

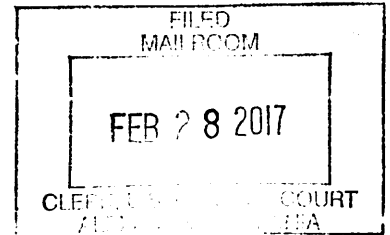
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

TAREQ AZIZ, *et al*,
Petitioners

v.

No. 1:17-cv-0116(LMB/TCB)

DONALD TRUMP, President of the United
States, et al.,
Respondents



**MOTION FOR LEAVE TO FILE AN *AMICUS* BRIEF
RAISING POLITICAL QUESTION NONJUSTICIABILITY,
A BRIEF FROM *AMICUS CURIAE* PROFESSOR VICTOR WILLIAMS,
OF THE AMERICA FIRST LAWYERS ASSOCIATION,
IN SUPPORT OF PRESIDENT DONALD J. TRUMP**

Victor Williams,
Appearing *Pro Se*

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Comes now Professor Victor Williams seeking leave of the Court to file an *Amicus* Brief in support of the Respondent President Donald J. Trump respectfully asserting that this Court does not have subject matter jurisdiction in this matter as the case presents a nonjusticiable political question. Amicus further respectfully suggests that this Court has an obligation to *sua sponte* examine this subject matter deficiency, void its preliminary injunction, and dismiss the action.

INTEREST OF PROSPECTIVE *AMICUS*

Professor Victor Williams is a Washington, D.C. attorney and law professor with over twenty years' experience -- formerly affiliated as fulltime faculty with both the City University of New York's John Jay College of Criminal Justice and the Catholic University of America's Columbus School of Law. Williams has advanced training in federal jurisdiction and international law (LL.M. Columbia University's School of Law) and in economic analysis of the law (LL.M. George Mason University's Scalia School of Law). Professor Williams has particular knowledge and expertise regarding the text, history, and interpretation of Article II and Article III of the U.S. Constitution.

Since his undergraduate law studies (J.D. University of California-Hastings College of the Law), Professor Williams has has published scholarship and

commentary that offered strong support for the constitutional discretion and prerogatives of the past four presidents (without regard to their party affiliation).

In past, Professor Victor Williams has been granted leave to file *Amicus* Briefs in other lower courts as well as by the U.S. Supreme Court. Prospective *Amicus* asked for party consent to this filing through email with the Virginia Attorney General declining and Justice Department not responding.

UNIQUE CONTRIBUTION OF THE AMICUS BREIF

Prospective *Amicus* offers that the proffered brief will make a valuable contribution to the existing briefing in this case as it presents an alternatively focused theory asserting that the claims against the president's January 27, 2017 executive order raise a nonjusticiable political question.


Amicus respectfully argues that the Court does not have subject matter jurisdiction in this matter. And *Amicus* further respectfully suggests that this Court has an obligation to *sua sponte* examine this subject matter deficiency, in full, before proceeding further in this adjudication. If a case presents a political question, the judiciary lacks subject matter jurisdiction to decide that question. *See* Victor Williams, *Travel Ban Challenges Present a Non-Reviewable Political Question*, JURIST - Forum, Feb.15, 2017. <http://jurist.org/forum/2017/02/Victor-Williams-travel-ban.php>

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Presenting just one argument: There are no judicially manageable standards by which the Court can endeavor to assess the President's interpretation of classified and military intelligence and his resulting decision—based on that intelligence—whether to restrict entry of foreign-soil aliens visiting from certain terrorist-breeding nations. The Court's inquiry is barred by the patent political question, and any assertion by the Court or Petitioner that such is necessary to a related statutory analysis would not make the inquiry or the controversy justiciable.

But both technical and prudential understandings of the political question doctrine requires this Court to reject review of this matter.

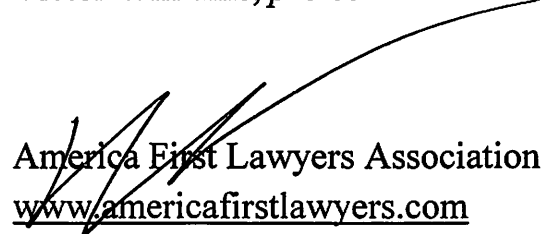
Submitted on February 25, 2017


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CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2017, the foregoing motion with proposed brief was filed with the Clerk of this Court using the U.S. Mail (as *pro se* prospective *Amicus* is not a registered ECF user) and served on parties of record also using U.S. Mail.

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