
UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

ALDO dibelardino,
+12 suri juris Virginia residents, citizens John & Jane Does 1-100*
Petitioner(s)

V.

Norfolk, Virginia Federal Court Officials;
All United States Marshals
Jerome Grate, Grand Jury Coordinator

Virginia Beach Officials;
Unlawful Sheriff Holcomb & all sworn Deputies
All Judges including Lewis, Mahan, Smith, & Spencer
Elected Clerk of the Court Tina Sinnen,
Commonwealth Attorney Colin Stolle & all staff
Respondent(s)

DOCKET NUMBER: **24-1843**

OPEN EXPEDITED EMERGENCY PETITION FOR WRIT(S) OF MANDAMUS

* Please note - citizens unnamed at filing because of documented security and safety concerns including but not limited to body cam footage of excessive force by government officials, documented injuries, false arrest, jailing, & other escalating abuses, etc.

This petition and all referenced EXHIBITS are posted online at **CourtOfPublicAwakening.org** to ensure public transparency, as online court filings are restricted to BAR members.

- I. Petitioner, Aldo Dibelardino, (Hereinafter “ALDO” or “Petitioners” interchangeably) is resident of Virginia Beach and above the age of eighteen(18) years old. He has been denied the ability to assist in forming a Grand Jury. Pursuant to **U.S. v William, 504 U.S.36- pgs 47, 50 & 68 (1992)**. (See attached Order of the Virginia Circuit court of the City of Virginia Beach Case No. CL24-1585 - Hereinafter - [Exhibit 1 “VB-Order”](#))

I(a.) Despite proper notice, ALDO and other resident citizens who formed a lawful grand jury have been unlawfully and forcefully kept from giving presentments of public official criminality in violation of State and Federal codes/rules to our grand juries as follows;

- At the Virginia Beach Circuit Court (hereinafter VBCC) on 6/17, 7/1 & 15, & 8/5 - 2024
- At the Norfolk, Virginia Federal Court (hereinafter NVFC) on 8/7 - 2024

Please note the following relevant details:

- On 6/4/24 a Virginia Code § 48.1 OPEN PETITION was filed with the VBCC and forwarded to the Supreme Court of Virginia that lawfully should have been presented to the 6/17/24 VBCC grand jury - that did not happen.
- On 7/1 & 7/15 - 2024 Virginia Beach Officials used excessive force to injure, falsely arrest, and jail citizens who noticed and attempted to PRESENT evidence of public official criminality to our grand jury.
- On 7/19/24 Virginia Beach Authorities falsely jailed a public advocate for trespassing because he was 152’ from the courthouse door educating the public on the power our grand jury has to RESTORE ACCOUNTABILITY.
- On 7/30/24 a related OPEN PETITION was sent to the Supreme Court of the United States.
- On 8/5/24 Virginia Beach Authorities blocked the grand jury courtroom door and denied citizens and media access to our grand jury.
- On 8/7/24 a U.S. Marshal blocked citizen access to our grand jury. He sent

for the grand jury coordinator, Jerome Grate, who never appeared; several more Marshals appeared and escorted the citizens out of our courthouse while refusing to accept a copy of the official notice that was previously sent to the US Attorney for the Eastern District of Virginia, Jessica D. Aber.

II. Furthermore, related activists citizens are denied lawful FOIA (Freedom of Information Act) requests for information including body cam and videos showing authorities use of excessive force and denying exculpatory evidence against false charges and ongoing investigations. These actions are prima facie evidence of criminal and civil RICO activity shielding bad behaviors.

III. ([Exhibit 2 - "SCOTUS PETITION"](#)) see attached related PETITION sent to the Supreme Court of the United States on 7/30/24.

IV. ([Exhibit 3 - "Official Notice"](#)) see attached 18 U.S. Code § 3332 official notice sent on 7/30/24 to Ms. Jessica D. Aber, United States Attorney for the Eastern District of Virginia. This Notice was publicly distributed on 8/5/24.

V. ([Exhibit 4 - "1992 Williams"](#)) see attached 1992 Williams ruling [U.S. v William, 504 U.S.36- pgs 47, 50 & 68 \(1992\)](#) that confirms that the grand jury formed by ALDO and other resident citizens is independent of the judicial, legislative, and executive branches of our government and a "protector of citizens against arbitrary and oppressive governmental action."

VI. ([Exhibit 5 - "Blackstone, ST. George Tucker"](#) found online at <https://lonang.com/library/reference/tucker-blackstone-notes-reference/>) - is the evidence code that says common law rules in Virginia. See **Blackstone's Commentaries with Notes of Reference (1803) - ST. GEORGE TUCKER**

VII. It is evident from Natural, Common, History, and Constitutional legal references that the citizens of each county or county equivalent have sole authority over their grand jury and that code/rules or limits imposed or implied by other authorities are, RULE OF LAW violations.

1. The United States Court of Appeals for the Fourth Circuit has the Ability to respond to the Writ of Mandamus and to make such orders to the lower courts and officers of the Court in Virginia Beach, Virginia pursuant to Federal Rules of Civil Procedure.
2. **Wherefore Petitioners ALDO and other resident citizens petition the**

United States Court of Appeals Fourth Circuit as follows;

(a). To issue a Writ of Mandamus Ordering the Norfolk, Virginia Federal Court U.S Marshals and the grand jury coordinator to STAND DOWN; to allow public PRESENTMENT of criminal Federal Code violations to our grand jury on September 4, 2024 in compliance with the 1992 Williams ruling and common law history.

(b). To issue a Writ of Mandamus Ordering Virginia Beach Authorities including unlawful Sheriff Holcomb and all sworn Deputies; all Judges including Lewis, Mahan, Smith, Spencer & others; elected Clerk of the Court Tina Sinnen; Commonwealth Attorney & all staff to STAND DOWN: to allow public PRESENTMENT of criminal State Code violations to our grand jury on September 16, 2024 in compliance with the 1992 Williams ruling [U.S. v William, 504 U.S.36- pgs 47, 50 & 68 \(1992\)](#) and common law.

(c). For the Court to take Judicial Notice that failure of our Courts to comply with these requirements is prima facie evidence of judicial misconduct requiring additional lawful, coordinated, liberty actions.

3. The Petitioners, ALDO and other resident citizens, state by denying a Grand Jury be seated in the Order of August 6, 2024, attached as [Exhibit 1](#), the lower Circuit Court denied Petitioners their rights under the United States Constitution Article III.
4. The Petitioners have laid out the facts of the Issues in Dispute above and in the attached Exhibits.
5. The Circuit Court of the United States should grant this Writ of Mandamus as this is the most Judicially Economic way to make the Petitioners whole. See: [U.S. v William, 504 U.S.36- pgs 47, 50 & 68 \(1992\)](#)
6. Petitioner supports this writ with the above exhibits and those attached and if called upon ALDO will testify under penalty of perjury and make available others who have been impacted by the ruling of the Circuit Court of City of Virginia Beach August 6, 2024 Case Number CL24-1585 order - [Exhibit 1](#).

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I, ALDO, certify to the best of my knowledge, information, and belief that this PETITION: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the PETITION otherwise complies with the requirements of Rule 11.

Blessings & Grace as we bring Justice for All to the Nations,

ALDO dibelardino, *pro-se*

Dated _____

CERTIFICATE OF SERVICE, complete copy -

By: Pamela Burnham - _____

1. mailed USPS Priority Mail Signature service to;
United States Court of Appeals 4th Circuit,
1100 East Main Street, Suite 501, Richmond, Virginia 23219
Supreme Court of the United States,
1 1st St NE, Washington, DC 20543-0001
2. hand delivered to;
VBCC for distribution to respondents
NVFC for distribution to respondents
Virginia Beach Sheriff's Office
Virginia Beach Commonwealth Attorney's Office