

No. \_\_\_\_\_

In The  
**Supreme Court of the United States**

**RAJESHWAR SINGH YADAV AND  
ROOPA YADAV**

Petitioners

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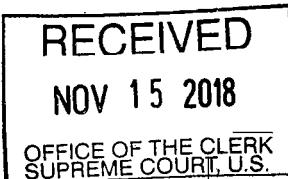
**NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION-LAND USE  
REGULATION**

Respondent

**On Petition For A Writ Of Certiorari  
To The Supreme Court of New Jersey**

**PETITION FOR A WRIT OF CERTIORARI**

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## STATEMENT TO SET THE SCENE

Government's oppression and demonizing for over three decades is dangerous and terrifying for me to be right in matters where established authorities are wrong. My anguish and terror about retaliation by the government (executive, administrative and judicial) has made life hell. I state to the best of my knowledge and memory that my pleadings for this petition are presented for just jurisprudence by this Honorable Court. Four decades of our lives have been taken away. For too long, when pro se parties have made serious allegations of abuse of authority by the government, they have been ignored in totality by the judiciary.

I presumed that we "must be heard with impartiality and loyalty to the law of the judges and justices, but for over three decades we were continually railroaded and condemned in guise of absolute presumptions in totality in favor of the governmental officials." "For the Petition at hand, this Honorable Court's thorough review with "strict neutrality and impartiality" will bring to light our afflictions, plight and oppression of over three decades. This Honorable Court's railroading of class of pro se parties will amount to degradation of all pro se parties (excluding attorneys) seeking justice and the integrity of the Supreme Court." Township's willful lies and misrepresentations are evidences for intentions to target Yadavs since 1983.

**QUESTIONS PRESENTED:** 1. "Am I a second-class citizen? 2. Are subjections of pro se party to

government's willful discriminatory behavior "Constitutional"?

3. Is judiciary's belittling, railroading and demonizing of pro se party for over three decades in light of judiciary's absolute presumptions favoring government in totality, is discriminating behavior in violations of "Constitutional Law provisions and fundamental obligations of the mandate "EQUALITY BEFORE LAW"?

4. Is "Using authority for willfully intruding on the rights of private property owners, especially those representing themselves in the courts and state agencies is gross abuse of governmental power in violations of "Constitutional Law provisions and fundamental obligations of the mandate EQUALITY BEFORE LAW"?

5. Is judiciary empowered to nullify the V and XIV amendments only for class of pro se parties and confer upon class of pro se parties second class citizenship?

6. The question is whether the governing authorities under the sight of the judiciary can indefinitely hold property owners as hostages for prohibiting the subdivision of their property in guise of public interest by resorting to willful violations of the statutory, constitutional and decisional laws?

7. Under illegal government's subjections can the pro se parties be afforded "Equal Justice under the Law" in light of pro se parties' cases/pleadings continually treated for thirty-four

years as typical cases on non-application of mind at the hands of the judiciary?

8. IN LIGHT OF NEARLY FOUR DECADES OF WILLFULLY HOLDING PRO SE PARTIES ON THE GROUND TO WILLFULLY PROHIBIT SUBDIVISION OF THE LOT IN VIOLATIONS OF THEIR RIGHTS ORDAINED BY A COURT OF LAW, CAN PRO SE PARTIES UNEQUIVOCALLY BE RECOGNIZED AS EQUAL FOR EXERCISING THEIR RIGHTS AS BESTOWED BY THE CONSTITUTION UPON OTHERS?

9. IN LIGHT OF NEARLY FOUR DECADES OF GOVERNMENT-IMPOSED OPPRESSION ON PRO SE PARTIES IN VIOLATION OF THE CONSTITUTIONAL GOVERNANCE, CAN THEY UNEQUIVOCALLY BE MADE WHOLE UNDER THE MANDATE OF "EQUAL PROTECTION OF THE LAW?

10. In light of nearly four decades of government-imposed oppression on pro se parties in guise of American Constitutional Form of governess, the question arises whether Judiciary's continuing actions for over three decades of holding of government actors' lies as credible evidence and disparaging pro se parties' credible and truthful evidence comport with the "Law of the Land".

11. In light of pro se party's continuing oppression, and continuing marginalization by the judiciary for over three decades, the question arises whether it was/is mandatory for the government (especially the judiciary) to adhere to "strict neutrality and impartiality" to comport with the "Law of the Land".

12. In light of government's continuing discriminatory behavior for nearly four decades, the question arises whether the pro se parties' rights, which were ripened into a judgment order of Dec. 16, 1983, must be stripped under guise of the "Law of the Land" to ensure that the pro se parties have no protection and must be crucified for claiming that they had rights.

13. In light of government's willful illegal continuing obstructionisms for nearly four decades, the question arises whether pro se parties were maliciously subjected to enforcement by NJDEP-Division of Land Use Regulations and government's willful violations of *N.J.S.A. 13:9B-4d (1)*, Appellate Division decisions, N.J. Supreme Court decisions and U. S. Supreme Court decisions governing this matter for extortions, robbery and non-possessory exactions of private property under color of right and under guise of the "Law of Land".

14. The question arises whether "Over three decades of pro se parties' continuing treatments by the judiciary, in light of "TWISTED INTERPRETATION" of constitutional, statutory and case laws for favoring the governmental actors in totality was/is discriminatory behavior?

15. The question arises whether continuing subjections of oppression of pro se party for over three decades in guise of absolute presumptions favoring the government in totality, regardless of absolute facts and material evidence presented by pro se party, must prevail, in guise of "Equal Justice under the Law", for crucifixion of pro se parties ?

## LIST OF PARTIES

The names of the Petitioners are:  
Rajeshwar Singh Yadav and Roopa Yadav  
The name of the Respondent is:  
New Jersey Department of Environmental  
Protection-Land Use Regulation

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## PETITION FOR WRIT OF CERTIORARI

Petitioners Rajeshwar Singh Yadav and Roopa Yadav (husband and wife) petition this Honorable Court for a writ of Certiorari to review a final judgment of the Supreme Court of New Jersey (Filed on July 20, 2018) denying the motion for reconsideration of the order denying the petition for certification.

### OPINIONS BELOW

There was no opinion issued by the Supreme Court of New Jersey. Copies of the orders denying the petition for certification is included in the Appendix (App., *infra*, at 1,2). Copy of the unpublished Appellate Division “PER CURIAM” opinion affirming the “order” of the NJDEP Commissioner is included in the Appendix (App., *infra*, at 3).

### STATEMENT OF JURISDICTION

The final order of the Supreme Court of New Jersey was entered on July 20, 2018. Petitioners believe that this Honorable Court’s jurisdiction rests on 28 U.S.C. § 1257 (a).

### CONSTITUTIONAL AND STATUTORY PROVISIONS INVOKED

I, V and XIV amendments; *N.J.S.A. Const. Art. I, Sec 20; N.J.A.C. § 1:1-1.3 (a);*

“Freshwater Wetlands Protection Act” UPDATED THROUGH P.L. 2016, ch.32, and JR 3 of 2016; 13:9B-4 Exemptions from permit, transition area requirements; 13:9B-4 (d)(1). Projects for which

preliminary site plan or subdivision applications have received preliminary approvals from the local authorities pursuant to the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) prior to the effective date of this act.

N.J.2A:14-5 and N.J.2A:14-7:

[the common law principle "A contract valid in its inception, is not invalidated by a subsequent change in decisional or statutory law"; N.J. Stat. Ann. § 2A:14-7 which provides "Every action at law for real estate shall be commenced within 20 years next after the right or title thereto, or cause of such action shall have accrued for enforcing the Judgment].

#### STATEMENTS TO SET THE SCENE FOR QUESTIONS PRESENTED

Respectfully I state "the judiciary erred in not protecting the requisite public interest in protecting individual property interest against aggressor's (Township) failure to respect the constitution and law in exercising its authority. Because of our status as pro se the judiciary misconstrued the basis of Yadavs' arguments, abandoned the theory " Theory of Eminent Domain Act is to protect condemnee", and was prejudiced in favor of Township in "TOTALITY", irrespective of what the facts are. In the interest of justice and for equitable jurisprudence, the matters (MER-L-1201-08, MER-L-439-10, MER-L-985-10) were required to be adjudged as a "whole". Piece meal adjudications produced the result of manifest injustice for Yadavs. Additionally, judiciary subjected us to manifest injustice at least from Dec. 16, 1983 because judiciary was prejudiced in favor of Township in "TOTILITY", irrespective of what facts were.

On March 10, 2016, I urged upon Commissioner Martin to grant my "request for oral arguments on issues outlined in petitioner's exceptions to initial decision" in the interests of "JUST JURISPRUDENCE". I emphasized that I have legitimate concerns/objections about the process followed in this matter. I stated that Your Honor is well aware that no precise procedure/rule is feasible and each case must turn on its facts and circumstances. I believe that a judicial notice of crystallized facts at the oral argument hearings will bring to light governing material facts for the final outcome. I believe that denial of my request will unjustly prejudice Yadavs and will produce a result of gross injustice for Yadavs. My request was discarded to coverup NJDEP's discriminatory behavior.

I respectfully state "The judiciary belied and adjudged by trashing my pleadings that I am an idiot and must be continually subjected to oppression, by blindly relying on presumptions absolutely in favor of government officials even after having proofs in its hand that government officials willfully lied/misrepresented. I respectfully assert that even ten percent of the US population were idiots like me with equivalent education and experience and were treated like me for forty years by the government, US would be a third world country."

In light of government's impositions of irreparable harm and sufferings upon Yadavs, the judiciary in guise of "discretion" refrained from conducting adjudications of who did what, where, when and why "WITH WHAT MOTIVE".

Stalled Yadavs's treatment at least from Dec. 16, 1983, should be extremely upsetting and conscience shocking to an impartial judge and or justice. Proof means everything in the court, but for Yadavs all the proofs were disparaged and trashed by the judiciary at every level in the matters of Yadavs v. Township and Township v. Yadavs, simply because I was seeking justice as pro se. NJDEP disparaged and trashed my proofs of facts for site conditions and history of Township's unlawful/illegal activities. The NJALJ, the Commissioner, Appellate Panel and SCNJ trashed my proofs as worthless for adhering to the practice of absolute presumptions favoring the government in totality simply because I was seeking justice as pro se. My truthfulness proved to be fatal in the courts of Law. I was subjected to nothing but discriminatory behavior of the government for over three decades.

In 1979, I presumed "Constitutional Law provisions and fundamental obligations of the judiciary mandate equality before law". In 2018, it is clear to me that my presumption was fatal because for the class of pro se parties "equality before law" is a myth. The unwritten judgment is imposition of oppression for nearly forty years and continuing for seeking justice. In plain English, it is "Legal Lynching".

I presumed that for judiciary's moral, just, impartial jurisprudence and equal protection one files a lawsuit in court. It was fatal for us to rely on that presumption with the end result that after over three decades "we are in much worse position". We have absolutely no rights and are the victims because of

continuing discriminatory executive, administrative and judicial behavior.

I believe that in the matters of Yadavs, it is unmistakably undoing of the guarantees of the Fifth and Fourteenth amendments that aimed to protect personal and property rights of Yadavs.

It is time to completely eliminate all vestiges of the "institutional bias" and, just as importantly, rectify the wrongs and make Yadavs whole. In light of the material fact that I am over seventy-six years and seven months old, it should be noted that I will certainly not have additional four decades for subjecting myself under duress to government's oppression and demonizing.

Governmental interference with a person's use and control of their property can be a "taking" under V amendment's "taking clause". The record, if thoroughly reviewed impartially, shows that NJDEP and Township willfully, illegally and oppressively controlled the use of our property at least since Dec. 16, 1983.

In light of constitutional governance, this Honorable Court should go above and beyond the routine judiciary's disdain for pro se parties for over three decades, for detailed scrutinizing of the record as a whole in the interests of justice. I respectfully emphasize "Using authority for intruding on the rights of private property owners, especially those representing themselves in the courts and state agencies is gross abuse of governmental power. I believe constitutional governance prohibits abuse of government power."

Under the eyes of the judiciary, NJDEP and Township continually imposed nakedly discriminatory, illegal and prohibitive restrictions to forbid subdivision of the Lot inflicting irreparable harm upon Yadavs in blatant violations of constitutional rights afforded to others, except Yadavs. Simply put it will amount to nullifying the V and XIV amendments only for class of pro se parties. It will set a dangerous precedent and confer upon class of pro se parties second class citizenship.

For over three decades the government's (W W Township in New Jersey and NJDEP) continuing concerted actions in retaliation were instrumental for willful prohibition of the subdivision of the Lot and our continuing oppression (App240-App268).

It has been held that "Redetermination of issues is warranted if there is reason to doubt the quality, extensiveness, or fairness of procedures followed in prior litigation". The injury and damages that pro se parties suffered for over three decades resulted from government's trickery, malice, intentional, willful and unlawful actions to deprive pro se parties of their right to develop the Lot and establish design build business.

By issuing the construction permit and occupancy certificate for the house on 3/3/1999 in conformance with the location of the houses as was approved in 1985 preliminary subdivision approval, the Township explicitly acknowledged/determined that Lot 20 was "Exempt" from the Freshwater Wetlands Act (N.J.S.A. 13:9B-4(d)). On Sept. 7, 1989 Judge King, P.J.A.D. ordained "exemptions are total", and "grandfathered" (238 N.J. Super. 516). Additionally, on NJDEP's website it is clearly delineated

"Freshwater Wetlands Protection Act" UPDATED THROUGH P.L. 2016, ch.32, and JR 3 of 2016; 13:9B-4 Exemptions from permit, transition area requirements; 13:9B-4 (d)(1). Projects for which preliminary site plan or subdivision applications have received preliminary approvals from the local authorities pursuant to the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) prior to the effective date of this act. **As Pro Se, my rights and equality in the eyes of the judiciary were rendered worthless.**

### **STATEMENT OF THE CASE**

Our plight should be alarming to this Honorable Court. Respectfully, I urge upon this Honorable Court to remain open to the necessary search for truth, try to understand the facts presented by us in the course of over three decades instead of adhering to the practice of disparaging pro se pleadings and condemning them (App173-App223).

I believed that the V and XIV amendments were the organic law of the United States providing complete equality in broad constitutional language but to our demise the discriminatory executive, administrative and judicial behavior has prevailed.

There is convincing evidence in the record of over three decades, if reviewed impartially and thoroughly by this Honorable Court, in support of our assertion that we were indeed subjected to discriminatory executive, administrative and judicial behavior (App140-App173; App240-App268).

Respectfully, I urge upon this Honorable Court to sort out with reason and care our assertions raised over the course of the matters over a period of over three decades as a whole, without bias for the governmental actors, to avoid all risks of being perceived as being unfair by the public at large for our crucifixion.

THE END RESULT IS THAT AFTER OVER THREE DECADES "WE ARE IN MUCH WORSE POSITION", JUDICIARY STRIPPED OUR RIGHTS AND WE ARE THE VICTIMS BECAUSE OF CONTINUING DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR.

I presumed that we have courts — to halt the oppression of class of pro se parties by government officials who willfully choose to ignore the Constitution to oppress pro se parties. In light of my forty years of oppression it became evident that "Might is Right, unwritten Law prevails and constitutional protections are rendered by the courts meaningless for the class of pro se parties".

I presumed that the judges and justices understand the Constitution. In light of nearly forty years of my subjections, I learned that in guise of discretion judges and justices chose to ignore the Constitution for the class of pro se parties to strip pro se party's constitutional rights. Discrimination period

Our property had essentially been seized/taken by the government (Township) since December 16, 1983. Since September 13, 2012, NJDEP willfully colluded with Township for strangulation of Yadavs for continuing the seizing/taking of the property. It is well settled that the right to just compensation

following the taking of private property for public use is an essential guarantee of the United States and New Jersey constitutions. But the judiciary stripped the essential guarantee in the matters of Yadavs and invoked oppression for as long as they are alive as a guarantee.

The primary issue is the judiciary's treatment of pro se party in light of judiciary's absolute presumptions favoring government in totality. We believe that adjudging matters with absolute presumptions favoring government is unjust and prejudicial to say the least. We believe that these prejudicial errors over the course of over three decades affected the outcome of the matters so far and the saga continues.

We were compelled to bear the suppression as a result of the government's adherence to SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR for holding us on the ground in violations of the Constitution, statutory and judicial laws.

The realty for Yadavs is that for thirty-five years we have been held on ground by the government (including the judiciary) because of government's wrongs, fraudulent conduct, willful violations of decisional law, unclean hands, laches, silence when conscience required it to speak, changing representations and acceptances, inequitable shifting of positions to escape the administration of justice.

The judiciary legalized in totality government's treatment of Yadavs, conduct of imposing

discriminatory, unnecessary and excessive restrictions on Yadavs, gross abuse of authority to change representations from year to year, dilatory practices in bad faith solely for purpose of hindrance and abuse of authority and process over and over again by tactics of manipulations and fraud. Township and NJDEP were barred to set new conditions to prohibit seven lot subdivision as was memorialized (final definitive writing) in the Dec. 16, 1983 judgment order (App70, the order was written broadly to reach all State agencies). I believed that it was the duty of the courts to halt the overreach of government (Township and NJDEP). The reality is that we were oppressed under the eyes of the judiciary.

Respectfully I emphatically assert that judiciary's legalization of government's conduct for thirty-five years is judiciary's animus-driven unconstitutional and cruel punishment for us by decisions. I believe that in the interests of justice and as a matter of Law, this Honorable Court is obligated to rectify the wrongs and make Yadavs whole.

In light of the material facts and material documentary evidence presented to NJDEP Commissioner on Sep. 13, 2012 (App 235), NJAD judges were obligated to adjudge that "NJDEP willfully manipulated the course of process since Sep. 13, 2012 for extortion of our property in totality. NJDEP was well aware of Yadavs' plight and subjections since at least from 1983. NJDEP resorted to the process of obstruction of justice for covering up its own discriminatory actions and aiding the Township for covering up Township officials' deliberate lies, and willful misrepresentations for the

reviews of the matters by the courts under their jurisdictions. "Obstruction of Justice" may take the form of concealing from an authorized tribunal information germane to its functions.

This case is about our continuing oppression subjected by government: "I have been willfully marginalized as pro se of Indian origin from Dec. 16, 1983 by the judiciary as well as government officials to ensure that I do not get off the ground. It comports with "Cruel and unusual punishment just like when Rodney King (a black human being) was savagely beaten by Police and Los Angles burnt and like Gandhi (an Indian), a barrister, was savagely beaten by a gang of white railway conductors in South Africa because he had a first-class ticket and was sitting in a compartment where whites were sitting.

Our first-class ticket stating "Constitutional Protections, especially V and XIV amendments" has been continually rendered worthless by the government (Executive, Administrative and Judicial) irrespective of our truthfulness, and material facts articulated in the pro se pleadings. Simply put the pro se parties have been continually savagely beaten by the government (Executive, Administrative and Judicial) for over three decades and it comports with government's discriminatory behavior.

Animals target the weak and kill for food, but humans in USA target the weak for oppression of the weak and coerce the weak to live in oppression till the end of the weak in guise of "Equal Justice under the Law." This phrase was coined by the Architect of the U. S. Supreme Court building. For Pro Se Class, the

Architect made the fatal error by not including in the engravings in the front of the building "Pro Se class (who are not members of the Legal Club) are not allowed for seeking justice under guise of "Equal Justice under the Law".

I sternly believe that in light of any standards of common sense, legal mandates, constitutional mandates, statutory mandates the government's discriminatory behaviors towards pro se party certainly do not comport with the mandates of "Equal Protection Clause". Respectfully I state, judicial decisions based on government officials' lies cannot be afforded finality and cannot be thrusted upon the weak party under the guise of "Equal Justice under the Law" (App173-A214; App248-App268). Thirty-five years of willful oppression is the result of government's continuing discriminatory behaviors.

Judiciary targets pro se party, ordains it as two-person plague and (making rounds NJDEP), to oppress till it's death because of the committed crime of seeking justice based on its truthfulness and delineations of material facts. Bringing to light "Constitutional protections and Equal justice under Law" is fatal for the class of pro se party. Simply put the class of pro se party is the victim of continuing discriminatory behavior.

**But our subjections do comport with the form of governess of a "Kingdom". Governor Como labeled it as King Trump Kingdom. For the crime of seeking justice I committed under the mandates of "Equal Justice under the Law", for thirty-five years I was subjected to not one king but each and every person**

in government, who was even remotely connected or associated with the subject of subdivision of merely five acre lot in the Township of 17,177.6 acres, governed us as a King (App91-App173).

“How many kings (EXECUTIVE, ADMINISTRATIVE AND JUDICIAL) can fit on the head of the pin to ensure by continually adhering to discriminatory executive, administrative and judicial behavior that Yadavs remain under suppression till their end?” Because of my age the reality is that very, limited time is left for remining under kings’ Rule.

This case is about: “NJDEP willfully followed the procedure resulting in obstruction of justice knowing very well that the matters and issues were still in the courts and NJDEP letter of exemptions would be material evidence to bring to light Township Officials’ deliberate lies, and willful misrepresentations for the reviews of the matters by the courts.?

This case is about: “Courts minimized my pleadings and discarded them. Courts granted absolute presumptions to government on the basis of government's willful misrepresentations/lies to the courts over and over again since 1983. In the matters of Lot's subdivision, the courts' decisions super seed the rights outlined in the Constitution. It amounts to trumping of the Constitution, promoting lawlessness and Yadavs are coerced to accept the outcome as "Just". We believe that it is not self-governess which prevailed, but courts' continual endorsement of government's willful misrepresentations/lies for revenge.”

I respectfully emphasize "Using authority for intruding on the rights of private property owners, especially those representing themselves in the courts and state agencies is gross abuse of governmental power." Upon discovery of new actions by NJDEP and Township on April 20, 2017, in compliance with N.J.R. 4:30a "entire controversy doctrine", I had filed pertinent letter pleading and attached documents for the NJAD's complete determination of the matters and urged not to disparage these pleadings (App235t0App268)."

The chain of events leading to the present petition for a writ of certiorari began in or around 1979 when Yadavs initiated the process of subdividing Lot 20, Block 11F (11.06) in West Windsor Township (Township) in New Jersey with a land area of 4.99 acres out of the total area of 17,177.6 acres of the Township, into eight lots for establishing design/build business in conformance with Municipal Land Use Law and under "Equal justice under law". The surrounding 19 Lots of approximately  $\frac{1}{2}$  acre each lot were developed in or around 1970.

In the event that this Honorable Court decides not to disparage my pleadings as trash, I urge upon each and every justice to read "HISTORY OF EVENTS LEADING TO THIS PETITION (App91); SYNOPSIS (App140) and SYNOPSIS OF HERBERT'S LIES (App173)", prior to giving the directive "Denied" in light of V & XIV amendments.

## REASONS FOR GRANTING THE WRIT

### I. Discrimination:

THE ISSUE IS ADHERENCE TO THE CONSTITUTION FOR ORDAINING THAT YADAVS MUST BE GRANTED PROPERTY AND CIVIL RIGHTS WHICH HAD BEEN STRIPED BY THE DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR FOR OVER THREE DECADES.

"Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence." John Adams (1770).

This Honorable Court should take judicial notice of "the fact that the evidence, our photographs (App225-App233), showing government-imposed flooding for creating and maintaining wetland areas on our Lot was rejected by the judiciary for outright partiality for the Government for extortion of our property. PHOTOGRAPHS DONOT LIE PEOPLE DO (App173-App214; App11-App29)." In addition, our requests for clearing the debris from the storm water sewer(ditches) for proper function of the storm water drainage system were rejected by NJDEP.

On August 18, 2018 former President Carter said his father taught him that truthfulness matters. He said that was reinforced at the U.S. Naval Academy, where he said students are expelled for telling even the smallest lie. Carter says he thinks the Supreme Court's Citizens United decision has "changed our political system from a democracy to an

oligarchy. Money is now pre-eminent. I mean, it's just gone to hell now (App78)" By KEVIN SULLIVAN AND MARY JORDAN, WASHINGTON POST Aug. 18, 2018.

In the June 26-28, 2018 trip to India, Honorable UN-Ambassador-Nikki Haley, who is a former governor of South Carolina, pronounced "our commitment to democracy, the rule of law, and fundamental freedoms". This pronouncement does not comport with reality which at least some Americans face, especially those who dare to represent themselves as pro se and who are not members of the legal club and/or connected to people of governmental authority. In plain English these Americans are subjected to oppression because of SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR. (App 81)

I have read some of Honorable Senator Booker's pronouncements and views in reference to "Democracy, Rule of Law, Individual's rights etc." I brought to his attention "What the reality is" (App85).

I have read some of Honorable Senator Harris's pronouncements and views in reference to "Democracy, Rule of Law, Individual's rights etc." I brought to her attention "What the reality is" (App90).

I urge upon this Honorable Court to take judicial notice of "I, in desperation, bringing to light for Honorable Carter, Haley, Booker, and Harris (App78toApp97) for their review and requested their comments on my assertions, issues, reality of practice in the governess, treatment, inflection of suffering for pro se party who are neglected in totality for their

status as a pro se under the guise of "Equal Justice under the Law" without adjudications of who did what, where, when and why "WITH WHAT MOTIVE".

Respectfully I state that pro se parties are victimized by the government (especially the judiciary) for adhering to "Truthfulness" while government's lies prevailed, for oppression of over three decades which amounted to "Hell" for us for bringing to light "Truthfulness, facts and government's lies". In plain English we have been ruled by the unwritten Law "Might is right" for oppression of over three decades.

NJDEP and Township's premeditated joint activities and actions for prohibiting the subdivision of the Lot for over three decades were instrumental in subjecting Yadavs to continuing oppression in violations of the "Law of the Land"

Honorable Justice Ginsburg denounced discrimination twenty-five years ago but in the matters of class of pro se parties (who are not members of the legal club) the judiciary practices discrimination and oppression.

*"A person's birth status should not enter into the way that person is treated. A person who is born into a certain home with a certain religion or is born of a certain race, those are questions irrelevant to what that person can do or contribute to society."* Honorable Justice Ginsberg.

Honorable Justice Ginsberg should have included in her denouncement "*A person's status as*

*pro se must not enter into the way that person is treated, adjudged, and disparaged by the judiciary.”*

In light of Honorable Justice Ginsburg's denouncement of discrimination twenty-five years ago, the letter of the law, the history of the matter, judiciary's treatment of Yadavs for over three decades and judicial precedent articulated in (*Pumpelly v. Green Bay Co.*, 80 U.S. (13 Wall.) 166, 177 -78 (1872); *Arkansas* (No. 11-597); *Cress*, 243 U.S., at 328; *United States v. Causby*, 328 U.S. 256, 266; *Carlo v. the Okonite-Calender Cable Co.* (1949); *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393 (1922); *Motor Vehicle Mfrs. Assn.* (463 U.S. 29, 43 (1983) and *Allentown*, 522 U.S. 359, 374), Honorable Justice Ginsburg's adjudication of our matter should lead to only one conclusion that “indeed it was taking from Dec. 16, 1983.” (App75).

In October 2018, I learned about Honorable Justice Kavanaugh's proclamation/belief “a good judge must be an umpire – a neutral and impartial arbiter who favors no litigant or policy.” Respectfully I state that after nearly four decades of experience in dealing with the judiciary, I have yet to find “a neutral and impartial arbiter who favors no litigant or policy.” Judiciary's practice of presumptions in favor of government in totality based on government's willful misrepresentations/lies/manipulations (App185) and disparaging “Truthfulness of pro se party in its pleadings supported by material evidence, constitutional, statutory, and judicial mandates”, has prevailed. Respectfully I urge upon Honorable Justice Kavanaugh to review, the record as a whole, as “a

neutral and impartial arbiter who favors no litigant or policy."

In light of Honorable Justice Kavanaugh's proclamation/belief, the letter of the law, the history of the matter, judiciary's treatment of Yadavs for over three decades and judicial precedent articulated in *Pumpelly*, Honorable Justice Kavanaugh's adjudication of our matter should lead to only one conclusion that "indeed it was taking from Dec. 16, 1983."

In or around 1981, I asked my real estate agent (white American lady) the question "Why are the neighbors opposing my request of subdividing the Lot into eight lots in conformance with the density (1/2 acre lots) of the neighborhood developed in or around 1970? Her answer was "They are afraid you will bring eight Indian families in the neighborhood. I had told you "do not show your face and only send a white attorney for the process of the application for the subdivision." You did not listen and now it is too late. Your application will be rejected and you will never be able to subdivide this five acre "Lot" completely surrounded by houses on ½ acre lots.

The scheme to prohibit me to subdivide or construct improvements on the property was formulated in or around 1981. On Sep. 13, 2012, NJDEP joined Township for continuing implementation of the illegal scheme. The Township ensured by blatant violations of the constitutional, statutory and judicial mandates, that I be held on the ground (App173toApp233). In light of absolute presumption favoring the Township in totality, the judiciary condoned Township actions because of my

status as pro se. In plain English it was discriminatory behavior which caused irreparable harm to us.

The March 3, 1989 Appellate Court Order was binding on Planning Board directing the action to be taken for the 7-Lot subdivision proceedings. The Court ordered a change, which was specifically tied to July 10, 1985 Planning Board Resolution. The true intent and purpose of the mandate of March 3, 1989 Order was not to void December 16, 1983 Judgment Order. Otherwise Appellate Court would have voided the Order of Dec. 16, 1983.

The March 3, 1989 adjudication was the Law for the subdivision of the Lot into 7 lots. The Appellate Court did not reverse or annulled the Dec. 16, 1983 judgment order. It was not open to contradiction or impeachment in respect of its validity or binding effect by parties or privies in any proceeding. It was not subject to collateral impeachment because it was not reversed and it stood in force.

I was crushed and dejected by the great wrong that I must start all over again after subjecting myself to government 's ten years of rejections, humiliation and discriminatory behavior. Pursuant to N.J.2A:14-5, the life of Dec. 16, 1983 judgment order was extended to March 3, 2009 based on March 3, 1989 Appellate Court adjudication.

Our October 2, 1989 resubmission of 7-Lot subdivision plans, the October 17, 1989 Township's

acceptance and performance of the conditions of the Dec. 16, 1983 Judgment Order operated as estoppel to disobeying or discarding the Dec. 16, 1983 Order.

I was crushed and dejected by the great wrong of Township's manipulations and willful defiance of March 3, 1989 Appellate Division order. Township demanded the determinations and delineations of the final grades on the entire site as the condition, clothed differently to make it impossible to determine and delineate, which was removed by the Appellate Division.

I brought to light Township's willful obstructionisms for prohibiting the subdivision of the Lot in violations of Dec. 16, 1983 and March 3, 1989 orders for the judiciary. But the judiciary turned a blind eye towards us. It shattered my belief in the "Equal Protection under the Law" and essentially gave up. But resubmitted the documents for processing in 1994 and 1999 for execution of the orders. Township made additional demands in naked defiance of 1983 and 1989 court orders to ensure that we do not get off the ground.

On August 2, 1999, Township in their pleadings in the brief filed in U.S. District Court admitted that even after the appeal was decided the Dec. 16, 1983 Judgment Order was in force for the subdivision approval. But in their pleadings brief Township (Herbert) lied to the U. S. District Court that Yadavs did not take any actions in 1989 after the appeal was decided.

Again in 2004, I was crushed and dejected by the great wrong by judge Jacobson and for the appeals the higher courts turned blind eyes towards us simply because I was pro se. There is no factual basis on which judiciary's decisions can be held with the exception of my status as pro se who was treated as second class for disparagement of our pleadings as worthless. In plain simple English, "How can the December 16, 1983 and March 3, 1989 orders be satisfied in light of the material absolute fact that I was held on the ground and prohibited to take any actions for implementation or for going forward with the subdivision of the Lot into seven lots.

Honorable Justice Ginsburg erred 25 years ago by not making denouncement "*A person's status as pro se must not enter into the way that person is treated, adjudged, and disparaged by the judiciary.*"

Again in 2006, I was crushed and dejected by the great wrong of the Appellate Davison's decision of rescinding the 1983 and 1989 orders based on Township's willful misrepresentations for prohibiting the subdivision of the Lot. Respectfully I state that I was demonized because I delineated facts in my pleadings as evidence against Township's willful misrepresentations for prohibiting the subdivision of the Lot. Respectfully I state that I was victimized by the continuing practice of discriminatory behavior with full knowledge of Township's illegal actions (App173toApp233).

While the matter was still in the courts, in 2006 Township decided to condemn a portion of the property and keep the rest as open space at the expense of Yadavs. Pursuant to N.J. Supreme Court's

decision (150 N.J. 111) the effective date of condemnation was Dec. 16, 1983 (when it fraudulently settled the matter and willfully chose the path of abusing its authority). Based on Township's intentions and unlawful schemes to prohibit the subdivision of Lot 20 for keeping it as open space from way back in 1981, the effective date of condemnation was in 1981. But the judiciary ordained that Yadavs **must not expect that they are protected by the laws of the land**)

In 2006 Township made the decision to isolate Yadavs' property for zoning it as R-1C and to rezone the surrounding neighborhood to R-20 in order to reduce acquisition costs for a portion of the property, to make it prohibitive for marketing it to a private party and for extortion of the rest of the property (willful violation of the 1971 Condemnation Act and V Amendment, but the judiciary condoned it and confirmed for Yadavs that they must not expect that they are protected by the laws of the land).

In 2006 or earlier Township officials schemed to gain by diminution in value of Yadavs' property and acted to initiate confiscatory land use restrictions as applied to Yadavs' property [The exclusionary zoning of R-1C (1-2/3 acres) for Yadavs' property engulfed by R-20 (1/2 acre) encompasses exclusion by economic circumstances. Economic effect alone, amounting to substantial diminutions in value, is sufficient to constitute a taking regardless of the legitimacy of the ends or the reasonableness of the means. *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003, 112 S. Ct. 2886, 120 L. Ed. 2d 798 (1992). Economic effect of Township's manipulative and fraudulent actions of

forbidding subdivision and forcing Yadavs to keep it as open space constituted taking. But the judiciary condoned it and confirmed for Yadavs that they must not expect that they are protected by the laws of the land. In plain English, it was a willful fraudulent action for the extortion of the property.

In 2007-2008, “Township reinvented the 1970-71 zoning of 1/2 acre lots for the surrounding neighborhood to be the most appropriate zoning but Yadavs’ lot must be 1-2/3 acres to ensure acquisition of the lot at insignificant valuation through eminent domain.” It is evident that Township willfully enacted spot zoning for Yadavs’ parcel to implement its unauthorized/ unlawful scheme initiated in 1981 for the purpose of acquisition by eminent domain in violation of the 1971 Act and V Amendment. **But the judiciary condoned it and confirmed that Yadavs must not expect that they are protected by the laws of the land.**

Township had schemed to create conditions for substantial reduction in property value (violation of Fifth and Fourteenth amendments of U.S. Constitution, Article I para. 20, of N.J. Constitution; see *B & Q. R. Co. v. Chicago*, 166 U.S. 226, 239, 17 S. Ct. 581, 41 L. Ed. 979 (1897) also see *Littman v. Gimello*, 115 N.J. 154, 161 cert. den., 493 U.S. 934, 110 S. Ct. 324, 107 L. Ed. 2d 314 (1989)). **But in the matters of Yadavs, judiciary condoned Township’s robbery and confirmed for Yadavs that they must not expect that they are protected by the laws of the land.**

Every township in the State of New Jersey is bound by the duty of consistency, duty of honesty and

the duty to comply with doctrine of fundamental fairness. However, judiciary's adjudications of Yadavs complaints dictate to us that West Windsor Township has no duty of consistency and honesty as far as Yadavs are concerned. Furthermore, these adjudications dictate to us that Township has no duty to even comply with the doctrine of fundamental fairness as far as Yadavs are concerned. L-43225-81, MER-L-3172-03, MER-L-1066-06, MER-L-1201-08. MER-L-439-10 and MER-L-985-10 are unprecedented examples of Township's deliberate manipulations of civil procedure and the Township obtained undue advantages at costs of Yadavs simply because they are Pro-Se parties to seek justice in the courts. Based on judiciary's adjudications as they stand now, it is obvious to us that we are not even protected by *U.S. Const. Fifth and Fourteenth Amendments, N.J.S.A. Const. Art. I, Sec 20*, federal and state statutes.

To the demise of Yadavs the judiciary granted Township undue advantages in adjudging Yadavs' complaints: Yadavs continually and in a timely manner followed the legal process in conformance with court rules to resolve the intertwined issues of L-43225-81, 97-1097 (AET), 00-5482 (AET), MER-L-3172-03, MER-L-1066-06, MER-L-1201-08, MER-L-439-10, MER-L-985-10 and for NJDEP's confirmation that our Lot is exempt from NJDEP's regulations in totality for the subject Lot as is mandated by N.J.S.A. 13:9B-4(d) and 1989 (238 N.J. Super. 516) and 1994(278 N.J.Super. 108, 119) Appellate Division orders for implementation of Legislative intent. In plain English the judiciary's actions comport with discriminatory behavior in violation of V Amendment.

In April 2012 at the trial Mr. Surtees, Township's Land Use Manager, testified under oath that he had brought to the attention of the Township officials that the property area delineated in the Township's condemnation documents as 4.47 acres was wrong.

In April 2012 at the trial Mr. Guzik, Township Engineer, testified under oath that Yadavs' property area is not 4.98 ac. [Fraudulent misrepresentation (*Derry v. Peeck*) occurs when one makes representation with intent to deceive and with knowledge that it is false. This action allows for a remedy of damages and rescission]. For Mr. Guzik and Township's frauds, the judiciary sanctioned Yadavs instead of a remedy of damages and rescission. After the proceedings for MER-L-985-10 were closed in the Law Division, on Nov. 27, 2012, Mr. Guzik, certified to the Township Tax Assessor that the remaining area of Yadavs' property after the taking of the portion of the property by condemnation for road widening/construction of sidewalk is 4.624 acres (In Mr. Guzik's, May 6, 2010 "Declaration of Taking" the land area for fee simple taking was described/delineated as 0.352 acres). In other words, Yadavs' property was indeed 4.98 ac. in totality. This was based on Steven E. Macher Survey dated 6/24/90 provided by Yadavs and was in the possession of Township since 1990. Yadav had provided to Mr. Guzik another copy of this survey in 2010 in the courtroom of Judge Feinberg as a documentary proof.

In plain English Mr. Guzik lied under "Oath" and willfully harmed Yadavs. But the judiciary chastised and harmed Yadavs. The judiciary's

commands certainly comport with the practice of the two systems of justice "One for pro-se party whose pleadings must be disparaged to close the matters[PRO SE PARTIES HAVE BEEN DISCRIMINATED AGAINST FOR TOO LONG IN A TWISTED INTERPRETATION OF THE WORDS EQUAL JUSTICE UNDER THE LAW.]and the other for governmental actors whose willful misrepresentations, lies, manipulations and fraudulent actions as controlling factors for rewarding the wrongdoers (government)."

It is evident to me that Kings can lie and Yadavs must accept oppression because that is mandated by "Equal Protection under the Law."

For Yadavs, the adjudications process can be described in one plain English sentence "The judiciary condones Township's and NJDEP's misrepresentations/lies and dismisses Yadavs' complaints and appeals.

In light of over three decades of Township's continuing actions of willful discriminating behavior, it is crystal clear to Yadavs that Township had decided in 1983 or earlier to prohibit Yadavs to develop their Lot and keep it as single undeveloped lot for the Township as open space at the expense of Yadavs in clear violation of the Laws of the Land. Township fraudulently settled the matter in 1983, had no intention to allow implementation of the settlement. Ever since 1983, Township ensured by abusing its authority that Yadavs must not subdivide their property. (see App140-App233). With due respect to Honorable Justice Thomas, I believe that my treatment by the government (EXECUTIVE,

ADMINISTRATIVE AND JUDICIAL) comports with Kingdom form of governess when slavery was legal and not with democracy form of governess.

I respectfully state: "Township willfully continually abused its authority for over three decades, lower courts discriminatorily rewarded the Township, subjected Yadavs to oppression and the higher courts became spectators for witnessing Yadavs' oppression."

What is shocking to my conscience is that judiciary suppressed/oppressed us by practicing the two systems of justice "One for pro-se party whose pleadings must be disparaged to close the matters[PRO SE PARTIES HAVE BEEN DISCRIMINATED AGAINST FOR TOO LONG IN A TWISTED INTERPRETATION OF THE WORDS EQUAL JUSTICE UNDER THE LAW.]and the other for governmental actors whose willful misrepresentations, lies, manipulations and fraudulent actions as controlling factors for rewarding the wrongdoers (government)." RESPECTFULLY I STATE "IN PLAIN ENGLISH IT IS SUPPRESSION/OPPRESSION AND A FORM OF SLAVERY (WITH DUE RESPECT TO HONORABLE JUSTICE THOMAS) DICTATING TO US THAT THE LAWS OF THE LAND DO NOT APPLY TO US".

II. "THE EXTORTION" OF PRIVATE PROPERTY BY THE GOVERNMENT IS UNCONSTITUTIONAL AND ILLEGAL, BUT COMPORTS WITH DICTATORIAL FORM OF GOVERNANCE AND THE UNWRITTEN RULE "MIGHT IS RIGHT."

For the public at large, the judiciary's ordinations have severely altered the standard of governess by stripping property rights (the most fundamental right envisioned by writers of the constitutional laws). It is my belief that "When judiciary's' ad judgments are based on "Liars", we all suffer, especially those who are not members of the legal club.

As a mandate of the "Constitution", the judiciary must value the most "What is required by the United States Constitution?" It is well settled that the U. S. Constitution prohibits extortions, by the government of private property by any means such as Malicious use of process, land can be "taken" in the constitutional sense by physical invasion or occupation by the government, as occurs when government floods land (App225toApp233) (*Pumpelly v. Green Bay Co.*, 80 U.S. (13 Wall.) 166, 177 -78 (1872), manipulations for purpose of unfair advantage of property owners.

In the interests of "JUSTICE" and for the integrity of this institution, this Honorable Court should adjudge our matter by accepting *Pumpelly's* precedent with a profound respect for judicial precedent. In light of Honorable Justice Kavanaugh's ideology of profound respect for judicial precedent, the adjudication of our matter should lead to only one conclusion that "indeed it was taking from Dec. 16, 1983."

In light of Honorable Justice Gorsuch's ideology of sticking to the letter of the law, the history of the matter, judiciary's treatment of Yadavs for over three

decades and profound respect for judicial precedent articulated in *Pumpelly*, Honorable Justice Gorsuch's adjudication of our matter should lead to only one conclusion that indeed it was taking from 12/16/1983

Under the eyes of the judiciary, we have been deceived by the government (NJDEP and Township) over and over again simply because of our status. The Judiciary has the responsibility to do its job as seriously for those who represent themselves, as representations by attorneys. I respectfully state that: [Courts exist for the sole purpose of rendering justice between parties according to Law and not in guise of absolute presumptions favoring the government in totality].

For the protection of owners' property rights mandated by the Constitution, this Honorable Court should feel some sort of obligation in the interests of "JUST JURISPRUDENCE" to do justice to a party who has been suppressed by the judiciary for over three decades under the assumption/illusion that the government's actions must be adjudged lawful irrespective of its continual willful misrepresentations to the judiciary. Loss of respect and confidence on the judiciary undermines the system of governness. Is it a system masking itself as a just system by relying in totality on the willful misrepresentations of the government?

"The judiciary's decision certainly obscure the point that must be grappled with by Yadavs and public at large that willful and collusive misrepresentations by lawyers/government officials are the foundations of the judiciary's decision." This

is a disaster for people who believe in representing facts in a court of law and promote dictatorship in the clothing of democracy. I believe it undercuts the system of governess. Respectfully I state that it is the onerous result severely altering the system of governess in USA. I respectfully state "In reality, it amounts to suppression of people (who represent themselves and are not members of the Legal Club) who dare to seek "Justice" based on truth/facts."

We conclude that if the Legislature wanted to put a five-year or 1993 termination deadline on these "grandfathered" exemptions, it would have specifically done so, rather than leave such a decision to the regulator's initiative. This is not the kind of incidental regulatory power we must "readily imply" as necessary to effectuate the legislative intent. Long, 75 N.J. at 562, 384 A.2d 795. Administrative regulations cannot alter the terms of a legislative enactment nor can they frustrate the policy embodied in the statute. N.J. Chamb. Commerce v. N.J. Elec. Law Enforc. Comm., 82 N.J. 57, 82, 411 A.2d 168 (1980). **By not adhering to the commands of these authorities, NJ courts have imposed oppression on us.**

I believe that Yadavs' matter has been inevitably caught up in the over three decades of intertwining legacy of "Judiciary's" partiality in totality towards the government. Thus, nullifying in totality, the "Constitutional" protections for Yadavs and public at large who are not represented by a member of the legal club. **IN THE MATTERS OF YADAVS, IT IS A CONTINUING TORTURE FOR IMPOSING INJUSTICE AFTER FULL**

## KNOWLEDGE OF GOVERNMENT'S WILLFUL MISREPRESENTATIONS.

In light of the May, 12, 2012 Appellate Division's decision/findings articulated in JF BUILDERS A-0342-10T3, DEP had no authority to disregard in totality my request of September 12, 2012. DEP Commissioner was mandated by *N.J.A.C. § 1:1-1.3 (a)* to adhere to the procedure; to adjudicate my request of September 12, 2012 in totality to ensure that we were not injured and harmed by abridgement of Hon. Martin's duty proscribed by the Legislature delineated in *N.J.A.C. § 1:1-1.3 (a)*.

DEP willfully followed the procedure resulting in obstruction of justice knowing very well that the matters and issues were still in the courts and DEP letter of exemptions would be material evidence to bring to light Township Officials deliberate lies, and willful misrepresentations for the reviews of the matters by the courts under their jurisdictions.

I respectfully state that NJAD panel and SCNJ justices adhered to the practice of two systems of justice and condoned DEP's willful obstructionism with the end result of taking away six years of our lives. **In plain English it is not only discriminatory treatment of Yadavs but also ensuring extortion of Yadavs' property and continuation of suffering.**

Continuing and unprecedented obstructionism that Yadavs have been subjected at the hands of the government for over thirty years for simply attempting to exercise their rights granted by a court of law to subdivide the Lot into seven lots is nothing but gross abuse of authority. NJDEP became full

participant in aiding and abating Township's illegitimate activities for obstruction of justice.

**III FROM AROUND 1979 TO DATE, JUDICIARY'S TWISTED INTERPRETATIONS OF STATUTES, CONSTITUTIONAL MANDATES AND JUDICIAL LAWS FOR ADJUDICATIONS OF YADAVS' MATTERS TO OUTRIGHTLY SUPPORT GOVERNMENT'S ACTIONS TRUMP THE STATUTES AND THE CONSTITUTIONS FOR CONTINUING OPPRESSION OF YADAVS AND SUBJECTING YADAVS TO MANIFEST INJUSTICE. IT COMPORTS WITH SLAVERY WITHOUT REMEDY FOR YADAVS.**

On September 13, 2012, the reality of Yadavs' treatment was brought to the attention of Commissioner Martin (App235-App239). On or about May 8, 2017, the reality was brought to the attention of NJAd judges (App240-App244). On or about April 19, 2017, the reality was reiterated to the attention of Township (App245-App268). From September 13, 2012 to date the reality was brought to the attention of NJDEP-Land Use Regulation under the eyes of the Commissioner (App3-App28; App38-App69; App91-App140). From Dec. 16, 1983 to date the reality was brought to the attention of the judiciary (App140-App268).

"It is well established principle that a court's decision/opinion must be based on facts and circumstances of each case." In light of "NOTIONS OF JUSTICE", IN THE INTERESTS OF JUSTICE AND HIGH DUTY OF JURISPRUDENCE FOR

RENDERING JUSTICE, Yadavs were ordained as second-class citizens by the judiciary.

When a party (especially a pro se party who is not a member of the legal club) asks questions and/or raise issues, it expects answers from the courts at each and every level of the judicial ladder because the expectation is "that is the responsibility of the members of the judiciary." That is the Madisonian-inspired separation of powers at each and every level of the judicial ladder.

We have been in hell for nearly four decades because I sternly believed that I had rights too and truthfulness matters. "Equal justice under the Law" and V and XIV amendments protections are meaningless for Yadavs.

**IV "IN LIGHT OF THE TOTALITY OF CIRCUMSTANCES, HISTORY OF THE MATTER AND MATERIAL FACTS, THIS HONORABLE COURT IS OBLIGATED TO ORDAIN THAT IT WAS A TAKING SINCE DECEMBER. 16, 1983. AND YADAVS MUST BE MADE WHOLE"**

The test of invalidity of government's determinations of private property as wetland for the purpose of taking by the government is not necessarily the complete unsuitability of property but rather its value will be substantially depreciated and its marketability greatly impaired (It encompasses all government actions including creating the wetland on a private property resulting in entrapment of private property owners. In addition, it encompasses all other

governmental actions, including schemes to gain by diminution in value of private property, to reduce acquisition costs and to make it prohibitive for marketing it to a private party)".

But the Judiciary turned a blind eye towards Yadavs and subjected them to suppression for over thirty-five years. In light of the integrity of "Constitutional Governess", I urge that the responsibility of this Honorable Court to do "JUSTICE" in the matters of Yadavs with a commitment to impartial justice rather than particular ideology (presumptions must be one hundred percent in favor of government no matter what the facts are), should not be taken lightly.

Judiciary has given extraordinary power to the government (every Township and all other government agencies) to oppress class of pro se (who are not members of the legal club) without adjudications of who did what, where, when and why "WITH WHAT MOTIVE" required under the mandate of Equal Justice under the Law. I believe that it comports with dictatorial form of governess not democracy in light of V and XIV amendments.

"Exercise of discretion" takes account of law and particular circumstances of case and is directed by reason and conscience of judge to a just result (*Carlo v. the Okonite-Callender Cable Co.* 3 N.J. 253 (1949)). FOR YADAVS "THE JUDICIARY FORCED SUFFERING IN EVERY WAY, SHAPE OR FORM. IT IS LIKE A TORTUROUS DEATH THAT'S GOING TO GO ON FOREVER WITHOUT LEGAL JUSTIFICATION BECAUSE THE JUDICIARY

ABANDONED FACTS AND TRUTH BUT EMBRACED GOVERNMENT'S ILLEGAL INTENTS AND ACTIONS (App9toApp17; App173toApp233; App240toApp268)."

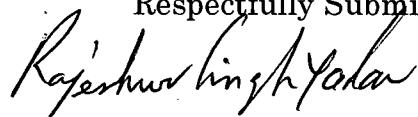
In light of the totality of circumstances and governmental actions for over thirty five years in the matters of Yadavs and the issues of due process, equal protection of laws, continuing violations by government of constitutional mandates, of the applicable NJ statutes, authorities and abuse of authority to target individuals (Yadavs), the judiciary was obligated to draw all reasonable inferences in favor of Yadavs in the interests of justice (*Lieberman v. Port Auth. of N.Y. & N.J.*, 132 N.J. 76 ).

NJDEP's and Township's (Mr. Herbert's) willful misrepresentations/lies (App173toApp214) essentially took our lives away for over three decades because we adhered to the belief that judiciary is impartial. But our finding is, based on the precedence, that the system is prejudicial. Our matters exemplify that the system seems to have lost its way. Our matters exemplify that no one should dare to fight city hall based on factual evidence because government's willful misrepresentations/lies will prevail in the judicial system. An impartial thorough review would reveal that the judiciary's decisions may seem right in theory but are fatal in fact.

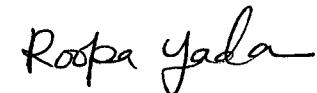
Respectfully I ask, "When will the judiciary choose not to rely in totality on government's willful misrepresentations and strive for "Just Results" for the nongovernmental party." The question arises "With the exception of "MIGHT IS RIGHT", which

Law, Statute, Constitutional Clause empowers the "Judiciary" to ordain attorney's willful misrepresentations as "Gospel" and for judging "Pro Se's" truthful representations as trash." WITH DUE RESPECT TO HON. JUSTICE THOMAS, IN PLAIN ENGLISH, WE HAVE BEEN SUBJECTED TO "LEGAL LYNCHING" WITH FINAL STROKE COMING BY ONE WORD "DENIED".

Respectfully Submitted



/S/- Rajeshwar Singh Yadav



/S/- Roopa Yadav