

IN THE UNITED STATES  
COURT OF FEDERAL CLAIMS

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WENDELL S. FORTSON, II, JD, PHD, )	
Plaintiff, )	25-2058C
v. )	Case No. _____
UNITED STATES OF AMERICA, )	
Defendant. )	Judge: _____
_____ )	

COMPLAINT

PLAINTIFF WENDELL SOMERVILLE FORTSON, II, JD, PHD (“**Dr. Fortson**”) files this civil action to bring to justice and hold accountable former Justices of the U.S. Supreme Court and former judges of lower federal courts (“**U.S. Supreme Court Justices et al.**”) for enforcing laws and policies that granted themselves [U.S. Supreme Court Justices et al.], other government officials, and men of European ancestry (“**European Men**”) the actual and apparent legal authority to destroy the American Negro Community (individually “**American Negroes**” or “**Negroes**”) using methods of ethnic cleansing (i.e., methods of forcible rape and forcible incestuous rape as defined on page 7) and other forms of extreme sexual violence from approximately 1790 to 1865 (hereafter also referred to as the “**American Negro Sexual Genocide**”). *See,*

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Wilma King, *“Prematurely Knowing of Evil Things”*: *The Sexual Abuse of African American Girls and Young Women in Slavery and Freedom*, 99 *Journal of African American History*, 173, 173-193 (2014); *see also*, Rachel A. Feinstein, *When Rape Was Legal: The Untold History of Sexual Violence During Slavery* at 21-23 (2019); Thomas Foster, *Rethinking Rufus: Sexual Violations of Enslaved Men* at 46-67 (2019); Gregory D. Smithers, *Slave Breeding: Sex, Violence, and Memory in African American History* at 101-126 (2012); and Thomas Blackshear, *The Selection and Breeding of Negro Slaves* (2025). U.S. Supreme Court Justices et al.’s enforcement of such laws and policies constitutes state action and thereby implicates Defendant, the UNITED STATES OF AMERICA (the “United States”).

The genetic-based forensic evidence proving the United States sanctioned a national ethnic cleansing program targeting the American Negro Community from approximately 1790 to 1865 was uncovered in a series of peer-reviewed scientific articles published from 2007 to 2024. Lily Agranat-Tamir et al., *Counting the Genetic Ancestors from Source Populations in Members of an Admixed Population*, 226 *Genetics* 1, 8-13 (2024); Jazlyn A. Mooney et al., *On the Number of Genealogical Ancestors Tracing to the Source Groups of an Admixed Population*, 224 *Genetics* 1, 9-13 (July 2023); Steven J. Micheletti et al., *Genetic Consequences of the Transatlantic Slave Trade in the Americas*, 107 *American*

Journal of Human Genetics 265, 270-274 (2020); Katarzyna Bryc et al., *The Genetic Ancestry of African Americans, Latinos, and European Americans Across the United States*, 96 American Journal of Human Genetics 37, 42-43, 49 (2015); Fouad Zakharia et al., *Characterizing the Admixed African Ancestry of African Americans*, 10 Genome Biology R141 (2009); and Joanne M. Lind et al., *Elevated Male European and Female African Contributions to the Genomes of African American Individuals*, 120 Human Genetics 713, 716-720 (2007).

U.S. Supreme Court Justices et al. and other government officials, acting on behalf of the United States, sanctioned a national ethnic cleansing program and other heinous programs (e.g., slave breeding programs) targeting the American Negro Community with the stated aim of maintaining an ever-expanding enslaved Negro population. *E.g.*, *Smithers supra*; and *Blackshear supra*. U.S. Supreme Court Justices et al., other government officials, and European Men exploited the bodies of the ever-expanding enslaved Negro population—by means of forcible labor—to accumulate financial wealth, real estate, and other things of value (collectively “genocidal wealth”) and to construct the nation’s infrastructure. *See*, Daina Ramey Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* at 33-147 (2017). Moreover, the forcible labor provided by the ever-expanding enslaved Negro population was the source of the United States’ foundational wealth. *Id.*

**I.**  
**JURISDICTION AND VENUE**

1. This Court has jurisdiction, and venue is proper pursuant to 28 U.S.C. §1491(a)(1) because this action seeks monetary relief from the United States for claims founded upon the Constitution.

**II.**  
**PARTIES**

2. *Plaintiff*. Dr. Fortson is a United States citizen and a biological descendant of enslaved American Negroes who lived in North Carolina (maternal lineage) and Virginia and Texas (paternal lineage).<sup>1</sup> Dr. Fortson identifies and is recognized as a member of the American Negro Community.

3. The **American Negro Community** consists of the enslaved American Negroes and their biological descendants born post 1865.<sup>2,3</sup> The current population of the American Negro Community is approximately 40 million. *E.g.*, Gracie Martinez and Jeffrey S. Passel, *Facts About the U.S. Black Population*, Pew

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<sup>1</sup> Dr. Fortson has 20+ years of combined experience in researching genetic-based diseases and conditions that impact the American Negro Community and investigating the genetic-based legal implications of the American Negro Sexual Genocide.

<sup>2</sup> The American Negro Community is an ethnic group with its own unique history, culture, and heritage and with its beginnings rooted in the soil of the United States. Today, members of the American Negro Community born post 1865 are often referred to as “Freedmen” or “Foundational Black Americans.” *See, Student for Fair Admissions, Inc. v. President and Fellows of Harvard College*, No. 20–1199 (June 29, 2023) (Thomas, J., concurring) (slip op., at 18).

<sup>3</sup> For cultural and policy reasons, individuals who lived under the legal guardianship (e.g., legal adoption or foster care) of members of the American Negro Community, phenotypically appear to be a descendant of enslaved American Negroes, and are recognized as a member of the American Negro Community, are members of the American Negro Community.

Research Center (Nov. 1, 2025, 11:23 AM), <https://www.pewresearch.org/race-and-ethnicity/fact-sheet/facts-about-the-us-black-population/>. For the purposes of this lawsuit and in the interest of justice, the American Negro Community shall be construed as an ethnic-based domestic political entity, in a similar manner as other ethnic-based domestic political entities within the jurisdiction of the United States (e.g., Cherokee Nation, Creek Nation, and Seminole Nation).

4. United States of America. Defendant, the United States, is the proper party to this lawsuit pursuant to 28 U.S.C. §1491(a)(1).

### III. STATEMENT OF FACTS

#### A. **U.S. Supreme Court Justices et al. Enforced Federal Laws and Policies that Encouraged and Facilitated the Ethnic Cleansing of the American Negro Community.**

5. U.S. Supreme Court Justices et al., acting on behalf of the United States, decreed the following:

- a) American Negroes were “[o]f an inferior order, and altogether unfit to associate with the white race, either in social or political relations;”<sup>4</sup>
- b) American Negroes “[h]ad no rights which the white man was bound to respect; and that the [N]egro might justly and lawfully be reduced to slavery for his benefit;”<sup>5</sup>

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<sup>4</sup> *Dred Scott v. Sandford*, 60 U.S. 393, 407 (1856) (enslaved party).

<sup>5</sup> *Id.*

- c) American Negroes could be “[b]ought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it;”<sup>6</sup>
- d) American Negroes were not entitled to constitutional protections;
- e) American Negroes were not entitled to protections provided by federal courts; and
- f) European Men were the “owners” of American Negroes’ bodies.

These laws and policies were articulated and enforced by the U.S. Supreme Court in *Dred Scott v. Sandford* and other cases such as *Prigg v. Pennsylvania*, 41 U.S. 539 (1842); *Strader v. Graham*, 51 U.S. 82 (1850); and *Ableman v. Booth*, 62 U.S. 506 (1858).

6. Through the enforcement of the above-mentioned federal laws and policies, U.S. Supreme Court Justices et al. granted themselves [U.S. Supreme Court Justices et al.], other government officials, and European Men the actual and apparent legal authority to implement and carry out a national ethnic cleansing program and slave breeding programs targeting the American Negro Community from approximately 1790 to 1865 (i.e., the American Negro Sexual Genocide).<sup>7</sup>

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<sup>6</sup> *Id.*

<sup>7</sup> These federal laws and policies were enforced while states simultaneously enforced state specific laws and policies that deprived Negro girls and women equal protection of rape laws and Negroes equal protection of self-defense laws. See, *George v. State*, 37 Miss. 316 (1859); see also, *North Carolina v. Mann*, 13 N.C. 263 (1829); and Jeffrey J. Pokorak, *Rape as a Badge of Slavery: The Legal History of, and Remedies for, Prosecutorial Race-of-Victim Charging Disparities*, 7 Nev. L.J. 1, 7-11 (2006).

**B. The Methods of Sexual Violence Used to Carry Out the National Ethnic Cleansing Program and Large-Scale Slave Breeding Programs Targeting the American Negro Community.**

7. The specific methods of sexual violence used to implement the national ethnic cleansing program perpetuated against the American Negro Community from approximately 1790 to 1865 include:

- the forcible penetration of a Negro girl or woman's sex organ by the sex organ of a European Man who was not a closely related relative resulting in the birth of a child ("forcible rape"); and
- the forcible penetration of a Negro girl or woman's sex organ by the sex organ of a European Man who was a closely related relative resulting in the birth of a child ("forcible incestuous rape").

8. According to international case law, the deliberate and forcible impregnation of females of an ethnic group by males of a different ethnic group is a genocidal act intending to prevent birth from within the females' ethnic population. *E.g.*, *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Judgment, ¶¶ 507-508 (Sept. 2, 1998). Also, the mass, deliberate, and forcible impregnation of females of an ethnic group by males of a different ethnic group is evidence of a state-sanctioned ethnic cleansing program. *E.g.*, *Prosecutor v. Karadžić & Mladić*, Case No. IT-95-5-R61 & IT-95-18-R61, Review of the Indictments Pursuant to Rule 61 of the Rules of Procedure and Evidence, ¶ 94 (Trial Chamber July 11, 1996). Therefore, the acts of mass forcible rape and forcible incestuous rape committed against the bodies of Negro girls and women by European Men are

genocidal acts that prevented births from within the American Negro Community and constitutes methods that brought about the ethnic cleansing of the American Negro Community.

9. The specific methods of sexual violence used to implement large-scale slave breeding programs perpetuated against the American Negro Community from approximately 1790 to 1865 include:

- fornication between a Negro female and male who were not closely related relatives and committed under the threat of violence from a European Man resulting in the birth of a child (“**forcible fornication**”);
- fornication between a Negro female and male who were closely related relatives and committed under the threat of violence from a European Man resulting in the birth of a child (“**forcible incestuous fornication**”); and
- fornication between a Negro female and male committed under coercion from a European Man resulting in the birth of a child (“**coercive fornication**”);<sup>8</sup>

10. Acts of forcible rape, forcible incestuous rape, forcible fornication, forcible incestuous fornication, and coercive fornication are methods of sexual violence constituting the American Negro Sexual Genocide. Additional methods of sexual violence constituting the American Negro Sexual Genocide include:

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<sup>8</sup> An example of coercive fornication occurs when a European Man promises to “free” a Negro woman if she conceives a certain number of children. Thomas Foster, *Sexual Exploitation of the Enslaved*, Encyclopedia Virginia, <https://encyclopediavirginia.org/entries/sexual-exploitation-of-the-enslaved> (Last updated: August 26, 2024).

- fornication between a Negro female and male as a result of being deprived of the ability to enter a lawful marriage resulting in the birth of a child (“**involuntary fornication**”);
- fornication between a Negro female and male who were closely related relatives as a result of being deprived of the ability to “leave the plantation” resulting in the birth of a child (“**involuntary incestuous fornication**”), and
- other sexual violations perpetrated against the bodies of Negroes using violence and the threat of violence resulting in the birth of a child (“**other sexual violations**”).

**C. Negro Girls and Women Endured Millions of Acts of Forcible Rape and Forcible Incestuous Rape at the Hands of European Men as a Result of the Implementation of the National Ethnic Cleansing Program.**

11. The implementation of the national ethnic cleansing program, effectuation of the large-scale slave breeding programs, and execution of other acts of sexual violence perpetuated against the American Negro Community from approximately 1790 to 1865 were committed, in part, to maintain an ever-expanding enslaved Negro population.

12. The total size of the ever-expanding enslaved Negro population reached 9.8 million, of which an astonishing 9.3+ million were U.S. born Negroes (95% of the total Negro population) and only 460,000+ were non-U.S. born Negroes (5% of the total Negro population) imported from other parts of the world (e.g., West and Central Africa). David Hacker, *From '20. and Odd' to 10 Million: The Growth of the Slave Population in the United States*, 41 *Slavery and Abolition* 843-844 (2020). This population data, used in combination with genetic-based

forensic evidence, indicate that the implementation of the national ethnic cleansing program, effectuation of the large-scale slave breeding programs, and execution of other acts of sexual violence perpetuated against the American Negro Community were the predominate means used to maintain the ever-expanding enslaved Negro population and not the importation of non-U.S. born Negroes.<sup>9</sup>

13. Based on the total size of the enslaved Negro population, genetic data, and the number of mating events (i.e., sexual encounters) needed to conceive one child, Negroes endured *hundreds of millions* of separate acts of sexual violence constituting the American Negro Sexual Genocide. *See, Agranat-Tamir, supra; Mooney, supra; Micheletti, supra; Lind, supra; Zakharia, supra; Bryc, supra; and Hacker, supra.*

14. Furthermore, when considering the total size of the enslaved Negro population, genetic data, and the number of mating events needed to conceive one child, it is unquestionable that the implementation of the ethnic cleansing program perpetuated against the American Negro Community resulted in Negro girls and women enduring *millions* (more likely tens of millions) of separate acts of forcible rape and forcible incestuous rape at the hands of European Men. *See, Agranat-*

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<sup>9</sup> Many U.S. born enslaved Negroes are believed to be descendants of an indigenous group of people who inhabited the eastern and southeastern portions of the United States from approximately 1000 BC to AD 300s and prior to the arrival of the Native Americans of Asian ancestry. *See, Nathaniel T. Jeanson, They Had Names: Tracing the History of the North American Indigenous People at 27-64 (2025); see also, Indigenous Education, (Nov. 1, 2025) <https://indedu.org/>.*

Tamir, *supra*; Mooney, *supra*; Micheletti, *supra*; Lind, *supra*; Zakharia, *supra*; Bryc, *supra*; and Hacker, *supra*.

**D. The Consequences Resulting from the Enforcement of The U.S. Slave Trade Acts of 1794, 1800, 1803, and 1807: Expansion of the Ethnic Cleansing Program and Large-Scale Slave Breeding Programs Perpetuated Against the American Negro Community.**

15. The U.S. Congress, from 1794 to 1807, passed a series of legislations that, among other things, prohibited U.S. citizens from participating in certain acts related to the international slave trade including prohibiting the importation of enslaved Africans into the United States (“**Slave Trade Acts**”). *The U.S. Slave Trade Act of 1794; The U.S. Slave Trade Act of 1800; The U.S. Slave Trade Act of 1803; and The U.S. Slave Trade Act of 1807*. In response to this prohibition, the sexual violence committed against the bodies of Negroes using methods of forcible rape and forcible incestuous rape (i.e., methods of ethnic cleansing) and method of forcible fornication and forcible incestuous fornication (i.e., methods of slave breeding) intensified to maintain the ever-expanding enslaved Negro population. *E.g., John Zaborney, The Domestic Slave Trade in Virginia, Encyclopedia Virginia (Last update: August 26, 2024) <https://encyclopediavirginia.org/entries/slave-sales>.*

16. The sexual violence inflicted upon Negroes, after the passage and enforcement of the Slave Trade Acts, was so vast that it caused the birth rates of the ever-expanding enslaved Negro population to reach a near biological maximum during the 19th century. Hacker, *supra* at 845.

**E. Former U.S. Supreme Court Justices, U.S. Presidents, and Members of the U.S. Congress Who Exploited the Bodies of Negroes by Means of Forcible Labor to Accumulate Financial Wealth, Real Estate, and Other Things of Value.**

17. Former U.S. Supreme Court Justices. Chief Justices John Jay, John Rutledge, John Marshall, Roger B. Taney and a host of other Justices exploited the bodies of Negroes for genocidal wealth. See, Paul Finkelman, Supreme Injustice: Slavery in the Nation's Highest Court at 26-75, 172-218 (2018). Of these Justices, seventeen exploited the bodies of Negroes for forcible labor while simultaneously serving on the bench of the Supreme Court of the United States.

18. Former U.S. Presidents. Numerous former U.S. Presidents exploited the bodies of Negroes for forcible labor. Of these former U.S. Presidents, approximately eight exploited the bodies of Negroes for forcible labor while simultaneously serving as chief executive. Also, former U.S. Presidents who allegedly committed acts of forcible rape and forcible incestuous rape against Negro girls and women and thereby directly participated in the ethnic cleansing of the American Negro Community include Thomas Jefferson, James Madison, and other Founding Fathers of the United States. See, Bettye Kearse, The Other Madisons: The Lost History of a President's Black Family at 11, 165-171 (2021).

19. Former Members of the U.S. Congress. Over 1,800+ former members of the U.S. Congress exploited the bodies of Negroes for forcible labor. Julie

Zauzmer Weil et al., *Who Owned Slaves in Congress? A List of 1,800 Enslavers in Senate, House History*, Washington Post (originally published Jan. 10, 2022).<sup>10</sup>

20. European Men. Numerous evangelical Christian pastors of European ancestry advocated for the enslavement and exploitation of American Negroes. *E.g.*, Larry E. Tise, Proslavery: A History of the Defense of Slavery, 1701-1840 at 363-366 (1987). Johnathan Edwards, George Whitefield, and numerous other evangelical Christian pastors are examples of well-known European Men who enslaved Negroes and exploited their bodies to amass genocidal wealth. *E.g.*, Sean McGeever, Ownership: The Evangelical Legacy of Slavery in Edwards, Wesley, and Whitefield at 78-108, 123-133 (2024).

21. Evangelical Christian pastors of European ancestry who advocated for (or justified) the expansion of slavery also, inherently, advocated for the implementation of the ethnic cleansing program and large-scale slave breeding programs that targeted members of the American Negro Community using various methods of mass sexual violence (i.e., forcible incestuous rape).

**F. Celia's Story: An Example of the Cruelty Courts Exhibited Towards Negro Girls and Women Who Were Victims of Acts of Forcible Rape and Forcible Incestuous Rape.**

22. The implementation of the national ethnic cleansing program, effectuation of large-scale slave breeding programs, and execution of other acts of

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<sup>10</sup> <https://www.washingtonpost.com/history/interactive/2022/congress-slaveowners-names-list/>

sexual violence against the American Negro Community impacted the lives of millions of Negro girls and women. *E.g.*, Melton A. McLaurin, Celia, A Slave 123-136 (1991); Harriet Jacobs, Incidents in the Life of a Slave Girl 27-42 (1861); and Patricia J. Williams, The Alchemy of Race and Rights: Diary of a Law Professor 17-19 (1991). An example of a Negro girl who endured multiple acts of forcible rape during the period of the American Negro Sexual Genocide is Celia.

23. Celia's Story. Celia, a 14-year-old girl, was "purchased" by Robert Newsom, a middle-aged lawyer who lived in Missouri with his wife and children, in 1850. *E.g.*, Douglas O. Linder, *Celia, A Slave, Trial (1855): An Account*, Famous Trials: Accounts and Material for 100 of History's Most Important Trials, <https://www.famous-trials.com/celia/180-home/> (last visited October 21, 2025). After "purchasing" Celia, Newsom used his actual and apparent legal authority to forcibly rape Celia habitually. *Id.*

24. Between 1850 and 1855, Celia gave birth to two children, one of whom was Newsom's. *Id.* In early 1855, when Celia became pregnant with her third child, she began to experience debilitating pregnancy sickness. *Id.* Celia pleaded with Newsom to stop his sexual assaults, at least until she delivered the baby, but her pleas fell on deaf ears. *Id.* In an act of desperation, Celia pleaded with Newsom's daughters for help to no avail. *Id.* As a result, Newsom continued to forcibly rape Celia without any regard for her health. *Id.*

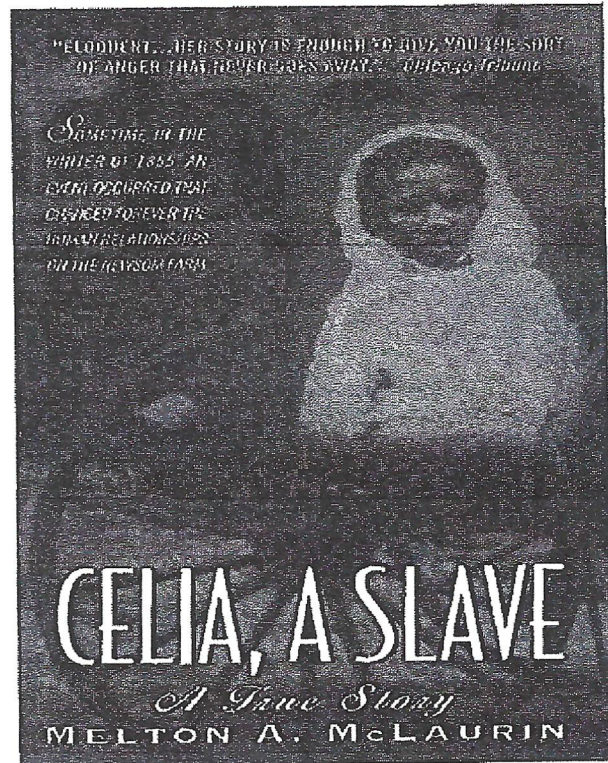
25. On June 23, 1855, Newsom sought Celia to forcibly rape her. *Id.* On that day, Celia resisted Newsom's unwanted sexual advances and subsequently clubbed Newsom to death in self-defense. *Id.*

26. During her trial, Celia was denied equal protection of sex offense and self-defense laws by Judge William Hall. Consequently, on October 10, 1855, an all-male jury convicted Celia of first-degree murder. *Id.*

27. Judge Hall, just two days after Celia was convicted, ordered Celia to be executed. *Id.* Judge Hall issued this order although Celia was in her third trimester with child. *Id.*

28. While awaiting execution, Celia gave birth to a stillborn child and was subsequently executed by hanging on December 21, 1855. *Id.*

29. Judge Hall's decision to have Celia executed by hanging for defending herself against multiple acts of sexual violence exemplifies the cruelty the judiciary exhibited towards Negro girls and women who were victims of forcible rape and forcible incestuous rape.



30. After 170 years, Celia was posthumously pardoned by the state of Missouri in December 2024.<sup>11</sup>

**G. Generational Genetic-Based Diseases, Conditions, and Challenges Arising from the American Negro Sexual Genocide.**

31. As a direct result of the implementation of the national ethnic cleansing program targeting Negroes, European-derived genetic variants were inserted into the gene pool of the American Negro Community. *E.g.*, Agranat-Tamir, *supra*; Mooney, *supra*; Micheletti, *supra*; Lind, *supra*; Zakharia, *supra*; and Bryc, *supra*. A number of these European-derived genetic variants have caused and will continue to cause members of the American Negro Community living today to experience generational genetic-based diseases, conditions, and challenges that actually and proximately arose from the American Negro Sexual Genocide. *E.g.*, Nakatsuka N, Patterson et al., *Two Genetic Variants Explain the Association of European Ancestry with Multiple Sclerosis Risk in African-Americans*, 10 *Scientific Reports* (October 9, 2020); *see also*, Anna C. Need & David B. Goldstein, *Next Generation Disparities in Human Genomics: Concerns and Remedies*, 25 *Trends in Genetics* 489, 489-493 (2009).

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<sup>11</sup> Missouri Governor, Office of Communications (last visited Nov. 2, 2025) [https://content.govdelivery.com/attachments/MOGOV/2024/12/19/file\\_attachments/3109832/Final%20Announcement%20of%20Parson%20Administration%20Pardons%20and%20Commutatio ns.pdf](https://content.govdelivery.com/attachments/MOGOV/2024/12/19/file_attachments/3109832/Final%20Announcement%20of%20Parson%20Administration%20Pardons%20and%20Commutatio ns.pdf).

32. Also, as a direct result of the execution of large-scale slave breeding programs targeting Negroes, disease-causing genetic variants were amplified within the gene pool of the American Negro Community and protective genetic variants were deleted from the gene pool of the American Negro Community.

**H. The American Negro Sexual Genocide is an Act of Genocide as Defined in The Convention on the Prevention and Punishment of the Crime of Genocide.**

33. The Convention on the Prevention and Punishment of the Crime of Genocide. The Convention on the Prevention and Punishment of the Crime of Genocide (“**Genocide Convention**”) is an international treaty adopted by the United Nations General Assembly in 1948. The United States and other global world leaders signed the Genocide Convention in response to the Holocaust.

34. In 1988, the United States ratified the Genocide Convention. 18 U.S.C § 1091. However, the monetary penalty for committing acts of genocide is limited to one million dollars (\$1,000,000.00). 18 U.S.C § 1091(b)(1). The U.S. Congress may have included this limitation, in part, to prevent the American Negro Community from retroactively recovering just compensation for the American Negro Sexual Genocide and other genocidal acts committed by the United States.

35. Genocide Defined. Genocide is defined as:

*“[a]ny of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: a) killing members of the group; b) causing serious bodily or mental*

*harm to members of the group; c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d) imposing measures intended to prevent births within the group; [and] e) forcibly transferring children of the group to another group.” Genocide Convention.*

36. According to international case law, factors that determine whether a genocidal act was committed with the intent to destroy an ethnic group include, but are not limited to, the following: 1) repetitive character of the genocidal act; 2) methodical manner in which the genocidal act was conducted; 3) magnitude of the genocidal act; and 4) scope of the bodily and mental harm caused by the genocidal act. *E.g., Prosecutor v. Clément Kayishema and Obed Ruzindana*, Case No. ICTR-95-1-T, Judgment, ¶¶ 531-540 (May 21, 1999).

37. Also, the destruction of an ethnic group does not mean the total elimination of an ethnic group.<sup>12</sup> *Akayesu*, Case No. ICTR-96-4-T, ¶ 497. The destruction of an ethnic group occurs when, for example, genocidal acts are committed against a considerable number of members of an ethnic group. *E.g., Kayishema and Ruzindana*, Case No. ICTR-95-1-T, ¶¶ 96-97.

38. The Ethnic Cleansing Program Perpetrated Against the American Negro Community. The implementation of the national ethnic cleansing program

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<sup>12</sup> “Contrary to popular belief, the crime of genocide does not imply the actual extermination of [a] group in its entirety, but is understood as such once any one of the acts mentioned in Article 2(2)(a) through 2(2)(e) [of the Genocide Convention] is committed with the specific intent to destroy “in whole or in part” a national, ethnical, racial, or religious group.” (quoting *Akayesu*, Case No. ICTR-96-4-T, ¶ 497).

(using methods of forcible rape and forcible incestuous rape) targeting Negro girls and women is a genocidal act intending to: a) cause serious bodily and mental harm to Negro girls and women; b) deliberately subject Negro girls and women to conditions of life calculated to bring about physical and/or biological destruction of the American Negro Community in whole or in part; c) prevent birth from within the American Negro Community; and d) bring about the ethnic cleansing of the American Negro Community. *See, Akayesu*, Case No. ICTR-96-4-T, ¶¶ 507-508, 731-734; *see also, Prosecutor v. Karadžić & Mladić*, Case No. IT-95-5-R61 & IT-95-18-R61, ¶ 94; *Prosecutor v. Rutaganda*, Case No. ICTR-96-3-T, Judgment and Sentencing, ¶¶ 51-53 (Dec. 6, 1999); and *Prosecutor v. Musema*, Case No. ICTR-96-13-T, Judgment and Sentencing, ¶¶ 156-158 (Jan. 27, 2000).

39. Genocidal Acts Committed as Part of or In Furtherance of the American Negro Sexual Genocide. Genocidal acts committed as part of or in furtherance of the American Negro Sexual Genocide include the following: a) inflicting extreme violence and acts of torture upon the bodies of Negroes; b) forcing Negroes to live under the constant threat of extreme violence; c) subjecting Negroes to constant dehumanizing and degrading conditions and persecution; d) subjecting Negroes to excessive physical labor; e) prohibiting Negroes from marrying one another; f) selling and trading Negro children; and g) forcing Negroes to live under the threat of having a Negro child sold or transferred.

40. Inflicting extreme violence upon and torturing Negroes are genocidal acts intending to cause serious bodily and mental harm to members of the American Negro Community. *See, Akayesu*, Case No. ICTR-96-4-T, ¶¶ 504; *see also, Kayishema and Ruzindana*, Case No. ICTR-95-1-T, ¶¶ 108-109, 110; and *Rutaganda*, Case No. ICTR-96-3-T, ¶ 51. Additional genocidal acts committed with the intent to cause serious bodily and mental harm to members of the American Negro Community include: 1) forcing Negroes to live under the constant threat of violence, 2) subjecting Negroes to constant dehumanizing and degrading conditions, and 3) subjecting Negroes to constant persecution. *See, Akayesu*, Case No. ICTR-96-4-T, ¶¶ 504; *see also, Kayishema and Ruzindana*, Case No. ICTR-95-1-T, ¶¶ 108-109, 110; and *Rutaganda*, Case No. ICTR-96-3-T, ¶ 51.

41. Subjecting Negroes to excessive physical labor is a genocidal act intending to deliberately subject Negroes to conditions of life calculated to bring about the physical and biological destruction of the American Negro Community in whole or in part. *See, Kayishema and Ruzindana*, Case No. ICTR-95-1-T, ¶ 115.

42. Prohibiting Negroes from marrying one another is a genocidal act intending to prevent births within the American Negro Community. *See, Akayesu*, Case No. ICTR-96-4-T, ¶ 507.

43. Selling and trading Negro children is a genocidal act intending to forcibly transfer children away from their Negro parent(s) and a genocidal act

intending to cause serious mental harm to members of the American Negro Community. *See, Akayesu*, Case No. ICTR-96-4-T, ¶ 509; *see also, Kayishema and Ruzindana*, Case No. ICTR-95-1-T, ¶ 118. Also, constantly threatening to sell or trade Negro children is a genocidal act intending to cause members of the American Negro Community serious mental harm. *See, Akayesu*, Case No. ICTR-96-4-T, ¶ 509; *see also, Rutaganda*, Case No. ICTR-96-3-T, ¶ 54; and *Musema*, Case No. ICTR-96-13-T, ¶ 159.

44. An estimated 7.5 to 25% (or approximately 697,000 to 2,325,000) of Negro children were sold or traded away from their Negro parent(s). *E.g.*, Stephen Crawford, Strategic Factors in Nineteenth Century American Economic History: A Volume to Honor Robert W. Fogel (University of Chicago Press, 1992), chap. 11;<sup>13</sup> *see also*, Judith Giesber, et al., *Last Seen: Finding Family After Slavery*, The Last Seen Project, (accessed October 27, 2025) <https://informationwanted.org>; Heather Andrea Williams, *How Slavery Affected African American Families*, National Humanities Center (accessed October 27, 2025),<sup>14</sup> and *Black Families Severed by Slavery*, *Equal Justice Initiative*, <https://eji.org/news/history-racial-injustice-black-families-severed-by-slavery/> (published January 29, 2018).

<sup>13</sup> <https://www.nber.org/books-and-chapters/strategic-factors-nineteenth-century-american-economic-history-volume-honor-robert-w-fogel/slave-family-view-slave-narratives>

<sup>14</sup> <https://nationalhumanitiescenter.org/tserve/freedom/1609-1865/essays/aafamilies.htm>

**I. Summary of the American Negro Sexual Genocide Scheme.**

U.S. Supreme Court Justices et al., acting on behalf of the United States, enforced laws and policies that granted themselves [U.S. Supreme Court Justices et al.], other government officials, and European Men **the actual and apparent legal authority to perpetuate a national ethnic cleansing program and large-scale slave breeding programs targeting the American Negro Community** using methods of forcible rape, forcible incestuous rape, and other methods of extreme sexual violence from approximately 1790 to 1865 (i.e., the American Negro Sexual Genocide.



Implementation of the national ethnic cleansing program, effectuation of large-scale slave breeding programs, and execution of other acts of extreme sexual violence **contributed to the explosive growth of the ever-expanding enslaved American Negro population.**

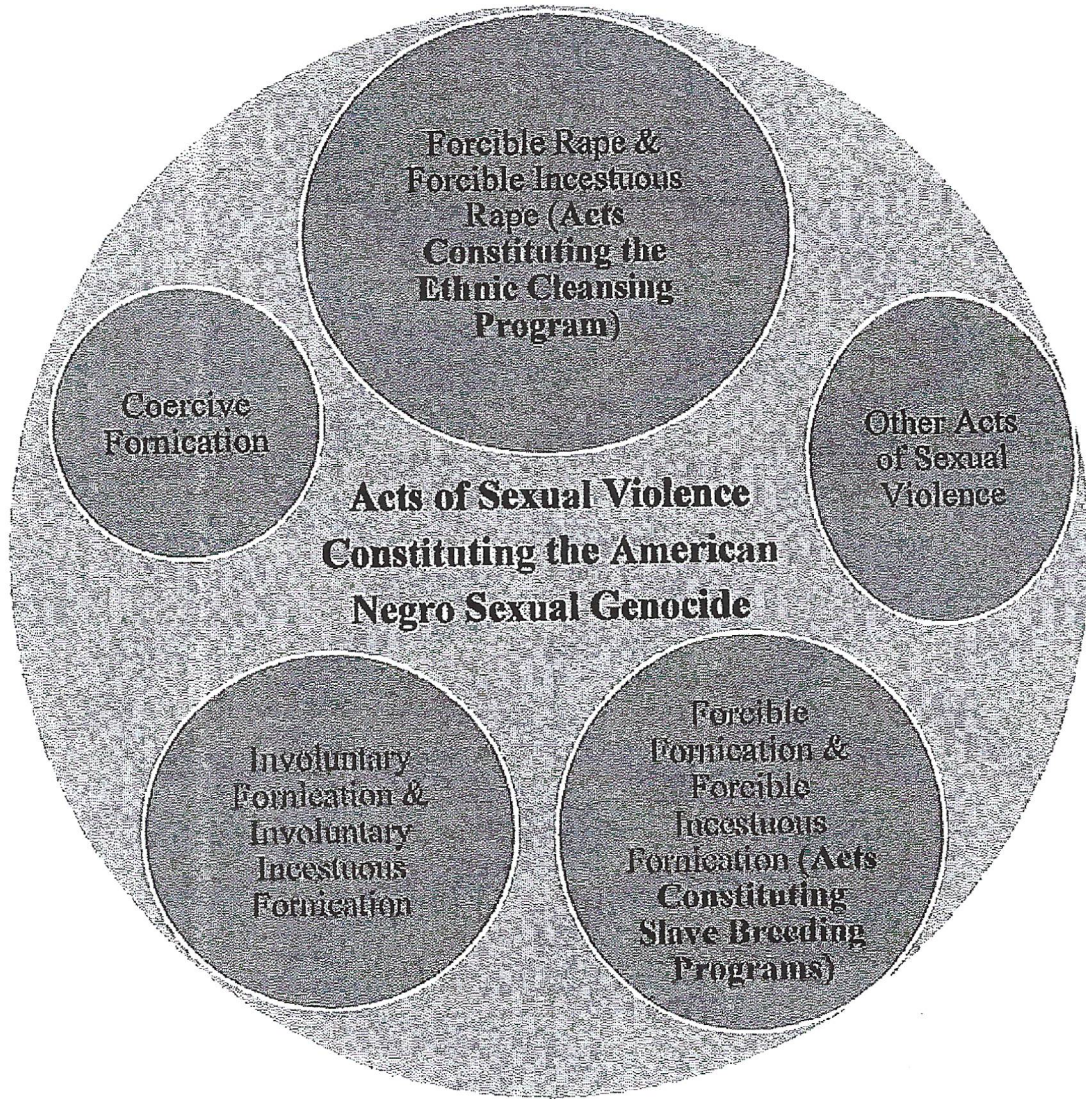


U.S. Supreme Court Justices et al., other government officials, and European Men **exploited the bodies of ever-expanding enslaved American Negro population**, by means of forcible labor, to accumulate genocidal wealth. As of 2018, the value of the forcible labor provided by enslaved American Negroes is **\$18.58 trillion (USD) and \$6.2 quadrillion (USD)** at 3% and 6%, respectively (see footnote 23).

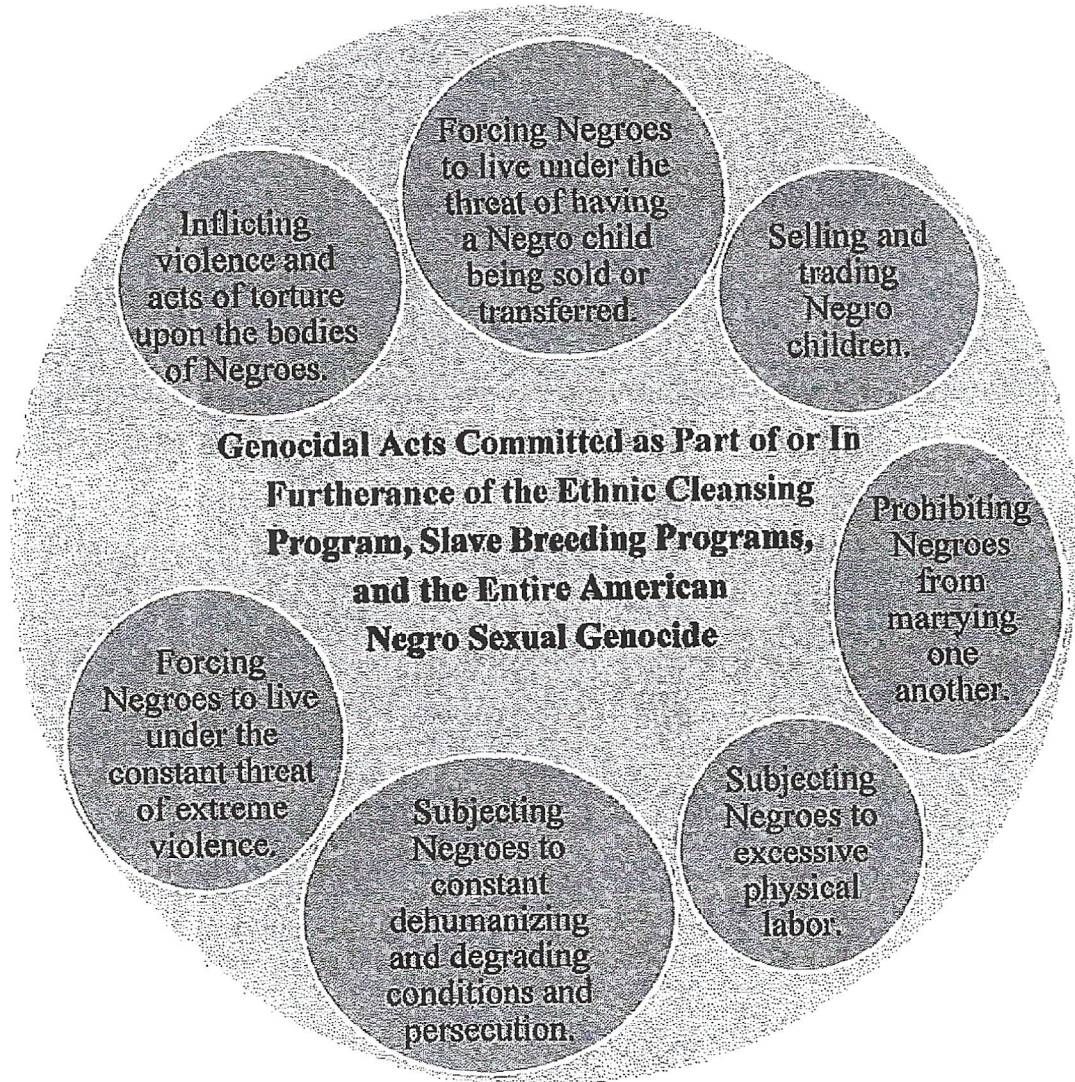


The forcible labor provided by American Negroes served as **the source of the United States' foundational wealth and was fundamental in the building of the United States' infrastructure.**

**J. Summary of the Acts of Sexual Violence Constituting the American Negro Sexual Genocide.**



**K. Summary of Genocidal Acts Committed as Part of or In Furtherance of the Ethnic Cleansing Program, Slave Breeding Programs, and the Entire American Negro Sexual Genocide.**



**IV.  
CAUSE OF ACTION**

**Claim 1  
Fifth Amendment Taking**

45. Dr. Fortson realleges all prior and subsequent paragraphs.

46. As implied in 1 Corinthians 6:19-20 AMP, members of the American Negroes Community have the natural and inalienable right to exercise stewardship [not ownership] over their physical bodies.<sup>15</sup> Encompassed within this stewardship right, members of the American Negro Community have the absolute natural and inalienable freedom to practice sexual holiness (e.g., the freedom to refrain from engaging in sexual intercourse outside of the marriage covenant) as a means to honor, worship, and glorify God with their physical bodies and in accordance with 1 Corinthians 6:13 AMP.<sup>16, 17, 18</sup>

47. The absolute natural and inalienable freedom to practice sexual holiness—indeed, the very practice of sexual holiness itself—is a property interest

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<sup>15</sup> “Do you not know that your body is a temple of the Holy Spirit who is within you, whom you have [received as a gift] from God, and that you are not your own [property]? You were bought with a price [you were actually purchased with the precious blood of Jesus and made His own]. So then, honor and glorify God with your body.” 1 Corinthians 6:19-20 AMP.

<sup>16</sup> “[T]he body is not intended for sexual immorality, but for the Lord, and the Lord is for the body [to save, sanctify, and raise it again because of the sacrifice of the cross].” 1 Corinthians 6:13 AMP.

<sup>17</sup> See also, 1 Thessalonians 4:3-4 AMP; and Roman 12: 1-2 AMP.

<sup>18</sup> The doctrine of holiness (which includes the doctrine of sexual holiness) is a fundamental tenet adopted by the American Negro Community and is conveyed in countless Negro spirituals and gospel songs written and sung by members of the American Negro Community pre- and post-1865. E.g., Glenn Burleigh, *Order My Steps in Your Word*, on GMWA Women of Worship, Aleho International Music (2014).

(or stewardship interest) in the physical body designed to preserve, among other things, the sexual integrity and sanctity of the body.<sup>19</sup> Negroes' absolute natural and inalienable freedom to practice sexual holiness is a freedom that can be exercised without the approval of the U.S. Supreme Court or any other human authority and a property interest that supersedes all other human interests.

48. In contradiction to 1 Corinthians 6:19-20 AMP and fundamental beliefs of the American Negro Community, U.S. Supreme Court Justices et al., acting pursuant to federal laws and policies and on behalf of the United States, decreed themselves, other government officials, and European Men to be the "owners" of Negroes' bodies in various cases. *E.g., Dred Scott v. Sandford*. Also, U.S. Supreme Court Justices et al., acting pursuant to federal laws and policies and on behalf of the United States, declared the bodies of Negroes were a property interest subject to the Due Process Clause and Takings Clause of the Fifth Amendment. *E.g., Dred Scott*, 60 U.S. at 450-452.

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<sup>19</sup> In addition to the freedom to practice sexual holiness, American Negroes also have the following freedoms/interests in their physical bodies: 1) right to bodily integrity as protected by the Fourth Amendment (*see, Winston v. Lee*, 470 U.S. 753, 767 (1985)); 2) right to be free in one's person from cruel and unusual punishment as protected by the Eighth Amendment and is applicable in both criminal and civil cases (*see, Austin v. United States*, 509 U.S. 602, 608-609 (1993)); 3) right to exercise stewardship over one's body; 4) freedom to use one's body for the economic benefit of one's family and community in accordance with Ephesians 4:28 AMP; 5) freedom to raise one's child to support the family and community financially in accordance with Proverbs 22:6 AMP; 6) right to expect payment for providing physical labor that enriches another; and 7) right to adequately rest one's body. *See Appendix B below*.

49. U.S. Supreme Court Justices et al., other government officials, and European Men used their property interest in Negroes' bodies to perpetuate a national ethnic cleansing program and large-scale slave breeding programs targeting the American Negro Community from 1790 to 1865 (i.e., the American Negro Sexual Genocide). U.S. Supreme Court Justices et al., other government officials, and European Men perpetuated these programs with the stated aim of maintaining an ever-expanding enslaved Negro population. *E.g.*, *Smithers supra*; and *Blackshear supra*.

50. U.S. Supreme Court Justices et al., other government officials, and European Men exploited the bodies of the ever-expanding enslaved Negro population—by means of forcible labor—to accumulate genocidal wealth and to construct the nation's infrastructure. *See, Berry supra* at 33-147. Furthermore, the forcible labor provided by the ever-expanding enslaved Negro population was the source of the United States' foundational wealth. *Id.* This foundational wealth, which is traceable to the American Negro Sexual Genocide, enabled the United States to become the world's leading economic superpower it is today, and a "land flowing with milk and honey."<sup>20</sup>

51. The exploitation of the ever-expanding enslaved Negro population for the economic enhancement of U.S. Supreme Court Justices et al., other

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<sup>20</sup> Quoting Exodus 3:8 AMP.

government officials, and European Men and for the building of the United States' infrastructure are both a public benefit.

52. Members of the American Negro Community were deprived of their absolute natural and inalienable freedom to practice sexual holiness (and other bodily freedoms/interests listed in footnote 19) when U.S. Supreme Court Justices et al., acting pursuant to federal laws and policies and on behalf of the United States, granted themselves, other government officials, and European Men the actual and apparent legal authority to carry out a national ethnic cleansing program and large-scale slave breeding programs targeting the American Negro Community for economic gain (i.e., the American Negro Sexual Genocide).

53. Depriving members of the American Negro Community of their absolute natural and inalienable freedom to practice sexual holiness for the economic enhancement of U.S. Supreme Court Justices et al., other government officials, and European Men and for the building of the United States' infrastructure are both a taking that requires the United States to pay just compensation.

## V. RELIEF

54. According to genetic data used in combination with population data, the ethnic cleansing program implemented against the American Negro Community between approximately 1790 and 1865 appears to be one of the largest

and longest, if not the largest and longest, *state-sanctioned* ethnic cleansing campaigns in recorded history. Therefore, this action is submitted to the Court to honor and attain justice on behalf of the enslaved American Negroes, especially the millions of American Negro girls and women, who kept their will to live despite being sexually desecrated for the economic benefit of U.S. Supreme Court Justices et al., other government officials, and European Men and for the building of the United States' infrastructure.<sup>21</sup>

55. To bring finality to the longstanding issues stated in this Complaint, this Court shall:

- a) Declare the United States committed an act of blasphemy when it authorized, encouraged, and facilitated the implementation of a national ethnic cleansing program and large-scale slave breeding programs targeting the American Negro Community which, thereby, deprived members of American Negro Community of their absolute natural and inalienable freedom to honor, worship, and glorify God with their physical bodies through the practice of sexual holiness;
- b) Declare the United States committed an act of genocide (as defined in the Genocide Convention) when it authorized, encouraged, and facilitated the perpetuation of the American Negro Sexual Genocide and of the genocidal acts committed as part of or in furtherance of the American Negro Sexual Genocide (e.g., the selling and trading of Negro children);

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<sup>21</sup> In *Akayesu* the court stated, acts of sexual violence are genocidal acts that brings about the “destruction of the spirit, of the will to live, and of life itself.” *Akayesu*, Case No. ICTR-96-4-T, ¶ 732.

- c) Declare the United States committed crimes against humanity (as defined in the Rome Statute of the International Criminal Court Article 7) when it authorized, encouraged, and facilitated the perpetuation of the American Negro Sexual Genocide and of the genocidal acts committed as part of or in furtherance of the American Negro Sexual Genocide;
- d) Order the United States to fund the establishment of a trust (the “**American Negro Trust Account**”) to be managed and controlled solely and exclusively by members of the American Negro Community who have a reputation for strong character and a high level of integrity;
- e) Order the United States to transfer financial wealth and/or other things of value (e.g., land) to the American Negro Trust Account for depriving members of the American Negro Community of their absolute natural and inalienable freedom to practice sexual holiness (which is tantamount to a loss of bodily freedom) in an amount, as calculated by top economists, ranging between \$35 trillion (USD) and \$16 quadrillion (USD) plus interest;<sup>22</sup>
- f) Order the United States to transfer financial wealth and/or other things of value (e.g., land) to the American Negro Trust Account for the forcible labor provided by members of the American Negro Community in an amount, as calculated by top economists, ranging between \$18.6 trillion (USD) and \$6.2 quadrillion (USD) plus interest;<sup>23</sup>
- g) Order the United States to transfer financial wealth and/or other things of value (e.g., land) to the American Negro Trust Account for the pain and suffering members of the American Negro Community, especially the girls and women, endured as

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<sup>22</sup> Thomas Craemer et al., *Wealth Implications of Slavery and Racial Discrimination for African American Descendants of the Enslaved*, 47 *The Review of Black Political Economy*, 218, 236-241 (2020); *see also*, William A. Darity Jr. et al., *The Black Reparations Project: A Handbook for Racial Justice* at 40-46 (2023).

<sup>23</sup> As of 2018, the value of the forcible labor provided by Negroes is approximately \$18.6 trillion (USD) and \$6.2 quadrillion (USD) at 3% and 6% interest, respectively. Craemer *supra* at 229-236; *see also*, Darity *supra* at 33-40.


a result of the implementation of a national ethnic cleansing program and large-scale slave breeding programs targeting the American Negro Community in an amount to be determined at trial;

- h) Order the United States to transfer financial wealth and/or other things of value (e.g., land) to the American Negro Trust Account for causing members of the American Negro Community to lose opportunities as a result of the implementation of a national ethnic cleansing program and large-scale slave breeding programs targeting the American Negro Community in an amount to be determined at trial;
- i) Order the United States to pay punitive damages on behalf of U.S. Supreme Court Justices et al., former U.S. Presidents, and the former 1,800+ U.S. members of Congress who financially benefitted from passing and/or enforcing laws and policies that granted themselves the actual and apparent legal authority to perpetuate a national ethnic cleansing program and large-scale slave breeding programs targeting the American Negro Community in an amount to be determined at trial;
- j) Order the United States to fund the identification (i.e., genetic studies), prevention, diagnosis, and treatment of the generational genetic-based diseases, conditions, and challenges arising from the American Negro Sexual Genocide in an amount to be determined at trial;
- k) Order the United States to fund scientific studies aimed to determine American Negroes' relationship to the civilization(s) that inhabited the eastern and southeastern portions of the United States from approximately 1000 BC to AD 300 in an amount to be determined at trial;
- l) Order the United States to pay pre- and post-judgment interest at the maximum legal rate;
- m) Order the United States to pay attorneys' fees and costs associated with this litigation;

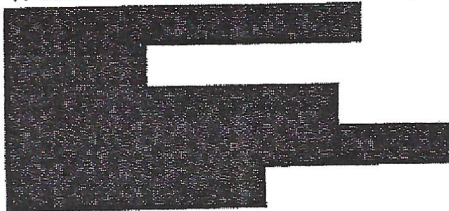
- n) Declare the collective awards from this lawsuit be placed in the American Negro Trust Account and used to enhance the health, wellness, and financial well-being of all members [not some] of the American Negro Community and to support the economic empowerment of the American Negro Community; and
- o) Award any other relief deemed just.

Dr. Fortson declares under penalty of perjury that the foregoing is true and correct.

Signed this 3<sup>rd</sup> day of December, 2025.

  
Signature of Plaintiff

Wendell Somerville Fortson, II, JD, PhD



## Appendix A

Below is a non-exhaustive list of entities who encouraged, facilitated, and/or profited from the American Negro Sexual Genocide and the genocidal acts committed as part of or in furtherance of the American Negro Sexual Genocide. These entities and others shall be given the opportunity to negotiate a settlement, as it relates to claims stated in this lawsuit, with an approved legal representative of the American Negro Community.

- States Within the Jurisdiction of the United States of America<sup>24</sup>
  - Alabama
  - Arkansas
  - Delaware
  - District of Columbia
  - Florida
  - Georgia
  - Kentucky
  - Louisiana
  - Maryland
  - Mississippi

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<sup>24</sup> States enforced state specific laws and policies that deprived Negro girls and women equal protection of rape laws and Negroes equal protection of self-defense laws and other protections. See, *George v. State*, 37 Miss. 316 (1859); see also, *North Carolina v. Mann*, 13 N.C. 263 (1829); and Jeffrey J. Pokorak, *Rape as a Badge of Slavery: The Legal History of, and Remedies for, Prosecutorial Race-of-Victim Charging Disparities*, 7 Nev. L.J. 1, 7-11 (2006). The enforcement of these state laws enabled the continuance of the American Negro Sexual Genocide and of the genocidal acts committed as part of or in furtherance of the American Negro Sexual Genocide.

- Missouri
- New Jersey
- New York
- North Carolina
- South Carolina
- Tennessee
- Texas
- Virginia
- African Empires/Nations<sup>25</sup>
  - Dahomey Empire (present-day Benin)
  - Ashanti Empire (present-day Ghana)
  - Oyo Empire (Yoruba State in present-day Nigeria)
- Native American Tribes<sup>26</sup>
  - Choctaw
  - Chickasaw
- European Nations
  - Great Britain

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<sup>25</sup> See: Brian McMurray, “African Complicity in the Atlantic Slave Trade – Dr. Akosua Perbi.” YouTube, 4 Sept. 2021, <https://www.youtube.com/watch?v=nfbwM8JIWd4>.

<sup>26</sup> See, Barbara Krauthamer, Black Slaves, Indian Masters Slavery, Emancipation, and Citizenship in the Native American South at 17-76 (2013).

- Tobacco Companies
  - R.J. Reynolds Tobacco Company
- Banking/Financial Institutions
  - Bank of America
  - Brown Brothers Harriman & Company
  - Citigroup Inc.
  - JP Morgan Chase
  - PNC Financial Services Group
  - Truist
  - Wells Fargo
  - U.S. Bank National Association
- Trading Companies
  - New York Stock Exchange
- Railroad Companies
  - CSX Corporation
- Insurance Companies
  - Aetna
  - American International Group (AIG)
  - New York Life Insurance Company
- Colleges/Universities

- Religious Organizations
  - Maryland Province of the Society of Jesus

**Appendix B**

**Examples of American Negroes' Property Interests in Their Physical Bodies.**

