

No. 23-03

IN THE
Supreme Court of the Kingdom

HER MAJESTY, GONERIL, THE RIGHTFUL QUEEN OF THE
KINGDOM,

Petitioner,

v.

THE KINGDOM,

Respondent.

On Writ of Certiorari to the Kingdom Court of
Appeals

BRIEF FOR PETITIONER

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March 3, 2023

QUESTIONS PRESENTED

1. Whether Goneril acted as the rightful sovereign to defend the Kingdom against the invading French, given that Lear's territorial grant legally ended his reign.
2. Whether the First Amendment protects pillow talk between two star-crossed lovers.

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INTRODUCTION

The crooked King's Bench unjustly convicted Her Majesty, Queen Goneril, Ruler of the Commonwealth, and Defender of the Realm, for her actions in defending the Kingdom from a French invasion. But it is well-settled that a sitting Sovereign cannot be indicted, let alone convicted, of a crime, even if she shot someone on Fifth Avenue. If this Court nevertheless concludes that Queen Goneril is not the rightful sovereign, then she is a mere woman who falls outside the ambit of the statutes at issue.

Finally, much like baking a wedding cake, Queen Goneril's love letter to Edmund, which underpins all charges of which she was convicted, is speech protected under the First Amendment. And, in any event, none of the statements in the letter constituted a true threat.

This Court should vacate Queen Goneril's convictions and remand this case with instructions to grant equitable relief to "stop the steal" and recognize Queen Goneril as the Kingdom's legitimate sovereign, to be certified by the Vice President on the 6th of January in a purely ministerial role that is not protected by the Speech or Debate Clause.

STATEMENT

Before Her Majesty, Goneril, the Rightful Queen of the Kingdom ascended the throne, the Kingdom was led by an aged and enfeebled King with a succession problem. He had no (capable) male heir—only three daughters who, as women, barely counted as issue. After his annual Walter Reed physical raised questions about his health, the then-King created his

retirement plan to stave off trouble that might befall the Kingdom if he did not settle the heir problem ere he shrugged off his mortal coil, a spectre hanging over every condiment-clad ribeye he consumed. *See* Proceedings of *King Lear*, Bard O. Avon, court reporter, act 1, sc. 1. Because one never knows when a leader may give an hour and forty-five minute outdoor State of the Kingdom speech,¹ or eat an especially large bowl of cherries,² a plan is essential.

This Great Plan, unveiled in the presence of the assembled Court (once it eventually elected its Speaker after 115 rounds of voting), revealed the octogenarian Lear’s intention: “To shake all cares and business from our age, conferring them on younger strengths.” *See* Scenario at 1. Lear proceeded to “divest” his territory to his daughters, but only after the daughters professed to the King how Great their love for his Royal Greatness was. *See* act 1, sc. 1.

The eldest, Goneril and the middle daughter, Regan, both declared their devotion to His Greatness. *Id.* To each of these daughters and their husbands, the Dukes of Albany and Cornwall, respectively, Lear gifted a portion of his Kingdom. *Id.* Lear’s youngest daughter, Cordelia, could not stomach “heav[ing] her heart into her mouth” in this manner and Lear promptly disowned and discarded Cordelia with no grant of territory or authority. *Id.* It was not a terrible loss for Lear: Cordelia was never as comely as Lear’s

¹ *See* History, *President Harrison dies—32 days into office*, <https://www.history.com/this-day-in-history/harrison-dies-of-pneumonia>.

² *See* History, *President Zachary Taylor dies unexpectedly*, <https://www.history.com/this-day-in-history/president-zachary-taylor-dies-unexpectedly>.

“Loyal Daughters.”³ Cordelia then embarked on a worldwide publicity tour, asking (on a Netflix special) for people to respect her privacy, which is apparently what royals do when they leave England. Cordelia eventually married the French king and settled in Paris.⁴ *See id.*

With Cordelia banished to France, Lear bestowed the remainder of the territory he had reserved for Cordelia to Goneril, Regan, and their husbands. These grants encompassed the whole of the Kingdom and the totality of Lear’s sovereign realm. *Id.* (“With my two daughters’ dowers, digest this third.”). Lear also jointly invested his Loyal Daughters and their husbands with his “power, Pre-eminence, and all the large effects That troop with majesty . . . the sway, revenue, and execution of all the rest.” *Id.*

He sealed this Great Deal by dividing his crown between the Dukes. *Id.* As part of this Great Deal, Lear and a host of one hundred knights and carers⁵

³ All oddly capitalized terms are pulled directly from Lear’s Truth Social account: @RealLear.

⁴ Her second Netflix Special, *Cordelia in Paris*, was widely criticized for reliance on outdated French stereotypes, and on Cordelia’s failure to learn French or adapt to her new culture, instead insisting on bringing “a fresh English perspective” to Paris. *See, e.g.,* Arshia Chaudhary, *This is Why Critics Find Emily in Paris Problematic*, www.sociomix.com/diaries/entertainment/this-is-why-critics-find-emily-in-paris-problematic/1604571684.

⁵ A report by the Select Committee to Investigate the Weaponization of the Monarchy concluded that all of the so-called “knights” in question were appointed to their positions without the approval of Parliament and could generally be described as “ne’er-do-wells seeking federal office, criminal pardons, or both.” *See* Report of the Special Counsel, Privy Council at 15,320, available upon request.

were to be hosted in turn by his Loyal Daughters on a monthly rotation, and Lear retained the honorific “Great.” *See id.* (“[O]nly we still retain the name, and all th’ addition to a king.”).

Lear’s quiet retirement to Mar-a-London (Queen Goneril’s estate), however, did not go as planned. Queen Goneril grew tired of the raucous, uncouth hangers-on in her father’s train who turned her “gracèd palace” into a “tavern,” “brothel,” and “riotous inn.” *See* act 1, sc. 3. Queen Goneril beseeched Lear to “disquantity [his] train” to the men “as may besort” his advanced age, proffering evidence of Lear’s “knights” assaulting Queen Goneril’s employees. *Id.* But rather than make amends, Lear exeunt’d Mar-a-London in a huff.

Having lost several followers who were embarrassed to be associated with a *former* Sovereign who failed to pay his bills, Lear arrived at the Duke of Gloucester’s estate, seeking his remaining Loyal Daughter, Regan. But Regan requested her father return to Goneril or dismiss his group of ragtag lickspittles. *See* act 2, sc. 4. Queen Goneril herself arrived to double the entreaty, and both devoted daughters sought to dismiss Lear’s train. But Lear, who had long had difficulty distinguishing fact from fiction, believed his Loyal Daughters had turned into Nasty Women. Convinced he would look like a Loser without his sycophantic knights, Lear angrily departed into the wilderness just as a Storm struck.⁶

⁶ It is unclear if this particular tempest was “The Storm” predicted by the Order of QAnon or whether it was just an average meteorological event. *See* Camila Domonoske, *The QAnon ‘Storm’ Never Struck. Some Supporters Are Wavering*,

See act 2, sc. 4. Lear's Now-Very Rude Daughters did not attempt to follow him, believing a little ego-shrinking could do him a world of good. *Id.* (“[T]o willful men, the injuries that they themselves procure must be their schoolmasters.”).

Unfortunately for the hot-tempered Lear, shrinking was not something his ego could take. Convinced he had been wronged by his Very Rude Daughters, Lear wandered the wind-whipped wastelands consumed with petty grievances, settling personal scores, and convincing himself that he was still, indeed, Great. After a lifetime of nursing these base impulses, Lear lost his grip on reality in earnest. See act 3, sc. 1 (admitting “My wits begin to turn”).

Hearing of her father's descent into madness, Cordelia and her very Un-English husband, the King of France, sought to invade this Great Country with the French army, ostensibly to rescue Lear. Cordelia sent missives to Lear's old friends, including Gloucester, urging them to commit treason and support her Foreign cause against the rightful sovereigns, Goneril and Regan (and their husbands).

Others Steadfast, NPR (Jan. 20, 2021), <https://www.npr.org/sections/inauguration-day-live-updates/2021/01/20/958907699/the-q-anon-storm-never-struck-some-supporters-are-wavering-others-steadfast> (“For years, a mysterious figure called Q has issued promises that this cabal is on the verge of being exposed and defeated by [the former United States President] in a cataclysmic event that QAnon calls ‘the Storm.’”). It is, however, confirmed that the Former King Lear altered the Dorian Chart of The Storm with a sharpie to show it passing over Alabama. Daniel Dale & Brandon Miller, *Anatomy of a fiasco: A detailed timeline of [Lear's] Alabama map meltdown*, CNN (Sept. 6, 2019), <https://www.cnn.com/2019/09/06/politics/fact-check-timeline-of-trumps-alabama-dorian-map-fiasco/index.html>.

See act 3, sc. 2. Gloucester supported Cordelia and her French invasion, but Gloucester's patriotic, albeit illegitimate, son Edmund rescued the Nation by revealing this betrayal. Gloucester was duly punished,⁷ and Edmund succeeded the Earldom. Scenario at 1.

Earl Edmund escorted Goneril back to Mar-a-London on a white horse where she found her repellant husband Albany unwilling to mount a defense of England. See act 4, sc. 2 ("I must change arms here at home and give the distaff into my husband's hands."). Goneril requested that Edmund help Regan resist the invading French army. While Edmund dutifully worked to defend the Kingdom (and undutifully cheated on Goneril with her sister), Goneril dispatched a letter to Edmund, describing her deeply unhappy marriage and wish to be free from Albany's clutches:

Edmund: Let our reciprocal vows be remembered. It will be too late if my husband Albany returns the conqueror; then am I the prisoner, and his bed my jail. Deliver me from this loathèd warmth, and I will make you King of England. Your wife, or so I wish I could say, Goneril.

Scenario at 1; act 4, sc. 5. Just as prison guards read prisoner mail, Albany read all of Goneril's outgoing mail; upon seeing Goneril's daydream of Edmund ruling beside her, Albany abandoned any pretense of defending the Kingdom and arrested the very patriots attempting to preserve the Union. Scenario at 1.

After the French overthrew Queen Goneril and installed the now entirely doltish Lear as their loyal puppet, Illegitimate King Lear initiated a witch-hunt,

⁷ With the traditional punishment of gouging out one's eyes.

decreeing that his “Very Rude and Disloyal Daughter” would be tried alongside the erstwhile Earl Edmund for a plethora of crimes, including treason. *See* Scenario at 2. Lear refused to allow Goneril to sever her trial from Edmund’s and instead led chants of “lock her up” throughout the trial.

Goneril steadfastly maintained her innocence, proclaiming that, as true Sovereign of the Kingdom, she could hardly commit insurrection or treason against herself. Act 5, sc. 3 (“[T]he laws are mine, not thine. Who can arraign me for’t.”). The King’s Bench, consisting only of activist Lear judges, acquitted Goneril of treason but simultaneously found her guilty of the related offenses. Her Majesty, Queen Goneril now appeals her convictions.

ARGUMENT

The prosecution attempts to characterize Queens Goneril and Regan as leaders of a mob of Proud Girls trying to unlawfully overthrow a legitimate sovereign. In reality, it was Traitor Cordelia and Former King Lear who refused to be oathkeepers of the Kingdom.

Her Majesty Queen Goneril was improperly convicted of four crimes: (1) misprision of treason, (2) insurrection, (3) seditious conspiracy, and (4) advocating the violent overthrow of the government. *See* 18 U.S.C. §§ 2382, 2383, 2384, 2385. The crimes are defined as follows:

- **Misprision of treason:** “Whoever, owing allegiance to the Kingdom and having knowledge of the commission of any treason against it, conceals and does not . . . disclose . . . the same to the Sovereign or to some judge of the Kingdom . . . is guilty of misprision of treason.” 18 U.S.C. § 2382.

- **Rebellion or insurrection:** “Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the Kingdom or the laws thereof, or gives aid or comfort thereto, shall be fined . . . or imprisoned . . . , or both; and shall be incapable of holding any office under the Kingdom.” 18 U.S.C. § 2383.
- **Seditious conspiracy:** “If two or more persons . . . conspire to overthrow, put down, or to destroy by force the Government of the Kingdom, or to levy war against it, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the Kingdom, or by force to seize, take, or possess any property of the Kingdom contrary to the authority thereof, they shall each be fined” or imprisoned or both. 18 U.S.C. § 2384.
- **Advocating overthrow of Government:** “Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the Kingdom by force or violence, or attempts to do so; or Whoever organizes . . . any . . . assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence” shall be fined or imprisoned. 18 U.S.C. § 2385.

Scant modern case law addresses these statutes. That is not surprising because there has never been an insurrection in this Kingdom—only “legitimate political discourse.” In analyzing these statutes, this

Court can and should rely on “the great common-law authorities” of centuries past. *See Dobbs v. Jackson Women’s Health Org.*, 142 S. Ct. 2228, 2236 (2022) (relying on Henry de Bracton (1210–1268), Edward Coke (1552–1634), Matthew Hale (1609–1676), and spring chicken William Blackstone (1723–1780)).

As a matter of textualism, originalism, history and tradition, deference to the sovereign, and deep feelings, the convictions must be reversed.

I. Queen Goneril did not commit crimes against the Kingdom because either she is the Kingdom’s rightful sovereign or she does not legally exist

This Court should vacate Queen Goneril’s convictions because (1) the text and structure of Lear’s conferral confirm that Queen Goneril is the rightful sovereign with the power to defend her Kingdom, and (2) even if Goneril is not the rightful sovereign, she is a mere woman, meaning she (like all women) falls outside of the criminal statutes’ scope.

A. Although Queen Goneril has “the body but of a weak and feeble woman,” she has “the heart and stomach of a king, and of a king of England too”⁸

As the sitting sovereign, Queen Goneril cannot be indicted, let alone convicted, of any crime. *See A Sitting Sovereign’s Amenability to Indictment & Crim. Prosecution*, 24 U.S. Op. Off. Legal Counsel 222, 223 (Oct. 16, 2000). She is above the law.

⁸ Queen Elizabeth I, Speech to the Troops at Tilbury (Aug. 9, 1588).

Because “[w]e’re all textualists now,”⁹ we start with the text of Former King Lear’s conferral of power. “To shake all cares and business from [his] age, conferring them on younger strengths, while [he] unburdened crawl toward death,” Former King Lear told his eldest daughters: “I do invest you jointly with my power, Pre-eminence, and all the large effects That troop with majesty.” Act 1, sc. 1.¹⁰ For himself, Lear reserved only the right, at his daughters’ expense, to rotate his residence between them and to surround himself with 100 knights, and “[t]he name, and all th’addition to a king.” Scenario at 1. Former King Lear sought to retain the glory of royalty, but none of the responsibility (planning to parade around the Kingdom giving speeches and having hundreds of devout followers clap along with his statements).

The plain language of Lear’s conferral shows that Lear conveyed to his daughters his sovereignty, including the responsibility of protecting the Kingdom from invasion. Former King Lear later confirmed conferral of his sovereignty, acknowledging, “Thy half o’ the kingdom hast thou not forgot, *Wherein I thee endowed.*” Act 2, sc. 4. (emphasis added).

The “power, Pre-eminence, and all the large effects That troop with majesty” extend beyond a royal’s

⁹ Harvard Law School, *The Antonin Scalia Lecture Series: A Dialogue with Justice Elena Kagan on the Reading of Statutes*, YouTube (Nov. 25, 2015), <https://www.youtube.com/watch?v=d pEtszFT0Tg>.

¹⁰ Although Former King Lear conferred his power and authority onto both Goneril and her husband, Albany, the Twenty-Eighth Amendment (the Equal Rights Amendment, which was ratified when Virginia became the final state needed for ratification) provides that “[m]en and women shall have equal rights,” and Goneril is accordingly sovereign in her own right.

power to exile or wage war against ex-royal relatives. *See, e.g.*, Harry, Formerly the Duke of Sussex, Spare (1st ed. 2023). These “effects” also include the authority to encourage fellow patriots to “[h]asten [their] musters and conduct [their] powers” against an invading French army. *See* act 4, sc. 2. Despite a long history of military defeats,¹¹ the French¹² invasion of this Kingdom posed a real threat. Queen Goneril, as sovereign, was “not only authorized but bound to resist force by force.” *Prize Cases*, 67 U.S. 635, 668 (1862). A war is “none the less a war,” “because it may be called an ‘insurrection’ by one side.” *Id.* at 668–69; *see also* WILLIAM SHAKESPEARE, *ROMEO & JULIET* act 2, sc. 2 (“What’s in a name? That which we call a rose By any other word would smell as sweet.”). The sovereign has the authority to “call into Federal service” and “use . . . the armed forces, as [s]he considers necessary to enforce . . . laws or to suppress the rebellion.” 10 U.S.C. § 252. Queen Goneril acted well within her authority to protect the Kingdom against the French invasion led by Cordelia.

Lear’s decision to reserve for himself one hundred knights and carers shows that he knew how to create exceptions to his grant of authority; if Lear had wanted to exclude other “effects” from Regan and Goneril’s

¹¹ *See* Dictionary.com, *French military victories* (Aug. 16, 2018), <https://www.dictionary.com/e/pop-culture/french-military-victories> (“What does French military victories mean? I’m sorry, no results were found. Did you mean *French military defeats*?”).

¹² Although some authorities express concern that the term “the French” could be “dehumanising,” BBC, *AP deletes ‘the French’ tweet and apologises after it is widely mocked* (Jan. 28, 2023), <https://www.bbc.com/news/world-europe-64436973>, this concern is unwarranted where the French invaded this Great Kingdom and ousted the rightful Queen in a bloodthirsty coup.

new authority, he would have done so. *See Andrus v. Glover Constr. Co.*, 446 U.S. 608, 616–17 (1980). Lear’s decision not to craft any other exceptions thus confirms what the plain text of his conferral already made clear—that Goneril is the rightful sovereign of half of this Kingdom with all powers and authorities attendant to her position. In other words, the “textual analysis focused on the normal and ordinary meaning” of Lear’s conferral means he divested his sovereignty to his daughters and their husbands. *N.Y State Rifle & Pistol Ass’n, Inc. v. Bruen*, 142 S. Ct. 2111, 2127 (2022) (internal quotation marks omitted).

To the extent this Court objects to the breadth of Lear’s conferral of power, this Court may not rewrite Lear’s grant of sovereignty merely because it disagrees with him. *See, e.g., Lewis v. City of Chicago*, 560 U.S. 205, 215 (2010). Nor does this case implicate the major questions doctrine, given that Goneril has stated for the record that she does not intend to use her delegated authority to regulate carbon emissions. *See W. Virginia v. Env’t Prot. Agency*, 142 S. Ct. 2587, 2608–09 (2022).

At its heart, this is a political dispute about the separation of powers between Former King Lear and his daughter, Queen Goneril. As this Court has emphasized, “[n]one are more conscious of the vital limits on judicial authority than are the Members of this Court, and none stand more in admiration of the Constitution’s design to leave the selection of the [sovereign] to . . . the political sphere.” *Bush v. Gore*, 531 U.S. 98, 111 (2000). Here, however, the trial court neglected its responsibility to defer to the political branches and improperly delved into the political fray by convicting Goneril. Queen Goneril, therefore,

respectfully requests that this Court once again embrace its “unsought responsibility to resolve the federal and constitutional issues the judicial system has been forced to confront,” *id.*, a responsibility that requires this Court to declare Queen Goneril the rightful sovereign and her actions defending this Kingdom from a foreign invasion accordingly legal.

B. Frailty, Thy Name Is Woman

If this Court does not recognize Queen Goneril’s sovereignty, it should nevertheless vacate the convictions because, under the original meaning of the statutes under which Goneril was convicted, women were not included.

Criminal laws seek to punish “vicious will.” *Morissette v. Kingdom*, 342 U.S. 246, 251 (1952). This requirement “is as universal and persistent in mature systems of law as belief in freedom of the human will and a consequent ability and duty of the normal individual to choose between good and evil.” *Id.* at 250. Presuming the mens rea requirement can be met for a female defendant “turns the typical way of conceptualizing [criminal statutes] on its head.” *Kingdom v. Rahimi*, 59 F.4th 163, 171 (5th Cir. 2023).

“[T]he historical tradition that delimits the outer bounds” of the statutes at issue—including misprision of treason, insurrection, and seditious conspiracy—shows that women were legally incapable of committing these crimes. *Bruen*, 142 S. Ct. at 2127. And the Government has failed in its burden to point to historical precedent that evinces a tradition of applying these statutes to gentle-ladies.

Women traditionally had scant legal rights and were essentially property.¹³ They were—and perhaps still are—considered “inferior to . . . men.” 2 Henry De Bracton, *De Legibus et Consuetudinibus Angliae* 31; *see also Dobbs*, 142 S. Ct. at 2249 (consulting Bracton’s *De Legibus et Consuetudinibus Angliae*).

Indeed, “a woman may be made a fool,” WILLIAM SHAKESPEARE, *THE TAMING OF THE SHREW* act 3, sc. 2, or a “lunatic,” WILLIAM SHAKESPEARE, *RICHARD III* act 1, sc. 3, at the slightest provocation. And scholars believed a woman was particularly easy to “corrupt . . . when she’s fallen out with her husband.” WILLIAM SHAKESPEARE, *CORIOLANUS*, act 4, sc. 3. The noted authority on women, Sir Matthew Hale, explained that to limit the risk of such corruption, “young gentlewomen” should “learn[] what belonged to housewifery . . . and how they were to be ordered.” Sir Matthew Hale, *A Letter of Advice to his Grandchildren* 129 (1817); *see also Dobbs*, 142 S. Ct. at 2249 (citing Sir Hale as an “eminent” authority).¹⁴

Goneril unfortunately did not have the benefit of these valuable lessons. Her father instead told her

¹³ *See, e.g., Kingdom v. Yazell*, 382 U.S. 341, 342 (1966) (describing “Texas law [that] provided that a married woman could not bind her separate property unless she had first obtained a court decree removing her disability to contract”); *Norwood v. Francis*, 25 App. D.C. 463, 476 (D.C. Ct. App. 1905) (describing how “[t]he disability [of being a married woman] is one entirely outside of the common-law doctrine of the *feme covert* not being *sui juris*, and therefore is not removed by statutes intended to merely change the common law in that respect” (internal citation omitted)).

¹⁴ Should this Court agree with this “eminent” source, Counsel of Record is prepared to cease practicing law and endeavor to learn “housewifery.”

that she was “lady” “of all these bounds” he conferred on her and that these lands would belong to her “perpetual[ly].” Act 1, sc. I. Accordingly, Goneril reasonably believed she was Sovereign and that the laws she enforced and the Kingdom she defended were hers. *See* act 1, sc. 3 (“Idle old man, that still would manage those authorities That he hath given away.”); act 5, sc. 3. (“[T]he laws are mine, not thine. Who can arraign me for’t?”). Therefore, even if Goneril were somehow capable of forming intent, her only intent was to save her Kingdom.

As a woman who had “fallen out with her husband,” CORIOLANUS, act 4, sc. 3 Goneril was particularly vulnerable. Edmund redirected Goneril’s affections away from her husband, manipulating Goneril to feel that she would “rather lose the battle [with the French] than [endure her sister’s] loosen[ing] [Edmund] and me.” Act 5, sc. 1. At no point did Goneril intentionally betray the Kingdom: rather, she “act[ed] impulsively” because she was entirely consumed with thoughts of Edmund. *See Kawakita*, 343 U.S. at 736; *Cramer*, 325 U.S. at 29.

Finally, because Goneril is not just a woman but a *married* woman, a proper originalist reading of the relevant crimes means Albany is the only proper defendant. As a married couple, Goneril and Albany are “treated by the State as a single, male-dominated legal entity.” *Obergefell v. Hodges*, 576 U.S. 644, 660 (2015) (citing 1 Blackstone 430). Goneril was a mere “representation of[] her lord,” meaning every action Goneril took and every decision she made were Albany’s actions and decisions. 1 Blackstone 442 (a woman is part of her husband, “under whose wing, protection, and cover, she performs everything”); *id.* at

442–45 (1765) (a “wife” is “inferior to [her husband], and acting by his compulsion”); *see also Dobbs*, 142 S. Ct. at 2249 (relying on Blackstone). Under the proper originalist interpretation of these statutes, Goneril does not legally exist and (like minors¹⁵ and sheep) is legally incapable of these crimes.

If Goneril is not legally endowed with all the rights of sovereign, she is properly endowed with no rights at all.¹⁶ And because Goneril’s existence was subsumed within Albany’s upon marriage, Albany is the proper defendant. Should this Court conclude that Goneril is not sovereign, it should vacate Goneril’s convictions and remand with instructions to substitute Albany as the proper defendant.

C. All hail the Third Amendment

Queen Goneril’s reaction to the situation arose after flagrant violation of her Third Amendment’s protections against quartering soldiers. A violation of one’s Third Amendment rights should be a complete defense to prosecutions under 18 U.S.C. §§ 2382–85.

Under the Third Amendment, “[n]o Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, not in time of war, but in a manner to be prescribed by law.” U.S. Const. Amend.

¹⁵ *Cf. Bellotti v. Baird*, 428 U.S. 132, 147 (1976) (noting that, for minors, “there are unquestionably greater risks of inability to give an informed consent”); Tex. Penal Code § 8.07(e) (“A person who is at least 10 years of age but younger than 15 years of age is presumed incapable of committing an offense . . .”).

¹⁶ Should the Kingdom’s Archivist certify and publish the Equal Rights Amendment, courts would properly reconsider the legal status of women. Until then, however, there is little hope.

III.¹⁷ When Former King Lear ignored Goneril’s pleas to remove or at least reduce his train and ordered “an hundred knights” reside in Albany and Goneril’s home, he trespassed upon Albany and Goneril’s sacred Third Amendment rights.

Although this Court has not had occasion to consider the appropriate consequence for a violation of a person’s Third Amendment rights, it has had ample opportunity to consider their unassailable right to take up arms in defense of person and property. *See, e.g., District of Columbia v. Heller*, 554 U.S. 570 (2008) (affirming the right to arms at home); *Kingdom v. Lopez*, 514 U.S. 549 (1995) (affirming the right to arms in a school zone); *Bruen*, 142 S. Ct. 2111 (affirming the right to arms in case of a western showdown at the Fifth Avenue Starbucks). Queen Goneril was well within her rights to defend herself and her home from quartered soldiers and the invading French.

II. Love notes and acts of passion are protected by the First Amendment

The Kingdom may not “forbid or proscribe advocacy of the use of force or of law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.” *Brandenburg v. Ohio*, 395 U.S. 444, 447 (1969). Much like the former sovereign’s demand that his daughters proclaim that they “doth love [him] most,” act 1, sc. 1, the imminence and likelihood requirements set forth in *Brandenburg* are non-negotiable. *See, e.g., NAACP v. Claiborne Hardware*

¹⁷ *See also* @JimAmendmentsIII, <https://twitter.com/jimamendments/status/1603468024417292311?s=20> (preeminent Twitter authority on the Third Amendment).

Co., 458 U.S. 886, 927 (1982) (“[M]ere advocacy of the use of force or violence does not remove speech from the protection of the First Amendment.” (emphasis omitted)).

A. The First Amendment protects Goneril’s pure speech because her love letter cannot be considered a “true threat”

This Court has made clear that laws criminalizing “pure speech[] must be interpreted with the commands of the First Amendment clearly in mind.” *Watts v. Kingdom*, 394 U.S. 705, 707 (1969). That is, “threat[s] must be distinguished from what is constitutionally protected speech.” *Id.* Given that the “language of the political arena . . . is often vituperative, abusive, and inexact,” *id.* at 708, only “true threats” “where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group” fall outside of the First Amendment’s protection, *Virginia v. Black*, 538 U.S. 343, 359 (2003).

Queen Goneril made no threats that go beyond this protection. She merely asked her father to stop violating the Third Amendment and reduce his clique of knights who were “so disordered, so debauched and bold.” Act 1, sc. 3. This request was hardly a threat. In fact, it was a “perfect letter,” a patriotic attempt to “drain the swamp” of soldiers and establishment aristocrats that “shame[d]” her “gracèd palace.” Act 1, sc. 3. These noble pursuits are widely supported in modern society and cannot possibly, much less reasonably, be interpreted as threats. *See, e.g.*, Donald J. Trump, Address on Ethics at Green Bay, Wis. Campaign Rally (Oct. 17, 2016) (declaring, to a crowd

cheering the size of his formidably large hands, that “it is time to drain the swamp”).

Moreover, neither Goneril’s words directing Edmund to raise an army, nor her spoken intent to trade “the distaff” for control of Albany’s forces satisfies *Brandenburg*’s imminence requirement. Like Sir Giuliani’s January 6th statement advocating “trial by combat,” *Thompson v. Trump*, 590 F. Supp. 3d 46, 118 (D.D.C. 2022), Goneril’s words did not “incit[e] . . . imminent lawless action” because Goneril was attempting to defend her Kingdom and, in any event, never explicitly stated a time and place for violence, *id.*; *Brandenburg*, 395 U.S. at 447; act 4, sc. 2.

Importantly, intent also plays a key role in the *Brandenburg* analysis, and the innate intellectual differences between men and women are inextricably intertwined in this analysis. *See* Section I.B *supra*. This Court has suggested that punishment for “true threats” should require an actual analysis of the speaker’s intent, a burden that cannot be met by insincere verbal expressions such as egregious, drunken jokes. *See Perez v. Florida*, 137 S. Ct. 853 (2017) (Sotomayor, J., concurring in denial of certiorari) (lamenting a Florida man’s incarceration due to an innocent confusion between a recreationally intoxicating “Molly cocktail” and a violently explosive “Molotov cocktail”).

Goneril was intoxicated by her love for Edmund. There is no dispute: “[w]omen differ from men in many respects, for their position is inferior to that of men,” 2 Bracton 31; *see also Dobbs*, 142 S. Ct. at 2249 (citing Bracton), especially when the women are “Drunk in Love,” *see* Beyonce, *Drunk in Love ft. JAY Z* (Columbia Records 2013). Even if Goneril asking her lover for a

favor could constitute a true threat, Goneril certainly did not form the requisite intent here.

B. Baking cakes, professing love, and raising armies are protected expressive conduct

Time and time again, this Court has held that the First Amendment’s protection extends to expressive acts. *See, e.g., Hurley v. Irish-American Gay, Lesbian & Bisexual Grp.*, 515 U.S. 557, 572–73 (1995); *Masterpiece Cakeshop, Ltd. v. Colo. Civil Rights Comm’n*, 138 S. Ct. 1719, 1727–32 (2018). Queen Goneril took action to marshal levies for an express political purpose: to identify the Kingdom’s ruler and to publicly display her vehement and valiant opposition to the French invasion.

Masterpiece Cakeshop taught that expressive conduct encompasses a wide array of conduct besides heteronormative baking, including flag burning, nude dancing, and Jackson Pollock’s art. 138 S. Ct. at 1741–42 (Thomas, J., concurring in part) (collecting cases). It is but a small, logical leap to add raising an army to that list of protected activities.¹⁸

What is more, as a lovestruck lady, Goneril’s primary priority was becoming close to Edmund and eventually marrying him. *See* act 5, sc. 1 (“I had rather

¹⁸ Similarly, on numerous occasions, this Court has held unpopular acts are protected under the First Amendment’s Free Exercise Clause. *See, e.g., Tandon v. Newsom*, 141 S. Ct. 1294, 1297–98 (2021) (packed houses of worship during height of a deadly global pandemic); *Gonzalez v. O Centro Espirita Beneficente União do Vegetal*, 546 U.S. 418, 436–37 (2006) (psychedelic drug use in religious exercise); *Church of the Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 524 (1993) (ritual animal sacrifice). It is well-established that simply because an act is disfavored, it is still protected under the First Amendment.

lose the battle than that sister Should loosen him and me.”); act 4, sc. 5 (“Your wife, or so I wish I could say.”). These statements show that Goneril’s actions sought to *express* her support and love for Edmund, and those acts happened to have collateral political effects.¹⁹ Like the baker in *Masterpiece Cakeshop*, Goneril’s expression of love for Edmund is also protected under the First Amendment. Her convictions must be vacated.

III. Her Majesty, Queen Goneril hereby dissolves this Court, reverses *Marbury v. Madison*, and vacates her convictions

That this case even exists brings consternation for Her Majesty Queen Goneril.²⁰ The King’s Bench’s refusal to respect separation of powers highlights how the Kingdom’s judicial system is “really something we have to take a look at because it’s not fair.”²¹

Goneril has “take[n] a look” at the Kingdom’s judicial system, *id.*, and concludes that it is beyond salvation. Indeed, “when law can do no right, let it be lawful that law bar no wrong: law cannot give [Goneril her] kingdom here for [she] that holds [her] kingdom holds the law.” WILLIAM SHAKESPEARE, KING JOHN, act 3, sc. 1. Accordingly, Her Majesty, Goneril, Queen of the Kingdom hereby exercises her sovereign

¹⁹ In other words, Goneril’s actions were, at most, *insurrection-ish*, not *insurrectionist*.

²⁰ Although counsel’s fees are preeminently reasonable, Queen Goneril would prefer to purchase MetaBirkin bags with tax-payer dollars rather than pay legal fees.

²¹ Brennan Center for Justice, *In His Own Words: The President’s Attacks on the Courts* (Feb. 14, 2020), <https://www.brennancenter.org/our-work/research-reports/his-own-words-presidents-attacks-courts> (quoting the former American President).

authority and dissolves this Court, its “so called judges,” and every other court that sits within the Kingdom. It is no longer the “province and duty of the judicial department to say what the law is.” *Marbury v. Madison*, 5 U.S. 137, 177 (1803). Her Majesty therefore decrees that *Marbury v. Madison* is overruled “as egregiously wrong from the start” because “[i]ts reasoning was exceptionally weak, and the decision has had damaging consequences,” *Dobbs*, 142 S. Ct. at 2243, especially for Queen Goneril.²² As Queen of the Kingdom, Goneril vacates her convictions as improperly obtained through fraudulent proceedings conducted by crooked courts.²³

²² As established by precedent, stare decisis should pose no obstacle to overturning *Marbury v. Madison*. See, e.g., *id.* at 2242 (overruling *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992)); *Kennedy v. Bremerton Sch. Dist.*, 142 S. Ct. 2407 (2022) (overruling *Lemon v. Kurtzman*, 403 U.S. 602 (1971)); *Ramos v. Louisiana*, 140 S. Ct. 1390 (2020) (overruling *Apodaca v. Oregon*, 406 U.S. 404 (1972)); but see *Trump v. Hawaii*, 138 S. Ct. 2392, 2423 (2018) (failing to actually overrule *Korematsu v. Kingdom*, 323 U.S. 214 (1944)).

²³ Although Goneril is above the law, out of an abundance of caution, Goneril follows in the footsteps of a great leader of the United States and issues herself a blanket pardon for any and all past or future liability. See @realDonaldTrump, Twitter (June 4, 2018) (“As have been stated by numerous legal scholars, I have the absolute right to PARDON myself . . .”).

CONCLUSION

Despite issues of inheritance
That muddle the waters
A father's crown became rightly his daughter's.
Even if insurrection commenced
At Goneril's beseech
No Crown Prosecutor shall punish her free speech.

Respectfully submitted.

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March 3, 2023