of legally chosen judges of courts established by the General Assembly.

But, the evidence is indisputable,⁷ that in flagrant violation of the restrictions, limitations, and prohibitions of Art. VI, §§ 1, 5, & 7 of the VA Const., VA Code §§ 54.1-3909, 3915, & 3935, and §§ 18.2-499/500, the 5th, 7th, & 14th Amend. to the U.S. Const., 26 U.S.C. § 7214, and the *Void Ab Initio Order Doctrine*,⁸ the Court issued unlawful rules to establish a **centralized attorney disciplinary system** under the Court's control, so to assume away the **decentralized attorney disciplinary system** established by the General Assembly.⁹ Subsequently, the courts and government attorneys were complicit in resisting the execution of the laws under color of authority in violation of VA Code §§ 18.2-481 & 482,¹⁰ by use of legal sophistry and misuse of *stare decisis/res judicata*, to:

First, violate Art. VI § 1 of the VA Const., to disregard the prohibition on the Court from establishing the VSBDB as a "court" with jurisdiction and judicial authority to discipline attorneys;

Second, violate Art. VI § 7 of the VA Const., and VA Code § 54-1-3935(B), to disregard the prohibition on the Court from choosing and appointing the 21 members of the VSBDB as "judges" under its control and to defy the limitation on the Virginia State Bar to investigate;

Third, violate the *Void Ab Initio Order Doctrine* by the Court and the lower court's affirming the VSBDB *void ab initio order* in violation of VA Code §§ 18.2-481 & 482 and granting themselves Judicial Immunity for unlawful acts and malfeasance (*See Isidoro Rodriguez v. Hon. Leroy Rountree Hassell, Sr., et al.*, No. 081146 (2008); Fairfax Cir Ct. No CL-2007-1796);

Fourth, violate of VA Const., VA Code, U.S. Const., and the *Void Ab Initio Order Doctrine* by permitting the unlawful use the VSBDB and Court's *void ab initio orders* to disbar me from

⁷ This evidence was uncovered during my past 14 years of litigation to obtain: first, damages for the retaliatory criminal/civil business conspiracy of Washington D.C. Lobbyist/Attorney Eric Holder *et al.* in violation of Va. Code § 18.2-499, 500, evidenced by the filing of two fraudulent VSBDB complaints filing law suits to enforce my statutory property rights in a choate Virginia Attorney's Lien on a client's claim to treasure trove **confirmed valued at \$18 Billion USD**, and my rights as a father under VA Code and Treaty (*See <http://www.liamsdad.org/others/isidoro.shtml>*); and second, to stop the usurping of the General Assembly's power to choose judges and establish lower courts under Art VI of the VA Const. and VA Code—as well as stop the violation of the *Void Ab Initio Order Doctrine* by the VSBDB issuing a *void ab initio order* disbaring me in 2006 for litigating to enforce my statutory rights (*See http://www.vsb.org/docs/Final_Order_Rodr_11-28-06.pdf*).

⁸ The *Void Ab Initio Order Doctrine*, mandates that when an entity does not have either constitutional authority, or legal power, or jurisdiction to render any act or order, said act or order is *void ab initio*—therefore not lawful and not subject *stare decisis/res judicata or enforcement* because said act or order is a complete nullity from its issuance, and may be impeached directly or collaterally by all persons, at any time, or in any manner. *See, Collins v. Shepherd*, 274 Va. 390, 402 (2007); *Singh v. Mooney*, 261 Va. 48, 51-52(2001); *Barnes v. Am. Fertilizer Co.*, 144 Va. 692, 705 (1925); *Rook v. Rook*, 233 Va. 92, 95(1987); and *Marbury v. Madison*, 5 U.S. 137, 1 Cranch 137; 2 L. Ed. 60; 1803 U.S. LEXIS 352 (1803).

⁹ The motive for these illegal acts was to systematically deprive citizens of an independent legal profession, access to an impartial court, and civil jury trial to bar liability for criminal and tortious acts of government attorneys, employees, and judges.

¹⁰ It is a Class 2 felony for, "[r]esisting the execution of the laws under color of authority," thus there is neither "impunity" nor absolute immunity for acts outside of the scope of employment, judicial authority and jurisdiction.

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federal practice before the U. S. Supreme Court, the U. S. Court of Appeal for the 2nd, 3rd, 4th, 11th, D.C. and Federal Circuits, the U. S. Dist. Court for the E.D. of Virginia, and U.S. Tax Court; and,

Fifth, violate the VA Const., VA Code, U.S. Const., and *Void Ab Initio Order Doctrine*, by permitting the Hon. Dist. Judge John A. Gibney and U. S. Court of Appeal for the 4th Circuit to issue **unpublished void orders** in 2013 to systematically deny me access to an impartial court and jury trial to challenge the above *void ab initio orders* and unlawful acts by enjoining/prior restraining future litigation by use of legal sophistry and misuse of *stare decisis/res judicata*, (*See Isidoro Rodriguez v. John/Jane Doe of the VSBDB, et al.*, (2013) EDVA No. 3:12-cv-00663 (<https://casetext.com/case/rodriguez-v-doe-5>) and (<https://www.gpo.gov/fdsys/pkg/USCOURTS-ca4-13-01638/pdf/USCOURTS-ca4-13-01638-0.pdf>)).¹¹

Consequently, pursuant to your oath of office and the doctrine of separation of power I petition every member of the General Assembly to investigate the above evidence complicity of the Court, the Virginia State Bar, VSBDB, and Office of Attorney General to violate Art. VI, §§ 1, 5, & 7 of the VA Const., VA Code §§ 54.1-3909, 3915, & 3935, and the 5th, 7th, & 14th Amends. to the U.S. Const.,¹² and, to act to stop the systematic denial of access to an impartial court and trial by jury to permit me to obtain accountability and damages for violation of VA Const., VA Code, the *Void Ab Initio Order Doctrine*, and VA Code §§ 18.2-499/500.¹³

Respectfully submitted,

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¹¹ These summary *void ab initio orders* have aided and abetted the business conspiracy to deprive me of my law office, profession, reputation, right to employment, property, and rights as a father. The evidence is that I was disbarred from federal practice in retaliation for my successfully challenging the U.S. Department of Justice under the control of Eric Holder during the Clinton, Bush, and Obama Administrations: *See also Martinez v. Lamagno and DEA*, 515 U.S. 417 (1995) (I argued and won before the U.S. Supreme Court against Holder, DOJ, and the USCA 4th Cir.'s surreal argument that a DEA agent was within his scope of employment when driving drunk and having sex); *Organization JD Ltda. v. Assist U.S. Attorney Arthur P. Hui and DOJ*, 2nd Cir. No. 93-6019 and 96-6145 (1996) (I argued and won the right to hold accountable DOJ attorneys for violation of the Electronic Communications Privacy Act (1978)); *Lopez v. the First Union*, 129 F3rd. 1186 (11th Cir. 1997) (I argued and won the right to hold accountable DOJ and financial institution for violation of the Right to Financial Privacy Act); *Cooperativa Multiactiva de Empleados de Distribuidores de Drogas (Coopservir Ltda.) v. Newcomb, et al.*, D.C. Cir. No 99-5190, S Ct. No 99-1893 (2000) (I challenged Pres. Clinton's Executive Order under War Power Act as a prohibited bill of attainder); and, *Isidoro Rodriguez, Esq., et al. v. Nat'l Ctr. For Missing & Exploited Children*, et al., 03-cv-00120 (D.D.C. filed Jan. 27, 2003) (I challenge the violation of the "zone or war exception to The Hague Convention Children (See http://www.vsb.org/docs/Final_Order_Rodr_11-28-06.pdf)).

¹² I resort to filing this Petition with each member of the General Assembly, because my elected representatives Sen. Richard L. Saslaw (Dem.), and Del. Marcus B. Simon (Dem.), failed to act pursuant to the doctrine of separation of power to protect me from the above unlawful acts and malfeasance. (*See* My address to NOVA representatives respectively 2009 and 20010, Fairfax County Judicial Center (<https://www.youtube.com/watch?v=VAKEfjcA5sQ>), and (<http://t.co/sLv7pz3zD5>)).

¹³ In addition to this Petition seeking protection as a citizens of Virginia and the United States pursuant to the U.S./Virginia Constitutions, VA Code, and the *Void Ab Initio Order Doctrine*, I have filed complaints with the United Nations and with the Inter-American Commission on Human Rights of the Organization of American States (P-926-16), Memorandums of Law, and as exhibits the *Void Ab Initio Court Orders*, pursuant to my fundamental rights under Treaty to challenge the surreal *void ab initio orders* granting "impunity" and absolute immunity to government attorneys, employees, and judges for unlawful acts (See <http://www.isidororodriguez.com>) requested, electronic PDF copy will be sent).