

No. 18-702

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In The  
Supreme Court of the United States

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RAJESHWAR SINGH YADAV AND  
ROOPA YADAV

Petitioners

V

NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION-LAND USE  
REGULATION

Respondent

---

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

**SUPPLEMENTAL**

PETITIONERS' REPLY BRIEF

---

Rajeshwar Singh Yadav

Pro Se

Roopa Yadav

Pro Se

376 North Post Road

Princeton Junction

New Jersey 08550

(609) 799-7489

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## STATEMENT TO SET THE SCENE FOR RESPONDENT'S WAIVER

Respondent has willfully abandoned, renounced, surrendered all rights, opportunities and claims with full knowledge of material facts; questions presented by petitioners; reasons for granting the writ; petitioners' assertions; issues; reality of practice in governance; petitioners' treatment; inflection of suffering; victimization of petitioners by government; premeditated joint activities and actions; denouncement of discrimination; the history of the matter; judicial precedents; truthfulness of petitioners' in their pleadings supported by material evidence; constitutional/statutory/judicial mandates; continuing implementation of the illegal scheme; willful obstructionisms for prohibiting the subdivision; willful violations of 1971 Condemnation Act and V Amendment; exclusion by economic circumstances; confiscatory property use restrictions; impositions of diminutions in value of property; schemes to create conditions for substantial reduction in property value in violation of V and XIV amendments; deliberate manipulation of procedure; forbidding the implementation of the Legislative intent; fraudulent misrepresentations; forced oppression; continuing actions of willful discriminatory behavior; kings can lie and Yadavs must accept oppression because that is mandated by "Equal Protection under the Law"; two systems of

justice; stripping of property rights; U.S. Constitution prohibits extortions by the government of private property by any means such as malicious use of process; deceptions by the government(NJDEP and Township); willful and collusive misrepresentations by lawyers/government officials; grandfathered exemptions; ensuring extortion of Yadavs' property and continuing suffering; NJDEP's full participation in aiding and abating Township's illegitimate activities for obstruction of justice; subjecting Yadavs to Manifest injustice; entrapment of private property owners; NJDEP's and Township's actions to make it prohibitive for marketing property to a private party; and oppress class of pro se parties under the unwritten Law "Might is Right".

**DEFENDANT'S WAIVER IS NOTHING BUT  
PLEADING V AMENDMENT PROTECTIONS  
AGAINST SELF-INCRIMINATIONS.**

Yadavs have no resources or authority for investigations of the party (government) which is expected to respect the Constitution for protecting people's personal and property rights. In light and considerations of the totality of the record of nearly four decades, Supreme Court of the United States Honorable Justices' consciences should recognize that serious injustices were done by the government, especially by the judiciary. For nearly four decades, we were subjected to unprecedented bias and lack of objectivity exercised by the government (executive, administrative and judicial) for ensuring continuing oppression of Yadavs.

It should be noted that in 1987 the N. J. State legislators took notice of the “Time” of the applicants who had followed the process in compliance with Municipal Land Use Law (MLUL) for exempting them from all the requirements of Fresh Water Wetlands Act (App55).

Additionally, on September 13, 2012 NJDEP Commissioner was appraised of the plight of Yadavs and the ongoing judicial process for the subdivision of the Lot into seven lots as was prescribed in December 16, 1983 Judgment Order (App70, App235). But for Yadavs the judiciary bestowed upon NJDEP and Township the ultimate authority and made judicial process meaningless for the class of pro se parties’ justified claims against government. I reiterate that NJDEP Commissioner was mandated by the N.J. State legislators to adhere to the procedure prescribed by N.J.A.C. §1:1-1.3 (a) (Petition brief page 32). NJDEP Commissioner opted the path to obstruct “Justice” in the ongoing matters Yadavs v. Township of West Windsor for jurispondance by the courts for the subject Lot.

It is evident to us that our protection by the rules, laws, statutes, and Constitution is nothing but a travesty of justice. The reality is that the judiciary refrained from conducting adjudications of who did what, where, when and why “WITH WHAT MOTIVE”.

The plain readings of the V and XIV amendments, the N.J. Condemnation Act of 1971 (238 N.J. Supper. 516; 570 A. 2d 435; App6 ¶3; App55; App248 ¶ 3-4), N.J.2A:14-5 and N.J.2A:14-7(Petition

pages 2, 20, 23, N.J. Supreme Court's and Supreme Court of the United States' applicable decisions delineated in my pleadings had instilled expectations that Yadavs have rights too.

**CLASS OF PRO SE PARTIES HAS BEEN  
WILLFULLY CAGED IN FOR NEARLY  
FOUR DECADES BY THE GOVERNMENT  
(EXECUTIVE, ADMINISTRATIVE AND JUDICIAL)  
FOR THE CRIME I COMMITTED TO BRING TO LIGHT  
THAT I MUST BE GOVERNED UNDER THE  
MANDATE OF "EQUAL JUSTICE UNDER THE LAW".**

I am well aware of the preciousness of this Honorable Court's time, extremely tight schedules and the demands of this Honorable Court's time. It should be noted that the class of pro se parties are humans too. Our treatment by the government comports with the treatment of Rodney King with the exception that we were caged in for nearly four decades for the crime we committed to seek "**JUSTICE**". In the interests of justice, impartiality, and obligation of rendering justice, it is extremely critical that each and every Honorable Justice personally read our pleadings for just jurisprudence for nearly forty years of our lives taken away by the government and we were caged in.

In the event that my pleadings are read in totality and reviewed thoroughly, I sternly believe that each and every Honorable Justice will be appalled to notice: "Willful obstructionisms for an unprecedented period of almost forty years, to forbid the subdivision of the Lot caused irreparable harm and sufferings to Yadavs. "My Truthfulness" proved to be fatal in the courts of Law (Petition page 34 ¶2;

page 37). In the eyes of the judiciary "I am a second-class citizen" and I have been treated that way."

Respectfully I state the "TRUTH": Our plight is about nearly four decades of our oppression. We are the victims of the imposed reality truthfully stated by Mr. Avenatti.: "When you have a white male making the arguments, they carry more weight," the interview said. "Should they carry more weight? Absolutely not. But do they? Yes." (Mr. Aenatti's comments in interview for Time Magazine reported by Sarah Harvard, The Independent on 10/25/2018).

In light of my over thirty-five years of dealings with the judiciary, I respectfully state that only white attorneys' arguments (willful misrepresentations/lies) carry all the weight and class of pro se parties (who are not attorneys) arguments were adjudged as "trash" and disposed of. It is fundamental that justice should be the same, in substance and availability, without regard to economic status and status as a pro se.

One can be subjected to oppression with no end. It is dangerous for me to be right in matters where established authorities are wrong. There are numerous errors in legal procedures that biased the judiciary and warrant the declaration that indeed Yadavs property was subjected to taking at least from December 16, 1983 and Yadavs are entitled to be made whole as a matter of Law.

The judiciary defined for us that "oppression" is equal justice under the law for the class of pro se parties. Judiciary trashed our pleadings to hold

NJDEP and Township's dictatorial governess of Yadav's and absolute control of the use of our property in violations of V Amendment. Simply put it is a taking of the property at least from Dec. 16, 1983 without compensation. Only compensations I received were/are oppression, humiliations, degradations, harassments and impositions with no remedy. This is the reality for some people in America. At the end of the day, a pro se's pleadings will be automatically disparaged in the courts of Law in guise of "Democracy and The Rule of Law."

I respectfully state "Government's willful forbiddance of use and control of our property, certainly does not comport with constitutional form of governance, but does comport with kingdom or dictatorial form of government. So far, the judiciary, at all levels even after knowing the pertinent and material facts, has turned blind eyes in our matters in guise of "Democracy and The Rule of Law of USA".

For this Honorable Court's conviction to do the right thing, it is equally important not to be a spectator like the gang of police officers when three police officers were savagely beating Rodney King (a black human being) and impartially adjudge upon "unprecedented oppression of Yadavs by the government's (executive, administrative and judicial) continuing practice of deep inequality and endless impositions on the class of pro se parties seeking justice bringing to light the reality of governance of class of Pro Se parties".

It is common practice that the judiciary relies on Commonsense and Conscience for just jurispondance of parties' pleadings but made an



exception for Yadavs to keep them caged in for the crime they committed to seek "Justice" in 1983.

**CONSCIENCE:** The complex of ethical and moral principles that controls or inhibits the actions or thoughts of an individual.

**COMMON SENSE:** Common sense is sound practical judgment concerning everyday matters, or a basic ability to perceive, understand, and judge that is shared by ("common to") nearly all people. Common Sense is human rational thinking. Self-evident truths or conventional wisdom that one needed no sophistication to grasp and no proof to accept precisely because they accorded so well with the basic (common sense) intellectual capacities and experiences. Proofs and arguments must rest on generally accepted Principles, Morality and Good Government go together.

Respectfully, I urge upon each and every Honorable Justice to take a personal moment and ask yourself (**CONSCIENCE**) whether "**ENCAGING OF YADAVS FOR NEARLY FORTY YEARS TO BEAR THE OPPRESSION/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, is the way the government (executive, administrative and judicial) of civilized United States of America should act to oppress people and snatch oppressees' property and constitutional rights in disguise of "constitutional law" and democracy form of governance?".

Respectfully I urge upon each and every Honorable Justice to take a personal moment and ask yourself whether the government's (executive, administrative and judicial) practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions on the class of pro se parties seeking justice under "Equal Justice under the Law" must prevail in disguise of American form of governance.

I respectfully reiterate, that judiciary can never fully right the wrongs of the of the past of nearly forty years, we were subjected too, but Supreme Court of the United States can take a clear stand for justice and recognize that serious injustices were done to Yadavs with the end result of irreparable harm inflicted upon Yadavs. The Petition also encompasses the matter of direct, individualized harm for this Honorable Court's review of the matter as a whole at least from December 16, 1983.

"Respectfully, I state that I have been living in a mental incarceration ever since the day of December 16, 1983 the day of first judicial decision I accepted because I had full faith in the "Judicial System of the United States of America believing that "Truthfulness Matters".

**PRONOUNCEMENTS OF HONORABLE  
FORMER PRESIDENT CARTER, HONORABLE  
UN-AMBASSADOR NIKKI HALEY, HONORABLE  
SENATOR BOOKER AND HONORABLE  
SENATOR HARRIS WERE  
INCLUDED/DELINEATED IN THE PETITION.**

I brought to light the reality of our plight by presenting in writing to them and urged upon them: "I will be grateful to you if I could have your truthful consideration, evaluations, and comments on our plight of nearly forty years. Respectfully, I am urging upon you to allow me to meet with you for ten to fifteen minutes at any place of your convenience at any time as soon as possible. I appreciate your considerations and accommodations for ten to fifteen minutes of your time."

For "JUST JURISPRUDENCE" OF THIS PETITION", respectfully, I urge upon each and every Honorable Justice to read my pleadings of reality presented in writing to Honorable former President Carter, Honorable UN-Ambassador Nikki Haley, Honorable Senator Booker and Honorable Senator Harris

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

-/S/-

Roopa Yadav

Rajeshwar Singh Yadav  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489

November 26, 2018

Honorable President Carter,  
Correspondence Office  
The Carter Center  
453 Freedom Parkway  
Atlanta, GA 30307

Ref: Your Letter to Secretary of State of  
Georgia.

Subject: US Democracy or Oligarchy or  
Dictatorship; “Georgia gubernatorial election”;  
and the reality of governance of individuals.

Honorable President Carter,

Respectfully I will like to bring to your attention that on October 18, 2018, the Correspondence Office of the Carter Center received my letter and a copy of my “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey for the subject matter of government’s oppression and demonizing for over three decades and continuing. In addition, I had written/mailed another letter dated October 26, 2018 and urged upon you to review the document “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey and express your views to me in light of “Democracy and The Rule of Law of USA”.

I was asked to reformat our "Petition for a Writ of Certiorari" to the Supreme Court of New Jersey. A copy of the reformatted pleadings documents is enclosed for your information, reference, consideration, evaluations, and comments.

I believe that impartiality and the Constitution govern the authority of the government. I respect your thinking that Georgia Secretary of State should have resigned prior to November 6, 2018, to avoid any illusion of impropriety. In the matter of Yadavs government (executive, administrative and judicial) officials ruled like kings to ensure continuing oppression for almost forty years. For us democracy form of government is illusory and our treatment comports with oligarchy and dictatorship forms of governments. For too long I have been the victim of this imposed reality of second-class status. In plain English I was demeaned. It brings to light the practice of deep inequality and endless impositions on the class of pro se parties seeking justice under the commands of "Equal Justice under the Law."

The U.S. Court of Appeals, Washington DC Circuit on or about July 1, 2008 cited a century old poem essentially saying lying three times does not make it true. I cited John Adams's 1770 pronouncement as a defense (see page 15). In our matters Mr. Herbert's (Township Attorney) lying more than thirty times was adjudged by the judiciary as true (App173-App214) and Yadavs' truthful statements/representations were treated as disposable (App140-App173; App235-App268). In plain English Yadavs were subjected to government's

(executive, administrative and judicial) discriminatory behavior for over three decades with the end result of irreparable harm to Yadavs.

Upon your review, you may find that government's (executive, administrative and judicial) "misconduct, fraud and irregularities" are sufficient as a minimum to place in doubt judiciary's decisions to keep Yadavs in oppression. We were subjected to illegal barriers right after Dec. 16, 1983 to ensure that we do not get off the ground and judiciary completely turned a blind eye towards us to favor in totality government officials. Judiciary for its own adjudications followed the path of abandoning its duties of conducting adjudications of who did what, where, when and why "WITH WHAT MOTIVE". I believe it was mandatory in the interests of justice, for the sake of justice and to preserve the impartiality of the judiciary. You may be alarmed that abuse of authority by governmental officials was prominent and the degree of abuse of authority is directly proportional to the status of the oppressee. Essentially there is no remedy for an oppressee in light of government's (executive, administrative and judicial) continuing discriminating behavior.

"On June 18, 1981 Township officials (Jerry Lenaz, Township Planner, Elmer Bergman, Township Engineer, James Foran, Construction Official/Zoning Officer, Pat Quigley, Environmental Specialist) determined: "there were no environmentally sensitive areas in the vicinity of this development. No significant adverse environmental impacts are expected from the development of this site." From 1981 Yadavs' interests were subjected to government's induced seasonally recurring flooding

causing wet spots and damaging the property. In 1984/85 P. Quigly, Township's Environmental Consultant and E. Bergman, Township Engineer inspected the site (Lot 20) and determined that "the Lot can be subdivided into 7 lots with no adverse impact on the environment or the neighborhood."

The statutory/judicial facts "NJDEP's prohibition for clearing the ditches, in the most prudent manner is nothing but prohibition to profiteer by continuing inducement of seasonally recurring flooding of the site causing damages to the property." Pursuant to U. S. Supreme Court's jurisprudence in the matter of Arkansas (No.11-597) the government's actions must be construed as a taking."

"For extortions and non-possessionary exactions of private property under color of right, self-justifying mechanism of NJDEP and the Township, used with the ultimate goal of justifying prejudicial treatment of Yadavs and "unjust enrichment" of the government over a period of over three decades is unconstitutional, unlawful and oppressive. In plain English Township schemed and NJDEP partnered to "STEAL" the property under the illegal authority of "MIGHT IS RIGHT". "[Courts must be sensitive to potential for government to deliberately manipulate civil procedure in order to obtain undue advantage. Oliver v. Ambrose 152 N.J. 383.] " The reality is that impartiality and respect of the Constitution for our protection were rendered meaningless and we were/are treated as "Second-Class" and not equal.

The material fact: "At least from July 1, 1988, continuing systemic abuse of municipal power for

twenty-nine years and courts' rejections of various efforts by NJDEP to narrow the statutory exemptions in N.J.S.A. 13:9b-4d, Township's continuing actions for malicious preservation of our lot at our cost for twenty-nine years as open space cannot justify deprivation of our property rights, constitutional rights and protections under constitutional, statutory and judicial law." OUR "SECOND-CLASS" TREATMENT COMPORTS WITH SLAVERY WHICH WAS DECLARED ILLEGAL. IN USA.

I sternly believe that stealing a pro se party's property by means of blatant violation of the Constitution, statutory and judicial laws to forbid any development on the lot is illegal. The record validates that the government actors' lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression. "A blatant violation of the Constitution and a truly appalling treatment. Government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice, brings to light the reality of governance of class of Pro Se parties."

The material fact, the history of thirty-eight years in reference to our Lot: "Township intentionally engaged in outrageous conduct that had and continues to have extreme emotional impact, pain and suffering upon Yadavs and caused extensive damages to the property and unprecedented loss." NJDEP colluded with Township.



It is fundamental that justice should be the same, in substance and availability, without regard to economic status and status as a pro se. In light of my treatment for almost forty years, the questions arise in my mind almost on daily basis, "Am I going to be subjected to more humiliation and degrading by the judiciary"? In light of my "Truthfulness" in the matters presented to the judiciary for just and impartial adjudications, "Is the judiciary going to adhere to continuing debacle?". Upon your review of my pleadings it will be crystal clear that "Judiciary" trashed our pleadings to hold Township's dictatorial governess of Yadavs and absolute control of the use of our property. Government's forbiddance of use and control of our property, certainly does not comport with constitutional form of governance, but does comport with kingdom or dictatorial form of government.

Yadavs were willfully excluded. Township, as usual since 1983, schemed and by fraudulent concealment changed the zoning of Yadavs' lot from R-1A to R-1C. It was the willful act for circumventing a timely challenge to this new zoning as applied to Yadavs' lot and the deliberate exclusion of Yadavs prior to the adoption of zoning changes for their property is so disproportionate, as to be shocking to one's sense of fairness. Under appropriate circumstances a single act or decision by a municipal policy maker can impute liability to the municipality under 42 U.S.C.A. § 1983) and New Jersey Constitution. Our continuing "Second-Class" treatment comports with slavery which was declared illegal decades ago. The judiciary' decisions bring to light "in courts pro se party's truth is treated as

disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies."

Limitations periods are "customarily subject to 'equitable tolling,'" *Irwin v. Dep't of Veterans Affairs*, 498 U.S. 89, 95 (1990). Equitable tolling is generally applied in situations "where the claimant has actively pursued his judicial remedies or where the complainant has been induced or tricked by his adversary's misconduct into allowing the filing deadline to pass." *Irwin*, 498 U.S. at 96. In the matters of Yadavs Township officials (elected and appointed) deliberately/fraudulently created the situation which impeded Yadavs from execution of the December 16, 1983 judgment and timely challenging the zoning changes including the R-1C in relation to R-20 zoning as applied to Yadavs' parcel. Township officials willfully violated V and XIV Amendments. Township could not claim to be prejudiced by the application of equitable tolling. see *Baldwin County Welcome Ctr. v. Brown* 466 U.S. 147, 152 (1984).

Township has deliberately spot zoned Yadavs' property to make it unmarketable, to reduce the value for future acquisition and to prohibit the subdivision of this property or to install any improvements as per scheme initiated in 1984. The fact is that Yadavs' property was neither delineated in the area of green belt area nor identified as environmentally sensitive area in the Township's official maps but spot zoned for unauthorized purposes.

In light of nearly four decades of dealings with the government (executive, administrative and

judicial), I respectfully state that in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies. THIS IS AN EXTRAORDINARY CASE IN WHICH GOVERNMENT AGENCIES POWERS ARE CONTESTED AND HAS IMPORTANT IMPLICATIONS FOR THE ADMINISTRATION OF JUSTICE NATIONALLY.

I admit that I committed a crime to seek justice in courts of Law on the presumptions that I had rights. In retaliation I have been subjected to oppression for almost forty years and held on the ground. In reality that is equal justice under the law for the class of pro se parties. Upon your review it will be clear to you that we were subjected to gross injustice and oppression for nearly four decades. I reiterate "It is unprecedented rebuke of class of pro se party by the government".

Based on our holding by the Township for thirty-eight years at ground zero, I am sure that Township will keep holding us at ground zero till at least my last breath. In reality that is the standard of governess practiced by Township officials and ordained as the Law of the Land by the judiciary.

Respectfully, I urge upon you to review the reformatted document "Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and express your views to me in light of "Democracy and

The Rule of Law of USA". I believe that oppression is legal only in the Kingdom and Dictatorship forms of governess and not in democracy form of governess. You may find that "It is unprecedented rebuke of class of pro se party by the government". I will be grateful to you if I could have your truthful (a fundamental respectful principle you have adhered to in your life) consideration, evaluations, and comments on our plight of nearly forty years.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

Rajeshwar Singh Yadav  
376 North Post Road  
Princeton Junction, NJ 08550  
yadav.rajeshwar@yahoo.com  
Tel. No. (609) 799 – 7489

December 3, 2018

Honorable President Carter,  
Correspondence Office  
The Carter Center  
453 Freedom Parkway  
Atlanta, GA 30307

Ref: Rajeshwar Singh Yadav, et ux. v. New  
Jersey Department of Environmental  
Protection  
Supreme Court of the United States Docket No.  
18-702

Subject: US Democracy or Oligarchy or  
Dictatorship; and the reality of  
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addition, I had written/mailed another letter dated

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On November 29, 2018, the Correspondence Office of the Carter Center received a copy of our "Reformatted Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docked on November 29, 2018.

Respectfully, I am urging upon you to allow me to meet with you for ten to fifteen minutes at any place of your convenience at any time as soon as possible. I appreciate your considerations and accommodations for ten to fifteen minutes of your time.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

Rajeshwar Singh Yadav  
376 North Post Road  
Princeton Junction, NJ 08550  
yadav.rajeshwar@yahoo.com  
Tel. No. (609) 799 – 7489

December 12, 2018

Honorable President Carter,  
Correspondence Office  
The Carter Center  
453 Freedom Parkway  
Atlanta, GA 30307

Ref: Rajeshwar Singh Yadav, et ux. v. New  
Jersey Department of Environmental  
Protection  
Supreme Court of the United States Docket  
No. 18-702

Subject: Democracy and The Rule of Law.  
Stealing is the Rule of Law of USA; US  
Democracy or Oligarchy or Dictatorship; and  
the reality of governance of Class of Pro Se.

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addition, I had written/mailed another letter dated October 26, 2018 and urged upon you to review the document "Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and express your views to me in light of "Democracy and The Rule of Law of USA".

On November 29, 2018, the Correspondence Office of the Carter Center received a copy of our "Reformatted Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docked on November 29, 2018. On December 3, 2018, I brought to your attention that our matter is in the list of the cases pending Supreme Court of the United States jurisprudence.

Respectfully I state the "TRUTH": Our plight is about nearly four decades of our oppression. We are the victims of the imposed reality truthfully stated by Mr. Avenatti: "When you have a white male making the arguments, they carry more weight," the interview said. "Should they carry more weight? Absolutely not. But do they? Yes." (Mr. Aenatti' comments in interview for Time Magazine reported by Sarah Harvard, The Independent on 10/25/2018). In light of my over thirty-five years of dealings with the judiciary, I respectfully state that only white attorneys' arguments (willful misrepresentations/lies) carry all the weight and class of pro se parties (who are not attorneys) arguments were adjudged as "trash" and disposed of.



Willful obstructionisms for an unprecedented period of almost forty years, to forbid the subdivision of the Lot caused irreparable harm and sufferings to Yadavs. "My Truthfulness" proved to be fatal in the courts of Law. In the eyes of the judiciary "I am a second-class citizen" and I have been treated that way.

In October 1989, after ten years of my continuing efforts of getting approvals from the Township, imposed conditions were impossible to implement. Willful obstructions to ensure that I could not proceed with the subdivision.

I was dejected as a victim of the truly deep inequality of my treatment and essentially gave up. I decided to consult a lawyer for the outright discriminatory treatment. I brought to his attention my experience of ten years of the government's (executive, administrative and judicial) discriminatory behavior. He listened very attentively and at the end of my presentation of facts, he asked me "What do you see in this room?" My answer was "The walls are full of book stacks of Law books from floor to ceiling." He bluntly told me: "These books are full of laws on paper but in practice they (government) practice what they want. Look at the color of your skin and color of my skin. I have white skin, but when they find out that I am Jewish, they discriminate against me so what do you expect with your skin color. I will take your case but it will be a waste of your money. He advised that in this country if you want something from the government (executive, administrative and judicial), you should bow down and beg and if they give you what you wanted bow down even more and say thank you Sir. If they do not

give you what you wanted, you still should bow down and say thank you Sir. If you follow my advice you will get somewhere. I said, you are an attorney and telling me this. He said that is the reality. I told him that if I am wrong, I could bend and say sorry Sir, but if I am right, I will bend over my dead body. That was the end of the meeting.

I was devastated by the confirmation of an honest attorney, of deep inequality of the governance in USA. I was traumatized to learn that essentially there is no recourse/remedy in the governance and essentially gave up.

From Feb 26, 1993 to April 20, 1993 twenty-nine (29) summons were issued in my name by Health Department of Township of West Windsor. It was a record in the history of the Township that multiple summonses were issued on daily basis for absurd concerns, situation which was forced on us by the Township in the first place. I have records to prove that I was treated like Rodney King in Los Angeles who was savagely beaten simply because he was black. The Municipal Judge grossly abused his authority/power and fined me for twenty-nine summons as a "dictator". I appealed and the NJ Superior Court Judge fined for three summonses for the offences for which twenty-nine summons were issued. I asked the question "What about my civil rights? The answer was go to Federal Court. I did follow the procedure but the practice of deep inequality prevailed in the Federal courts. It is one of the examples of appalling treatment thrust upon me. Respectfully I state that I felt like a slave and the judiciary became the spectator for my treatment.

While the saga was continuing in the courts, in 1994 I again resubmitted the seven-lot revised subdivision application for processing in conformance with the court orders and the statutory provisions governing our seven-lot subdivision application. The Township made demands in blatant disregards of Dec. 16, 1983 judgment order, March 3, 1989 Appellate Division Order, N.J.2A:14-5, and N.J.2A:14-7.

We were forbidden to even construct an addition to the existing house to ensure that the lot remains an open space for the public at the costs of Yadavs even after a court of law order mandating the Township to approve the construction of the subdivision of the subject lot into seven lots. In plain English "Government's" actions comport with discriminatory behavior in defiance of V Amendment's mandates.

I respectfully state "In light of my subjections of nearly forty years, the truly deep inequality of adjudications of pro se parties' matters by the judiciary is crystal clear to me. In plain English government's actions to the furthest extent comport with SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR for holding us on the ground in violations of the Constitution, statutory and judicial laws." It is fundamental that justice should be the same, in substance and availability, without regard to economic status and status as a pro se. One, especially if not a member of the privilege class, can be subjected to systemic discriminatory executive, administrative and judicial behavior in guise of democracy in America and "Equal justice under the

law” with no recourse. In plain English, one can be subjected to oppression with no end. It is dangerous for me to be right in matters where established authorities are wrong.

My September 12, 2012 letter pleadings to NJDEP Commissioner for exemptions fell on deaf years and I was coerced to go through the process with total disregard of the facts (App235). The Appellate Division and NJSC adhered to the practice of disparaging the record without following the fundamental and required process of conducting adjudications of who did what, where, when and why “WITH WHAT MOTIVE”. In plain English judiciary’s behavior was prejudicial and discriminatory.

The record validates that the government actors' (NJDEP and Township of West Windsor) continuing adherence to lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression. It is evident to us that our protection by the rules, laws, statutes, and Constitution is nothing but a travesty of justice. In light of material facts and governing laws, it should be evident to an impartial jurist that the intentions of the government were to suppress/oppress Yadavs and hold them to the ground to prohibit them from subdividing their property irrespective of governing/controlling laws, judicial and constitutional mandates.

The judiciary defined for us that “oppression” is equal justice under the law for the class of pro se parties. Judiciary trashed our pleadings to hold

NJDEP and Township's dictatorial governess of Yadav's and absolute control of the use of our property in violations of V Amendment. Simply put it is a taking of the property at least from Dec. 16, 1983 without compensation. Only compensations I received were/are oppression, humiliations, degradations, harassments and impositions with no remedy. This is the reality for some people in America. At the end of the day, a pro se's pleadings will be automatically disparaged in the courts of Law in guise of "Democracy and The Rule of Law."

Government's willful forbiddance of use and control of our property, certainly does not comport with constitutional form of governance, but does comport with kingdom or dictatorial form of government. So far, the judiciary, at all levels even after knowing the pertinent and material facts, has turned blind eyes in our matters in guise of "Democracy and The Rule of Law of USA".

"For extortions and non-possessionary exactions of private property under color of right, self-justifying mechanism of NJDEP and the Township, used with the ultimate goal of justifying prejudicial treatment of Yadavs and "unjust enrichment" of the government over a period of over three decades is unconstitutional, unlawful and oppressive. Township schemed and NJDEP partnered to "STEAL" the property under the illegal authority of "MIGHT IS RIGHT". Stealing is illegal.

I am sure that Township will keep holding us at ground zero till at least my last breath. In reality that is the standard of governess practiced by Township officials and legalized by the judiciary.

I reiterate, I will be grateful to you if I could have your truthful (a fundamental respectful principle you have adhered to in your life) consideration, evaluations, and comments on our plight of nearly forty years. Respectfully, I am urging upon you to allow me to meet with you for ten to fifteen minutes at any place of your convenience at any time as soon as possible. I appreciate your considerations and accommodations for ten to fifteen minutes of your time.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

Rajeshwar Singh Yadav  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489  
November 26, 2018

Honorable UN-Ambassador-Nikki Haley,  
The U. S. Mission to the United Nations  
799 United Nations Plaza, New York, NY 10017.

Ref: Your June 26-28 pronouncement.

Subject: Democracy and The Rule of Law; US  
Democracy or Oligarchy or  
Dictatorship; the reality of  
governance of individuals.

Honorable Ambassador Haley,

Respectfully I will like to bring to your attention that on October 18, 2018, your office received my letter and a copy of my “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey for the subject matter of government’s oppression and demonizing for over three decades and continuing. In addition, I had written/mailed another letter dated October 26, 2018 and urged upon you to review the document “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey and express your views to me in light of “Democracy and The Rule of Law of USA”.

I was asked to reformat our “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey. A copy of the reformatted pleadings documents is

enclosed for your information, reference, consideration, evaluations, and comments.

I sternly believe that impartiality and Constitution govern the authority of government (executive, administrative and judicial). In the matter of Yadavs government (executive, administrative and judicial) officials ruled like kings to ensure continuing oppression for almost forty years. For us democracy form of governess is illusionary and our treatment comports with oligarchy and dictatorship forms of governances. For too long I have been the victim of this imposed reality of second-class status. In plain English I was demeaned by the government (executive, administrative and judicial). It brings to light the practice of deep inequality and endless impositions on the class of pro se parties seeking justice under "Equal Justice under the Law."

Our matters are about nearly four decades of our oppression. I reiterate, for too long I have been the victim of the imposed reality truthfully stated by Mr. Avenatti: "When you have a white male making the arguments, they carry more weight," the interview said. "Should they carry more weight? Absolutely not. But do they? Yes." (Mr. Aenatti' comments in interview for Time Magazine reported by Sarah Harvard, The Independent on 10/25/2018). In light of my over thirty-five years of dealings with the judiciary, I respectfully state that only white attorneys' arguments (willful misrepresentations/lies) carry all the weight and class of pro se parties (who are not attorneys) arguments were adjudged as "trash" and disposed of.



The practices of willful obstructionisms for an unprecedented period of almost forty years, to forbid the subdivision of the Lot caused irreparable harm and sufferings to Yadavs. "My Truthfulness" proved to be fatal in the courts of Law. I sternly believe that in the eyes of the judiciary "I am a second-class citizen" and I have been treated that way.

As an example, in October 1989, after ten years of my continuing efforts of getting approvals from the Township under the applicable laws, court decisions, I was ordered to delineate Township's demands in blatant violations of court orders, statutory exemptions applicable to our site as conditions for processing my October 2, 1989 revised application in conformance with the court orders. These conditions were impossible to implement in light of court orders and statutory exemptions applicable to our site. But were willful obstructions to ensure that I could not proceed with the subdivision.

I was dejected as a victim of the truly deep inequality of my treatment and essentially gave up. I decided to consult a lawyer for the outright discriminatory treatment. I brought to his attention my experience of ten years of the government's (executive, administrative and judicial) discriminatory behavior. He listened very attentively and at the end of my presentation of facts, he asked me "What do you see in this room?" My answer was "The walls are full of book stacks of Law books from floor to ceiling." He bluntly told me: "These books are full of laws on paper but in practice they (government) practice what they want. Look at the color of your skin and color of my skin. I have white skin, but when

they find out that I am Jewish, they discriminate against me so what do you expect with your skin color. I will take your case but it will be a waste of your money. He advised that in this country if you want some thing from the government (executive, administrative and judicial), you should bow down and beg and if they give you what you wanted bow down even more and say thank you Sir. If they do not give you what you wanted, you still should bow down and say thank you Sir. If you follow my advice you will get somewhere. I said, you are an attorney and telling me this. He said that is the reality. I told him that if I am wrong, I could bend and say sorry Sir, but if I am right, I will bend over my dead body. That was the end of the meeting.

I was devastated by the confirmation of an honest attorney, of deep inequality of the governance in USA. I was traumatized to learn that essentially there is no recourse/remedy in the governance and essentially gave up.

From Feb 26, 1993 to April 20, 1993 twenty-nine (29) summons were issued in my name by Health Department of Township of West Windsor. It was a record in the history of the Township that multiple summonses were issued on daily basis for absurd concerns, situation which was forced on us by the Township in the first place. I have records to prove that I was treated like Rodney King in Los Angeles who was savagely beaten simply because he was black. The Municipal Judge grossly abused his authority/power and fined me for twenty-nine summons as a "dictator". I appealed and the NJ Superior Court Judge fined for three summonses for the offences for which twenty-nine summons were

issued. I asked the question "What about my civil rights? The answer was go to Federal Court. I did follow the procedure but the practice of deep inequality prevailed in the Federal courts. It is one of the examples of appalling treatment thrust upon me. Respectfully I state that I felt like a slave and the judiciary became the spectator for my treatment.

While the saga was continuing in the courts, in 1994 I again resubmitted the seven-lot revised subdivision application for processing in conformance with the court orders and the statutory provisions governing our seven-lot subdivision application. The Township made demands in blatant disregards of Dec. 16, 1983 judgment order, March 3, 1989 Appellate Division Order, N.J.2A:14-5, and N.J.2A:14-7.

NJDEP's and Township's adherences to the practices of willful illegal obstructionisms for an unprecedented period of almost forty years, to forbid the subdivision of the Lot caused irreparable harm and sufferings to Yadavs under the eyes of the judiciary. In light of government's impositions of irreparable harm and sufferings upon Yadavs, the judiciary knowingly refrained from conducting adjudications of who did what, where, when and why **WITH WHAT MOTIVE**".

We were forbidden to even construct an addition to the existing house to ensure that the lot remains an open space for the public at the costs of Yadavs even after a court of law order mandating the Township to approve the construction of the subdivision of the subject lot into seven lots. In plain English "Government's" actions comport with

discriminatory behavior in defiance of V Amendment's mandates. It brings to light the practice of deep inequality and endless impositions on the class of pro se parties seeking justice under the commands of "Equal Justice under the Law."

I respectfully state "In light of my subjections of nearly forty years, the truly deep inequality of adjudications of pro se parties matters by the judiciary is crystal clear to me. **In plain English government's actions to the furthest extent comport with SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR for holding us on the ground in violations of the Constitution, statutory and judicial laws.**" It is fundamental that justice should be the same, in substance and availability, without regard to economic status and status as a pro se. One, especially if not a member of the privilege class, can be subjected to systemic discriminatory executive, administrative and judicial behavior in guise of democracy in America and "Equal justice under the law" with no recourse. In plain English, one can be subjected to oppression with no end. It is dangerous for me to be right in matters where established authorities are wrong.

I admit that I committed a crime to seek justice in courts of Law on the presumptions that I had rights. In retaliation I have been subjected to oppression for almost forty years and held on the ground. In reality, the judiciary defined for us that "oppression" is equal justice under the law for the class of pro se parties. Judiciary trashed our pleadings to hold NJDEP and Township's dictatorial governess of Yadav's and absolute control of the use of

our property in violations of V Amendment. Simply put it is a taking of the property at least from Dec. 16, 1983 without compensation. Only compensations I received were/are oppression, humiliations, degradations, harassments and impositions with no remedy. This is the reality for some people in America which Your Honor pronounced as “Democracy and The Rule of Law.”

In light of my forty years of dealings with the government, it is evident to me that the government's systemic discriminatory executive, administrative and judicial behavior compels people, especially the class of pro se who dare to represent to seek justice under “Equal protection under the Law”, to bear the suppression/oppression. It brings to light the practice of deep inequality and endless impositions on the class of pro se parties seeking justice under the commands of “Equal Justice under the Law.” At the end of the day, a pro se's pleadings will be automatically disparaged in the courts of Law in guise of “Democracy and The Rule of Law.”

I believe the government's willful forbiddance of use and control of our property, certainly does not comport with constitutional form of governance, but does comport with kingdom or dictatorial form of government. In other words, it was a taking at least from December 16, 1983 without compensation in blatant violation of V Amendment, but so far judiciary at all levels even after knowing the pertinent and material facts turned blind eyes in our matters in guise of “Democracy and The Rule of Law of USA”.

In light of nearly four decades of dealings with the government (executive, administrative and

judicial), I respectfully state that in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies. THIS IS AN EXTRAORDINARY CASE IN WHICH GOVERNMENT AGENCIES POWERS ARE CONTESTED AND HAS IMPORTANT IMPLICATIONS FOR THE ADMINISTRATION OF JUSTICE NATIONALLY.

The U.S. Court of Appeals, Washington DC Circuit on or about July 1, 2008 cited a century old poem essentially saying lying three times does not make it true. I cited John Adams's 1770 pronouncement as a defense (see page 15). In our matters Mr. Herbert's (Township Attorney) lying more than thirty times was adjudged by the judiciary as true (App173-App214) and Yadavs' truthful statements/representations were treated as disposable (App140-App173; App235-App268). In plain English Yadavs were subjected to government's (executive, administrative and judicial) discriminatory behavior for over three decades with the end result of irreparable harm to Yadavs.

Respectfully, I urge upon you to review the reformatted document "Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and express your views to me in light of "Democracy and The Rule of Law of USA". Oppression is legal only in the Kingdom and Dictatorship forms of governess and not in democracy form of governess. You may find that "It is unprecedented rebuke of class of pro se party by the government and appalling gross abuse of

government (executive, administrative and judicial) authority to oppress people to take their life away”.

"For extortions and non-possessory exactions of private property under color of right, self-justifying mechanism of NJDEP and the Township, used with the ultimate goal of justifying prejudicial treatment of Yadavs and "unjust enrichment" of the government over a period of over three decades is unconstitutional, unlawful and oppressive. In plain English Township schemed and NJDEP partnered to "STEAL" the property under the illegal authority of "MIGHT IS RIGHT"."

Based on our holding by the Township for thirty-eight years at ground zero, I am sure that Township will keep holding us at ground zero till at least my last breath. In reality that is the standard of governess practiced by Township officials and legalized by the judiciary.

The question arises whether Honorable UN-Ambassador will opt for being a spectator like the gang of police officers when three police officers were savagely beating Rodney King (a black human being) or opt for consideration, evaluations, and comments on "unprecedented oppression of Yadavs by the government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice bringing to light the reality of governance of class of Pro Se parties".

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

Rajeshwar Singh Yadav  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489  
yadav.rajeshwar@yahoo.com

December 3, 2018

Honorable UN-Ambassador-Nikki Haley,  
The U. S. Mission to the United Nations  
799 United Nations Plaza, New York, NY 10017.

Ref: Rajeshwar Singh Yadav, et ux.  
v. New Jersey Department of  
Environmental Protection  
Supreme Court of the United States  
Docket No. 18-702

Subject: Democracy and The Rule of Law; US  
Democracy or Oligarchy or  
Dictatorship; the reality of  
governance of individuals.

Honorable Ambassador Haley,

Respectfully I will like to bring to your attention that on October 18, 2018, your office received my letter and a copy of my “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey for the subject matter of government’s oppression and demonizing for over three decades and continuing. In addition, I had written/mailed another letter dated October 26, 2018 and urged upon you to review the document “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey and express your



views to me in light of "Democracy and The Rule of Law of USA".

On November 27, 2018 your office received a copy of our "Reformatted Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docketed on November 29, 2018.

Respectfully, I am urging upon you to allow me to meet with you for ten to fifteen minutes in your New York Office or any place of your convenience at any time as soon as possible. I appreciate your considerations and accommodations for ten to fifteen minutes of your time.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

Rajeshwar Singh Yadav  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489  
yadav.rajeshwar@yahoo.com  
December 8, 2018

Honorable UN-Ambassador-Nikki Haley,  
The U. S. Mission to the United Nations  
799 United Nations Plaza, New York, NY 10017.

Ref: Rajeshwar Singh Yadav, et ux.  
v. New Jersey Department of  
Environmental Protection  
Supreme Court of the United States  
Docket No. 18-702

Subject: Democracy and The Rule of Law; US  
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On November 27, 2018 your office received a copy of our “Reformatted Petition for a Writ of Certiorari” to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docked on November 29, 2018. On December 3, 2018, I brought to your attention that our matter is in the list of the cases pending Supreme Court of the United States jurisprudence.

**The record validates that the government actors' (NJDEP and Township of West Windsor) continuing adherence to lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression.**

It is evident to us that our protection by the rules, laws, statutes, and Constitution is nothing but a travesty of justice. The reality is that the judiciary refrained from conducting adjudications of who did what, where, when and why **“WITH WHAT MOTIVE”**. In plain English judiciary’s behavior was prejudicial and discriminatory. In light of nearly four decades of our oppression, I respectfully state: “Pro se parties’ representations of “Hard Truths supported by evidence” in the courts of the United States of America are fatal because of the government’s (executive, administrative and judicial) practice of deep inequality, silent fraud (silent fraud involves “lying by omission”) and endless impositions on the class of pro se parties seeking justice under “Equal Justice under the Law.”

As an example, please review the following  
“Hard Facts”:

Information copied from West Windsor  
Township Real Property Tax List  
Books.

BLOCK No.	LOT No.	LAND ACREAGE	LAND VALUE
Year 2018			
11.06	20	4.624*	303,800
Year 20017			
11.06	20	4.624*	303,800
Year 2016			
11.06	20	4.624*	303,800
Year 2015			
11.06	20	4.624*	303,800
Year 2014			
11.06	20	4.624*	303,800
Year 2013			
11.06	20	4.624*	303,800

Please see the attached copy of February 2013  
Affidavit in support of absolute facts about land  
acreage delineated above and judiciary’s refusal to  
accept controlling facts as a proof of judiciary’s  
practice of deep inequality in jurisprudence to  
outrightly condone government actors’ fraud, abuse  
of authority and defiance of the Constitution.

Year 2012			
11.06	20	4.12	295,300
11.06	19	0.46	174,800
11.06	18	0.46	198,000
11.06	17	0.46	198,000
11.06	16	0.50	199,800

## Year 2011

11.06	20	4.351	299,200
11.06	19	0.46	174,800
11.06	18	0.46	198,000
11.06	17	0.46	198,000
11.06	16	0.50	199,800

## Year 2010

11.06	20	4.47	301,200
11.06	19	0.46	174,800
11.06	18	0.46	198,000
11.06	17	0.46	198,000
11.06	16	0.50	199,800

## Year 2009

11.06	20	4.47	283,500
11.06	19	0.46	174,800
11.06	18	0.46	198,000
11.06	17	0.46	198,000
11.06	16	0.50	199,800

\*On November 27, 2012, after judge Hurd's decision on condemnation, Township Engineer (Mr. Guzik) certified that the Lot 20 area was/is 4.98 acres (including the taking area of 0.356ac. by condemnation) as was represented by Yadavs for over three decades prior to condemnation. It was Township's willful misconduct/fraud subject to punishment. Yadavs brought this fraud to light for the judiciary but Yadavs were crucified by the judiciary at every step of the ladder and the truthful pleadings/documents were trashed. In plain English it was government's (executive, administrative and judicial) discriminatory behavior for continuing oppression of Yadavs in violation of V

Amendment. Numbers do not lie, but people in government do for continuing oppression of people like Yadavs as second-class citizens.

In light of material facts and governing laws, it should be evident to an impartial jurist that the intentions of the government were to suppress/oppress Yadavs and hold them to the ground to prohibit them from subdividing their property irrespective of governing/controlling laws, judicial and constitutional mandates.

N. J. State legislators took notice of the “Time” of the applicants who had followed the process in compliance with Municipal Land Use Law (MLUL) for exempting them from all the requirements of Fresh Water Wetlands Act. But for Yadavs the judiciary bestowed upon NJDEP and Township the ultimate authority and made judicial process meaningless for the class of pro se parties’ justified claims against government. The fatal result is that we had been subjected to government’s (executive, administrative and judicial) continuing discriminatory behavior for over three decades.

The plain readings of the V and XIV amendments, the N.J. Condemnation Act of 1971, N.J. Supreme Court’s and Supreme Court of the United States’ applicable decisions had instilled expectations that Yadavs have rights too. The judiciary looked askance at the class of pro se parties and bestowed that the class of pro se parties have no rights. For nearly four decades, we were subjected to unprecedented bias and lack of objectivity exercised by the government (executive, administrative and

judicial) for ensuring continuing oppression of Yadavs.

The stark reality is "It does not matter how hard you work or how qualified you are, at the end of the day, if you are not a member of legal club, your pleadings based on material facts will be automatically disparaged in courts of Law. In light and considerations of the totality of the record of nearly four decades, Supreme Court of the United States justices' consciences should recognize that serious injustices were done by the government, especially by the judiciary.

In light of continuing gross abuse of government's authority, this Petition is about appraising the record anew as if the matters were being decided at its inception. The Petition encompasses the matter of direct, individualized harm for court's review of the matter as a whole at least from December 16, 1983.

I respectfully state to Honorable UN-Ambassador of the United States, that judiciary can never fully right the wrongs of the of the past we were subjected too, but you can take a clear stand for justice and recognize that serious injustices were done to Yadavs with the end result of irreparable harm inflicted upon Yadavs.

I urge upon you to take a personal moment and ask yourself whether the government's (executive, administrative and judicial) practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions on the class of pro

se parties seeking justice under "Equal Justice under the Law" must prevail in disguise of American form of governance. Is this the way the government (executive, administrative and judicial) of civilized United States of America should act to oppress people and snatch oppressees' property and constitutional rights in disguise of "constitutional law" and democracy form of governance?"

I am well aware of the preciousness of your time and extremely tight schedules and the demands of your time. But for your conviction to do the right thing, it is equally important not to be a spectator like the gang of police officers when three police officers were savagely beating Rodney King (a black human being) and comment on "unprecedented oppression of Yadavs by the government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice bringing to light the reality of governance of class of Pro Se parties".

Respectfully, I again urge upon you to allow me to meet with you for ten to fifteen minutes in your New York Office or any place of your convenience at any time as soon as possible. I certainly have no control on the schedules of USSC, so I want to ensure that I learn about your views. I appreciate your considerations and accommodations for ten to fifteen minutes of your time.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav



**SUPERIOR COURT OF NEW JERSEY**

**APPELLATE DIVISION**                      **DOCKET No.    A-**  
**5179-11 T3; Law Division DOCKET No. MER-**  
**L-985-10**

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WEST WINDSOR TOWNSHIP	:
	:
Plaintiffs	:
	:
V.	: <b>AFFIDAVIT</b>
	:
	:
RAJESHWAR SINGH YADAV AND	:
	:
ROOPA YADAV	:
	:
Defendants	:
	:

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RAJESHWAR SINGH YADAV , being of full  
age, on his oath, deposes and says:

1. During the oral argument hearing, on  
Feb. 26, 2013, I urged Honorable Judges  
to accept a copy of the Township Tax  
Assessor's documents for our property  
which I discovered and purchased on Feb.  
20, 2013. Honorable Judges denied the  
request.

2. I believe that these documents are critical and pivotal for the "JUST ADJUDICATION" of the matter (**A-5179-11 T3**) under the jurisdiction of the Appellate Division.

3. On Feb. 19, 2013, we received West Windsor Township Notice of Property Assessment for 2013 with an increase in assessment.

4. On Feb. 20, 2013, I purchased the documents in reference to the increase in assessment from Tax Assessor's Office.

5. I believe that on or about Nov. 27, 2012, Mr. Herbert had a copy of the Township Engineer's memo with enclosures in reference to Yadavs' property area of 4.976 acres.

6. The Nov. 27, 2012 Memo copy is part of the documents purchased by Yadavs on Feb. 20, 2013.

7. On Nov. 27, 2012, Mr. Guzik, Township Engineer, certified to the Township Tax Assessor that the remaining area of Yadavs' property is 4.624 acres (see attached a1-a14).

8. In the West Windsor Township Real Property Tax List for 2013 Yadavs' property is set down as 4.624 acres.

9. In Mr. Guzik's, May 6, 2010 "Declaration of Taking" (see 519a-526a) the land area for fee simple taking was described/delineated as 0.352 acres.

**10.** The sum total of the two areas (the remaining area of Yadavs' property + the land area for fee simple taking) is 4.976 (4.624 + 0.352) acres.

**11.** Based on commonsense principle, simple arithmetic principles of rounding and generally accepted engineering standards for land development Yadavs' Land area prior to taking was 4.98 acres.

**12.** In April 2012 at the trial Mr. Guzik testified under oath that Yadavs' property area is not 4.98.

**13.** In April 2012 at the trial Mr. Surtees, 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.

**14.** "Density" is defined by the MLUL as "the permitted number of dwelling units per acre gross area of land to be developed." N.J.S.A. 40:55D-4.

**15.** On November 27, 2012, Township Engineer certified to the Township Tax Assessor that Yadavs' property was 4.976 acres prior to taking. Township requirement for density is 0.602 units per acre. The number of units permissible are 2.99555.

**16.** Based on commonsense, simple arithmetic principles of rounding and generally accepted engineering standards

for land development the density for Yadavs' property prior to taking was three units. i.e. three single family detached houses (3 Lots).

**17.** I believe that Township's unconscionable and deceptive conduct constituted intentional impalement which it used as technical cavil. Township has deliberately manipulated procedure in order to obtain undue advantage.

**18.** I believe that Township's time to enter in bona fide negotiations, the statutory prelitigation duty, with Yadavs commenced in 2006 and certainly not later than September 2007. In order to deprive Yadavs standing in the matters of zoning from September 2007 until March 2009, Township willfully did not comply with the statutory requirement of entering into negotiations in good faith.

I certify that to the best of my knowledge the forgoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

February \_\_\_\_\_, 2013

Rajeshwar Singh Yadav

Rajeshwar Singh Yadav  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489

November 26, 2018

Honorable Senator Booker  
359 Dirksen Senate Office Building  
Washington DC 20510

Ref: Yahoo News. November 13, 2018 New  
Jersey Sen. Cory Booker believes the Georgia  
gubernatorial election is being “stolen” from  
Democrat Stacey Abrams.

Subject: Democracy and The Rule of Law.  
Stealing is the Rule of Law of USA; US  
Democracy or Oligarchy or Dictatorship;  
“Georgia gubernatorial election”; and the  
reality of governance of Pro Se.

Honorable Senator Booker,

First and foremost, I sternly believe that  
stealing is illegal whether it is a matter of “Georgia  
gubernatorial election” or a pro se party’s property by  
means of blatant violation of the Constitution,  
statutory and judicial laws and governing ordinances  
to forbid any development on the lot. The record  
validates that the government actors' lies, tricks,  
manipulations, blowing both hot and cold,

inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression. "A blatant violation of the Constitution and a truly appalling treatment (like encaging humans as animals)." Additionally, government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice, brings to light the reality of governance of class of Pro Se parties. In plain English it does not comport with the democracy form of governance but does comport with Kingdom and Dictatorial forms of governances. Respectfully, I urge upon you to review my documents submitted to your Washington Office and provide your comments. DEP and Township willfully committed silent fraud (silent fraud involves "lying by omission") by not disclosing the material facts.

On October 18, 2018, your office received my letter and a copy of my "Petition for a Writ of Certiorari" to the Supreme Court of New Jersey for the subject matter of government's oppression and demonizing for over three decades and continuing. In addition, it is my reasonable assumption that your office also received my letter labeled "confidential" dated October 26, 2018 sent by US Mail, urging you to review the document and express your views to me in light of "Democracy and The Rule of Law of USA".

I was asked to reformat our "Petition for a Writ of Certiorari" to the Supreme Court of New Jersey. A copy of the reformatted pleadings documents is enclosed for your information, reference, consideration, evaluations, and comments.

In light of nearly four decades of dealings with the government (executive, administrative and judicial), I respectfully state that in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies. THIS IS AN EXTRAORDINARY CASE IN WHICH GOVERNMENT AGENCIES POWERS ARE CONTESTED AND HAS IMPORTANT IMPLICATIONS FOR THE ADMINISTRATION OF JUSTICE NATIONALLY.

In theory impartiality and the Constitution govern the authority of government officials. In light of almost four decades of subjections to oppression, I state that in practice government (executive, administrative and judicial) officials abuse their authorities, especially in the matters of class of pro se parties. Impartiality and respect of the Constitution for the protection of pro se parties is rendered meaningless and pro se parties are treated as "Second-Class" and not equal. This form of governance does not comport with democracy but comports with Oligarchy and Dictatorship forms of governance.

For too long I have been the victim of this imposed reality of second-class status. Simply put I was demeaned by the government (executive, administrative and judicial) officials. It brings to light the practice of deep inequality and endless

impositions on the class of pro se parties seeking justice.

The following are a few examples of the practice of deep inequality and endless impositions on the class of pro se parties seeking justice:

"On June 18, 1981 Township officials (Jerry Lenaz, Township Planner, Elmer Bergman, Township Engineer, James Foran, Construction Official/Zoning Officer, Pat Quigley, Environmental Specialist) determined: "there were no environmentally sensitive areas in the vicinity of this development. No significant adverse environmental impacts are expected from the development of this site." From 1981 Yadavs' interests were subjected to government's induced seasonally recurring flooding causing wet spots and damaging the property. In 1984/85 P. Quigley, Township's Environmental Consultant and E. Bergman, Township Engineer inspected the site (Lot 20) and determined that "the Lot can be subdivided into 7 lots with no adverse impact on the environment or the neighborhood."

In blatant violation of the Dec. 16, 1983 judgment order, in 1984, we were forbidden to even construct an addition to the existing house to ensure that the lot remains an open space for the public at the costs of Yadavs even after a court of law order mandating the Township to approve the construction of the subdivision of the subject lots into seven lots. In plain English "Government's" actions comport with discriminatory behavior in defiance of V Amendment's mandates. It brings to light the practice of deep inequality and endless impositions on



the class of pro se parties seeking justice under the commands of "Equal Justice under the Law."

On Nov. 1, 1984, Yadav applied for a permit to expand the existing house (an old small ranch on the lot in which we had moved upon learning that Township considered us outsiders). On December 26, 1984 Township Engineer Bergman gave in writing "Permit to construct driveway is limited to 30 feet wide paved cartway area and a cul-de-sac area. This area may be cleared of trees as of Dec. 26, 1984 per telecom with Larry Ellery at 9:45 AM).

This permit application was approved in Feb. 1985. On or about May 25th 1985 I was told that a tree cutting permit would be required in blatant violation of Township Ordinance §170-5A. T. Raynolds of Miller, Porter & Muller, Planning Board Attorney had stated that there was no legal reason to deny Yadavs from doing site work. There was no ordinance which prohibited to do site work for the house addition including the driveway to be constructed from Atwood Court.

On June 13, 1985 L. Ellery, Env. Commission Chairman, said that he would not sign a tree cutting permit even if Yadav applies for it. In plain English it was a blatant violation of Township's Ordinance §170-5A and V and XIV amendments. It was nothing but **SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR** for oppressing us. We were prohibited to construct the addition to the existing ranch and driveway. Township's actions were willful in violations of the constitutions, statutory and judicial laws. Judiciary trashed our pleadings to hold Township's dictatorial

governess of Yadavs and absolute control of the use of our property. I believe the government's forbiddance of use and control of our property, certainly does not comport with constitutional form of governance, but does comport with kingdom or dictatorial form of government.

The statutory/judicial facts "The prohibition for clearing the ditches, in the most prudent manner, is nothing but prohibition to profiteer by continuing inducement of seasonally recurring flooding of the site causing damages to the property." Pursuant to U. S. Supreme Court's jurisprudence in the matter of *Arkansas* (No.11-597) the government's actions must be construed as a taking."

"For extortions and non-possessory exactions of private property under color of right, self-justifying mechanism of NJDEP and the Township, used with the ultimate goal of justifying prejudicial treatment of Yadavs and "unjust enrichment" of the government over a period of over three decades is unconstitutional, unlawful and oppressive. In plain English Township schemed and DEP partnered to "STEAL" the property under the illegal authority of "MIGHT IS RIGHT". "[Courts must be sensitive to potential for government to deliberately manipulate civil procedure in order to obtain undue advantage. *Oliver v. Ambrose* 152 N.J. 383.] " But in the matters of Yadavs, the judiciary at every level of the ladder ordained that government has the right to take advantage of Yadavs. The reality is that impartiality and respect of the Constitution for our protection were rendered meaningless and we were/are treated as "Second-Class" and not equal.

The material fact: "At least from July 1, 1988, continuing systemic abuse of municipal power for twenty-nine years and courts' rejections of various efforts by DEP to narrow the statutory exemptions in N.J.S.A. 13:9b-4d, Township's continuing actions for malicious preservation of our lot at our cost for twenty-nine years as open space cannot justify deprivation of our property rights, constitutional rights and protections under constitutional, statutory and judicial law." But in the matters of Yadavs, the judiciary at every level of the ladder ordained that Yadavs have no rights and the government has the right to take advantage of Yadavs. OUR "SECOND-CLASS" TREATMENT COMPORTS WITH SLAVERY WHICH WAS DECLARED ILLEGAL. IN USA.

The material fact, the history of thirty-eight years in reference to our Lot: "Township intentionally engaged in outrageous conduct that had and continues to have extreme emotional impact, pain and suffering upon Yadavs and caused extensive damages to the property and unprecedented loss." DEP colluded with Township.

The material fact: "In the very first meeting, after the Judgment Order was signed by Judge Levy, Township Engineer Mr. Bergman demanded commanded that I must burry 4' diameter pipes of total length of 1000 feet interconnected in guise of retention/detention basin at the site (see App215-App222) in total defiance of the December 16, 1983 Judge Levy's order. This document (see App215-App222) is a proof that in 1983 there could not be streams on the site of block 11.06 as is also evident from March 1979-Revised September 1985 West

Windsor Natural Resource Inventory Document. If there were streams on the site of Block 11.06 after the construction of development of Benford Estates in or around 1970, the Township Engineer Mr. Bergman had to be an idiot to demand the burial of 4' diameter pipes of total length of 1000 feet interconnected in the area in which DEP now claims there are streams and not drainage ditches on the site of Lot 20. The judiciary's decisions bring to light "in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies. In plain English second-class humans must bear oppression as "Justice" by the judiciary.

The reality is that in the 1979-Revised September 1985 National Wetland Inventory Map of the area of the Township there is no delineation of wetland on our Lot at all. Based on my personal dealings with Mr. Bergman in the following years, I can state with absolute certainty that Mr. Bergman was not an idiot. But he did collude with other Township's elected and appointed officials in the implementation of the fraudulent scheme to prohibit the subdivision of Lot 20 in total defiance of December 16, 1983 Judge Levy Order.

"Even in the meeting after October 17, 1989 neither Reynolds, Planning Board Attorney, nor Manager Surtees expressed that the December 16, 1983 Judgment Order was satisfied on July 10, 1985 and after July 10, 1988 compliance with the applicable zoning for the area was required for the subdivision of this parcel as a matter of law.

Pursuant to *Palisades Properties Court* (44 N.J. 117, 130) Township was refrained from doing "anything which will have the effect of destroying or injuring our right to receive the benefits of the contract of December 1983." But Township (Herbert) willfully committed silent fraud (silent fraud involves "lying by omission") by not disclosing the material fact in 1989, 1994, 1997, 1998, 1999, 2000 and 2004, if it was true, that the terms of the December 16, 1983 Judgment Order expired on July 10, 1985. In 2008 Township resorted to fraudulent and illegal actions "The designation of occupied Lot 20 as open space and zoning the Lot R-1C engulfed by lots with the zoning of R-20."

The sole purpose of creation of this new district as applied to Yadavs' parcel was to reduce the value for future acquisition and create additional requirements to forbid the development of the parcel in order to keep it as a park at Yadavs' expense. Prior to carving out of R-1C District from R-1A, Township had plans to change the R-1A District surrounding Yadavs' parcel to ½ acre (20,000 sq. ft.) lots while isolating Yadavs' lot with 1 2/3-acre minimum lot size for unauthorized purpose. It is spot zoning for unauthorized purpose and the scheme was initiated as far back as 1984 right after Dec. 16, 1983 judgment order.

The material/judicial fact: "In 1988 *Riggs Court* (109 N.J. 601) had determined that an ordinance adopted to reduce the fair market value of a property which the municipality sought to condemn and which the owner sought to subdivide was invalid. Township willfully changed the ordinances to reduce the fair market value of our' property which it planned to

condemn while fully aware of the fact that we had diligently sought the subdivision of the parcel from 1980 /81. "Township officials (Surtees, Muller, Herbert, The Mayor) had been involved and participated in the scheme to prohibit development/subdivision of Yadavs' lot from 1989/1990. It should be noted that as per scheme, only Yadavs were targeted and were excluded from the list of over 5200 property owners who were served personal notices for zoning changes for the area which was previously encompassed by the original R-1A zone. New Jersey Law prohibits the use of eminent domain where there has been a "showing of improper motives, bad faith or some other consideration amounting to a manifest abuse of the power of eminent domain." It was a pretextual taking and "ambush acquisition". see *Mansoldo v. State* 187 N.J. 50 (2006). DEP colluded with Township in the scheme of extortion of the property.

Yadavs were willfully excluded. Township, as usual since 1983, schemed and by fraudulent concealment changed the zoning of Yadavs' lot from R-1A to R-1C. It was the willful act for circumventing a timely challenge to this new zoning as applied to Yadavs' lot and the deliberate exclusion of Yadavs prior to the adoption of zoning changes for their property is so disproportionate, as to be shocking to one's sense of fairness. Under appropriate circumstances a single act or decision by a municipal policy maker can impute liability to the municipality under 42 U.S.C.A. § 1983) and New Jersey Constitution. Our continuing "Second-Class" treatment comports with slavery which was declared illegal decades ago. The judiciary' decisions bring to

light "in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies.

Township's policy is "In general, the location of housing shall correspond to existing patterns, i.e., higher density housing shall be located near major circulation corridors where there is public water and sewer and where areas have already been zoned or developed for such use. Our Lot is located in the residential development which was built over forty years ago and there is public water and sewer. The zoning for the Lot and surrounding area was the same until 2006/2007 when Township schemed to change the zoning of the area to higher density and isolated Yadavs' Lot for low density for acquiring it by condemnation at diminished value, a clear violation of V Amendment.

Township has deliberately spot zoned Yadavs' property to reduce the value for future acquisition and to prohibit the subdivision of this property or to install any improvements as per scheme initiated in 1984. The fact is that Yadavs' property was neither delineated in the area of green belt area nor identified as environmentally sensitive area in the Township's official maps but spot zoned for unauthorized purposes.

Under the "Shocks the Conscience Test" for substantive due process claims, Township failed to satisfy procedural due process requirements by willfully eliminating Yadavs from personal notice requirement, such that Yadavs do have a § 1983

procedural due process claims against Township. Mr. Herbert and others have willfully violated their duties as officers of the court by undermining public confidence in the legal system (See RPC 3.3 (a) 1, 2, 3, 4 & 5). Courts deal with cases upon the basis of the facts disclosed, and never with nonexistent and assumed circumstances. It is evident to us that our protection by the rules, laws, statutes, and constitution is nothing but a travesty.

The U.S. Court of Appeals, Washington DC Circuit on or about July 1, 2008 cited a century old poem essentially saying lying three times does not make it true. I cited John Adams's 1770 pronouncement as a defense (see page 15). In our matters Mr. Herbert's (Township Attorney) lying more than thirty times was adjudged by the judiciary as true (App173-App214) and Yadavs' truthful statements/representations were treated as disposable (App140-App173; App235-App268). In plain English Yadavs were subjected to government's (executive, administrative and judicial) discriminatory behavior for over three decades with the end result of irreparable harm to Yadavs.

Matters of Yadavs in essence are about unclean hands, duties, responsibilities, determinations and representations unsupported by facts and prejudicial findings. Township's determination "total undevelopable area of 3.44 acres and the use of 4.47 acres as area of the site" for appraisal was malicious, fraudulent and blatant violation of V and XIV amendments and N.J.S.A. 13:9b-4(d). After judge Hurd's decision Township Engineer admitted that site area was indeed at least 4.98 acres as was represented by Yadavs for over three decades prior to



condemnation (a willful misconduct subject to punishment).

Tolling provision is controlling in these matters. The tooling provision is designed to reach a just accommodation of individual justice and public policy to avoid "obvious and unnecessary harm [to] individual plaintiff." The limitations period should not become an instrument of injustice. The judiciary' decisions bring to light "in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies.

Limitations periods are "customarily subject to 'equitable tolling,'" *Irwin v. Dep't of Veterans Affairs*, 498 U.S. 89, 95 (1990). Equitable tolling is generally applied in situations "where the claimant has actively pursued his judicial remedies or where the complainant has been induced or tricked by his adversary's misconduct into allowing the filing deadline to pass." *Irwin*, 498 U.S. at 96. In the matters of Yadavs Township officials (elected and appointed) deliberately/fraudulently created the situation which impeded Yadavs from execution of the December 16, 1983 judgment and timely challenging the zoning changes including the R-1C in relation to R-20 zoning as applied to Yadavs' parcel. Township officials willfully violated V and XIV Amendments. Township could not claim to be prejudiced by the application of equitable tolling. see *Baldwin County Welcome Ctr. v. Brown* 466 U.S. 147, 152 (1984).

Yadavs have been subjected to Township's willful and wanton misconduct of fraudulent

concealment since 1983 to their demise. Township's policy/practice of fraudulent manipulations and willful misrepresentations in the matters of Yadavs for over three decades caused irreparable harm.

"IF THE GOVERNMENT BECOMES A LAWBREAKER, IT BREEDS CONTEMPT FOR LAW; IT INVITES EVERY MAN TO BECOME A LAW UNTO HIMSELF, IT INVITES ANARCHY. IF TOWNSHIP ET AL. HAVE UNQUESTIONABLE AND ULTIMATE POWER TO AMEND THE ZONING AND YADAVS MUST NOT BE AFFORDED SUBSTANTIVE DUE PROCESS LIKE THE OTHER OVER FIVE THOUSAND SIMILARLY SITUATED PROPERTY OWNERS, TOWNSHIP ET AL. ARE THE "MASTERS" WITH THE ULTIMATE POWER TO TRASH THE "CONSTITUTION". IT WILL ENCOURAGE EVERY GOVERNMENT ENTITY TO BE DISOBEDIENT TO "THE FEDERAL CONSTITUTION THE ULTIMATE LAW". The judiciary' decisions bring to light "in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies.

Based on our holding by the Township for thirty-eight years at ground zero, I am sure that Township will keep holding us at ground zero till at least my last breath. In reality that is the standard of governess practiced by Township officials and ordained as the Law of the Land by the judiciary.

In 1984 Township even prohibited Yadavs to construct addition to the existing small ranch in

blatant violation of governing ordinances to forbid any development on the lot. The record validates that the government actors' lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression. "A blatant violation of the Constitution and a truly appalling treatment (like encaging humans as animals)." IN ADDITION, I AM AWARE ON THE DAILY BASIS THAT I AM ONE OF THE TWO PERSON PLAGUE AS REPRESENTED BY THE TOWNSHIP (HERBERT) TO THE COURTS.

The reality is that Yadavs' property was first isolated and then the neighbors' properties classification was changed to R-20 in the development requiring only  $\frac{1}{2}$  acre lot size. "BLATENT FRAUD" BUT THE JUDICIARY AT EVERY LEVEL OPTED FOR "DISCRIMINATORY JUDICIAL BEHAVIOR" WITH THE END RESULT OF CONTINUING SUPPRESSION/OPPRESSION OF YADAVS.

Township officials (Herbert, council members, the Mayor, Surtees, Township Engineer, Planning Board Attorney) willfully subjected us to continuing suppression/oppression. Pursuant to *Plainfield Court* (82 N.J. 245) "The ability of a court to readdress previously adjudicated issues may under appropriate circumstances be exercised despite the narrow confines of issue preclusion or res judicata. But in our matters, the judiciary' decisions bring to light "in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se

parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies.

The material/judicial fact: "In 2007 Township knew that "Municipal powers must be exercised as to operate with substantial equality on all persons and classes similarly situated. Municipal regulations and actions must be uniform and impartial in their operation (*Great Atlantic & Pacific Tea Co. v. Board of Com'rs of City of Camden*, 4 A.2d 16 (N.J.Sup.Ct. 1939)." In 2007/2008 Township (Township Council, Township Mayor, Planning Board Attorney, Township Attorney, Mr. Surtees, Township Engineer) decided that only Yadavs, out of over 5200 similarly situated property owners, would be prohibited to exercise their constitutional rights to due process and willfully withheld the written personal notice only from Yadavs in order to prohibit them to object and or challenge the zoning scheme for their Lot. To the best of my knowledge only Yadavs were targeted and were deprived of the due process. "Due process requires an opportunity to be heard at a meaningful time and in a meaningful manner." Township also knew that "The Federal Statute 42 U.S.C.A. § 1983 leaves no room for the Township to discretionarily apply its regulation of personal notice requirement beyond and above the State Statute discriminatorily." Rights in property are basic rights and are no less deserving of protection than human freedom. Township's conduct in violation of the constitution is a far more serious breach of law and order than is the conduct of a lone individual who violates a mere statute or regulation". But I am treated as "Second-Class".

The material fact: "We have been coarsely subjected to acceptance that the government has the authority to close/block all the outlets of storm/rainwater drainage system like a dam for an area, keep dumping water on the area to cause excessive saturation while holding us as hostages, keep us out of the area for years to prohibit to do anything and then declare the area as wetlands to prohibit any development. Such authority will invalidate in totality American Ideals of Justice and the commands of the Constitution"

In light of the fact that a judgment order to allow Yadavs to subdivide their lot into seven lots was issued on Dec. 16, 1983, for impartial jurists, it should have been evident from the record of the matters as a whole that DEP and Township Collusion is not Normal. It should have been evident to impartial jurists that DEP and Township willfully violated our rights, if we have any, subjected us to continuing oppression with the end result of imposition of irreparable harm on us.

For an impartial jurist, it should have been evident that the DEP's and Township's adherences to the practices of willful obstructionisms for an unprecedented period of almost forty years, to forbid the subdivision of the Lot caused irreparable harm and sufferings to Yadavs. The reality is that the judiciary refrained from conducting adjudications of who did what, where, when and why "WITH WHAT MOTIVE". In plain English judiciary's behavior was prejudicial and discriminatory.

I respectfully state "In light of my subjections of nearly forty years, the truly deep inequality of

adjudications of pro se parties matters by the judiciary is crystal clear to me. In plain English government's actions to the furthest extent comport with SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR for holding us on the ground in violations of the Constitution, statutory and judicial laws."

IT IS FUNDAMENTAL THAT JUSTICE SHOULD BE THE SAME, IN SUBSTANCE AND AVAILABILITY, WITHOUT REGARD TO ECONOMIC STATUS AND STATUS AS A PRO SE. IN LIGHT OF ALMOST FOUR DECADES OF OPPRESSION, I AM GOING TO BE SUBJECTED TO MORE HUMILIATION AND DEGRADING BY THE JUDICIARY BECAUSE OF DEEP INEQUALITY OF ADJUDICATIONS OF OUR MATTERS.

Honorable Judge Masin, ALJ completely overlooked all the facts and in particular that "the preliminary subdivision approval was valid past the effective date of N.J.S. 13:9B-4(D)(1) and the issues related to Township's actions since 1981 are yet to be adjudged by the judiciary branch of the government. By granting summary judgment for DEP without even holding a hearing, Honorable Judge Masin legalized Malicious and manipulative use of process for DEP for purpose of illegal and unfair advantage of Yadavs. In plain English DEP's and Honorable Judge Masin's actions to the furthest extent comport with SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR for holding us on the ground in violations of the Constitution, statutory and judicial laws. These actions also comport with deep inequality and endless

impositions on the class of pro se parties seeking justice.

I admit that I committed a crime to seek justice in courts of Law on the presumptions that I had rights. In retaliation I have been subjected to oppression for almost forty years and held on the ground. In reality that is equal justice under the law for the class of pro se parties and second-class humans.

I urge upon you to review the document and express your views to me in light of "Democracy and The Rule of Law of USA". "It is unprecedented rebuke of class of pro se party by the government".

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

**Rajeshwar Singh Yadav**  
376 North Post Road  
Princeton Junction, NJ 08550  
yadav.rajeshwar@yahoo.com  
Tel. No. (609) 799 – 7489

December 3, 2018

Honorable Senator Booker  
359 Dirksen Senate Office Building  
Washington DC 20510

Ref: Rajeshwar Singh Yadav, et ux.  
v. New Jersey Department of  
Environmental Protection  
Supreme Court of the United States  
Docket No. 18-702

Subject: Democracy and The Rule of Law.  
Stealing is the Rule of Law of USA;  
US Democracy or Oligarchy or  
Dictatorship; “Georgia gubernatorial  
election”; and the reality of  
governance of Pro Se.

Honorable Senator Booker,

On October 18, 2018, your office received my letter and a copy of my “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey for the subject matter of government’s oppression and demonizing for over three decades and continuing. In addition, it is my reasonable assumption that your office also received my letter labeled “confidential” dated October 26, 2018 sent by US Mail, urging you



to review the document and express your views to me in light of "Democracy and The Rule of Law of USA".

On November 28, 2018 your office received a copy of our "Reformatted Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docked on November 29, 2018.

Respectfully, I am urging upon you to allow me to meet with you for ten to fifteen minutes in your Washington Office or New Jersey Office or any place of your convenience at any time as soon as possible. I appreciate your considerations and accommodations for ten to fifteen minutes of your time.

Respectfully submitted,  
-/S/-

Rajeshwar Singh Yadav

**Rajeshwar Singh Yadav**  
376 North Post Road  
Princeton Junction, NJ 08550  
yadav.rajeshwar@yahoo.com  
Tel. No. (609) 799 – 7489  
December 10, 2018

Honorable Senator Booker  
359 Dirksen Senate Office Building  
Washington DC 20510

Ref: Rajeshwar Singh Yadav, et ux.  
v. New Jersey Department of  
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to review the document and express your views to me in light of "Democracy and The Rule of Law of USA".

On November 28, 2018 your office received a copy of our "Reformatted Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docked on November 29, 2018. On December 3, 2018, I brought to your attention that our matter is in the list of the cases pending Supreme Court of the United States jurisprudence.

**The record validates that the government actors' (NJDEP and Township of West Windsor) continuing adherence to lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression (West Windsor and in particular Herbert, Herbert, Muller and Anklowitz, the attorneys knew that a written notice to Yadavs was mandated by the U.S. and N.J. constitutions. Courts were required to give equitable considerations to Yadavs and were required to sanction Township and in particular Herbert, Herbert and Muller for willfully holding information to circumvent just jurisprudence).**

Pursuant to *Rivera Court* "A citizen facing a loss at the hands of the state must be given a real chance to present his or her side of the case before a governmental decision becomes final." Giving real chance by written personal notice to other over five thousand property owners and willfully excluding Yadavs is a clear-cut violation of the Due Process rights of Yadavs. If the Township can mail over five thousand notices to property owners, there is no reason why Yadavs were excluded, except that Township, in particular Herbert and Muller willfully decided to violate due process rights of

Yadavs for implementing its scheme of prohibiting Yadavs to subdivide their lots into seven lots as was mandated by Dec. 16, 1983 judgment order.

**But** the government (executive, administrative and especially judicial branch) adhered to the practice of deep inequality, silent fraud (silent fraud involves “lying by omission”) and endless impositions on the class of pro se parties seeking justice under “Equal Justice under the Law for nearly four decades. **The stark reality is that** “Pro se parties’ representations of “Hard Truths supported by evidence” in the courts of the United States of America were fatal.

Based on the record of over three decades for the subdivision of the Lot into seven lots, in September 2012, in light of over three decades of willful grinding of Yadavs by the government (executive, administrative and especially judicial branch) NJDEP, like all federal administrative agencies, was required to engage in “reasoned decision making.” *Allentown Mack Sales & Service, Inc. v. NLRB*, 522 U. S. 359, 374 (1998) (internal quotation marks omitted). “Not only must an agency’s, like NJDEP, decreed result be within the scope of its lawful authority, but the process by which it reaches that result must be logical and rational.” *Ibid*. It follows that agency action is lawful only if it rests “on a consideration of the relevant factors.” *Motor Vehicle Mfrs. Assn. of United States, Inc. v. State Farm Mut. Automobile Ins. Co.*, 463 U. S. 29, 43 (1983).

I believe and the record overwhelmingly supports the belief, that NJDEP's decreed result did

not rest on consideration of all relevant factors. In light of the mandate of strict impartiality/neutrality, the NJ Appellate Division and Supreme Court of New Jersey were bound by Law to adjudge the matter as a whole "on a consideration of all the relevant factors. I also believe that NJDEP not only violated the federal mandate but also violated its own Commissioner's mandate, therefore the NJ Appellate Division and Supreme Court of New Jersey were bound by Law to find that NJDEP's decisions were not logical and rational. The reality is that the NJ Appellate Division and Supreme Court of New Jersey opted for grinding Yadavs for continuing oppression.

NJDEP has interpreted the Freshwater wetlands to mean that lands become subject to regulation on the same terms as ordinary major and area sources without any analysis of the causes, imposed unnecessary restrictions/regulations by the government on the land owners to surrender land for taking without compensation.

NJDEP's choice of venue (disregard in totality Yadav's presentations of facts, reasoning, proposals, imposed conditions and governmental unlawful control over property owners) is "a slap in the face," for the property owners. In light of over three decades of class of pro se parties grinding, NJDEP's temperament in handling Yadav's requests by disregarding them in totality is subject to close scrutiny by the Supreme Court of the United States in the interests of justice and integrity of the judicial system.

NJDEP effectively said in dealings with class of pro se parties "NJDEP could burn Yadavs at the stake if it wanted to." I believe that "Suppressing Yadavs is illegal. NJDEP grossly abused its authority in handling Yadav's requests/pleadings by disregarding them in totality." NJDEP essentially tortured Yadavs to submit to its way without any considerations to the pleadings presented by Yadavs for NJDEP's evaluations/analysis of the totality of the matter. NJDEP's review did not even touch the facts of the matter in totality. I believe that "in the instant matter the imposition and implementation of the rules and procedures without any considerations of facts of the matter as a whole is nothing but capricious and indeed, arbitrary therefore NJ Appellate Division and Supreme Court of New Jersey were bound by Law to adjudge on the basis of the totality of the circumstances and facts of the matter." But NJ Appellate Division and Supreme Court of New Jersey opted for grinding Yadavs for continuing oppression. In plain English Yadavs were subjected to discriminatory behavior.

How can NJDEP reconcile its decisions, based on total disregard of the totality of circumstances/facts, with the demands of a Constitution that first and foremost insists upon a rule of law? I believe that NJDEP's temperament resorting to outlandish rhetoric reveals the weakness of its legal arguments. NJ Appellate Division and Supreme Court of New Jersey were bound by Law to review the constitutionality of NJDEP's actions/decisions. The reality is that the NJ Appellate Division and Supreme Court of New Jersey opted for grinding class of pro se for continuing oppression. In

plain English Yadavs were subjected to discrimination.

In light of over three decades of dealings with the judiciary, it has become crystal clear to me that in a courtroom it is the lawyer's and government officials' lies, manipulations and fraudulent representations in total defiance of the legislative intents and congressional intents proscribed in statutes and laws prevail and not the constitutions, statutes and material facts. I bring to your attention the following as only a few examples in support of my statements:

1. In light of my September 12, 2012 delineations of issues in plain English, presented to the DEP Commissioner, DEP was mandated to either follow the procedure for adjudications based on the issues or transfer the matter to OAL. DEP was well aware of the consequences of depriving Yadavs of their constitutional rights. But DEP coerced Yadavs to follow the procedure of LOI which was moot with the end result of inflicting irreparable harm upon Yadavs. N.J. Stat. § 52:14B-10 provides that in contested cases, the parties are not bound by rules of evidence whether statutory, common law, or adopted formally by the Rules of Court. In September 2012, DEP was mandated as a matter of Law, to evaluate the issues/requests based on unique characteristics/background of Yadavs property matters as a whole instead of blindly following procedure/code in violations of their Commissioner's own Philosophy (App235).

2. The record validates that DEP willfully suppressed the material facts and stretched the Law to transform entirely government created/implemented stormwater drainage system from surrounding houses in Block 11.06, into an instrument to further exacerbate Lot conditions. They implemented the plan for fraudulent extortions and non-possessory exactions of the property in collusion with government actors of the Township.
3. DEP resorted to taking “Monstrous Advantage” of the intertwined issues of the referenced property. DEP willfully suppressed the issues brought to the attention of the Commissioner on September 13, 2012.
4. On or about Feb. 3, 2017, in an interview by Bill DiFilippo, Greg Popovich got brutally honest about the “Monstrous Advantage” white people have: “Quoting Popovich, perhaps the best basketball coach of all times, “When you talk about opportunity, it’s not about ‘Well if you lace up your shoes and you work hard, you can have the American dream.’ That’s a bunch of hogwash.” “If you are born white, you automatically have a monstrous advantage educationally, economically, culturally in this society,” Popovich continued. “And all the systemic roadblocks that exist whether it’s in a judicial sense, or a neighborhood sense with laws, zoning, education, we have huge problems in that regard that they are very complicated, but take leadership, time and real



concern to try to solve. And it's a tough one, because people don't really want to face it."

5. Mr. Popovich is not like Yadav who could be oppressed/oppressed. Mr. Popovich was born white, automatically has the monstrous advantage and is held in great esteem by his peers and society at large. I admire his brutal honesty and guts to bring to light the reality of the practice of deep inequality, of the government (executive, administrative and especially judicial branch in our matters).
6. Mr. Popovich brought to light the reality based on his life experience of about sixty-eight years. I believe his brutal honesty on the subject matter is wholly applicable to the intertwined matters/issues delineated in the record of our matters as a whole.
7. Based on my experience of over three decades of dealings in the subject matter, my brutal honest statement in plain legal language is "If one is a member of the legal club, the judiciary automatically bestows monstrous advantage to legal club member for improper intents, illegal actions, lies, manipulations, fraudulent representations to disparage class of pro se parties' pleadings for closing the matters."
8. I respectfully state that all the systemic roadblocks created by the judiciary in cooperation/collusion with government actors to prohibit the subdivision so far for over three decades resulted in oppression/suppression of

Yadavs. In plain English it is nothing but continuing legal lynching because systemic roadblocks created by judiciary have no bearings of facts but lies, manipulations, fraudulent representations by government officials of authority (App245-App268).

9. I respectfully state "If the record is reviewed in totality, impartially without turning a blind eye towards the class of pro se parties, I have met the burden in demonstrating irreparable injury to Yadavs [Over three decades of oppression/suppression and continuing as punishment for seeking the removal of systemic roadblocks in defiance of the legislative intents and congressional intents proscribed in statutes and laws]. It is clear to me that it is the constitutional authority and responsibility of the judiciary to protect class of pro se party. Turning a blind eye towards class of pro se party and favor in totality the government in guise of presumptions is simply unjust and discriminatory practice/behavior. I am not disrespectful but brutally honest about our treatment "It is plain and simple that the judiciary has striped away class of pro se parties' constitutional and property rights and nobody is accountable for it. It was common practice in the times of slavery when it was legal in America, now it is the practice of grinding class of pro se party through the judicial system till they give up and accept their second-class citizenship like slaves were second class humans."

10. After conducting on-site inspection on October 2, 2012, DEP's official Mr. Ryan willfully did not state in his letter that a new sidewalk was constructed in the portrayed wetlands and/or transition areas. From the contents of the three letters of DEP's officials it became crystal clear to me that DEP and the Township colluded to extort the property in its entirety without any compensation. But my pleadings fell on deaf ears in courts.
11. DEP suppressed the truth, caused harm and sufferings to Yadavs. DEP willfully/knowingly did not subject Township to enforcement actions for sidewalk construction. DEP willfully resorted to "OBSTRUCTION OF JUSTICE" by suppressing the issue in totality. DEP colluded with Township and ensured that exemptions decision is not issued in time for Yadavs' to present in the courts for the matters under the adjudications of the courts. In plain English it was not only obstruction of justice but a blatant violation of the mandate of *Oliver v. Ambrose* 152 N.J. 383 and N.J.A.C. § 1:1-1.3 (a). [In 1969 N.J. Supreme Court ordained in the matter of *Jersey City Chapter of Property Owner's Ass'n v. Jersey City*, 55 N.J. 86, 100: "Statutory interpretation should "turn on the breadth of the objectives of the legislation and the common sense of the situation" rather than "literalisms."]
12. In light of nearly forty years of our oppression, the judiciary should be equally responsive to devastation of Yadavs over a period of nearly

four decades as a result of its construing government's improper intents, illegal actions, lies, manipulations, fraudulent representations, systemic roadblocks to strip constitutional protections of the class of prose parties in totality and indiscriminately applying the principle of judicial deference to government. "Trust in the judiciary depends upon "Equal Treatment" of parties seeking justice and not on presumptions out rightly favoring the government."

13. I am well aware of the prerogative of a judge to use discretion in adjudging a matter. But I sternly believe that for "Just Adjudications" the discretion must be based on material facts and not on the lies, manipulations, fraudulent representations by the government officials of authority. The word "JUST" invokes ideals of fairness. After the initial decision/judgment of December 16, 1983, it was the duty/responsibility of the judiciary to adjudge the matters related to the same subject "Lot" "to ensure that the government does not harm Yadavs by willfully abusing its authority to prohibit the subdivision by revengefully creating all the systemic roadblocks.

As a matter of Law, in all appeals from summary judgment, facts must be considered in light most favorable to Yadavs. The 2006 Appellate Panel was required to accept Yadavs' version (*Judson v. Peoples Bank & Trust Co. of Westfield*, 17 N.J. 67, 75, 110 A.2d 24 (1954)) but Yadavs were crucified for stating the facts. In consideration of equitable

jurisprudence, the Panel was required to reject the government actors' argument that the Dec. 16, 1983 judgment was satisfied in 1988 because it was approximately twenty years too late and in reality, government actors willfully prohibited Yadavs to subdivide their Lot into seven lots. From Dec. 16, 1983, for adhering to the mandate of "Impartiality of the judiciary" and interests of justice the judiciary was required to adhere to the principle of *Judson Court*. But we have been oppressed ever since because I believed and asserted that I had rights protected by the V and XIV Amendments of the Constitution of the United States.

For promoting justice through uniformity and independence, judiciary's impartiality and objectivity to our matters were required to achieve levels of fairness in adjudications mandated by the constitutions and intents of the N.J. Legislature and U.S. Congress. Judiciary can never fully right the wrongs of the past we were subjected too, but Honorable Senator can take a clear stand for justice and recognize that serious injustices were done to Yadavs with the end result of irreparable harm inflicted upon Yadavs. It is evident to us that our protection by the rules, laws, statutes, and Constitution is nothing but a travesty of justice [For example the plain reading of the statute N.J.S.A. 40:55D-62.1-63 will lead to an absurd result if it is interpreted that the statute authorized the municipality to discriminate.].

The reality is that the judiciary refrained from conducting adjudications of who did what, where, when and why "WITH WHAT MOTIVE". In plain

English judiciary's behavior was prejudicial and discriminatory. In light of nearly four decades of our oppression, I respectfully state: "Pro se parties' representations of "Hard Truths supported by evidence" in the courts of the United States of America are fatal because of the government's (executive, administrative and judicial) practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions on the class of pro se parties seeking justice under "Equal Justice under the Law." As an example, please review the following "Hard Facts":

Information copied from West Windsor  
Township Real Property Tax List  
Books.

BLOCK No.	LOT No.	LAND
ACREAGE	LAND VALUE	
Year 2018		
11.06	20	4.624*
303,800		
Year 20017		
11.06	20	4.624*
303,800		
Year 2016		
11.06	20	4.624*
303,800		
Year 2015		
11.06	20	4.624*
303,800		
Year 2014		
11.06	20	4.624*
303,800		Year 2013

11.06	20	4.624*
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303,800

Please

see the attached copy of February 2013 Affidavit in support of absolute facts about land acreage delineated above and judiciary's refusal to accept controlling facts as a proof of judiciary's practice of deep inequality in jurisprudence to outrightly condone government actors' fraud, abuse of authority and defiance of the Constitution.

Year 2012

11.06	20	4.12
-------	----	------

295,300

11.06	19	0.46
-------	----	------

174,800

11.06	18	0.46
-------	----	------

198,000

11.06	17	0.46
-------	----	------

198,000

11.06	16	0.50
-------	----	------

199,800

Year 2011

11.06	20	4.351
-------	----	-------

299,200

11.06	19	0.46
-------	----	------

174,800

11.06	18	0.46
-------	----	------

198,000

11.06	17	0.46
-------	----	------

198,000

11.06	16	0.50
-------	----	------

199,800

Year 2010

11.06	20	4.47
-------	----	------

301,200

11.06	19	0.46
	174,800	
11.06	18	0.46
	198,000	
11.06	17	0.46
	198,000	
11.06	16	0.50
	199,800	
Year 2009		
11.06	20	4.47
	283,500	
11.06	19	0.46
	174,800	
11.06	18	0.46
	198,000	
11.06	17	0.46
	198,000	
11.06	16	0.50
	199,800	

\*On November 27, 2012, after judge Hurd's decision on condemnation, Township Engineer (Mr. Guzik) certified that the Lot 20 area was/is 4.98 acres (including the taking area of 0.356ac. by condemnation) as was represented by Yadavs for over three decades prior to condemnation. It was Township's willful misconduct/fraud subject to punishment. Yadavs brought this fraud to light for the judiciary but Yadavs were crucified by the judiciary at every step of the ladder and the truthful pleadings/documents were trashed. In plain English it was government's (executive, administrative and judicial)



discriminatory behavior for continuing oppression of Yadavs in violation of V Amendment. Numbers do not lie, but people in government do for continuing oppression of people like Yadavs as second-class citizens.

In light of material facts and governing laws, it should be evident to an impartial jurist that the intentions of the government were to suppress/oppress Yadavs and hold them to the ground to prohibit them from subdividing their property irrespective of governing/controlling laws, judicial and constitutional mandates.

I urge upon Honorable Senator to take a personal moment and ask yourself whether the government's (executive, administrative and judicial) practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions on the class of pro se parties seeking justice under "Equal Justice under the Law" must prevail in disguise of American form of governance. Is this the way the government (executive, administrative and judicial) of civilized United States of America should act to oppress people and snatch oppressees' property and constitutional rights in disguise of "constitutional law" and democracy form of governance?"

I am well aware of the preciousness of Honorable Senator's time and extremely tight schedules and the demands of your time. But for Honorable Senator's conviction to do the right thing, it is equally important not to be a spectator like the gang of police officers when three police officers were savagely beating Rodney King (a black human being)

and comment on "unprecedented oppression of Yadavs by the government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice bringing to light the reality of governance of class of Pro Se parties".

In reference to MER-L-3172-03, on July 23, 2004, U. S. District Court Judge Brown had clearly ordained "This Court rejects all of Defendant's arguments for removal of the case to federal court. Plaintiffs' chief allegation in their complaint is that Defendant has not complied with state court judgments. Plaintiff also charge that "defendant interfered with the exercise or enjoyment of rights secured by the Constitution or laws of the United States and / or of State of New Jersey.".....However, Plaintiffs' allegations of constitutional rights violations are secondary to their claim that Defendant "wanton[ly] and willful[ly] disregard[ed][the state court] judgment orders." Therefore, it seems that the essential element" of Plaintiffs' claim for relief is disregard of state court judgments not constitutional rights. See *Wright & Miller* § 3722 at 388."

From the plain reading of Judge Brown's opinion, one could only construe that the federal courts did not adjudge that the December 16, 1983 and March 3, 1989 orders were satisfied as were claimed by Defendant in 2004 for the first time after twenty years. In addition, it is clear from the federal courts' opinions that the federal courts did not adjudge the issues of satisfaction of December 16, 1983 Judgment Order, impossibility of execution of Planning Board Resolution and impossibility of the

satisfaction of the Defendant's demand for October 2, 1989 resubmission of 7 lot subdivision application. The demand was in violation of March 3, 1989 Appellate Division Order."

The record validates that the government actors' (NJDEP and Township of West Windsor) continuing adherence to lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression.

Respectfully, I am urging upon Honorable Senator to allow me to meet with you for ten to fifteen minutes in your Washington Office or New Jersey Office or any place of your convenience at any time as soon as possible. I appreciate your considerations and accommodations for ten to fifteen minutes of your time.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

For Affidavit See App306

**Rajeshwar Singh Yadav**  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489

November 26, 2018

Honorable Senator Kamala D. Harris  
Hart Senate Office Building  
112 Washington, DC 20510

Subject: Democracy and The Rule of Law;  
Stealing is the Rule of Law of USA; US  
Democracy or Oligarchy or Dictatorship;  
and the reality of governance of class of  
Pro Se.

Honorable Senator Harris,

On October 18, 2018, your office received my letter and a copy of my “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey for the subject matter of government’s oppression and demonizing for over three decades and continuing. In addition, it is my reasonable assumption that your office also received my letter labeled “confidential” dated October 26, 2018 sent by US Mail, urging you to review the document and express your views to me in light of “Democracy and The Rule of Law of USA”.

I was asked to reformat our “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey. A copy of the reformatted pleadings documents is enclosed for your information, reference, consideration, evaluations, and comments.

In light of over three decades of my dealings with the judiciary, I state that in courts, pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies. The exceptionally pertinent question: "Am I a second-class citizen?" "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." The questions presented are intertwined with the fundament issue of equality of parties and second-class treatment of class pro se parties. Is the judiciary empowered to nullify the V and XIV amendments only for class of pre se parties and confer upon class of pro se parties second class citizenships? **THIS IS AN EXTRAORDINARY CASE IN WHICH GOVERNMENT AGENCIES POWERS ARE CONTESTED AND HAS IMPORTANT IMPLICATIONS FOR THE ADMINISTRATION OF JUSTICE NATIONALLY.**

The question arises whether Honorable Senator will opt for being a spectator like the gang of police officers when three police officers were savagely beating Rodney King (a black human being) or opt for consideration, evaluations, and comments on "unprecedented oppression of Yadavs by the government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice bringing to light the reality of governance of class of Pro Se parties".

We are the victims of the imposed reality for almost four decades. It was truthfully stated by Mr. Avenatti: "When you have a white male making the arguments, they carry more weight," the interview said. "Should they carry more weight? Absolutely not. But do they? Yes." (Mr. Aenatti' comments in interview for Time Magazine reported by Sarah Harvard, The Independent on 10/25/2018).

To bring to light the issue, I had emphasized "It is time to completely eliminate all vestiges of the "institutional bias" and just as importantly, rectify the wrongs and make Yadavs whole. In questions, it was brought to light for the Honorable Court to precisely define the boundaries of what is "Law of the Land", which mandated our oppression (prolonged cruel, unjust treatment and control by the government) at least from Dec. 16, 1983.

Appendices C and E are copies of pages from the record to bring to light our treatment as second-class citizens by the courts. On these pages the material fact is delineated "The judiciary condones Township's and NJDEP's misrepresentations/lies and dismisses Yadavs' complaints and appeals." In addition, the delineations in Appendices C and E bring to light "the unprecedented rebuke of class of pro se party by the government", our plight from at least 1983 and requirement to rectify the wrongs for making Yadavs whole.

Appendices K through O are copies of only few pages from thousands of pages from the records of the matters of history of nearly forty years, bring to light our treatment as second-class citizens by the

government (especially judiciary). Just, impartial jurisprudence of the matters as a whole with "strict neutrality and impartiality" is required to rectify the wrongs and make Yadavs whole. Appendix L (Synopsis) and Appendix M (Synopsis of Mr. Herbert's willful misrepresentations/lies), were presented to NJDEP, Appellate Division and NJSC as documentary evidence in support of our claims that the site was exempt from NJDEP regulations. Appendix N was presented as an exhibit for the lower courts. The Township Plan for the site proposal was prepared in or around 1983 after the Dec. 16, 1983 Order was issued, but was withheld by the Township to prohibit Yadavs from presenting to the judiciary. It was discovered later. It was presented to NJDEP, Appellate Division and NJSC as a documentary evidence for site conditions material facts. Appendix O photographs were presented to NJDEP and as documentary evidence to the Appellate Division and NJSC for site conditions material facts.

The Appendix K "Procedural History" is a documentary evidence in support of our contention that indeed it is a matter of taking since December 16, 1983 (the date of the court order signed by Judge Levy). It is a documentary evidence in which, the practices of willful obstructionisms for an unprecedented period of almost forty years, to forbid the subdivision of the Lot, are delineated.

These Appendices L to O are exhibits for contentions in support of the petition for a writ of certiorari, delineated in the body of the petition.

The Appendix P, the letter to NJDEP Commissioner for exemptions fell on deaf years and I was coerced to go through the process with total disregard of the facts. The Appellate Division and NJSC adhered to the practice of disparaging the record without following the fundamental and required process of conducting adjudications of who did what, where, when and why "WITH WHAT MOTIVE". In plain English judiciary's behavior was prejudicial and discriminatory.

The Appendix Q is a documentary proof/evidence for actions which comport with deep inequality and endless impositions on the class of pro se parties seeking justice. On or around April 19, 2017, Township was on notice of all the actions, but chose to be silent knowing very well that judiciary will adhere to deep inequality and discard Yadavs' pleadings. If indeed my statements were not true about Township's behavior and actions, Township willfully committed silent fraud (silent fraud involves "lying by omission") by not disclosing the material facts.

I sternly believe that stealing is illegal, especially a pro se party's property by means of blatant violation of the Constitution, statutory and judicial laws and governing ordinances to forbid any development on the lot. Government actors'(NJDEP and Township) lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression. "A blatant violation of the Constitution and a truly appalling treatment (like



encaging humans as animals)." "For extortions and non-possessory exactions of private property under color of right, self-justifying mechanism of NJDEP and the Township, used with the ultimate goal of justifying prejudicial treatment of Yadavs and "unjust enrichment" of the government over a period of over three decades is unconstitutional, unlawful and oppressive. In plain English Township schemed and NJDEP partnered to "STEAL" the property under the illegal authority of "MIGHT IS RIGHT"." Government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice, brings to light the reality of governance of class of Pro Se parties.

From Feb 26, 1993 to April 20, 1993 twenty-nine (29) summons were issued in my name by Health Department of Township of West Windsor. I have records to prove that I was treated like Rodney King in Los Angeles who was savagely beaten simply because he was black. The Municipal Judge grossly abused his authority/power and fined me for twenty-nine summons as a "dictator". I appealed and the NJ Superior Court Judge fined for three summonses for the offences for which twenty-nine summons were issued. I asked the question "What about my civil rights? The answer was go to Federal Court. I did follow the procedure but the practice of deep inequality prevailed in the Federal courts. It is one of the examples of **appalling treatment** thrust upon me. Respectfully I state that I felt like a slave and the judiciary became the spectator for my treatment.

The material fact: "In the very first meeting, after the Judgment Order was signed by Judge Levy, Township Engineer Mr. Bergman demanded commanded that I must burry 4' diameter pipes of total length of 1000 feet interconnected in guise of retention/detention basin at the site (see App215-App222) in total defiance of the December 16, 1983 Judge Levy's order. This document (see App215-App222) is a proof that in 1983 there could not be streams on the site of block 11.06 as is also evident from March 1979-Revised September 1985 West Windsor Natural Resource Inventory Document. If there were streams on the site of Block 11.06 after the construction of development of Benford Estates in or around 1970, the Township Engineer Mr. Bergman had to be an idiot to demand the burial of 4' diameter pipes of total length of 1000 feet interconnected in the area in which DEP now claims there are streams and not drainage ditches on the site of Lot 20. The judiciary' decisions bring to light "in courts pro se party's truth is treated as disposable and government's falsehoods abound and class of pro se parties are assaulted as the enemy of the government bringing to light government's willful misrepresentations/lies. In plain English second-class humans must bear oppression as "Justice" by the judiciary.

**The material/judicial fact: "In 1988 *Riggs* Court (109 N.J. 601) had determined that an ordinance adopted to reduce the fair market value of a property which the municipality sought to condemn and which the owner sought to subdivide was invalid. Township willfully changed the ordinances to reduce the fair market value of our' property which it planned to**

condemn while fully aware of the fact that we had diligently sought the subdivision of the parcel from 1980 /81. NJDEP colluded with Township in the scheme of extortion of the property. Under appropriate circumstances a single act or decision by a municipal policy maker can impute liability to the municipality under 42 U.S.C.A. § 1983) and New Jersey Constitution. Limitations periods are "customarily subject to 'equitable tolling,'" *Irwin v. Dep't of Veterans Affairs*, 498 U.S. 89, 95 (1990). Equitable tolling is generally applied in situations "where the claimant has actively pursued his judicial remedies or where the complainant has been induced or tricked by his adversary's misconduct into allowing the filing deadline to pass." *Irwin*, 498 U.S. at 96. Yadavs have been subjected to Township's willful and wanton misconduct of fraudulent concealment since 1983 to their demise.

Based on our holding by the Township for thirty-eight years at ground zero, I am sure that Township will keep holding us at ground zero till at least my last breath. In reality that is the standard of governess practiced by Township officials and legalized by the judiciary.

The material fact: "We have been coarsely subjected to acceptance that the government has the authority to close/block all the outlets of storm/rainwater drainage system like a dam for an area, keep dumping water on the area to cause excessive saturation while holding us as hostages, keep us out of the area for years to prohibit to do anything and then declare the area as wetlands to prohibit any development. Such authority will

invalidate in totality American Ideals of Justice and the commands of the Constitution". In plain English government's actions to the furthest extent comport with **SYSTEMIC DISCRIMINATORY EXECUTIVE, ADMINISTRATIVE AND JUDICIAL BEHAVIOR** for holding us on the ground in violations of the Constitution, statutory and judicial laws."

I admit that I committed a crime to seek justice in courts of Law on the presumptions that I had rights. In retaliation I have been subjected to oppression for almost forty years and held on the ground. In reality that is equal justice under the law for the class of pro se parties and second-class humans.

In light of almost four decades of subjections to oppression, I state that in practice government (executive, administrative and judicial) officials abuse their authorities, especially in the matters of class of pro se parties. Impartiality and respect of the Constitution for the protection of pro se parties is rendered meaningless and pro se parties are treated as "Second-Class" and not equal.

The U.S. Court of Appeals, Washington DC Circuit on or about July 1, 2008 cited a century old poem essentially saying lying three times does not make it true. I cited John Adams's 1770 pronouncement as a defense (see page 15). In our matters Mr. Herbert's (Township Attorney) lying more than thirty times was adjudged by the judiciary as true (App173-App214) and Yadavs' truthful statements/representations were treated as disposable (App140-App173; App235-App268). In

plain English Yadavs were subjected to government's (executive, administrative and judicial) discriminatory behavior for over three decades with the end result of irreparable harm to Yadavs.

In principle, for this petition, the entire record from at least Dec. 16, 1983 should legitimately be considered for just and impartial jurisprudence of the Honorable Court to rectify the wrongs for making Yadavs whole. For the matters of the subject Lot and in consideration of *Montana v. United States, supra at 164 n11, 99 S.Ct. at 979 n11*, it is essential for the Honorable Court to scrutinize as a minimum the contents of the "Petition for a writ of certiorari" as presented for granting our "Petition".

I urge upon you to review the document and express your views to me in light of "Democracy and The Rule of Law of USA". Oppression is legal only in the Kingdom and Dictatorship forms of governess and not in democracy form of governess. "Our treatment is unprecedented rebuke of class of pro se party by the government".

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

**Rajeshwar Singh Yadav**  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489  
yadav.rajeshwar@yahoo.com

December 3, 2018

Honorable Senator Kamala D. Harris  
Hart Senate Office Building  
112 Washington, DC 20510

Ref: Rajeshwar Singh Yadav, et ux.  
v. New Jersey Department of  
Environmental Protection  
Supreme Court of the United States  
Docket No. 18-702

Subject: Democracy and The Rule of Law;  
Stealing is the Rule of Law of USA; US  
Democracy or Oligarchy or Dictatorship;  
and the reality of governance of class of  
Pro Se.

Honorable Senator Harris,

On October 18, 2018, your office received my letter and a copy of my “Petition for a Writ of Certiorari” to the Supreme Court of New Jersey for the subject matter of government’s oppression and demonizing for over three decades and continuing. In addition, it is my reasonable assumption that your office also received my letter labeled “confidential” dated October 26, 2018 sent by US Mail, urging you

to review the document and express your views to me in light of "Democracy and The Rule of Law of USA".

On November 28, 2018 your office received a copy of our "Reformatted Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docked on November 29, 2018.

Respectfully, I am urging upon you to allow me to meet with you for ten to fifteen minutes in your Washington Office or any place of your convenience at any time as soon as possible. I appreciate your considerations and accommodations for ten to fifteen minutes of your time.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav

**Rajeshwar Singh Yadav**  
376 North Post Road  
Princeton Junction, NJ 08550  
(609) 799 – 7489  
yadav.rajeshwar@yahoo.com  
December 10, 2018

Honorable Senator Kamala D. Harris  
Hart Senate Office Building  
112 Washington, DC 20510

Subject: Democracy and The Rule of Law;  
Stealing is the Rule of Law of USA; US  
Democracy or Oligarchy or Dictatorship;  
and the reality of governance of class of  
Pro Se.

Honorable Senator Harris,

I have appraised Honorable Senator of the reality of governance of class of pro se parties in violation of the V and XIV Amendments. The government's (executive, administrative and especially judicial branch) adherence to the practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions on the class of pro se parties seeking justice under "Equal Justice under the Law" for nearly four decades, should be shocking to the conscience of the Honorable Senator.

I believe that all the senators have the authority and obligation to comment and express their views/findings/determinations on the matters brought to their attention by any or all citizens of the United States. I urge upon you to review my



pleadings of the reality of governance of class of pro se parties in the United States.

On October 18, 2018, your office received my letter and a copy of my "Petition for a Writ of Certiorari" to the Supreme Court of New Jersey for the subject matter of government's oppression and demonizing for over three decades and continuing. In addition, it is my reasonable assumption that your office also received my letter labeled "confidential" dated October 26, 2018 sent by US Mail, urging you to review the document and express your views to me in light of "Democracy and The Rule of Law of USA".

On November 27, 2018 your office received a copy of our "Reformatted Petition for a Writ of Certiorari" to the Supreme Court of New Jersey and my letter requesting your considerations, evaluations, and comments. The Petition was docked on November 29, 2018. On December 3, 2018, I brought to your attention that our matter is in the list of the cases pending Supreme Court of the United States jurisprudence.

The record validates that the government actors' (NJDEP and Township of West Windsor) continuing adherence to lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our continuing suppression/oppression.

It is evident to us that our protection by the rules, laws, statutes, and Constitution is nothing but a travesty of justice. The reality is that the judiciary

refrained from conducting adjudications of who did what, where, when and why "WITH WHAT MOTIVE". In plain English judiciary's behavior was prejudicial and discriminatory. In light of nearly four decades of our oppression, I respectfully state: "Pro se parties' representations of "Hard Truths supported by evidence" in the courts of the United States of America were fatal because of the government's (executive, administrative and judicial) practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions on the class of pro se parties seeking justice under "Equal Justice under the Law."

In light of nearly four decades of our subjections, it has become clear that NJDEP and Township of West Windsor take fraudulent actions and the courts punish us for raising the issues. Essentially the judiciary has ordained that Yadavs must not be afforded constitutional protection of their rights to be treated like other similarly situated constituents. The judiciary has bestowed that Township and NJDEP are the supremacists and must suppress Yadavs.

The record of nearly four decades validates that NJDEP and the Township willfully created hinderances, judicial manipulations and abused their authority to stall, delay, impede, sidetrack and frustrate Yadavs for nearly four decades to cause harm and irreparable damage to Yadavs. The judiciary opted to turn a blind eye towards Yadavs. The judiciary opted to suppress rather consider the entire record of nearly four decades for giving

credibility to the judicial concept of impartiality and equitability.

Respectfully I state that courts' condoning of NJDEP and Township's supremacy casts doubts in the impartiality and independence of the judiciary in the minds of Yadavs and in minds of class of pro se parties. *Cox and Odabash* court advanced the principle that the test of invalidity is not necessarily the complete unsuitability of property but rather its value will be substantially depreciated and its marketability greatly impaired. But the judiciary in the matters of Yadavs ordained that stealing and extortions of their property and their rights by the government is legal. I simply state that it is nothing but discriminatory behavior and reminds me of the history of USA when certain humans were subjected to slavery and certain humans' property was forcibly snatched by all means.

In light of over three decades of dealings with the judiciary, it has become crystal clear to me that in a courtroom it is the lawyer's and government officials' lies, manipulations and fraudulent representations in total defiance of the legislative intents and congressional intents proscribed in statutes and laws prevail and not the constitutions, statutes and material facts. In September 2012, DEP was mandated as a matter of Law, to evaluate the issues/requests based on unique characteristics/background of Yadavs property matters as a whole instead of blindly following procedure/code in violations of their Commissioner's own Philosophy (App235). The record validates that DEP willfully suppressed the material facts and

stretched the Law to transform entirely government created/implemented stormwater drainage system from surrounding houses in Block 11.06, into an instrument to further exacerbate Lot conditions. They implemented the plan for fraudulent extortions and non-possessory exactions of the property in collusion with government actors of the Township.

Based on my experience of over three decades of dealings in the subject matter, my brutal honest statement in plain legal language is "If one is a member of the legal club, the judiciary automatically bestows monstrous advantage to legal club member for improper intents, illegal actions, lies, manipulations, fraudulent representations to disparage class of pro se parties' pleadings for closing the matters."

I respectfully state that all the systemic roadblocks created by the judiciary in cooperation/collusion with government actors to prohibit the subdivision so far for over three decades resulted in oppression/suppression of Yadavs. DEP and the Township colluded to extort the property in its entirety without any compensation. But my pleadings fell on deaf ears in courts. In plain English it is nothing but continuing legal lynching because systemic roadblocks created by judiciary have no bearings of facts but lies, manipulations, fraudulent representations by government officials of authority (App245-App268).

I respectfully state "If the record is reviewed in totality, impartially without turning a blind eye towards the class of pro se parties, I have met the

burden in demonstrating irreparable injury to Yadavs [Over three decades of oppression/suppression and continuing as punishment for seeking the removal of systemic roadblocks in defiance of the legislative intents and congressional intents proscribed in statutes and laws]. It is clear to me that it is the constitutional authority and responsibility of the judiciary to protect class of pro se party. Turning a blind eye towards class of pro se party and favor in totality the government in guise of presumptions is simply unjust and discriminatory practice/behavior.

I am not disrespectful but brutally honest about our treatment "It is plain and simple that the judiciary has stripped away class of pro se parties' constitutional and property rights and nobody is accountable for it. It was common practice in the times of slavery when it was legal in America, now it is the practice of grinding class of pro se party through the judicial system till they give up and accept their second-class citizenship like slaves were second class humans."

DEP colluded with Township and ensured that exemptions decision is not issued in time for Yadavs' to present in the courts for the matters under the adjudications of the courts. In plain English it was not only obstruction of justice but a blatant violation of the mandate of *Oliver v. Ambrose* 152 N.J. 383 and N.J.A.C. § 1:1-1.3 (a). [In 1969 N.J. Supreme Court ordained in the matter of *Jersey City Chapter of Property Owner's Ass'n v. Jersey City*, 55 N.J. 86, 100: "Statutory interpretation should "turn on the breadth of the objectives of the legislation and the common sense of the situation" rather than "literalisms."]

In light of nearly forty years of our oppression, the judiciary should be equally responsive to devastation of Yadavs over a period of nearly four decades as a result of its construing government's improper intents, illegal actions, lies, manipulations, fraudulent representations, systemic roadblocks to strip constitutional protections of the class of prose parties in totality and indiscriminately applying the principle of judicial deference to government. "Trust in the judiciary depends upon "Equal Treatment" of parties seeking justice and not on presumptions out rightly favoring the government."

I am well aware of the prerogative of a judge to use discretion in adjudging a matter. But I sternly believe that for "Just Adjudications" the discretion must be based on material facts and not on the lies, manipulations, fraudulent representations by the government officials of authority. The word "JUST" invokes ideals of fairness. After the initial decision/judgment of December 16, 1983, it was the duty/responsibility of the judiciary to adjudge the matters related to the same subject "Lot" "to ensure that the government does not harm Yadavs by willfully abusing its authority to prohibit the subdivision by revengefully creating all the systemic roadblocks.

But the government (executive, administrative and especially judicial branch) adhered to the practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions on the class of pro se parties seeking justice under "Equal Justice under the Law for nearly four decades. The

**stark reality is that "Pro se parties' representations of "Hard Truths supported by evidence" in the courts of the United States of America were fatal.**

For promoting justice through uniformity and independence, judiciary's impartiality and objectivity to our matters were required to achieve levels of fairness in adjudications mandated by the constitutions and intents of the N.J. Legislature and U.S. Congress. Judiciary can never fully right the wrongs of the past we were subjected too, but Honorable Senator can take a clear stand for justice and recognize that serious injustices were done to Yadavs with the end result of irreparable harm inflicted upon Yadavs. It is evident to us that our protection by the rules, laws, statutes, and Constitution is nothing but a travesty of justice [For example the plain reading of the statute N.J.S.A. 40:55D-62.1-63 will lead to an absurd result if it is interpreted that the statute authorized the municipality to discriminate.].

In light of material facts and governing laws, it should be evident to an impartial jurist that the intentions of the government were to suppress/oppress Yadavs and hold them to the ground to prohibit them from subdividing their property irrespective of governing/controlling laws, judicial and constitutional mandates.

I urge upon Honorable Senator to take a personal moment and ask yourself whether the government's (executive, administrative and judicial) practice of deep inequality, silent fraud (silent fraud involves "lying by omission") and endless impositions

on the class of pro se parties seeking justice under "Equal Justice under the Law" must prevail in disguise of American form of governance. Is this the way the government (executive, administrative and judicial) of civilized United States of America should act to oppress people and snatch oppressees' property and constitutional rights in disguise of "constitutional law" and democracy form of governance?"

I am well aware of the preciousness of Honorable Senator's time and extremely tight schedules and the demands of your time. But for Honorable Senator's conviction to do the right thing, it is equally important not to be a spectator like the gang of police officers when three police officers were savagely beating Rodney King (a black human being) and comment on "unprecedented oppression of Yadavs by the government's (executive, administrative and judicial) practice of deep inequality and endless impositions on the class of pro se parties seeking justice bringing to light the reality of governance of class of Pro Se parties".

The record validates that the government actors' (NJDEP and Township of West Windsor) continuing adherence to lies, tricks, manipulations, blowing both hot and cold, inconsistent positions, willful impositions of prohibitive and impossible to comply conditions on Yadavs resulted in our suppression/oppression.

Respectfully, I am urging upon Honorable Senator to allow me to meet with you for ten to fifteen minutes in your Washington Office or any place of your convenience at any time as soon as possible. I



appreciate your considerations and accommodations  
for ten to fifteen minutes of your time.

Respectfully submitted,

-/S/-

Rajeshwar Singh Yadav