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U.S. Supreme Court Denies Review of Case Seeking Equal Rights For Americans Living in U.S. Territories

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John Fitisemanu By. EQUALLY AMERICAN

“It’s a punch in the gut for the Justices to leave in place a ruling that says I am not equal to other Americans simply because I was born in a U.S. territory,” said John Fitisemanu, lead plaintiff in *Fitisemanu v. United States*, following the U.S. Supreme Court's decision on Monday to deny a review of *Fitisemanu v. United States*.

The plaintiffs were hopeful when announcing that they would take their case to the U.S. Supreme Court after the U.S. Court of Appeals for the Tenth Circuit [denied their petition for review by the full court in January](#).

Tuesday's decision, however, poured cold water on the prospects of the matter being dealt with in the near future.

"I was born on U.S. soil, have a U.S. passport, and pay my taxes like everyone else," said Fitisemanu, who now lives in Utah. "But because of a discriminatory federal law, I am not recognized as a U.S. citizen. As a result, I can't even vote in local elections, much less for President. This is un-American and cannot be squared with America's democratic and constitutional principles," said John Fitisemanu, lead plaintiff in *Fitisemanu v. United States*, who now lives in Utah."

Neil Weare, president of Equally American which advocates for equality and civil rights in U.S. territories, and co-counsel in *Fitisemanu v. United States*, stated, "The Supreme Court's refusal to reconsider the Insular Cases today continues to reflect that 'Equal Justice Under Law' does not mean the same thing for the 3.6 million residents of U.S. territories as it does for everyone else.

"The Supreme Court in recent years has not hesitated to rule in ways that harm residents of U.S. territories. But when asked to stand up for the rights of people in the territories - even the basic right to citizenship - the Justices are silent.

"Today's inaction by the Justices highlights the fact that America has a colonies problem. On top of that, our country stubbornly refuses to recognize that this problem even exists, much less do anything about it. The population of the five U.S. territories is equal to that of the five smallest states, yet residents of the territories - 98% of whom are people of color - cannot vote for President, have no voting representation in Congress, and are systematically denied their right to self-determination."

"While the Supreme Court's inaction today is a set-back to be sure, the fight to make sure there are no second-class citizens or colonies in the United States will continue."