

# Impeachment & Supreme Court Justice Roberts

BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

A call for the **impeachment** of Supreme Court Justice **John Roberts**, appointed by George W. Bush, with **removal from office** if guilty on:

## Count I-

Justice **Roberts denial of a jury trial** (see Oct. 5<sup>th</sup>, 2009 Supreme Court docket 08-10898), to U.S. born Page Penk, resulting in Mr. Penk being denied a jury trial on his Denver speeding ticket;

## Count II-

Justice **Roberts imposed taxation without representation** of a jury trial, upon Mr. Penk's false speeding ticket accusation of travelling 51 m.p.h. in a 40 zone,

with said impeachment (the single subject), being carried out initially by the U.S. House of Representatives under Article III, Sec. 1 of the U.S. Constitution, acting on this timeline of events:

**June 21<sup>st</sup>, 1788-** Article III, Sec. 2, "The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury," and the rest of the original federal Constitution, is ratified as the law of the land,

**Dec.15<sup>th</sup>, 1791-** The Sixth Amendment, "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury", and nine other amendments to the federal Constitution, are adopted into the family of laws,

**Aug. 26<sup>th</sup>, 1963-** Cook County, IL live birth of David Penk, certificate by Edward J. Barrett,

**Feb. 28<sup>th</sup>, 1986-** Boulder County Court, CO (see 65C782) name change from "David Penk" to "Page Penk",

**March 28<sup>th</sup>, 2007-** *Penk v Huber* (07-CV-607), filed this date in court in Denver, CO, seeking a Colorado specialty plate reading "PEACE IS POSSIBLE",

**August 17<sup>th</sup>, 2007-** Page Penk visits Alfred A. Arraj courthouse, Denver, CO, to file motion in *Penk v Huber*,

August 17<sup>th</sup>, 2007- Alfred A. Arraj courthouse, Denver, CO, Mr. Penk falsely charged with two petty offenses, (see *United States v Penk*, Criminal Case No. 07-po-01242-CBS), failure to comply with signs and directions, 41 F.C.R. § 102-74.385 and creating a disturbance, 41 F.C.R. § 102-74.390, offenses which carried a prison term limited to 30 days and are classified as Class C misdemeanors (see 18 U.S.C. §§ 3559(a)(8), 3571(b)(6), 3581(b)(8), Class C misdemeanors are defined as “petty offenses” by 18 U.S.C. § 19 and 41 C.F.R. § 102-74.450, see *United States v. McCrickland*, 957 F. Supp. 1149, 1150 (E.D.Cal. 1996),

Nov. 19<sup>th</sup>, 2007- Mr. Penk files written motion for a jury trial on petty offense criminal tickets H 5066195 and H 5066196,

Feb. 8<sup>th</sup>, 2008- Mr. Penk’s request for a jury trial under Article III, Sec. 2, clause 3 and the Sixth Amendment is denied by District Court Magistrate Craig B. Schaffer this date, instead, his bench trial authorized under D.C. COLO. LCrR 57.1 and 18 U.S.C. § 3401, takes place with Criminal Justice Act appointed lawyer Neal McFarland representing Mr. Penk, Mr. Penk convicted of Failure to obey signs and directions, acquitted of Creating a disturbance, sentenced this day under 28 U.S.C. 636(a)(4) to five days in jail, and a \$300 fine,

Feb. 10<sup>th</sup>, 2008- Mr. Penk files a timely appeal under 18 U.S.C. § 3402 to Senior District Judge Kane from his Feb 8<sup>th</sup> conviction, see also Fed. R. Crim. P. 58(g)(2) (see *U.S. v. Penk*, Criminal Case No. 08-00064- JLK),

Dec. 22<sup>nd</sup>, 2008- Senior District Judge Kane affirms Mr. Penk’s conviction despite the lack of a jury trial, Mr. Penk files timely appeal this date to 10<sup>th</sup> Circuit under 28 U.S.C. § 1291 (see *United States v. Penk*, 08-1497 (CA 10<sup>th</sup> Cir. Colo.), the language of 28 U.S.C. § 1291 includes final district court adjudications of appeals from misdemeanor trials by a magistrate judge, *United States v. Gagnon*, \_\_\_ F.3d \_\_\_, 2009 WL 196362, (6<sup>th</sup> Cir. 2009) (citing *United States v. Aslam*, 936 F.2d 751, 754 (2d Cir. 1991)),

April 7<sup>th</sup>, 2009- Order and Judgment: Lucero, Murphy and McConnell 10<sup>th</sup> circuit judges sitting, W“e affirm Mr. Penk’s conviction because there is no right to a jury trial for petty offenses” this date appeal denied (*United States v. Penk* is reported in a non-published slip opinion, 2009 WL 921109, CA 10<sup>th</sup> Colo., April 7<sup>th</sup>, 2009),

June 16<sup>th</sup>, 2009 - Mr. Penk files a timely appeal to the United States Supreme Court under 28 U.S.C. § 1254 (1), his appeal is only based on the denial of a jury trial promised him under Article III, Sec. 2, clause 3 and the Sixth Amendment,

**Oct. 5<sup>th</sup>, 2009-** Supreme Court denies certiorari, Chief Justice Roberts violates the Article III, Sec. 1 “good Behaviour” requirement of judges in this activist reading of the law,

**April 12<sup>th</sup>, 2010-** Page Penk falsely accused of speeding (see Denver County Court Traffic Ticket C-089711),

**June 10<sup>th</sup>, 2010-** Page Penk’s request for a jury trial is denied based on John Roberts Oct. 5<sup>th</sup>, 2009 ruling stripping Mr. Penk of his Article III, Sec. 2 and Sixth Amendment right to a jury trial,

**June 10<sup>th</sup>, 2010-** Page Penk guilty of speeding in a “trial” to a single judge, stripped by John Roberts of his birth right to have no taxation at any rate without the representation of a jury at trial:

**August 25<sup>th</sup>, 2010-** Page Penk decides to offer the respect of a jury trial, in the United States Senate, presided over by the Honorable Richard A. Posner, to John Roberts,

shall be added to the Colorado Constitution.



Submitted August 25<sup>th</sup>, 2010 by **Friends of Medina**☺

Page Penk 1304 S. Parker Rd, PH 17, Arapahoe County, Colorado, 80231-303-283-7913 and Chester Penk 1304 S. Parker Rd, PH 17, Arapahoe County, Colorado, 80231-303-283-7913

