




IDEO - Absolute Truth with Emerald Robinson and Dr. David Martin - 9th Circuit Court rules COVID-19 mRNA Injections are not 'vaccines'

 DR. WILLIAM MAKIS MD
JUN 11, 2024

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IDEO - Absolute Truth with Emerald Robinson and Dr. David Martin - 9th Circuit Court rules COVID-19 mRNA Injections not vaccines.


15 minutes with Dr. Makis
In depth intel on COVID-19 sudden deaths, mRNA vaccines, vaccine injuries, new pandemics and more.

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FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

HEALTH FREEDOM DEFENSE
FUND, INC., a Wyoming Not-for-
Profit Corporation; JEFFREY
FUENTES; SANDRA GARCIA;
HOVHANNES SAPONGHIAN;
NORMA BRAMBILA;
CALIFORNIA EDUCATORS FOR
MEDICAL FREEDOM,
Plaintiffs-Appellants,

v.

ALBERTO CARVALHO, in his
official capacity as Superintendent of
the Los Angeles United School
District; ILEANA DAVALOS, in her
official capacity as Chief Human
Resources Officer for the Los Angeles
School District; GEORGE
MCKENNA; MONICA GARCIA;
SCOTT SCHMERELSON; NICK
MELVOIN; JACKIE GOLDBERG;
KELLY GONEZ; TANYA ORTIZ
FRANKLIN, in their official
capacities as members of the Los
Angeles Unified School District
governing board,
Defendants-Appellees.

No.22-55908

D.C. No.
2:21-cv-08688-
DSF-PVC

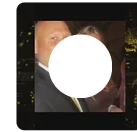
OPINION

Appears in episode



Dr. William Makis MD

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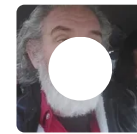
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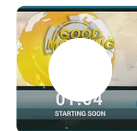
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is like a medical treatment, not a “traditional” vaccine. This interpretation distinguishes *Jacobson*, thus presenting a different government interest.

Putting that aside, the district court held that, even if it is true that the vaccine does not “prevent the spread,” *Jacobson* still dictates that the vaccine mandate challenged here is subject to, and survives, the rational basis test. The district court reasoned that “*Jacobson* does not require that a vaccine have the specific purpose of preventing disease.” *Reilly*, 2022 WL 5442479, at *5 (emphasis in original). It acknowledged Plaintiffs’ allegations that the vaccine did not prevent transmission or contraction of COVID-19.” *Id.* at 6. But it declared that “these features of the vaccine further the purpose of protecting LAUSD students and employees from COVID-19,” and thus “the Policy survives rational basis review.” *Id.*

This misapplies *Jacobson*. *Jacobson* held that mandatory vaccinations were rationally related to preventing the spread” of smallpox. 197 U.S. at 30; see *Iso Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 4, 23 (2020) (Gorsuch, J., concurring) (“Although *Jacobson* pre-dated the modern tiers of scrutiny, this Court essentially applied rational basis review to Henning Jacobson’s challenge . . .”). *Jacobson*, however, did not involve a claim in which the compelled vaccine was designed to reduce symptoms in the infected vaccine recipient rather than to prevent transmission and infection.” *Reilly*, 2022 WL 5442479, at *5. The district court thus erred in holding that *Jacobson* extends beyond its public health rationale—government’s power to mandate prophylactic measures aimed at preventing the recipient from spreading disease to others—to also govern “forced medical treatment” for the recipient’s benefit. *Id.* at *5.

[COURT DECISION LINK](#)

[June 8, 2024](#) - 9th Circuit Court of Appeals Acknowledges Plaintiffs' Claim that COVID-19 mRNA Jab is NOT a Vaccine, But a Therapeutic

In a contentious case involving the Health Freedom Defense Fund and other plaintiffs versus the Los Angeles Unified School District (LAUSD), the court acknowledged the plaintiffs' claim that the COVID-19 mRNA vaccines do not meet the traditional definition of vaccines because they do not prevent the spread of virus but only mitigate symptoms.

The case revolved around the LAUSD's COVID-19 vaccination policy, which required all employees to be fully vaccinated against COVID-19 by a specified deadline.

The case, brought by the Health Freedom Defense Fund and several individuals, argues that the LAUSD's vaccination mandate interferes with their fundamental right to refuse medical treatment. The plaintiffs assert that the mRNA COVID-19 vaccines merely mitigate symptoms rather than prevent infection or transmission, which they claim does not align with the traditional definition of a vaccine.

In its decision, the 9th Circuit highlighted that the district court had misapplied the precedent set by *Jacobson v. Massachusetts*, which upheld mandatory smallpox vaccinations due to their effectiveness in preventing disease spread. The court noted that the plaintiffs' claims, taken as true at this stage, suggest that the COVID-19 vaccines do not effectively "prevent the spread" of COVID-19, thereby warranting further consideration of their arguments.

[The Gateway Pundit](#) previously reported that the Centers for Disease Control and Prevention (CDC) had modified the definition of "vaccine" to include the mRNA shots.

look at what the CDC did. Here's the definition the CDC
d on 26 August 2021:

Vaccine– “a product that stimulates a person’s immune
system to produce immunity to a specific disease.”

Vaccination– “the act of introducing a vaccine into the
body to produce immunity to a specific disease.”

her than admit the COVID-19 vaccine is not working as
advertised, the CDC took a page out of Orwell’s 1984 and opted
new spin language.

ere is the new definition:

Vaccine– “a preparation that is used to stimulate the
body’s immune response against diseases.”

an be recalled that Pfizer’s President of International
veloped Markets, Janine Small, admitted in an EU hearing
t the [vaccine had never been tested](#) on its ability to prevent
transmission, contrary to what was previously advertised.

ge R. Nelson, writing for the court, pointed out that the
Robson ruling was based on the public health rationale of
preventing disease spread, a criterion the plaintiffs allege the
COVID-19 vaccines do not meet.

**ge Collins, in a concurring opinion, emphasized that
compulsory medical treatments for individual health benefits
violate the fundamental right to refuse such treatments,
contrary to the fundamental principles protecting personal
liberty.**

he Appeals Court’s decision sends the case back to the district
court, requiring further proceedings that adhere to the higher
standard of scrutiny applicable to the plaintiffs’ claims.

re from [Tracy Beanz](#):

Plaintiffs allege that the COVID-19 shot isn't a vaccine, but a therapeutic. The court MUST accept that statement as TRUE at this stage of the suit. Because they must accept it as TRUE (they aren't DECIDING FACTS) – they remanded the case back down to the district court. This thread is really good, but I already see people running wild with this.

There are several concerning things here, one of which is very old and relates to smallpox. The SCOTUS had ruled that a compulsory mandate for the smallpox vaccine was constitutional because the public safety risk SUPERSEDED individual liberty. That's the ruling that the defendants in this case used to justify their motion to dismiss.

But because the Plaintiffs here argue the therapeutic route (with CDC proof of their claims) the SCOTUS decision doesn't apply. The 9th wrote that the district court erred in their interpretation.

Also, not so fast on this, because if the case holds on this precedent, all that will happen is that the government will say that EVERY vaccine is effective at preventing spread to get around this, and NEVER say they aren't effective at preventing spread and are *just* effective at preventing severe disease.

In short, while this decision from the 9th is very encouraging, it DOES NOT determine that the COVID shots can't be mandated because they don't prevent COVID. It merely says "the plaintiffs say that this is a therapeutic, and at this stage we have to accept that as true, so this case must continue and has merits. Have at it again, lower court)

info@freedomdefenseresourcecente

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16 Comments



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nickij Jun 11 · *edited Jun 11*

Something in me says that the PERPETRATORS of the covid hoax and depopulation crime planned for this to be continually sticky and hard to sort out during and after. Their invented criminal JARGON works as their shield.

The crimes are ongoing, with the Fraudulent PCR Diagnostic Tests still in use, with babies and pregnant women still encouraged to take this toxic shot, and with the covid protocol in hospitals continuing to administer Remdesivir and euthanasia cocktails. And even with the crimes ONGOING and a new one brewing called "Disease X" or "avian flu" or whatever -- it is necessary to slog through the made-up criminal JARGON of the Perpetrators who will tell you a damaging and lethal experimental mRNA drug is a 'vaccine'. It appears the Perpetrators are also claiming that if you accepted their definition for whatever reason or period of time, it is not their fault if bad things happen.

What is even sicker about the situation is that Mad "Scientist" Dr. Anthony "Gain-Of-Function" Fauci's life work -- making 'vaccines' the primo "public health" response to ANYTHING -- will come out of this unscathed.

In reality, every flu vaccine of the last 25 years should be investigated regarding how these are engineered to harm recipients. And the same goes for the out-of-control syringe-stabbing of babies and children.

It appears to me this will not knock any of the Perpetrators plans off track. They will STILL use 'vaccination' as their means to depopulate through "public health" while they continue to work to SILENCE THE PUBLIC through censorship and their additional criminal JARGON about how ALL public discourse must be ended via the excuse of controlling dis-, mis-, and mal- information!

Polluting language with the deliberate ILLUSIONISM of their criminal JARGON is proof of crimes that have been planned and prepared for a VERY LONG TIME. Screwing with language is the biggest proof of their long-range planning of a WORLDWIDE crime. Unfortunately, screwing with language also messes with the heads of the victims, many of whom are still oblivious to the Perpetrators' objectives!

The Japanese scientists recently in the news have it right about this syn/biotechnology being a weapon. When are American courts et al going to cut through the Perpetrators' JARGON and come to the same understanding?

♡ LIKE (15) 💬 REPLY 📤 SHARE ...



Mrs. Itoldya! Mrs.'s Substack Jun 11

Many legal scholars are noting how being allowed to proceed to trial is FAR from a victory. But Sweet Jesus! It's a beginning!

♡ LIKE (13) 💬 REPLY (1) 📤 SHARE ...



myname email dissident post 18 hrs ago ·

edited 18 hrs ago

"It is all bullshit and its bad for ya" Carlin

Stop believing a system that enslaves you and endlessly murders will give anyone justice! It kills and imprisons m0re people than any other nation.

♡ LIKE (1) 💬 REPLY (1) 📤 SHARE ...



Mrs. Itoldya! Mrs.'s Substack 18 hrs ago

I'm far from believing this crap, 40 years ago I figured that out!

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



JC Jun 11 · *edited Jun 11*

Like Dr Makis, Dr David Martin has been onto the plandemic right from the start. He puts continuous pressure on these criminals and is continually a freedom fighter. What Dr Martin didn't do was to not mention the criminals behind this whole operation. So here are these criminals

<https://theserapeum.com/wp-content/uploads/2024/01/COVIDupdated.jpg>

♡ LIKE (6) 💬 REPLY (1) ↗ SHARE ...



Judy Jun 11

Klaus Schwab is NOT Jewish. Per his wiki page: His father was Lutheran; he was raised Catholic.

What about the others? How many on this list are observant to the Jewish faith? Few to none. They're mostly secular Jews and don't represent the teachings of Judaism. They're JINOs, Jewish in name only. But convenient targets for Jew haters who are always looking for ways to build their case.

Surprised that in their antisemitic zeal the individuals who put this list together didn't try to sneak Fauci's name in as well. Or list him as a Shabbos lover.

This list is nothing more nor less than a modern-day blood libel with the age-old goal of Jewish extermination. Disgusting.

To the other Jew haters on this site (they're always lurking for a chance to spew their hate), I will block or delete your comments. So, save your energy.

♡ LIKE (1) 💬 REPLY (1) ↗ SHARE ...



JC Jun 12

I didn't know about the jew either. As we dug deeper into this plandemic , it always came back to this race of what ever they are. Sure bury your head in the sand, but they call for the goyim to be killed or become their slaves. The jew has been kicked out of 109 countries... Why ??

♡ LIKE 💬 REPLY (1) ↗ SHARE ...



Judy Jun 12

You ask: Why? Good question. I suggest you look harder for the answer and do some REAL research with an open mind into the roots of antisemitism. I recommend "Why the Jews? The Real Reason for Antisemitism" by Dennis Prager. You owe it to yourself to get out from under that blanket of ignorance, lies, fear and hate.

♡ LIKE 💬 REPLY (1) ↗ SHARE ...



JC Jun 12

When a group of people want you dead, you try to defend you and your family. You question the motive of this group. You brought up the word hate and the typical antisem BS to shut me down. It will take you time, but if you do a little research, they want you dead or enslaved. It you can't do a little research, you are a troll and wish for humans dead. So who is doing the hating ?

♡ LIKE 💬 REPLY (1) ↗ SHARE ...



Judy Jun 12

I have a horrible feeling we may be reading about you in the news someday.

♡ LIKE 💬 REPLY ↗ SHARE ...



Jason Whalen Jun 11 · *edited Jun 11*

If the judge on the day this goes back to court happens to be a 'democrat', this case will likely remain dead in the water.

Not sure how it works in the states court system, here in Canada the lawyers do their very best to arrange/procure proceedings by being "unavailable" until the 'right' judge is on the bench that day - in this case, the 'left'!

Also, here in Ca, 78% of the judges who are appointed by the PMO (prime ministers office) are LIBERAL DONOR\$ before during and after their time on the bench, and that also includes a lot of lawyers donating as well!

♡ LIKE (3) 💬 REPLY (1) ↗ SHARE ...



JC Jun 11

Yes, it is known as the 9th Circus court

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



Stephan Reisig Jun 11

Indeed, once more and more successes are achieved, hopefully more and more people in the world of [real] justice will dare to take on the fight of the century. But let us never forget the Lamestream media in this. The communication scum that every so often pulls out the still perfectly working trick : "There have been new cases of 'infections' found" and then the pathogen is released again which this media has to use in order to sow as much fear and unrest among the population as possible.

But it can just as easily be accomplished without release of the pathogens. In the past four years we have seen that the power of fear, collective or otherwise, can accomplish a great deal. People who got the flu but were so frightened by the media that their clinical picture became more and more like Covid's! - whatever that might be - Besides everything that is juggled with, there is still such a thing as suggestion and hypochondria. With these last two things alone, the propagandists can accomplish a great deal. And without releasing even 1 pathogen! Anyone who got a so-called

positive result after doing the incorrectly used PCR test method was already getting sick of it, so to speak! And one could not think clearly after that either. I suspect the same thing happened with the so-called AIDS tests in the 1980s/90s. Then we had the so-called "Dr. Anthony Mengele

♡ LIKE (2) 💬 REPLY ↗ SHARE ...



Solo Jun 11

AARON SIRI

<https://x.com/AaronSiriSG/status/1800261978801549731>

♡ LIKE (2) 💬 REPLY (1) ↗ SHARE ...



alisonw Jun 11

Don't agree with Siri. MRNA stimulates the immune system to attack and destroy the body. The job of the immune system is to recognize self from non self. When your cells are instructed to make a foreign protein your immune system no longer recognizes the cells producing the foreign protein. This is basic immunology and gene therapy has a completely different mechanism of action from the traditional vaccine. Traditional vaccines stimulate the body to mount an immune response against a specified disease. It is this easy. MRNA mounts an immune response against our own bodies (cells and organs) and traditional mounts an immune response against the disease. People are really wobbly about this stuff which is why we're still trying to figure things out four years into this disaster. I am staring to wonder about this Siri attorney??!!

♡ LIKE (1) 💬 REPLY (1) ↗ SHARE ...



Solo Jun 11 · *edited Jun 11*

They renamed it so no idea but he does study the law. Katherine Watts has a substack she covers the law, countermeasures etc..

Dr Christina Parks

<https://t.me/ChristinaParks/3850> ➡ 🧠 ➡

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



Neil Rivalland A Christian Worldview Jun 11

The vaccine as a "therapeutic* is a clever way out. They can say it was for emergency use, did not have enough time to undergo proper clinical trials, and at this stage authorities have to accept that as true. If, and when, they attempt to force people to take more vaccines, people must just say, "no"!

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



Olympio Justian Olympio's Substack Jun 11

Tell that to all the deceased and seriously ill.

And people who are now unwell and very unhealthy because of a lie.

Something that was planned.

What justice do these folk get ?

Where is their justice the ones who are not here any more.

Anything that's coming out now does not cut it.

People need to be prosecuted.

And pay for their lies and crimes.

It's the same old song being played over and over again

Until all complicit evil parties are dealt with it shall be Deja vu.

And it's 4 years too late!!!

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



DDForTruth Jun 11

LOVE Dr. David Martin's bowtie > Dark to LIGHT! 😊🕶️

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



JK Jun 11

They are Emergency Use Authorized non investigational military countermeasures. EUA non investigational meaning -

no trials were conducted , so should have never been mandated.

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



Steve O Jun 11

WOW put a DR. in front of his name and look at the big brain on Martin...

Just another freemason.

♡ LIKE (1) 💬 REPLY (1) ↗ SHARE ...



Krissy Jun 11

I didn't know that, but I'm not surprised. Even Freemasons bring a little truth. Once in a while you can learn from everybody.

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



Cwilliams Jun 11

Do you believe that the University of North Carolina will be sued?

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



Lenmor1776 21 mins ago

I'd like to see some responsibilities in the Doctors. That's who the public listens too.

♡ LIKE 💬 REPLY ↗ SHARE ...



Calin Timis Calin's Substack Jun 11

What good is the second amendment - if one just "protest" ??

♡ LIKE 💬 REPLY ↗ SHARE ...



Mark Brody Mark's Newsletter Jun 11

Very important commentary. It is not a fait accompli that the perpetrators will be either forced to face the music or convicted. Still, it is great news to know that there is now a legal basis for prosecution. I can imagine they are already planning their defense.

♡ LIKE 💬 REPLY ↗ SHARE ...



Gail Jun 11

Thank you Dr Makis for this one.....I have followed Dr Martin since 2020 and learned a lot of things from him. He is amazing and has been trying to get all his information out there for a very long time. The one thing that I disagree with him on here is that the People behind all of this knew from the beginning that this would all happen.....these are not stupid people....They have been at this for over a hundred years...This is all about Divide and Conquer...cause as much confusion as they can, and then get on to the next phase of their Global Reset...Depopulation Plan....One Step At A Time as they say.....All planned.....and I believe all the result's we are seeing is all apart of their ultimate plan.....I truly believe they have ALL their player's put in place...in every Country World Wide now, including the 9th Circuit Court....even though it seems like a victory I think that something else is at play here....Just my opinion...I can only hope I am wrong.....

♡ LIKE 💬 REPLY ↗ SHARE ...



remoteviewer57 remoteviewer57's Newsletter Jun 11

So The Question Remains When Will The Tribunals For Treason, Murder & Crimes Against Humanity Begin And The Appropriate Sentences For Treason Be Implemented?

♡ LIKE 💬 REPLY ↗ SHARE ...



Paul Koop Jun 11

Is the argument being made that the injection which doesn't prevent transmission could further the spread beyond its natural impact through the widespread use and therefore actually potentially are mandating an increase in disease among the population ? Lessening severe disease has shown to result in more rapid widespread infection by introducing a pathogen that cannot be contained or eliminated by the immune system.

♡ LIKE 💬 REPLY ↗ SHARE ...



Martin - Vetenskapliga partiet The Rainbow Coalition Newsletter Jun 11

Thanks for the good news, William! Some sad news from Sweden and the EU. The people are not waking up enough, still voting for warmongering, possibly nuclear war, genocide in Gaza and democide through GMO-injections. Most of them do not deserve SADS, but deserve long torture in hell, I'm afraid. I hope they repent. They do not know what they are doing.

♡ LIKE 💬 REPLY (1) ↗ SHARE ...



Laurie Jun 11

The genocide in Gaza is coming from within!

♡ LIKE 💬 REPLY (1) ↗ SHARE ...



Martin - Vetenskapliga partiet

The Rainbow Coalition Newsletter Jun 11

Sure. Possibly, Palestinian psychopaths, controlling Hamas, benefitted from this attack?

The nationalistic Palestinian Liberation Organization (PLO) signed the UN Resolution 242 with Israel and other neighboring states. The Israel-regime is violating the resolution, AND killing their own population too, in violation of the Nuremberg code:

<https://lionessofjudah.substack.com/p/meanwhile-in-israel-8-year-old-vaccine>

The smaller genocide in Gaza is, most likely, a diversion from that democide within Israel...

<https://margaretannaalice.substack.com/p/mistakes-were-not-made-an-anthem>

...on the Israeli population.

The Israel regime probably needed this diversion to stay in power, and not be hanged by angry Israelis, just like the elite in other counties need their own diversions.

Israel has long supported Hamas, in order to weaken PLO, probably since they need a sectarian

enemy, aiming to eradicate Israel "from the river to

♡ LIKE 💬 REPLY (1) ↗ SHARE ...



Charlene Albertson RNC Jun 11

What does this have to do with this topic on COVUD HAB? NOTHING. Post this stuff at appropriate place.

♡ LIKE 💬 REPLY (1) ↗ SHARE ...



Martin - Vetenskapliga partiet

The Rainbow Coalition Newsletter Jun 11

There can be no inappropriate place to stop mass murder. Both mass murders are planned and executed mass murders, we should stop them both! Truth can help us all to do the decent thing. Resistance to truth can not.

Stay vigilant! See your disturbance as a signal that you might have misunderstood something you thought you understood!

♡ LIKE (1) 💬 REPLY ↗ SHARE ...



cassiopea64 Jun 11

anche se vivo in italia (altre leggi, altri inganni) mi può servire per il mio processo! fantastico.♥

♡ LIKE 💬 REPLY ↗ SHARE ...



Glenn Zembal Jun 11

Thank you!!

♡ LIKE 💬 REPLY ↗ SHARE ...

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