

Case No. _____

**THE SUPREME COURT
OF THE UNITED
STATES**

Jean Coulter, Petitioner

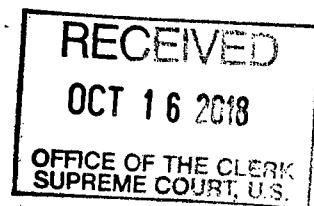
v.

Cathy Bissoon, et. al., Respondents

On Petition for Certiorari
to the
United States Court of Appeals
for the Third Circuit

Petition for Writ of Certiorari

Jean Coulter, Petitioner
620 Butler Crossing #3, PMB 172
Butler, Pennsylvania 16001
412-616-9505



... IT IS FURTHER ORDERED that ... the following procedure shall be implemented by the Clerks Office with respect to **any documents filed by Plaintiff in the future** :

- ... (2) Plaintiff's filings shall then be **submitted to the undersigned** ...
- (3) Any filings that do not run afoul of this order, **as determined by this Court**, ...
(emphasis added)

With these words, District Judge Cathy Bissoon violated both Federal Color of Law Criminal Statutes (one is a Felony) and Petitioner Coulter's Rights to Due Process. Despite being aware of Judge Bissoon's crimes – **no Federal Judge** has complied with their Code of Conduct and Criminal Statutes which require reporting. These "judicial" "omissions" violate Felony Statutes as well as **vitiate the Rule of Law** – an ideal which **every member of this most venerated Court has spoken of with reverence, but have thus far failed to defend against attack by a highly corrupt District Judge!**

Coulter is seeking to recover for injuries inflicted by that Judge – and those who have chosen to commit Felonies to protect one of their "Brethren"!

(a.) Questions Presented

Questions of First Impression

1. Have the Courts' refusal to recuse and non-compliance with criminal/civil statutes, Case Law and their Code of Conduct and the Rule of Law – **resulted in the Courts' violation of Separation of Powers, and Rights to Due Process?**
2. Have the Lower Courts impermissibly, after-the-fact, expanded upon the Vexatious Litigant Order, to permit dismissal and protect the proceeds of Judges' crimes effectuated from the bench?

(b.) Parties in the court below

| | |
|-------------|---|
| Petitioner | Jean Coulter |
| Respondents | Cathy Bissoon Joy Flowers Conti Theodore A. McKee, Anthony J. Scirica, Thomas Michael Hardiman, Joseph A. Greenaway Jr., Julio M. Fuentes, Thomas Ignatius Vanaskie Marie Milie Jones, Richard G. Andrews, Unknown Employee in the Office of the Clerk |

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(d.) Citations of the Opinions and Orders

All decisions in this matter are characterized as non-precedential and thus are unreported. The dockets of the cases are all found in the Third Circuit (at 17-2950), or District Court for the Western District of Pennsylvania (at 16-1881)

(e.) Basis for Jurisdiction in this Court

The United States Supreme Court has jurisdiction pursuant to **28 USC § 1254** · Courts of appeals; certiorari; certified questions :

"28 USC § 1254 - Courts of appeals; certiorari; certified questions

Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:

(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree; ..."

The Third Circuit Court of Appeal affirmed the District Court's decision dismissing Coulter's Complaint on April 13, 2018. Petition for Rehearing was denied on June 26, 2018. The District Court, on July 5, 2017, dismissed the complaint.

(f.) Constitutional Provisions, Statutes, and Regulations

Constitution of the United States - Amendment XIV
Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of

citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge

- (a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
- (b) He shall also disqualify himself in the following circumstances:
 - (1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
 - (2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;
 - (3) Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;
 - (4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to

the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;

(5) He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:

(i) Is a party to the proceeding, or an officer, director, or trustee of a party;

(ii) Is acting as a lawyer in the proceeding;

(iii) Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;

(iv) Is to the judge's knowledge likely to be a material witness in the proceeding.

(c) A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

(d) For the purposes of this section the following words or phrases shall have the meaning indicated:

(1) "proceeding" includes pretrial, trial, appellate review, or other stages of litigation;

(2) the degree of relationship is calculated according to the civil law system;

(3) "fiduciary" includes such relationships as executor, administrator, trustee, and guardian;

(4) "financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or other

active participant in the affairs of a party, except that:

- (i) Ownership in a mutual or common investment fund that holds securities is not a “financial interest” in such securities unless the judge participates in the management of the fund;
- (ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a “financial interest” in securities held by the organization;
- (iii) The proprietary interest of a policyholder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a “financial interest” in the organization only if the outcome of the proceeding could substantially affect the value of the interest;
- (iv) Ownership of government securities is a “financial interest” in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.

(e) No justice, judge, or magistrate judge shall accept from the parties to the proceeding a waiver of any ground for disqualification enumerated in subsection (b). Where the ground for disqualification arises only under subsection (a), waiver may be accepted provided it is preceded by a full disclosure on the record of the basis for disqualification.

(f) Notwithstanding the preceding provisions of this section, if any justice, judge, magistrate judge, or

bankruptcy judge to whom a matter has been assigned would be disqualified, after substantial judicial time has been devoted to the matter, because of the appearance or discovery, after the matter was assigned to him or her, that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in a party (other than an interest that could be substantially affected by the outcome), disqualification is not required if the justice, judge, magistrate judge, bankruptcy judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

18 U.S. Code § 4 - Misprision of felony

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

18 U.S. Code § 241 - Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

...

They shall be fined under this title or imprisoned not more than ten years, or both; ..."

18 U.S. Code § 242 - Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; ..."

23 Pa. C.S.A. § 2915. Court and agency records.

(a) **General rule.** -- All court and agency records shall be maintained as a permanent record and withheld from inspection except as provided under this chapter.

23 Pa. C.S.A. § 2910. Penalty for unauthorized disclosure.

Any officer or employee of the court, other than a judge thereof, ... who willfully discloses impounded or otherwise confidential information ..., other than as expressly authorized and provided in this chapter, commits a *misdemeanor of the third degree.*

(emphasis added)

23 Pa. C.S.A. § 2915. Court and Agency Records.

...

(b) **Who may access court or agency records.** -- Only the following are authorized to access court or agency records for the purpose of releasing nonidentifying or identifying information under this chapter :

- (1) The court which finalized the adoption.
- (2) The agency that coordinated the adoption.

(3) A successor agency authorized by the court which finalized the adoption.

23 Pa. C.S.A. § 2931. Access to information.

(a) Who may access information. -- The following individuals may file a written request for ... information ... with *the court which finalized the adoption* the agency which coordinated the adoption or a successor agency ..." (emphasis added)

CANON 2: A JUDGE SHOULD AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL ACTIVITIES

A. Respect for Law. A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. (emphasis added)

COMMENTARY

Canon 2A. An appearance of impropriety occurs when reasonable minds, with knowledge of all the relevant circumstances disclosed by a reasonable inquiry, would conclude that the judge's honesty, integrity, impartiality, temperament, or fitness to serve as a judge is impaired.... Actual improprieties under this standard include violations of law, court rules, or other specific provisions of this Code."

CANON 3: A JUDGE SHOULD PERFORM THE DUTIES OF THE OFFICE FAIRLY, IMPARTIALLY AND DILIGENTLY

The duties of judicial office take precedence over all other activities. In performing the duties prescribed by law, the judge should adhere to the following standards:

...

B. Administrative Responsibilities.

...

(5) A judge should take appropriate action upon learning of reliable evidence indicating the likelihood that a judge's conduct contravened this Code or a lawyer violated applicable rules of professional conduct.

COMMENTARY

Canon 3B(5). Appropriate action may include direct communication with the judge or lawyer, other direct action if available, reporting the conduct to the appropriate authorities ..."

(g). Concise Statement of the Case

The District Court's jurisdiction is pursuant to
42 U.S. Code § 1983 - Civil action for deprivation of rights

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress
..."

The first time that District Judge Bissoon (Respondent) ever even heard of Petitioner Coulter, was during 2010, when Judge Bissoon, exclusively, was assigned to matters filed by Coulter (because of a Local Rule which requires the Clerk to assign all

Civil Rights cases by a Pro Se Plaintiff to the same judge as any prior pro se matter by the same victim). In those cases, Judge Bissoon apparently became "drunk with power" from the dominance that she had over Coulter – as displayed by the series of "clearly bogus" decisions issued by District Judge Bissoon – including the finding that a County Judge was immune for damages resulting from his secret/private meeting with an attorney Coulter was considering hiring to represent her interests in a matter before that same County Judge.¹ In that meeting, the County Judge recruited the Private Attorney to join a conspiracy to adversely affect Coulter's position in the State Court.

Between 2010 and December 2012, Respondent Judge Bissoon ruled repeatedly, in a very similar manner to that just described, both that the County Judge was immune for his "judicial" act of recruitment of co-conspirators (among other criminal acts) – as well as "determining" that because the judge was immune, the Complaint against the Private Attorney(s) must be dismissed for failing to involve a State Actor.

In each and every case, the Third Circuit consistently upheld every bogus decision which was clearly "erroneous", and based exclusively upon a desire to shield their "Brethren" from the State Courts, as well as other members of the "Justice

1 That State Judge, Butler County Common Pleas Judge Doerr, has since been "sanctioned" by the State for his use of his position to force a Probation Officer to become involved in a sexual affair, at the workplace of the married judge).

System" – and to "punish" anyone who dares to question the propriety and even the criminality of the actions by members of the "Justice System".

When, late in 2012, Respondent Judge Bissoon learned that Coulter was planning a move out-of-state, Bissoon acted rashly, and indeed criminally, Ordering the Clerk of the Western District to assign any case Coulter would file in the future exclusively to Respondent Judge Bissoon :

... IT IS FURTHER ORDERED that ... the following procedure shall be implemented by the Clerks Office with respect to any documents filed by Plaintiff in the future :

... (2) Plaintiff's filings shall then be submitted to the undersigned ...

(3) Any filings that do not run afoul of this order, as determined by this Court, ... " (emphasis added)

And, not entirely unexpectedly, the Third Circuit also summarily affirmed this action by Respondent District Judge Bissoon, in October 2013.

In 2017, Coulter filed the Civil Action, which she has now brought before this, the Nation's Most Honorable Court of the land. Coulter's Complaint names 3 members of the District Court (including Judge Bissoon) as well as 7 members of the Third Circuit – seeking to recover for damages resulting from each of the Respondents (then Defendants) for their role in the commission of Judge Bissoon's plans – and further, covering up the crimes by Respondent Judge Bissoon and her co-conspirators (almost every time, including the Private Attorney with whom Judge Bissoon had social connections, an attorney who apparently is able to specialize in cases being heard by Bissoon).

Procedural Statement of the Case

Sua Sponte, the Bench of the Western District recused (or perhaps was removed) from Coulter's case, presumably because it involved so many members of the court in the Western District of Pennsylvania - and the Complaint was assigned to be heard by Respondent District Judge Andrews, from the Delaware District Court.

Despite Judge Andrews' role as Finder-of-Fact, Judge Andrews chose to not merely question the applicability of the (illegal/criminal) December 2012 Order by Bissoon, he also chose to assume the role of Counsel and co-conspirator for all of the Defendants (including the Private Attorney) – explaining why he wished/intended to issue a presumably plausible explanation for why even the Private Attorney would be "innocent" and/or immune for injuries inflicted on Petitioner Coulter.

Again, Coulter attempted to find "Justice"² in the federal appellate courts – but her repeated attempts at having her case(s) heard in, or even by members of, another Circuit (as is common in matters where even one member of the Third Circuit might possibly be responsible for damages) – were fruitless as The Third Circuit had already selected a group of three who, apparently volunteered, to become part of such an important criminal conspiracy (and have continued to hear every other case by Coulter since the Instant Matter).

Without explanation, the Third Circuit

² Coulter has come to realize that the members of the "Justice System" do not intend to be part of a System designed to bring "Justice" to all - but who instead have chosen to subvert that System to one for the benefit of "Just Us"!

repeatedly continues to deny recusal of every member of that Court, refused to transfer the matter, and affirm every decision which would serve to either "punish" Coulter – or continue to conceal the crimes that were detailed (and proven) by the filings in the Third Circuit.

(h.) Argument

Both the Third Circuit and the District Court have ruled that Petitioner Coulter's Civil Action must be dismissed both on the basis that "absolute judicial immunity" applies to the respondents/defendants, as well as determining that the Complaint violates the December 2012 restrictions on Coulter filing matters which are "related to or arising from the state court proceedings...", saying that the Instant Matter "flows directly from" the State Court case(s). (However, the decision"" provides no justification for determining that even if it were to "flow directly from" another case, it should be considered "related to" or "arising from" that case.).

As has consistently been the situation in cases filed by Coulter, the "justification" utilized by each of the Courts, is substantially less than accurate or adequate. While both of these clearly "erroneous" determinations must be over-come, probably the finding of immunity is most swiftly proven to be completely wrong.

I. Judicial Immunity does not apply to actions by judges, unless those acts are "judicial in nature" – and the actions which caused the damages in Coulter's Complaint are, by definition,

**"Administrative Responsibilities" rather than
"Adjudicative Responsibilities".**

The Code of Conduct for Federal Judges was developed by the Committee on Codes of Conduct, and adopted by the Judicial Conference of the United States in 1973. That Code of Conduct is divided into five (5) Canons. Canon 3 concerns, among other responsibilities of Federal Judges, the responsibility of the Respondent Judges, to report the criminal actions by District Judge Cathy Bissoon - actions which they most certainly became aware of, as the result of their "consideration" of Coulter's Complaint and the subsequent appeal. (It is believed that, for many of the judges, their knowledge of Judge Bissoon's actions, likely came long before Coulter's Complaint was filed in the District Court - although Coulter does not currently have proof of that fact, beyond the comments concerning the Complaint of Judicial Misconduct which was mentioned in the District Court's decision.)

Canon 3 is divided into two sections – Canon 3(A), concerns, by its own designation, the "Adjudicative Responsibilities" of a Federal Judge. Canon 3, Section B, is identified by the Judicial Conference of the United States, as the Judge's "Administrative Responsibilities". And, it is Canon 3(b)(5), which requires every Federal Judge to "appropriately" address (and report) criminal actions by any of their "Brethren" :

Canon 3 – A Judge Should Perform the Duties of the Office Fairly, Impartially and Diligently

The duties of judicial office take precedence over all other activities. In performing the duties prescribed by law, the

judge should adhere to the following standards.

- (A) **Adjudicative Responsibilities**
 - ...
- (B) **Administrative Responsibilities**
 - ...

(5) A judge should take appropriate action upon learning of reliable evidence indicating the likelihood that a judge's conduct contravened this Code or a lawyer violated applicable rules of professional conduct."

The District Court used slight-of-hand to attempt to "justify" a determination that the responsibility to report the criminal actions of Judge Bissoon is a "judicial act" – but even a most superficial examination of the facts shows that decision to be "convenient" at best.

Surely, This Honorable Court as well as the Lower Courts understand without question that the reporting of crimes is not a "judicial act" – indeed, the extreme majority of reports of crimes are not made by any member of the "Justice System"! But, Coulter still provided compelling argument in her Brief in the Third Circuit. Therefore, it is apparent that the level of corruption in the Third Circuit is the only reason why Coulter's Complaint was dismissed in the first place, and why the corruption of the District Courts is why and how the Third Circuit necessarily affirmed that dismissal. Most important is the fact that the completion corruption of the Third Circuit is the only reason that Judge Bissoon and all of the other Respondents are not currently serving time in Federal Prisons!

Case Law makes it clear that Absolute Immunity does not apply to every action taken by a Judge, without restriction. Instead, as explained in the 9th Circuit case Miller v. Gammie, 335 F. 3d 889 - Court of Appeals, 9th Circuit 2003 it is the particular function which is protected by immunity, not the profession of the actor :

"... The Supreme Court adopted a different analysis in Antoine and Kalina, however, that makes absolute immunity depend on the particular function performed rather than on whether the state officer's position had a general relationship to a judicial proceeding.

...

The Supreme Court in Imbler laid down an approach that granted state actors absolute immunity only for those functions that were critical to the judicial process itself. *See Imbler*, 424 U.S. at 430, 96 S.Ct. 984; *see also Burns v. Reed*, 500 U.S. 478, 486, 111 S.Ct. 1934, 114 L.Ed.2d 547 (1991).

...

The Supreme Court expressed that principle as a presumption: `*The presumption is that qualified rather than absolute immunity is sufficient to protect government officials in the exercise of their duties. We have been quite sparing in our recognition of absolute immunity*, and have refused to extend it any further than its justification would warrant.' Antoine, 508 U.S. at 433 n. 4, 113 S.Ct. 2167 (quoting Burns, 500 U.S. at 486-87, 111 S.Ct. 1934). *The burden is on the official claiming absolute immunity to identify the common-law counterpart to the function that the official*

asserts is shielded by absolute immunity. Id. at 432, 113 S.Ct. 2167; Malley, 475 U.S. at 339-40, 106 S.Ct. 1092." (emphasis added)

And, as anyone with experience in the Third Circuit would almost "expect", Respondents/Defendants never even attempted to justify their claim that Absolute Immunity should be extended to them, as they felt confident that absolutely no explanation was necessary – as Corruption would handle Coulter's Civil Case, just as it has "handled" the criminal acts by Judge Bissoon and all of the other Respondent Judges!

2. The bogus decisions by the District Court and the Third Circuit also determined that Coulter's Complaint is barred by the vexatious Litigant Order of December 2012 – despite the fact that the Order, as correctly described by the Third Circuit, explains that Judge Bissoon's Order only restricts the filing of cases which are "related to or arising from" the State Court case(s) :

"Judge Bissoon's vexatious litigant order enjoining her from filing any more civil rights complaints against the persons involved in the termination of her parental rights and her criminal prosecution." (appendix 6a)

Because Vexatious Litigant Orders must be "narrowly tailored", it is axiomatic that expansion on that Order at a later date, is impermissible.
And, Case Law confirms that this is so, as explained in Cromer v. Kraft Foods North America, Inc., 390 F. 3d 812 · Court of Appeals, 4th Circuit 2004 :

"A narrowly tailored injunction, therefore, would address only filings in that or related actions. Prohibiting Cromer from making any filings in any unrelated suit does not address the problem at issue, and is therefore an overbroad restriction.[3]"

As This Honorable Court explained in the decision for Employment Div., Dept. of Human Resources of Ore. v. Smith, 494 US 872 - Supreme Court 1990, restrictions on Rights is only permissible when it is necessitated "by a compelling state interest and by means narrowly tailored to achieve that interest" :

Instead, we have respected both the First Amendment's express textual mandate and the governmental interest in regulation of conduct by requiring the government to justify any substantial burden on religiously motivated conduct by *a compelling state interest and by means narrowly tailored to achieve that interest.*

...
The compelling interest test effectuates the First Amendment's command that religious liberty is an independent liberty, that it occupies a preferred position, and that the Court will not permit encroachments upon this liberty, whether direct or indirect, unless required by clear and compelling governmental interests "of the highest order," Yoder, *supra*, at 215. "*Only an especially important governmental interest pursued by narrowly tailored means can justify exacting a sacrifice of First Amendment freedoms* as the price for an equal share of the rights, benefits,

and privileges enjoyed by other citizens."
(emphasis added)

And, as explained in Hudson v. Palmer, 468 US 517 - Supreme Court 1984, which concerns an issue which is similar to the supposed reason why Petitioner Coulter's access to the District Court was initially limited, only the least restrictive action can be required by the Courts :

[30] I cannot help but think that the Court's holding is influenced by an unstated fear that if it recognizes that prisoners have any Fourth Amendment protection this will lead to a flood of frivolous lawsuits. ... "Frivolous cases should be treated as exactly that, and not as occasions for fundamental shifts in legal doctrine. Our legal system has developed procedures for speedily disposing of unfounded claims; if they are inadequate to protect [defendants] from vexatious litigation, then there is something wrong with those procedures, not with the" Protected Right ... In fact, the lower courts have permitted such suits to be brought for some time now, see n. 19, *supra*, without disastrous results. Moreover, costs can be awarded against the plaintiff when frivolous cases are brought, see 466 U. S., at 601, n. 27."

Thus, multiple Cases have been decided by This Honorable Court, which have determined that only "narrowly tailored" restrictions are permissible to achieve the intended goal – and the Lower Courts can not expand upon that "narrowly tailored" Order to now have it cover even more situations, as to do so impermissibly restricts Petitioner Coulter's Right to access to the courts!

Thus, the decision from the Third Circuit must be Reversed, as the decision is not merely "too thin" to justify the conclusion that the matters are related sufficiently for the December 2012 Order to bar the Complaint under consideration at this time - indeed that decisions cannot stand up to any degree of scrutiny at all.

The Vexatious Litigant Order which restricts matters "Related to" an earlier Case (without explanation of the meaning of that phrase).

Neither Judge Bissoon's Order, nor the decisions of the District Court and the Third Circuit, cite any basis for their determination that the Civil Complaint which is under consideration at this time, is somehow "related to" the State Court case(s), beyond the finding by the District Court/Respondent Judge Andrews. Respondent Andrews (who was a Defendant in the case at the time that he wrote his decision), merely states that, because Respondents in this matter became aware of the illegalities which occurred in the State Courts as the result of their review of Coulter's Civil Rights Complaints concerning the "Participants" in the State Court – then any Claims against them are also barred by the Vexatious Litigant Order – even though absolutely none of the Defendants have any connection whatsoever to the State Courts :

"Plaintiffs complaint is "related to" the earlier state court proceedings, as it challenges the actions of the participants in the federal litigation about the earlier state court proceedings." (appendix 12a.)

Interestingly, none of the actual "participants" in the State Court proceedings are mentioned anywhere in

Coulter's Complaint which was filed in the matter under consideration at this time. And, *perhaps*, had the Vexatious Litigant Order stated a much more expansive restriction in the first place ... But that is not the situation for the December 2012 Order, and to expand upon it in order to further restrict Coulter's access to the Federal Courts at this time – is completely self-serving and totally impermissible as explained in both Employment Div., Dept. of Human Resources of Ore. v. Smith and Hudson v. Palmer.

"Related to or arising from" – as explained in bankruptcy cases

Neither Respondent Judge Bissoon, nor the Lower Courts have ever attempted to explain the limitations intended by the December 2012 Order, other than referring to cases "related to or arising from" two specific state court cases. But, as Respondent Judge Bissoon's wording closely resembles the wording applicable to Bankruptcy Cases – and which was developed by the Third Circuit, the analysis of the meaning of "related to or arising from" as has been developed in Bankruptcy Cases, will be the starting point for this matter as well. In the often-cited precedential decision for Pacor Inc. v. Higgins, 743 F. 2d 984 – Court of Appeals, 3rd Circuit 1984 :

"The usual articulation of the test for determining whether a civil proceeding is related to bankruptcy is *whether the outcome of that proceeding could conceivably have any effect on* the estate being administered in bankruptcy. ... An action is related to bankruptcy if the outcome could alter the

debtor's rights, liabilities, options, or freedom of action (either positively or negatively) and which in any way impacts upon the handling and administration of the bankrupt estate."

(emphasis added)

It is patently obvious that the "outcome of the proceedings" in the Federal Civil Rights Cases (which Coulter brought against the Participants in the State Court Actions), could not "conceivably have any effect" on the State Court cases which were final years earlier! So, the meaning of the phrase used by Respondent Judge Bissoon in the Vexatious Litigant Order, cannot be used to dismiss the matter under consideration at this time, on the basis of the meaning of the December 2012 Order's prohibition of filing matters "related to or arising from" the two State Court cases – and litigation against all of the "Participants" (Respondents in this case) in the appeals of the bogus dismissals of those Civil Rights Cases, are not "protected" by the restrictions placed in the 2012 Order.

"Related Cases" meaning both "actions involv[e] a common question of law or fact"

Another possible meaning of the phrase "related to" comes from Case Law concerning the consolidation of "related cases", as described in Devlin v. Transportation Communications Intern., 175 F. 3d 121 - Court of Appeals, 2nd Circuit :

"A district court can consolidate *related cases* under Federal Rule of Civil Procedure 42(a) *sua sponte*. ... "[w]hen actions involving a common question of law or fact are pending before the court." (emphasis added)

Similarly, This Honorable Court's decision for
California v. Trombetta, 467 US 479 - Supreme Court
1984, discusses "related cases"

[6] In *related cases* arising under the Sixth and Fourteenth Amendments, we have recognized that criminal defendants are entitled to call witnesses on their own behalf and to cross-examine witnesses who have testified on the government's behalf."

(emphasis added)

Again, this definition of "related" for cases being related to each other, provides no support for the supposed conclusions drawn by either the District Court or the Third Circuit – and thus Respondent Coulter's Civil Complaint was not properly dismissed pursuant to the December 2012 Vexatious Litigant Order written by Respondent Judge Bissoon!

Meaning of "related to or arising from" as gleaned from the definition of "Related Cases" as provided on the Civil Cover Sheet for the Western District of Pennsylvania

The paperwork provided by the United States District Court for the Western District of Pennsylvania (where Respondent Bissoon's Vexatious Litigant Order of December 2012 is filed), requires Plaintiffs to designate whether the new matter which they are filing at that time is "related to a pending or terminated case". And provides the explanation of what is meant by "related cases" :

"DEFINITIONS OF RELATED CASES :

CIVIL : Civil cases are deemed related when a case filed relates to property included in another suit or involves the same issues of fact or it grows out of the same transactions as

another suit or involves the validity or infringement of a patent involved in another suit."

Again, the December 2012 Order by Respondent Judge Bissoon, cannot be considered to be a "related case" by the definition provided by the federal court's own paperwork – as the "issues of fact" in the State Court, in no manner involved the criminal actions by Respondent Judge Bissoon which occurred literally years after the State Court Cases were completed. And, it is inconceivable how Respondent Judge Bissoon's decision to violate federal Civil Rights Law (and the actions of the other Respondents to illegally conceal Judge Bissoon's crimes) can possible be considered to "grow out of the same transactions as Coulter's State Court cases, as none of the Respondents had ever even heard of Coulter at that time – and similarly Coulter had no knowledge of any of the Respondents until years after the matters concluded in the State Courts.

Again, no conceivable support exists for the conclusion that the matter under consideration at this time, is barred by the December 2012 Order which restricts Coulter's access to the federal courts.

Case Law on the meaning of phrase "arises from" is particularly sparse. So, I am left to discuss the common meaning of that phrase, as defined by Webster's Dictionary online at <https://www.merriam-webster.com/dictionary/arise> :

Definition of ARISE

intransitive verb

1 a : to begin to occur or to exist : to come into being or to attention

Problems *arise* when people try to avoid responsibility.

- b : to originate from a source
- 2 : to get up or stand up : RISE
- 3 : to move upward : ASCEND

So, in order for the Complaint filed by Coulter to have "arisen from" the earlier case(s) in the State Court, one of the Respondents would have had to be involved in that case in the state courts in some manner (and none were) Further, the December 2012 crimes which were committed by Judge Bissoon, and the subsequent concealment of those crimes (in violation of Federal Criminal Statutes), would have had to have its origins in the State Court case(s). But, Respondent Judge Bissoon is the first Judge in any court system that I have ever even heard of, who has chosen to criminally Order the Clerk to violate Due Process Protections and force Coulter to come before that judge alone – even for future cases!

Thus, it is apparent that the actions which have injured Coulter – namely Respondent Judge Bissoon's crimes, and the concealment (or worse) by the other Respondent Federal Judges must have its origin elsewhere – perhaps in lectures at Law School, or in discussions over lunch with new hires who are freshly out of Law School. But, it is inconceivable that anyone could consider that Coulter's cases in the State Courts have somehow caused now nearly two dozen (24) federal Court Judges to violate Federal Criminal Statutes, at the Felony level – well that concept is positively absurd!

(i.) Conclusion

Every Member of This, the Nation's Most Venerated Court, has written and spoken with deep respect of the ideal of the "Rule of Law".

As Chief Justice John Roberts explained, at the time of his Confirmation Hearing before Senate, the Rule of Law requires that the Judge not "take sides" :

"And I know that the responsibility of a judge confronting this issue is to decide the case according to the rule of law consistent with the precedents; not to take sides in a dispute as a matter of policy, but to decide it according to the law."

But, in the matter under consideration at this time, this simply did not occur, at any level of the Court System!

And, Associate Justice Clarence Thomas has spoken of the absolute necessity for impartiality of the judge hearing the matter :

"Impartiality is central to the very idea of the rule of law. Even if no great question of constitutional law is at stake, whenever any two parties have a dispute, they will need a neutral decision-maker who can render a judgment free from any bias or interest in the case. It is only because the judge gains no benefit from his decision that the rule of law, in every case he or she decides, can flourish."

But, in this case, despite repeated requests for recusal of each and every judge who has heard this case at any level, those judges have flatly refused to recuse – even though they had previously violated Federal Criminal Statutes where their crimes further victimized Coulter. It is incomprehensible how their refusal to recuse can be accepted by This Honorable Court, as any "Reasonable Person, were he to know the circumstances, would most certainly doubt the impartiality of anyone who chooses to

become an "as-yet-unindicted co-conspirator", rather than permitting even their most corrupt Brethren, to be called to Justice for their crimes!

Associate Justice Ruth Bader Ginsburg has spoken of the necessity for consistency in the rulings by the various courts :

"Rule of law virtues of consistency, predictability, clarity, and stability may be slighted when a court routinely fails to act as a collegial body."

And yet, as this case shows, the Ideal of predictability "suffers" any time that a member of the Justice System is brought into court to be held responsible for his/her actions – and this is particularly the case, when the Defendant is a Judge!

Of course, in order for society to accept the rulings of any individual case, we must have a system where everyone accepts the conclusions of the court, even when we feel that they are wrong. As Associate Justice Stephen Breyer is quoted as saying:

"One of the things that has held us together is the rule of law. We will accept decisions, even if we think they're wrong."

However, as this case proves – **the precedential decisions from other Circuits are frequently ignored** - when the Third Circuit is faced with a situation where *one of their Brethren has violated Criminal Statutes, from the Bench!*

Associate Justice Samuel A. Alito, Jr has also spoken about the Rule of Law, explaining that a Judge's loyalties lie exclusively with the Rule of Law, to the exclusion of any other loyalty :

"A judge can't have any preferred outcome in any particular case. The judge's only

obligation - and it's a solemn obligation - is to the rule of law."

But, again, this case, proves that the Ideal is not being met, and the failure is almost universally "accepted" as appropriate in the Third Circuit Court of Appeals – **where loyalty to a highly corrupt judge in an inferior court, has repeatedly been *embraced*, by all eighteen (18) of the Third Circuit Judges who have seen any matter filed by Petitioner Coulter!** And, this circumstance means that Justice Alito's ideal that no one should be permitted to hold themselves "above the law", is also stained on a disturbingly frequent basis :

"no person in this country, no matter how high or powerful, is above the law, and no person in this country is beneath the law"

The comments that Associate Justice Sonia Sotomayor has made, express her goal of meeting the expectations imposed by the Rule of Law – to apply the law to the "facts at hand", in furtherance of the law's goal of requiring each person to behave an the appropriate manner toward the rest of our society :

"In the past month, many Senators have asked me about my judicial philosophy. It is simple: fidelity to the law," Sotomayor said. "The task of a judge is not to make the law – it is to apply the law. ... In each case I have heard, I have applied the law to the facts at hand."

and

"...The law sets the parameters of how we behave with one another."

But the manner in which the Rule of Law has been applied in this case, makes it appear as though our Nation's Judiciary believe that they are not bound by the same level of behaviors as the rest of us are.

Elena Kagan, Associate Justice of the Supreme Court of the United States, has discussed the absolute necessity for "honest prosecutors, in order to protect against "selective prosecution", and assure Justice for all, as well as the necessity for Judges who also follow legal principles, rather than following the wishes of outside influences :

"a good rule-of-law system depends on honest prosecutors . . . It also depends on having legal rules [that are] clear and hard to manipulate, it makes that kind of selective prosecution less likely to happen."

and

"... the rule of law which says that a judge decides a case, the way a court decides a case, is by virtue of legal principle, not by virtue of legal power, by who called him and said that is how we want the case to turn out."

But, in this case, nearly every judge (in regular service) in the Third Circuit, has chosen to accept a role in a decision protecting an especially corrupt member of the District Court, and in the process compromised their principles!

The newest member of this court (at the time of this filing, **Associate Justice Neil M. Gorsuch**, has recognized the necessity for Judges to follow the intentions of the Legislature (any time that their actions comply with the Constitution), even if they might prefer to follow their impulses with a particular issue :

"When the current statute's language is clear, it must be enforced as Congress wrote it."

and

"Our duty to the law requires us to respect ...
requires us to respect the ancient rights of the
people..."

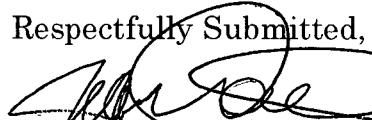
But, as this case clearly displays, the Judges in the Third Circuit have chosen to act in a manner which does not consider any guidance from the People's representatives – as well as acting in a manner that disregards extensive precedence!

If, indeed This Honorable Court has determined that the decisions of the lower courts will be permitted to stand, then, has not This Court determined that every Judge is above the Law? :

"Attaching absolute immunity to the [position of Federal Court Judge] rather than to particular activities that the [Federal Court Judge] might perform, places the [Federal Court Judge] above the law."

And, unless This Honorable Court determines that the travesty of Justice which is proven in this matter, must be Reversed, then This Court must have determined that is entirely appropriate for Judges to be protected by a perversion of "the old notion that the King can do no wrong." – where the Judge claims a position of above the law, despite their complete lack of Royal Lineage!

Respectfully Submitted,


Jean Coulter, Petitioner