

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS
Civil Action No. 3:22-CV-9**

**JOE BLESSETT
Plaintiff
V
TEXAS ET AL.
Defendants**

United States Courts
Southern District of Texas
FILED

MAY 17 2022

Nathan Ochsner, Clerk of Court

Objection to the Dkt. #112 and Orders

Defendants Greg Abbott, Ken Paxton, and Steven C. McCraw filed a response to Plaintiff's Petition for Writ of Habeas Corpus. Title IV-D child support enforcement is challenged as an illegal restraint on JOSEPH C BLESSETT and the deprivation of rights without legal standing.

1. Has the Court seen any evidence presented by Greg Abbott, Ken Paxton, and Steven C. McCraw to dispute the Plaintiff's claims?
2. Will the Court deny the Plaintiff's private administrative process requesting a copy of the legal instrument that gave Ken Paxton and Steven C. McCraw standing to enforce a Title IV-D child support order?
3. Has the Court seen a judicial order to suspend the Plaintiff's driver's license?
4. Will the Court give the Defendants immunity for deprivation of rights without evidence of legal capacity to enforce Title IV-D to deprive and restrain JOSEPH C BLESSETT?
5. Will the Court deny the 5th and 14th amendment due process claims and lack of judicial orders for Title IV-D enforcement by Ken Paxton and Steven C. McCraw?
6. Did Ken Paxton and Steven C. McCraw continue to act under the color of law after receiving a legal notice from Joe Blessett?

7. Will the Court deny "The Great Writ," the Writ of Habeas Corpus, serves as a check on the power of the government?

The answers to these questions implicate the Defendants as liable for the deprivation of the Plaintiff's rights and unlawful Title IV-D restraints through logic and common sense. Accordingly, Plaintiff moves the Court to proceed with the Writ of Habeas Corpus and this civil action against Greg Abbott, Ken Paxton, and Steven C. McCraw. Common sense and logic would ask why the defendants don't move to moot this case by providing the evidence to the Court for reviewing. Where is the proof of JOSEPH C BLESSETT's consent to Title IV-D services or a modification of the Final Divorce Decree support before the "*Denial of U.S. Passport or Suspension of Texas driver license?*"

Plaintiff moves the Court to consider merits and grant relief for the specific facts establishing a preponderance of the evidence for violating the U. S. Constitution. However, the defendants have not presented credible evidence that the Court can use to justify denying the Plaintiff relief with or without a Writ of Habeas Corpus.

Habeas lies to enforce the right of personal liberty; when that right is denied and a person confined, the Federal Court has the power to release him. Indeed, it has no other power; it cannot revise the state court judgment; it can act only on the body of the petitioner—Pierre v. United States, 525 F. 2d 933 - Court of Appeals, 5th Circuit 1976. JOSEPH C BLESSETT is confined, and rights denied without a judgment. **Where is the state court judgment¹ for Title IV-D enforcement or restraints?** The Court has the power to release unlawful confinement² without legal documentation and restrictions of liberty enforced without evidence of judicial hearing for due process or consent to a Title IV-D contract with a "*Writ of Habeas Corpus.*" Defendants can enter a counterclaim as per

¹ It is clear that "the jurisdiction under the writ is confined to an examination of the record, with a view to determining whether the person restrained of his liberty is detained without authority of law," *Harlan v. McGourin*, 1910, 218 U.S. 442, 445, 31 S.Ct. 44, 46, 54 L.Ed. 1101, *Pierre v. United States*, 525 F. 2d 933 - Court of Appeals, 5th Circuit 1976.

² **Confinement** The act of imprisoning or restraining someone; the quality, state, or condition of being imprisoned or restrained. **Black's Law Dictionary Fifth Edition**

Federal Rule of Civil Procedures 13, producing the legal instrument before this Court following the federal statutes of Title IV-D of the Social Security Act to refute the Plaintiff's complaint or the request for *Habeas Corpus*. But the defendants cannot restrain JOSEPH C BLESSETT without legal capacity to restrain.

Plaintiff presented a well-pleaded complaint and credible evidence to shift the burden of proof³ to the Defendant to prove legal standing to enforce the Title IV-D program against JOSEPH C BLESSETT. Defendants, Greg Abbott, Ken Paxton, and Steven C. McCraw were individually served separate from the state, charged under Ex parte young. Plaintiff's well-pleaded complaint, motions, Certificates of Non-response, and other factual evidence have exposed Defendant's liability. The Court has no credible evidence to deny the Defendants liability or subject matter jurisdiction for deprivation of the Plaintiff's rights under the color of law. Therefore, the Court may dismiss Texas and its agencies as protected sovereigns, and the protected entities are within their protected rights to seek refuge. Greg Abbott, Ken Paxton, and Steven C. McCraw must provide credible evidence to escape liability under Ex parte Young, as explained in the complaint, motions, and evidence presented against them.

Every government Defendant in this civil action swore an oath to uphold the U.S. Constitution. No state has no power to impart to [the official] any immunity from responsibility to the supreme authority of the United States. Failure to protect the U.S. Constitution removes 11th amendment immunity protections. For the Defendant to be dismissed in this civil case, the Court must deny the Plaintiff's request for "*Production of Document Discover Dkt. #43*" and ignore the evidence on file with the Clerk of the Court showing the defendants did not act after receiving legal notice. The tacit conduct of the Defendants after receiving legal notice requesting evidence to enforce a support order violates their oath of office. Plaintiff's initial private legal document, a Texas notarized

³ Fed.Rule of Evidence 301. Presumptions in Civil Cases Generally. In a civil case, unless a federal statute or these rules provide otherwise, the party against whom a presumption is directed has the burden of producing evidence to rebut the presumption. But this rule does not shift the burden of persuasion, which remains on the party who had it originally.

request for the legal instrument to show Defendant's capacity to enforce Title IV-D restraints, and the Plaintiff's private support order are credible evidence presented against Greg Abbott, Ken Paxton, and Steven C. McCraw. *Bell Atlantic Corp. v. Twombly*⁴ standards for "Plausibility" have been met to show Greg Abbott, Ken Paxton, and Steven C. McCraw lost their immunity through tacit conduct. Defendant declined to respond or act to remedy the deprivation, and Joe Blessett accepted their silence as acceptance of the requested terms of the legal instruments. Plaintiff entered this legal action against Greg Abbott, Ken Paxton, and Steven C. McCraw with terms of a settlement for the injuries. The U.S. Constitution, U.S. Congress and Ex parte young gives the Plaintiff access to the Federal Court for "Constitutional Question" 5th and 14th amendment injuries caused by state and federal government infringement under federal program enforcement. The Court received the certified documents entered into evidence destroying the Defendant's credibility. Plaintiff is entitled to a remedy for the deprivation of right under the color of law if the Defendants do not refute the presumptions and credible evidence. The Defendants are given the opportunity to defend themselves according to the U.S. Constitution and the Rule of Law. Plaintiff requests the Court to grant the Writ of Habeas Corpus and weigh the cost of "Discovery" against the protection of the U.S. Constitution. It is not an anti-trust case; It is the Plaintiff's equal access to the application of the law with the interpretation of the U.S. Constitution and the Rule of Law on trial.

The defense of every Defendant named in this case depends on lies and judicial cooperation to protect the incompetence, corruption, and federal government grant allocation. Without judicial cooperation, the illegal Title IV-D enforcement illusion is exposed. The deception is revealed through the absence of documented evidence to prove

⁴ "While a complaint ... does not need detailed factual allegations, a plaintiff's obligation to provide the 'grounds' for his 'entitle[ment] to relief' requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." Id. at 555 (citations omitted). Thus, a complaint alleging conspiracy must include "enough factual matter (taken as true) to suggest that an agreement was made." Id. at 556. The Court emphasized the enormous cost of discovery in antitrust suits and the impossibility of alleviating such costs through careful management of discovery or summary judgment. Id. at 557–59

"Due Process" and legal capacity to restrain JOSEPH C BLESSETT's equal access to freedom, liberties, and immunities. What criminal act did JOSEPH C BLESSETT commit? What evidence⁵ has been presented to show JOSEPH C BLESSETT's Title IV-D liability?

Conclusion


WHEREFORE, Plaintiff prays that this Court grants the following relief:

1. Assume jurisdiction over this matter;
2. Issue an order directing Respondents to present for reviewing the legal instrument granting the capacity to restrain JOSEPH C BLESSETT;
3. Issue a Writ of Habeas Corpus Dkt. #100 and #111 for the Respondents to release all Title IV-D restraints on the body of JOSEPH C BLESSETT;
4. Mr. Blessett seeks an order for Summary Judgment against Greg Abbott, Ken Paxton, and Steven C McCraw.
5. Grant any other relief the Court deems just and proper

Respectfully submitted,



Joe Blessett
Pro Se
7970 Fredericksburg Rd. STE. 101-708
San Antonio, Texas 78229
joe@joeblessett.com
Ph.281-667-1174

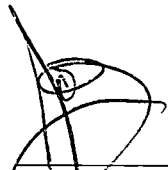
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Date

⁵ "Determining whether a complaint states a plausible claim for relief [is] a context-specific task that requires the reviewing court to draw on its judicial experience and common sense." **Ashcroft v. Iqbal, 556 US 662 - Supreme Court 2009**

Certificate of Service

I declare and verify, as per 28 U.S. Code § 1746, the foregoing **Objection to the Dkt. #112 and Orders** filed herein. A copy will be sent to all Defendant's counsel by **U.S.P.S. First Class Mail or higher**, and each fact alleged therein is true and correct under penalty perjury. Each fact alleged therein is true and correct under the penalty of perjury.



Joe Blessett

Pro Se

7970 Fredericksburg Rd. STE. 101-708

San Antonio, Texas 78229

joe@joeblessett.com

Ph.281-667-1174

May 15, 2022
Date

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS**

Civil Action No. 3:22-CV-9

JOE BLESSETT

Plaintiff

V

TEXAS ET AL.

Defendants

Order Granting Partial Summary Judgment Dkt. #78

Defendant's defense indicates the end of Discovery, and Plaintiff requests the Court moves for Summary Judgment against Greg Abbott, Ken Paxton, and Steven C McCraw.

IT IS HEREBY ORDERED that Plaintiff's Partial Summary Judgment is
GRANTED.

SIGNED this the _____ day of _____ 2022.

JEFFREY V. BROWN
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS**

Civil Action No. 3:22-CV-9

JOE BLESSETT

Plaintiff

V

TEXAS ET AL.

Defendants

Order to Present Legal Instruments

Issue an order directing Respondents to present for reviewing the legal instrument of consent Title IV-D services or a state court judicial modification to the July 23, 1999, Final Divorce Decree support order Dkt.#98 granting the capacity to restrain JOSEPH C BLESSETT.

IT IS HEREBY ORDERED that the Respondents present for reviewing the legal instrument granting the capacity to restrain JOSEPH C BLESSETT is GRANTED.

SIGNED this the ____ day of _____ 2022.

JEFFREY V. BROWN
UNITED STATES DISTRICT JUDGE