

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHRISTINA CLEMENT and
HH EMPRESS QUEEN CHRISTINA LOCS IS OUR ARTIFACT OF FAITH

Plaintiff,

v.

Attorney General Merrick Garland;
Chief Justice John Roberts Jr.,
Secretary General of the United Nations;
Registrar-Peace Palace Carnegie Pleinz et al in their official capacity

Defendant,

Civil No: 1:24-cv-00479-RC

Motion to Request Surety Bond Information and Claim against

Administrative Procedure Act (APA); Rule 60(b) – Relief from Order ECF 56

Introduction

The tort system serves at least two functions: (1) deterring people from harming others and (2) compensating those who are injured. It also may incentivize government officials to base their decisions on the desire to reduce the government's exposure to monetary damages, regardless of the perceived social benefit of an alternative. Two exceptions preserve the federal government's immunity as to certain torts arising from the United States' military activities. Congress created one exception, the combatant activities exception, in the FTCA's text. The Supreme Court created the other exception by way of the Feres doctrine. The complaint ECF 1 is not any of these mentioned which allows for this case to permit. See Congressional Research Service <https://crsreports.congress.gov> R45732

Comes now Plaintiff Christina Clement and HH Empress Queen Christina Locs Is Our Artifact of Faith, by and through pro se representation, and respectfully moves this Honorable Court for an order directing the release of surety bond information pertaining to Court Clerk's who is

RECEIVED

AUG 21 2024
Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

currently serving as the Court Clerk Intake for District Court of Columbia handling Case 1:24 cv 00479 RC since December 2023-March 2024, with specific focus on the clerk who completed and filed the Court Civil Cover sheet. This motion is made on the grounds that the Plaintiff has reason to believe that a claim against the surety bond may be necessary due to misconduct or negligence which resulted in ECF 56 Order.

Procedures

A plaintiff may not initiate an FTCA lawsuit unless he has timely complied with a series of procedural requirements, such as providing the government an initial opportunity to evaluate the plaintiff's claim and decide whether to settle it before the case proceeds to federal court. That was met See ECF 4; ECF 40 & ECF 41

Response to Judge statement, ECF 56 regarding procedure; according the Tort Claim Act a plaintiff may not institute an FTCA action against the United States unless (1) the plaintiff has first "presented the claim to the appropriate Federal agency" whose employees are allegedly responsible for the plaintiff's injury, and (2) that agency has "finally denied" the plaintiff's claim.³²¹ These administrative exhaustion requirements afford federal agencies an opportunity to settle disputes before engaging in formal litigation in the federal courts.³²²

"[E]ncouraging settlement of tort claims within administrative agencies" in this manner arguably "reduce[s] court congestion and avoid[s] unnecessary litigation." ³²³ Because litigation can be costly and time-consuming, the settlement of claims within administrative agencies arguably not only "benefits FTCA claimants by permitting them to forego the expense of full-blown litigation," but also "frees up limited [governmental] resources for more pressing matters." ³²

A plaintiff must "exhaust his administrative remedies prior to filing suit." See ECF 41, 40 & 4

The FTCA establishes a mechanism for constructive exhaustion to prevent claims from being consigned to administrative limbo while the claimant awaits the agency's decision.³⁴⁰

The FTCA's exhaustion requirement and the mechanism of constructive exhaustion are outlined in 28 U.S.C. § 2675(a), which states:

- **"An action shall not be instituted upon a claim against the United States for money damages... unless the claimant shall have first presented the claim to the appropriate Federal agency and his claim shall have been finally denied by the agency in writing..."**
- **"If the agency fails to make a final disposition of a claim within six months after it is filed, the claimant may deem the claim denied and may file suit..."**

The relevant federal agencies that deal with historical national records or restitution, is the Department of Justice. Contacting the Attorney General of Washington would only address Washington and not all states.

Because of non-response for a year (2023) from federal agencies regarding complaint, I alerted the clerk on Rule 5; in the May 13, 2024 4:37p email to DCD Intake and DCD CMECF. May 12, 2024 11:50am email included evidence of the Secretary General refusing service as they did again See ECF 40. May 10, 2024 1:39pm I requested to correct the clerical error and the response was to preview the prose handbook to add defendants, refusing to correct the mistake. May 10, 2024 3:18 pm I again requested the clerk fix the error. I was then left with no alternative but to submit Motion to Amend see ECF 8 where I also alerted to the clerk error pursuant to Rule 57 on page 1, Rule 36 page 2.

Pursuant to Section 2675(a) of the FTCA, “[t]he failure of an agency to make final disposition of a claim within six months after it is filed shall, at the option of the claimant any time thereafter, be deemed a final denial of the claim for purposes of” the FTCA’s exhaustion requirement.³⁴¹ Thus, under these limited circumstances, Section 2675(a) authorizes a plaintiff to file an FTCA suit against the United States even before the agency has formally denied his administrative claim.³⁴² See ECF 1

Case 1:24-cv-00479-RC Document 56 Filed 08/09/24: Judge stated’ “To effect service, a “summons must be served with a copy of the complaint” on the defendant and it is the plaintiff’s responsibility to have “the summons and complaint served within the time allowed” by Federal Rule of Civil Procedure 4(m). Fed. R. Civ. P. 4(c)(1). See ECF 40

Affidavit of Service, ECF 4, 40 & 41 shows the extensive attempts to contact various federal employees regarding this procedure and with the same complaint as ECF 1 (in the original order of submission with Document 1-1 as the cover page) shows a refusal of mail.

II. Background

1. Identification of the Court Clerk(s) including Angela D. Ceasar; Michele m. Grady; et al : Provide details of the clerks, including name, title, and position within the court system from December 2023- March 2024 involved with the handling of District Court of Columbia Case 1:24 cv 00479-RC with specific focus to the clerk who completed the Civil Cover Sheet Document 1-2 Filed 02/13/24 Page 1-2.

2. in *Aragon v. United States*, 146 F.3d 819 (10th Cir. 1998), the plaintiff was unsuccessful in

contending that language in an Air Force manual setting forth objectives to be reached constituted a mandatory, self-imposed obligation because “an agency manual, in contrast to a regulation, is not necessarily entitled to the force and effect of law. ECF 56 referenced FCRA however, plaintiff followed the guidance of the US Code which takes precedence, The Supreme Court case *Sibbach v. Wilson & Co.*, 312 U.S. 1 (1941) upheld the principle that the FRCP cannot modify or override substantive rights established by federal statutes. This reinforces the idea that the U.S. Code takes precedence over the FCRA

3. Order Clarification: According to ECF 56, the judge provided instruction to serve the U.S. attorney for the District of Columbia, for clarity, would this judge be appropriate to address multiple states accountability? It is my understanding that would be Attorney General Garland. The complaint for restitution in the matter of kidnapping during the illegal Trans-Atlantic Slave trade and its apparent current effects would be a matter that address all states and ICJ and not just one jurisdiction, please confirm.

Furthermore, after explaining that several attempts have been made to follow the procedures and have simply been ignored shown in Affidavit of Mailing ECF 4 & ECF 40; ECF 41, plaintiff sought redress with the court. Court Rule 5(b)(D) Leaving it with the court clerk (c) filing any such pleading and serving it on the Petitioner constitutes notice of the pleading to all parties.

Service

- Plaintiff declares she attempted to file her complaint when the clerk’s misconduct ignoring Rule 5 to delay the filing of Complaint ECF 1 due to “original signature” See email. However on the complaint Rule 5(c) signing A filing made through a persons electronic filing account and authorized by that person, together with that person’s name on a signature block constitutes the persons signature.
- Plaintiff declares that she questioned the clerk on the reason why all defendants were not on the case as submitted on the complaint and requested to invoke Rule 57, clerk advised to submit a motion to add party to complaint file. Which was done ECF 8 with the original order of the original submission of complaint. The Original first page that was sent to the court via email was rearranged and entered as Document 1-1 Filed 2/1/24 Page 1 of 74. This action have resulted in misconduct and negligence causing legal injury to the Plaintiff, necessitating a claim against the surety bond. Plaintiffs plea to correct clerk error Seen in ECF 8; 38
- Furthermore, the court can review Document s filed 04/01/2024 Page 2-3 showing that the same complaint was sent to supreme court initially to alert Chief Justice John Roberts Jr in the same order as it was presented to District Court. The complaint is the same pdf.

This also can clarify the concern of the judge’s statement of ECF 56,” It appears that Plaintiff sent additional documents to the Attorney General—as well as other individuals—on July 15, 2024, but it is unclear what documents she sent.” See ECF 44 for clarity the Judge seeks.

- Furthermore, because plaintiff have been following the rules of the Tort Claims Act 28 USC 1346(b); 2671-2680 in accordance with 28 CFR 14.2 back in 2023 to allow for the 6-month waiting period; and as confirm of the Affidavit of mailing ECF 4; the ignored attempts lead plaintiff to request the clerk to operate under Rule 5 (b) as noted on ECF 2 filed 04/01/2024 page 3. A copy of the letter sent to defendants in their capacity is shown on ECF 2 page 5
- ECF 56; Judge statement, “To proceed with this suit, Plaintiff must obtain summonses from the Clerk and properly serve those summonses on defendants along with her complaint.” Plaintiff requested several times and the clerk stated I had to wait for the Judge to review motion to add and submit the order to send additional summons. The question is whether the claimant is seeking redress in the appropriate forum: the courts. Which the answer is Yes See Case 1:24 cv 00479-RC

A. Making a Claim Under the FTCA

Individuals who are injured or whose property is damaged by the wrongful or negligent act of a federal employee acting in the scope of his or her official duties may file a claim with the government for reimbursement for that injury or damage. In order to state a valid claim, the claimant must demonstrate that (1) he was injured or his property was damaged by a federal government employee; (2) the employee was acting within the scope of his official duties; (3) the employee was acting negligently or wrongfully; and (4) the negligent or wrongful act proximately caused the injury or damage of which he complains. The claimant must also provide documentation establishing that his claim satisfies all the elements of the FTCA.

<https://www.house.gov/doing-business-with-the-house/leases/federal-tort-claims-act>

- Plaintiff submitted “SOLN Police Accountability and Justice Act” on July 25, 2024 5:20 pm this file was not filed.

Legal Basis:

Pursuant to District of Columbia Freedom of Information Act (D.C. Code § 2-531 et seq., a party with a legitimate interest may request information regarding the surety bond of a public official. The surety bond is intended to protect against losses or damages caused by actions in an official capacity.

III. Argument

The surety bond held by the Court Clerk serves as a financial guarantee for the faithful performance of duties by the court clerk. Plaintiff, Christina Clement, and HH Empress Queen Christina Locs Is Our Artifact of Faith, have a legitimate interest in obtaining this information to assess the viability of pursuing a claim based on negligence and misconduct. Without access to this information, the Plaintiffs would be unable to seek appropriate remedies under the law.

IV. Relief Requested

Similar to Exposure Compensation Act, 42 U.S.C. § 2210 (note) (2009), plaintiff submitted legal frameworks ECF 53,50,49,46,45, 43,41, 37,24,23,22,21,20,19,18,17,16,15,12, and Restitution Act ECF 48 along with other acts to establish Policy procedures and policy reform for the unrepresented defined ECF 1-1 page 31-33. This promotes a balance in the justice system now for all people, both minority and majority.

In the affidavit of service shows that all requirements were met pursuant to FTCA and also the refusal to accept certified mailings shown in Affidavits of service ECF 40 attempts to affect the notice, shows plaintiffs ability to articulate the procedure. This moves the court to proceed with the suit because the government was unable to show anything to the contrary. Included in the mailing was a copy of the blank summons relevant to each defendant, a copy of the completed summons for AG Garland to each defendant and the original complaint. See ECF 44

WHEREFORE, the Plaintiffs respectfully request that this Honorable Court grant the following relief under 28 U.S.C. § 1346(b);(f); (g); 28 U.S.C. § 2675(b), Quiet Title Act (QTA);

- Policy Procedures: 53,50,49,46,45, 43,41, 37,24,23,22,21,20,19,18,17,16,15,12, and Restitution Act ECF 48; SOLN National Cultural Heritage Protection Act All legal frameworks enacted by plaintiff in Case 1:24 cv 00479-RC
- Policy Reform: ECF 53,50,49,46,45, 43,41, 37,24,23,22,21,20,19,18,17,16,15,12, and Restitution Act ECF 48 enacted by plaintiff in Case 1:24 cv 00479-RC
- Private Bills: In addition to proposals to modify the FTCA itself, Congress retains the authority to enact private legislation to compensate individual tort victims. ECF 52 Settlement
- Bill of Cost ECF 31
- Order to Establish Credit Union and Treasury without a reversionary interest for lump sum monetary judgement as per bill of cost and all filings after. ECF 52

- Pursuant to Federal common law. Under the common law, awards exceeding actual losses are not *per se* punitive and may be recovered when state law regards these damages as compensatory. Where, however, the award of damages depends upon “proof that the defendant has engaged in intentional or egregious misconduct,” the intent of the damages is to punish the tortfeasor, rendering them unrecoverable under the FTCA. *See id ECF 1 page 3-8*
- With respect to damages for loss of enjoyment of life, the Court in *Molzof* held that an award for such damages to a comatose patient is not punitive, *per se*, and may be recoverable under the FTCA, provided it is allowed under state law. *See ECF 13 &*
- Interest:

Post judgment interest, the period of entitlement, and the rate of interest are prescribed by federal statutes. *See* 28 U.S.C. § 1961 (2010) (rate of interest); 31 U.S.C. § 1304 (2010) (entitlement). Section 1304 provides that post judgment interest accrues only when the United States unsuccessfully appeals an adverse monetary judgment and only if the plaintiff has presented a copy of the judgment to the United States Treasury. The period of entitlement for post judgment interest runs from the day the plaintiff files the judgment with the Department of the Treasury to the day preceding the mandate of affirmance by the court of appeals or Supreme Court 28 U.S.C. § 1961. If a district court enters judgment that includes an award for post judgment interest in violation of 31 U.S.C. § 1304 or 28 U.S.C. § 1961,

- Attorney/Prose fee

The Equal Access To Justice Act precludes an award of attorneys’ fees in cases sounding in tort. *See* 28 U.S.C. § 2412(d)(1)(A) (2010). *ECF 47 6-15*

- An order directing the disclosure of the surety bond information for id 2, including the bond number, issuing company, bond amount, and any related documentation.
- Any other relief that this Court deems just and proper.

V. Conclusion

For the reasons stated above, Plaintiffs request that the Court grant this motion and allow access to the surety bond information for id page 2 to ensure that claims may be properly pursued.

Included: Attached PDF of screenshots of email correspondence relevant to this claim

Now, Therefore, by the divine authority vested in me, HH Empress Christina Clement, Locs is our artifact of faith, in accordance with the Constitution and laws of the State of Loc Nation Global (S.O.L.N and mindful of the principles herein stated: CHRISTINA LOREN CLEMENT LLC to uphold and enforce the laws of S.O.L.N, to safe guard the integrity of our legal system, and to ensure that all actions taken are in alignment with the principles of justice, fairness and ethical governance while also protecting our earth globally.



Rev. Dr. Christina Clement, in her capacity and as Presidential Candidate of the US 2024
8 The Green, Suite A

Dover, DE 19901

678-780-5557

Rule 5 (c) Signing. A filing made through a person's electronic –filing account and authorized by that person, together with that person's name on a signature block, constitutes the person's signature.

CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2024, I electronically emailed the foregoing with the Clerk of the Court using the email address dcd_intake@dcd.uscourts.gov, Attorney General Merrick Garland; Chief Justice John Roberts Jr., Secretary General of the United Nations; Registrar-Peace Palace Carnegie Pleinz et al in their official capacity which clerk will send notice to all parties.

CHRISTINA CLEMENT, PM