

**Matter Before King Thor, In His Capacity As Highest Judicial Officer.
Henry Losstarot, Citizen of The Republic Thoronia, Defendant-Appellant**

v.

King Thor, Sovereign Monarch of Thoronia, Plaintiff-Appellee.

No. 0812

***421 Callo Borakov, Township of Resplendia, for
Defendant-Appellant.**

**Nerium Remacon, King's Counsel, for Plaintiff-
Appellee.**

**King Thor, Sovereign Monarch of Thoronia,
Presiding Justice.**

Henry Losstarot ("Losstarot") was brought before me, King Thor, and convicted of disobeying Decree XBOX360.¹ For his blatant disregard of my decree, and for dishonoring the teachings of Good King Thor, I sentenced Losstarot to clean the Royal Latrines for a period not to exceed one year. Losstarot now challenges his conviction and sentence. For the reasons set forth below, I reaffirm both Losstarot's conviction and sentence.

I, as King Thor, am granted the power to set down decrees which shall govern this Republic of Thoronia. RoT Const, Art. I, s. III, cl. II. I, as King Thor, am also the sole holder of the judicial power. *Id.* Art II, cl. I. This judicial power extends to cases between myself and any party. *Id.* Art. II, cl. II. *422 Losstarot does not argue, and could not argue, that one who properly holds the title of King Thor would not have the power to 1) pass such a decree as the one under which he was convicted, and 2) preside over his trial, and 3) sentence him upon a finding of guilt.² Rather, Losstarot argues that I, the presiding King, am not the proper holder of said title and therefore did not have the power to pass the decree at issue, nor the power to convict and sentence him. More specifically, Losstarot argues that the successorship requirements of Article I, Section II, Clause II were *423 not met with respect to my accession to the throne.

Before analyzing and interpreting the relevant Constitutional provisions, a brief recitation

of the facts surrounding my accession is in order. My immediate predecessor, King Thor, was a wise and just ruler, one concerned with the well being of all the citizens of this great Republic.³ However, not all thought highly of the King, and in a misguided assassination attempt⁴, an unknown individual placed a large quantity of lysergic acid diethylamide in the King's Super Big Gulp. It was during his subsequent *424 hallucinations⁵ that King Thor envisioned that I, King Thor, would succeed him to the throne. The members of the Royal Hall present at this time described the King as "having been oblivious to what was actually going on around him," and speaking of seeing, in addition to my true identity, scary clowns, talking balloons, and flying kittens.

Article I, Section II, Clause II of The Constitution of the Republic of Thoronia governs royal succession. The Constitution provides, in pertinent part, that "prior to the residing King's death, each King whilst be sent a vision during slumber, such dream as will provide the true identity of the future King..." RoT Const. art. I, s. II, cl. II, subcl. II. Losstarot *425 argues that in order for the true identity of a successor King to be valid, the revelation must occur while the residing King is in a state of rapid eye movement ("R.E.M.") sleep, and that a vision which occurs during a drug-induced state falls outside that which is required by our Constitution. Losstarot contends that because my identity was revealed during such a drug-induced state, and not during a period of R.E.M. sleep, my accession to the throne was invalid, and thus I do not hold the powers of King Thor necessary to pass decrees, hold trials, or punish those convicted.

This case requires me to interpret our Constitution, a power which King Thor has always

¹ Decree XBOX360 provides, in pertinent part, that "[o]ne shall keep thy Bluetooth conversation to thyself." This decree was passed by me, King Thor, pursuant to my decree powers contained in

² These questions were of course decided in the landmark case of *Kiross v. King Thor*, 87 Roy. Rec. 62. (finding of guilt and sentence of one who placed his refuse in his neighbor's trash receptacle upheld (*See* Decree PS3ROX)).

³ His contributions were far reaching indeed, and may be found in the annals of our history which can be found on the King's Bookshelf.

⁴ Assassination of King Thor is a capital offense, punishable by repeated, forced viewings of "Disaster Movie."

⁵ The onset of such hallucinations is often referred to as "tripping balls."

held. *Zirg v. King Thor*, 73 Roy. Rec. 214 (“The power of Constitutional interpretation, while not explicitly granted to the King under our Constitution, has always been part and parcel of the King’s judicial authority.”). In interpreting our Constitution, I am bound to construe it so that it conforms to the teachings of Good King Thor, lest this Republic be displaced from his tote. See *Sungsam v. Colonblast*, 657 Roy. Rec. 1.

*426 Acts of and concerning succession of the King are presumed to be valid, *Id.* at 217, and Losstarot has the burden of proving, beyond any shadow of a doubt⁶, that such succession is Constitutionally invalid, *Dong v. King Thor*, 51 Roy. Rec. 84. Here, Losstarot has not met this burden, and thus my position as King Thor, my decree, his conviction, and his punishment must stand.

Losstarot relies on the express language of the provision at issue in framing his argument. He argues that because the Constitution contains the words “slumber” and “dream,” that this necessarily requires a presiding King to be in a state of R.E.M sleep when the identity of his successor is revealed to him. Were I to interpret the words of our Constitution literally, Losstarot’s position would have merit. However, Constitutional interpretation has never been meant to require a literal reading of the express text. “In interpreting the Constitution, the King is not to take words literally, but is to interpret them as to give force to the underlying rationale of the provision, so that it be consistent with the teachings of Good King Thor.” *King Thor v. Rarfael*, 41 Roy. Rec. 98.⁷ *427

I must now determine the rationale underlying the “Vision Provision” contained in Article I, Section II, Clause II, Subclause II.II. I find that Good King Thor intended to provide a process for succession that would avoid the normal biases, prejudices, and irrationality contained in the minds of all men. The requirements set forth in the

Constitution ensure that a successor King is chosen not consciously or voluntarily by the residing King, but by Good King Thor himself, speaking to the residing King through visions.

The word “slumber” refers to a state of unconsciousness, which more specifically is a state in which a person has broken from everyday reality. The word “dream” also conjures up a mental process in which a person’s conscious mind is not voluntarily creating the images set before him. It cannot be said that a residing King in a “slumbering” and “dreaming” state could be so in touch with reality that he could consciously and voluntarily choose his successor. However, in such a state, he would be open to receiving visions given by Good King Thor.

I hereby find that my predecessor, King Thor, was in a state of “slumber” at the time my identity was revealed to him. While King Thor may not have been in a state of sleep, he was in such a drug-induced state that he had broken from everyday reality. *428 While he was not “dreaming,” as the term is commonly understood, the images and visions before him were not the product of his voluntary, conscious mind. Therefore, there was no risk that King Thor consciously and voluntarily chose me as his successor. Rather, the only rational conclusion is that the vision he experienced, the vision in which I was revealed to be his successor, was given to him by Good King Thor.

Losstarot’s contention is without merit. I hereby reaffirm the validity of Decree XBOX360, reaffirm Losstarot’s conviction, reaffirm his sentence, and reaffirm to this Republic that I, King Thor, am the rightful sovereign of this glorious Republic.

IT IS SO ORDERED.

THIS ORDER MADE ABSOLUTE WITH AFFIXATION OF MY OFFICIAL SEAL BELOW.

⁶ This burden requires the challenger to show that no person, animal, or form of plant life could find that the succession at issue is Constitutionally infirm. *Township of Polaferry v. King Thor*, 714 Roy. Rec. 666.

⁷ Other republics have endorsed this broad form of constitutional interpretation, as one court has said about provisions of its own constitution that “Despite the narrowness of its terms ... we have understood the 11th Amendment to stand not so much for what it says, but for the presupposition of our constitutional structure which it confirms.”

