

Case No. 18-497

**THE SUPREME COURT OF
THE UNITED STATES**

Jean Coulter, Petitioner

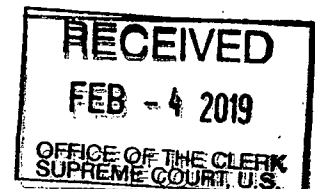
v.

Cathy Bissoon, et. al., Respondents

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

Petition for Rehearing
of the Denial of
Petition for Writ of Certiorari

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



Basis for Request for Rehearing

Pursuant to Rules of the Supreme Court of the United States › Part VIII. Disposition of Cases, Rule 44. Rehearing, Section 2 : " its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented."

On the very day that This Court began consideration of Coulter's Petition for Cert in this matter, Respondent Conti, willfully took overt illegal steps (in an unrelated case which was also filed by Coulter) – actions intended to assure that crimes by Respondents in the matter under consideration at this time, will remain concealed.

While there have been, periodically, discussions of concerns related to the "misdeeds" committed by lawyers and the "tolerance" exhibited by members of the judiciary when these misdeeds are uncovered, perhaps none is more eloquently worded than that provided by Justice Powell in In re Griffiths, 413 US 717 - Supreme Court 1973 :

"The role of a lawyer as an officer of the court predates the Constitution; it was carried over from the English system and became firmly embedded in our tradition. It included the obligation of first duty to client. But that duty never was and is not today an absolute or unqualified duty. It is a first loyalty to serve the client's interest but always within—never outside—the law, thus placing a heavy personal and individual responsibility on the lawyer. **That this is often unenforceable, that departures from it remain undetected, and**

that judges and bar associations have been singularly tolerant of misdeeds of their brethren, renders it no less important to a profession that is increasingly crucial to our way of life. The very independence of the lawyer from the government on the one hand and client on the other is what makes law a profession, something apart from trades and vocations in which obligations of duty and conscience play a lesser part. It is as crucial to our system of justice as the independence of judges themselves." (emphasis added)

And, while the review of the issues created by the "self-policing" of the legal profession is critical, it is patently obvious that these same concerns must most certainly also be extended to the **serious problems related to similar "misdeeds" committed by members of the judiciary, which have become far too frequent in recent years!**

This Court, along with other members of The Supreme Court of the United States, have apparently, repeatedly, consciously chosen to "look the other way" to misdeeds, and even crimes (including felonies), when they are committed by members of the lower judiciary - even when those acts are committed as part of their "official duties", as is the situation in the matter under review at this time.

Recent events which prove the necessity for
Reconsideration/Rehearing

Consideration is required of the entirely "improper" acts by District Judge Conti, one of the Respondents in this matter, acts taken on November

30, 2018, were clearly intended to both further the goals of Conti and the other Respondents in the Instant Matter (specifically, violating Coulter's Right to Due Process in the Federal Courts) which were designed to protect Respondent Conti from the results of her decision to conceal Respondent Bissoon's crimes (and the resulting commission of a felony by Conti).

Lower Courts realize that Recusal Decisions are, essentially, never overturned!

Following Conti's refusal to Recuse in response to clearly worded suggestions to do so, Coulter was forced to file a formal Motion for Recusal, which, naturally, detailed the crimes by both Conti and Bissoon. Further, Coulter explained that Defendants' Counsel (in the other case) is/was required to report the crimes by these two Respondents in the Instant Matter :

"It is noteworthy that Counsel for Defendants is now obligated to report the crimes by both District Judge Cathy Bissoon, and This Court, pursuant to the Code of Conduct applicable to Attorneys in Pennsylvania "204 PA Code, § 81.4. Rules of Professional Conduct, Rule 8.3. Reporting Professional Misconduct."...." **(16a.)**

Respondent Conti could have avoided this problem by merely choosing to recuse *sua sponte*, as Conti's position as Defendant in a case filed by Coulter in the Federal Courts would certainly require Recusal. But Conti did not take this legitimate path, and there should be an investigation into why Conti would consciously choose to place herself in such a precarious position after committing a felony,

especially as it is obvious that Conti must certainly have realized that to remain on Coulter's case would surely mean risking further exposure of Conti's crimes.

Lower Courts realize that Bogus Decisions produced for the purposes of assuring that crimes by judges are concealed will, essentially, never overturned!

Conti recognized that the District Court could, quite simply, produce a completely bogus decision in favor of Defendants (in that other case), in order for Respondent Conti to show in a concrete manner Conti's "appreciation" for the illegal/criminal omission by Defendants' Counsel, when Counsel chose to conceal Conti's crimes as well. (and this action also would constitute the commission of yet another felony by Respondent Conti.)

In order to be in a position to produce a favorable decision for Defendants in the other matter, and "thank" Defendants' Counsel for violating both the Code of Conduct for attorneys in the federal courts, as well as the resulting commission of a Felony (Misprision of a Felony) by Defendants' Counsel, Respondent Judge Conti, found it necessary to both "delay" consideration of Coulter's pending Motion for Recusal, as well as to discover a "revolutionary" means of determining the question of Subject-Matter Jurisdiction in Diversity cases. Specifically, Respondent Judge Conti decided that a **subsequent decision** by one of Conti's "as yet unindicted co-conspirators" could serve as an existing appellate decision finding Coulter to be a Citizen of Pennsylvania – and require the other matter be dismissed. (6a.) It must be noted however, that more than one case related to Diversity Jurisdiction exists

finding Coulter to not be a Citizen of Pennsylvania – including a case earlier that same year (18a. – 19a.), which was also produced by the same one of Conti's "as yet unindicted co-conspirators", Respondent Bissoon – and that case found that Diversity Jurisdiction does exist in matters filed by Coulter against Pennsylvania Defendants (18a.)

Conclusion

I recognize that this is not the proper place and time for Argument related to the "errors" following Respondent Conti's decision to refuse to recuse. Still though, it is obvious that the actions by Respondent Conti are of vital importance as **This Court must recognize that the Instant Matter does not concern a moment in the past – instead it proves that American courts are no longer a place for Justice – and instead have become a place exclusively for "Just Us"**

It is for this reason that This Court's decision in the Instant Matter is so important – the Lower Courts have come to expect that their actions, including crimes, will be completely over-looked, by their "brethren" in the Third Circuit, as well as This Court along with the other eight Justices of the Supreme Court of the United States. **Thus, there can be no reasonable expectation that *any decision, by any Judge, will be legitimate* – so long as the Lower Courts are confident that self-policing will permit their "misdeeds" to go unpunished!**

Respectfully Submitted,

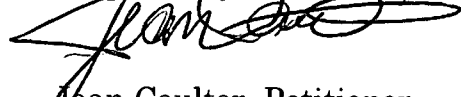

Jean Coulter, Petitioner

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APPENDIX

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JEAN COULTER, Plaintiff,

v.

Civil Action

GERRI VOLCHKO PAULISICK

No. 2:15-cv-00937

and JOSEPH R. PAULISICK,

Defendants

MEMORANDUM OPINION

Before the court are a motion for recusal
pursuant to 28 U.S.C. § 455 (ECF No. 20), and
a motion for sanctions, special relief, and a change of

1a.

venue (ECF No. 22), filed by pro se plaintiff Jean Coulter ("Coulter" or "plaintiff"). Also pending is a motion to dismiss and strike this civil action filed by defendants Gerri Volchko Paulisick and Joseph R. Paulisick (collectively, the "Paulisicks") (ECF No. 18). The motions are fully briefed and ripe for disposition. Before the court can address any of these motions, however, it must assure it has subject-matter jurisdiction.

I. Factual and Procedural Background

This action arose out of a seemingly simple property dispute between neighbors. On July 20, 2015, Coulter filed the original complaint against the Paulisicks, alleging that a fallen tree branch from the Paulisicks' property caused damage to Coulter's adjoining property in Butler, Pennsylvania in July 2013 (ECF No. 9).

The Paulisicks filed a motion to dismiss and to strike the original complaint on November 24, 2015, raising the issue of failure to join an indispensable party, namely James Coulter (plaintiff's brother and alleged co-owner of the property), against whom Coulter filed a separate lawsuit in state court. (ECF Nos. 5, 6). Coulter responded with an amended complaint on December 28, 2015. (ECF No. 9). The amended complaint re-asserts claims of negligence, fraud, severe neglect of property, breach of implied contract, breach of contract, civil conspiracy, and blatant disregard for the safety of others. *Id.* at 2. Coulter also attempts to assert criminal claims of theft and conspiracy. *Id.*

The amended complaint states that after the tree allegedly fell and damaged Coulter's property,

the Paulisicks failed to inform Coulter. *Id.* at 7. Coulter avers that the tree in question had been previously trimmed on the Paulisicks' side only. *Id.* at 10. Coulter also alleges that "at some point in the first twenty-four to thirty-six hours after Coulter learned about the fallen tree, someone removed the jewelry **and other valuables** which had belonged to Coulter's Mother." *Id.* at 11 (emphasis original). Central to Coulter's complaint were the actions of her brother, James Coulter.

In her amended complaint, Coulter alleges the court has jurisdiction under 28 U.S.C. § 1332, because she is a resident of New Jersey. Coulter claims to have been a resident of New Jersey "since June 2014," and alleges that she "pays taxes as a resident of New Jersey, carries Health Insurance which limits payments to New Jersey-based providers, [and] is licensed to drive by New Jersey." (ECF No. 9 at ¶¶ 1-2). Coulter's mailing address listed on the face of the amended complaint is located in Philadelphia, Pennsylvania, and she admits that has been her principal mailing address since 2011. (ECF No. 9 at ¶ 1).

Coulter filed a motion to stay, arguing that the federal matter should be stayed pending the outcome of her state litigation against her brother. (ECF No. 10). The court granted the stay, with the order that Coulter notify the court within fourteen days of the final disposition of the litigation against her brother. (ECF No. 13).¹

On July 27, 2015, seven days after filing her original complaint against the Paulisicks in this

case, Coulter filed a second suit in the Western District of Pennsylvania, Civil Action No. 15-967, this time against her brother, after learning that he was planning to remove the original litigation from Butler County to federal court. The court issued an order for Coulter to show cause why jurisdiction was proper, in which the court reviewed the legal rules governing citizenship of an individual. (Civil Case 15-967, ECF No. 2). Coulter filed a response, attaching numerous documents. (Civil Case 15-967, ECF No. 3). After review of these materials, the court found that Coulter is a Pennsylvania citizen and dismissed the case for lack of jurisdiction. (Civil Case 15-967, ECF No. 8). The court found that Coulter did not produce a preponderance of evidence sufficient to meet the burden of proof and overcome the presumption of her Pennsylvania domicile and did not establish an intent to remain in New Jersey.

Coulter appealed to the Third Circuit Court of Appeals, which affirmed the district court's finding that it lacked subject-matter jurisdiction. *Coulter v. Coulter*, 715 F. App'x 158 (3d Cir. 2017), cert. denied, 138 S. Ct. 2028, reh'g denied, 138 S. Ct. 2712 (2018). The Third Circuit Court of Appeals held that Coulter was a citizen of Pennsylvania on July 27, 2015, when she filed suit against her brother. *Id.* at 161. The court of appeals held that a motion for recusal filed by Coulter against the presiding judge in Civil Case No. 15-967 was rendered moot after the court concluded that it lacked jurisdiction. *Id.*

¹ The Paulisicks filed a motion for reconsideration on July 12, 2018, which the court granted and permitted the Paulisicks to

file a motion to dismiss the amended complaint. (ECF Nos. 15, 17). The Paulisicks thereafter filed a motion to dismiss and to strike the amended complaint. (ECF Nos. 18, 19).

II. Legal Standards

A. Jurisdiction

Under 28 U.S.C. § 1332, diversity jurisdiction requires complete diversity, meaning that no plaintiff may be a citizen of the same state as any defendant. It is a long-standing principle that “the jurisdiction of the court depends upon the state of things at the time of the action brought.” *Mollan v. Torrance*, 9 Wheat. 537, 539 (1824). In other words, “although challenges to subject-matter jurisdiction may be raised at any time, whether diversity exists is determined by the citizenship of the parties at the time the action is filed.” *Lincoln Ben. Life Co. v. AEI Life, LLC*, 800 F.3d 99, 104 n.9 (3d Cir. 2015). This principle was reaffirmed by the United States Supreme Court in *Grupo Dataflux v. Atlas Glob. Grp., L.P.*, 541 U.S. 567, 571 (2004), which held that a party’s post-filing change in citizenship cannot cure a lack of diversity subject-matter jurisdiction in the original filing.

B. Issue Preclusion

The doctrine of collateral estoppel, or issue preclusion, “has been utilized for more than a century.” *Tice v. Bristol-Myers Squibb Co.*, 515 F. Supp. 2d 580, 590 (W.D. Pa. 2007). Issue preclusion is based upon the premise “that once an issue has been resolved in a prior proceeding, there is no further fact-finding function to be performed.” *Parklane Hosiery v. Shore*, 439 U.S. 322, 336 (1979). It “has the dual purpose of protecting litigants from

the burden of relitigating an identical issue with the same party or his privy and of promoting judicial economy, by preventing needless litigation.” *Id.* at 326. The doctrine “prevents parties from litigating again the same issues when a court of competent jurisdiction has already adjudicated the issue on its merits, and a final judgment has been entered as to those parties and their privies. Issue preclusion forecloses relitigation in a later action of an issue of fact or law which was actually litigated and which was necessary to the original judgment.” *Witkowski v. Welch*, 173 F.3d 192, 198–99 (3d Cir. 1999) (internal citations omitted).

III. Discussion

Coulter contends that this court has subject-matter jurisdiction on the basis of complete diversity of citizenship between the parties. Coulter avers that she has been a resident of New Jersey since June 2014. (ECF No. 9 at ¶ 1). Coulter’s federal suit against her brother (Civil Action No. 15-967) was filed one week after she filed this suit against the Paulisicks. The court (after giving Coulter a full opportunity to litigate the issue) rejected Coulter’s claim that she was a citizen of New Jersey. The court found that it lacked subject-matter jurisdiction because both parties were citizens of Pennsylvania at the time of filing. (Civil Case 15-967, ECF No. 8). These findings were affirmed by the Third Circuit Court of Appeals. *Coulter v. Coulter*, 715 F. App’x 158 (3d Cir. 2017). Under the doctrine of issue preclusion, this court is bound by the factual findings and legal determinations of prior courts over a previously litigated issue. The court is equally bound

by the determinations of the Third Circuit Court of Appeals. Simply put: Coulter was a citizen of Pennsylvania at the time she filed this case. Because the Paulisicks are also citizens of Pennsylvania, the court lacks the ability to exercise jurisdiction over this case and it must be dismissed. All remaining motions, including Coulter's recusal motion against this court, must be denied as moot. *Id.* at 161.

IV. Conclusion

This court lacks subject-matter jurisdiction over this case because it was conclusively determined that Coulter was a Pennsylvania citizen when the case was filed. All pending motions will be denied as moot and the case will be marked closed.

An appropriate order follows.

November 30, 2018

BY THE COURT:

/s/ Joy Flowers Conti

Joy Flowers Conti

Chief United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
PENNSYLVANIA**

JEAN COULTER, Plaintiff,

Civil Action No. 15-289

v.

Judge Cathy Bissoon

ALEXANDER H. LINDSAY,

JR., et al., Defendants

ORDER DISMISSING CASE

Plaintiff's Complaint (Doc. 1) will be dismissed with prejudice, pursuant to this Court's December 18, 2012 Order, filed in Civil Action Nos. 12-1050

(Doc. 33) and 12-1241 (Doc. 20), designating Plaintiff, Jean Coulter, as a vexatious litigant.

In the aforementioned order, the Court held the following:

“Plaintiff is designated a vexatious litigant, and is **prohibited from filing any additional civil actions related to or arising from the state court proceedings involving her criminal conviction for assaulting her minor child, and/or the subsequent termination of her parental rights.** Given Plaintiff’s history of ignoring the orders of this Court, the following procedure shall be implemented by the Clerk’s Office with respect to any documents filed by Plaintiff in the future:

(1) The Clerk’s Office shall file any documents submitted by Plaintiff in due course. Plaintiff shall remain responsible for any applicable filing fees.

(2) Plaintiff’s filings shall then be submitted to the undersigned for screening. This Court will **strike any filings that are in violation of this order.**

Order at 6-7 (emphasis added). The Court further ordered that “any violations of the above vexatious litigant order by Plaintiff will result in the imposition of sanctions and a possible order holding Plaintiff in contempt of court.” *Id.* at 7.

Here, Plaintiff’s instant complaint plainly is “related to or arising from the state court proceedings involving her criminal conviction for assaulting her minor child, and/or the subsequent termination of her parental rights,” and thus barred

by the Court's previous Order. Specifically, Plaintiff brings this lawsuit against a law firm and various lawyers that represented her in court proceedings involving the abuse of her minor child. See, e.g., Compl. (Doc. 1) at ¶ 15 (alleging that Defendants failed to object to hearsay testimony regarding statements of abuse made by the minor child); id. at ¶ 16 (alleging that Defendants failed to question or speak to the minor child about her accusations of abuse); id. at ¶ 25 (alleging that Defendants destroyed her "chance to appeal the 'finding' of abuse"). Essentially, Plaintiff alleges that Defendants conspired with one another to deny her of due process in those court proceedings. Plaintiff's Complaint is devoid of any allegations that do not run afoul of the Court's December 18, 2012 Order. As such, the Court will strike all of Plaintiff's allegations and dismiss the complaint with prejudice, consistent with its December 18, 2012 Order.

While the Court also has the option of sanctioning Plaintiff for ignoring its previous order, the Court opts not to do so at this time. However, further blatant disregard of the Court's December 18, 2012 Order will result in sanctions.

Consistent with the foregoing, Plaintiff's Complaint (Doc. 1) is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

March 6, 2015 s/Cathy Bissoon
United States District Judge

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

No. 15-2144

JEAN COULTER, Appellant

v.

ALEXANDER H. LINDSAY, JR.; LINDSAY LAW
FIRM; JOSEPH VICTOR CHARLTON; PATRICIA
LINDSAY

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Civil Action No. 2-15-cv-00289)

District Judge: Honorable Cathy Bissoon

Submitted Pursuant to Third Circuit LAR 34.1(a)

October 15, 2015

Before: FUENTES, VANASKIE and SCIRICA,
Circuit Judges

JUDGMENT

This cause came to be considered on the record from the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on October 15, 2015. On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the Order of the District Court entered April 7, 2015, be and the same are hereby affirmed. Costs taxed against the Appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

s/ Marcia M. Waldron

Clerk

Dated: November 18, 2015

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

JEAN COULTER, Plaintiff

v.

CIVIL DIVISION

GERRI VOLCHKO

No. : 2:15-cv-00937

PAULISICK

and Joseph R. Paulisick,

Defendants

MOTION FOR RECUSAL –
PURSUANT TO 28 U.S.C. § 455

NOW COMES, Plaintiff, Jean Coulter, and files Motion for Recusal – requesting This Court Recuse, as appeal related to a case from this court, a case where This Court as a Defendant, is active and is currently pending consideration by the Supreme Court of the United States, on Coulter's Petition for Certiorari. (Exhibit A) Further, Recusal is required in light of This Court's history of improper and even illegal actions, acts which are/were intended to both insulate a colleague from responsibility for crimes committed from the Bench, as well as victimize Coulter.

In support of this Request, Coulter states:

1.) On December 19, 2016, Coulter filed Complaint for Civil Action against District Judge Cathy Bissoon as well as nine (9) others, including Judge Joy Flowers Conti. The Claims against Judge Conti arise from her acts taken in Judge Conti's role as the Chief Judge of the District Court.

2.) The Claims presented in that Civil Complaint, concern injuries suffered by Coulter as the result of actions by Judge Bissoon, which were taken completely without the authority to act in the manner undertaken by Judge Bissoon. Specifically, on December 18, 2012, Judge Bissoon ORDERED the Clerk of Courts for the Western District of

Pennsylvania to assign any future case filed by Coulter, exclusively to Judge Bissoon - despite the fact that District Judge Cathy Bissoon lacks the authority to assign cases to herself, or indeed to any judge:

"... 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) (Exhibit B)

3.) This Court learned of Judge Bissoon's crimes, when Coulter erroneously sent the Formal Complaint of Judicial Misconduct against Judge Bissoon to the attention of This Court (as Chief Judge of the District), when Coulter should have sent the Complaint of Judicial Misconduct to the Chief Judge of the Circuit Court.

Rather than both forwarding Coulter's Formal Complaint of Judicial Misconduct by Judge Bissoon to the Chief of the Circuit Court, and reporting Judge Bissoon's criminal acts to the appropriate authorities in Federal Law Enforcement, This Court instead "buried" Coulter's Formal Complaint of Judicial Misconduct by Judge Bissoon. That Complaint stated :

"... (2.) Even more egregious, is the fact that Judge Bissoon has, on December 18, 2012 Order, filed in Civil Action Nos. 12-1050 (Doc. 33) and 12-1241 (Doc. 20), issuing an ORDER to Court Personnel, requiring them to "assign"

each and every case filed by Pro Se Plaintiff Coulter exclusively to Judge Bissoon for review without permitting any other Judge to even see the case! (Attorney Jones acted as Counsel for Defendants in each of the cases mentioned in Judge Bissoon's Order of December 18, 2012 - and, Attorney Jones criminally released the Adoption Record, which formed the exclusive basis of Judge Bissoon's Orders dismissing Coulter's Complaints in each and every one of the cases filed by Coulter prior to December 18, 2012!

"the following procedure shall be implemented by the Clerk's Office with respect to any documents filed by Plaintiff in the future: (1) The Clerk's Office shall file any documents submitted by Plaintiff in due course. Plaintiff shall remain responsible for any applicable filing fees. (2) Plaintiff's filings shall then be submitted to the undersigned for screening. This Court will strike any filings that are in violation of this order." (emphasis in original, emphasis added)

This "Order" is clearly forbidden by Federal Court Practices and Procedures intended to provide for Due Process through a "random" assignment of cases - as Judge Bissoon's Order is intended to (and indeed clearly does) violate Due Process and constitutes a "Color of Law" violation of Coulter's Rights - a Federal Felony (where the Court Personnel are possibly involuntary co-conspirators)!

Through the issuance of an Order addressed to the Court Personnel employed in the records department, Judge Bissoon "recruited" her coconspirators through coercion! ..."

And, the Civil Complaint which names Judge Conti as a Defendant states :

"b.) Judge Joy Flowers Conti is one (1) of the two (2) Judges from the District Court, who is being sued for her actions. Conti was serving as Chief Judge of the District, when she was erroneously sent the Complaint of Judicial Misconduct or Disability, which described Judge Bissoon's criminal activities which injured Coulter. District Judge Conti chose to pretend that she had never received the Complaint, and rather than reporting the crime which was proven by the Complaint of Judicial Misconduct, Conti chose instead to **conceal the felony by District Court Judge Bissoon, rather than report the crime.**" ...

"19.) Defendant JOY FLOWERS CONTI also has liability for the damages suffered by Coulter as Judge Conti was erroneously sent the Complaint of Judicial Misconduct against Judge Bissoon - however, Defendant Conti chose to fail to take steps to forward the Complaint of Misconduct to the appropriate individuals in the Circuit Court. Thus, Judge Conti also joined into the Criminal Conspiracy against Coulter and must also share the consequences of the crimes committed directly by Defendant Bissoon.

It is therefore obvious that Defendant

Conti's actions not merely abrogate her immunity from civil actions, but Defendant Conti's acts, it is believed, constitute the commission of multiple Federal and State Crimes, including 18 U.S. Code Sections 241 and 242, as Defendant Conti is similarly required to report the Criminal Actions of Defendant Bissoon, but failed to do so, as required by the Administrative duties required by Canon 3B (5)."

(Exhibit C, page 20a., 52a. – 53a.)

4.) Case Law explains that **Recusal is required** any time that a "reasonable person under the circumstances would doubt the judge's impartiality" as explained in **Jones v. Pittsburgh Nat. Corp.**, 899 F. 2d 1350 - Court of Appeals, 3rd Circuit 1990 :

"We turn next to a consideration of the merits of the motion to recuse on the basis of 28

U.S.C. § 455(a) which reads in pertinent part:

Any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. Under this section a judge must consider whether a reasonable person knowing all the circumstances would harbor doubts concerning the judge's impartiality. *United States v. Dalfonso*, 707 F.2d 757, 760 (3d Cir.1983)."

Although Coulter has been unable to discover any Case Law directly discussing criminal actions by the subject judge, it is believed that there is no more

blatant example of "circumstances" which would convince a "reasonable person" that the judge's impartiality is in doubt, than a situation where the Judge has willfully committed a crime which victimizes a Party – particularly when that crime was committed in connection with the Judge's Official (albeit Administrative) Duties – as is the situation under consideration at this time!

5.) It is noteworthy that Counsel for Defendants is now obligated to report the crimes by both District Judge Cathy Bissoon, and This Court, pursuant to the Code of Conduct applicable to Attorneys in Pennsylvania "**204 PA Code, § 81.4. Rules of Professional Conduct, Rule 8.3. Reporting Professional Misconduct.**", which states :

"(b) A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial

WHEREFORE, Recusal by This Court is necessary as the result of the obvious bias which has previously been displayed by This Court's refusal to comply with Federal Criminal Statutes as well as the Code of Conduct for Federal Judges – particularly as This Court's failure to comply with those restrictions on The Court's actions (both inside and outside of the courtroom), constitute the commission of crimes which are/were intended to victimize Coulter – including the Federal Crime of **Misprision of a Felony** (18 U.S.C. Section 4, a Felony) and likely (willing) involvement in another Federal Felony, **Color of Law Conspiracy Against Rights** ((18 U.S.C. Section 242)

Further, Recusal is required as a "reasonable person" with knowledge of This Court's obligations of

restitution to Coulter – which results from This Court's willful defiance of This Court's obligations arising under the Code of Conduct – (specifically, This Court's obligation to report District Judge Cathy Bissoon's crimes (Exhibit A)), most certainly would mean that every reasonable person would most certainly doubt This Court's willingness and ability to rule in an unbiased manner in any case which is brought before This Court!

Respectfully Submitted

Jean Coulter, Plaintiff

Cases filed by Coulter with
conflicting decisions on
Diversity Jurisdiction

COULTER v. COULTER

Assigned to: Judge Cathy Bissoon
Cause: 28:1332 Diversity-Property Damage
Date Filed: 07/27/2015
Date Terminated: 04/22/2016
Jury Demand: None
Nature of Suit: 380 Personal Property: Other
Jurisdiction: Diversity

COULTER v. PAULISICK et al

Assigned to: Chief Judge Joy Flowers Conti
Cause: 28:1332 Diversity-Property Damage
Date Filed: 07/20/2015
Date Terminated: 01/11/2016

Jury Demand: Plaintiff
Nature of Suit: 380 Personal Property: Other
Jurisdiction: Diversity

COULTER v. LINDSAY et al


Assigned to: Judge Cathy Bissoon
Cause: 28:1332 Diversity-Other Contract
Date Filed: 03/02/2015
Date Terminated: 03/06/2015
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

COULTER v. PAUL LAURENCE DUNBAR
COMMUNITY CENTER et al

Assigned to: Judge Arthur J. Schwab
Date Filed: 02/01/2016
Date Terminated: 09/11/2017
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

CERTIFICATION OF PETITIONER WHO IS
UNREPRESENTED BY COUNSEL

I hereby certify that the Motion for Rehearing is restricted to consideration of grounds created by intervening circumstances, and it is presented in good faith and not for delay.



Jean Coulter, Petitioner