

NO. **18-7055**

**IN THE
SUPREME COURT OF THE UNITED STATES**

ORIGINAL

Supreme Court, U.S.
FILED

DEC 03 2018

OFFICE OF THE CLERK

BRENDA WHITE- PETITIONER – (pro-se)

VS

**SOUTHEAST MICHIGAN SURGICAL HOSPITAL
et, al –RESPONDENT (S)**

**ON PETITION FOR A WRIT OF CERTIORARI TO
THE MICHIGAN COURT OF APPEALS**

PETITION FOR WRIT OF CERTIORARI

**BRENDA WHITE
PETITIONER (PRO SE)
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QUESTIONS PRESENTED

1. Must a court overlook a plaintiff's race in making a decision about her capacity and her right to defend herself against attempted murder by doctors, hospitals, and attorneys who made poor legal decisions, motivated by race, political and economic gain (RICO).
2. Must a court overlook evidence of past disciplinary action in another state, against a podiatrist who made a poor medical decision (or decisions).
3. Did the lower court abuse it's discretion in not allowing a plaintiff additional time to obtain, and file, a signed Affidavit of Merit and a Notice of Intent when she made a point of offering same.
4. Did the lower court abuse it's discretion in not allowing the entry of pertinent medical records, which clearly demonstrate medical malpractice, and certainly fulfills the requirement of the Affidavit of Merit.

LIST OF PARTIES

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Dr. Gary Docks

Defendant- Appellee

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

The opinion of the Michigan Court of Appeals, the highest state court to review the merits of my case appears at Appendix A to the petition and is an unpublished opinion.

JURISDICTION

The date on which the Michigan Supreme Court the highest state court to dismiss plaintiff's Application for Leave to Appeal was on September 12, 2018, a copy of that decision appears at Appendix E

The jurisdiction of this court is invoked under 28 U.S.C. § 1257 (a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The UNITED STATES code in Title 18 U.S.C. § 201, provides for the prosecution of public corruption in the United States of America.

STATEMENT OF THE CASE

This case arises from a workplace injury that occurred on April 12, 2007, when plaintiff Brenda White, fell down the basement stairs while at work, and she broke her ankle in three places. (Trimalleolar fracture). Plaintiff white, was taking care of a closed head injury patient at the time of her fall. Plaintiff's employer Elizabeth Deluca Spina (EDS Care Management LLC) is an attorney who had guardianship of the patient that plaintiff Brenda White, was taking care of. Plaintiff's workplace injury turned into a State of Michigan workers compensation claim. Travelers Indemnity Company was the insurance carrier that handled the workers compensation claim for EDS Care Management LLC.

Plaintiff Brenda White, was referred to orthopedic surgeon Jeffrey Zacharias, from a St. John Hospital emergency room doctor on April 12, 2007, to do surgery on her right ankle. Plaintiff Brenda White's husband Joseph White, was referred to an attorney named Joseph Dedvukaj, from his prior supervisor Joya Craighead, from Detroit East Community Mental Health. Plaintiff Brenda White's, surgery was scheduled by Dr. Zacharias, and attorney Joseph Dedvukaj called plaintiff Brenda white, and her husband Joseph White, several days later after the surgery was scheduled, and he told Plaintiff Brenda White, not to let orthopedic surgeon Jeffrey Zacharias, do the surgery, and he referred plaintiff Brenda White, to his DEN of THIEVES. Because Plaintiff Brenda White, and her husband Joseph White, trusted attorney Joseph Dedvukaj, they took his advise, and they went to see Dr. Wasim Rathur M.D., and Dr. Rathur M.D. referred Plaintiff Brenda White, to orthopedic surgeon Hassan Hammoud M.D., and Dr. Rathur M.D. told plaintiff White to come back to see him after her surgery, and he billed workers compensation for his services. Plaintiff white, and her husband Joseph White, went to see orthopedic surgeon Dr. Hassan Hammoud, at his office in Dearborn Michigan, and he also conducts surgeries at Southeast Michigan Surgical Hospital. Dr. Hammoud, examined plaintiff's right ankle and he stated that he had a full schedule, and he would not be able to do the surgery. Dr. Hammoud, billed Workers Compensation for his services, and he referred Plaintiff Brenda White, to Dr. Gary Docks. Dr. Hammoud, informed Plaintiff White, that Dr. Gary Docks, was a reputable qualified doctor, because he was teaching students at Southeast Michigan Surgical Hospital. Plaintiff White, had a right to expect that the hospital would have checked out the doctor to make certain that he was a qualified ethical surgeon, and that he was the appropriate person to perform her surgery.

Brenda White, had surgery on her right ankle performed by Dr. Gary Docks on two occasions, which were witnessed by the student physicians working at the hospital. The students name were: Julie Kai Lester, DPM, Modupe Aderibigbe, DPM, and Joseph Gatlin, DPM.

The first surgery was on April 27, 2007, for an Open Reduction / Internal Fixation of Trimalleolar Fracture of the right ankle, and the second surgery was on July 23, 2007, for a removal of a Syndesmotic Screw in the right ankle, and Endoscopic Gastrocnemius Recession of the right lower extremity. The second surgery was not a success, the surgery did not increase the range of motion in plaintiff white's, right ankle. Dr. Gary Docks, was paid for both surgeries by Travelers Indemnity Company, because it was a workplace injury, and Travelers Indemnity Company was the insurance carrier for EDS Care Management LLC.

After the second surgery, plaintiff Brenda White, suffered a number of injuries that are still ongoing today. The injuries are: Nerve Damage in her throat, Temporomandibular joint, (TMJ), Sensorineural hearing loss, and Tinnitus. There were five doctors who saw and validated plaintiff White's, Injuries from the second surgery on July 23, 2007, and one of the doctors was a State doctor from State of Michigan Workers Compensation, who Travelers Indemnity sent Brenda White, to see and his name was Dr. Ted Schwartzfield D.O. The other four doctors who attended to plaintiff after her injuries on July 23, 2007 are: Dr. Adam D. Rubin, M.D; Dr. Robert E. Brammer, M.D.; Dr. Donald Gary Wolford, M.D.; and Dr. Michael D. Seidman M D.

Plaintiff Brenda White, discovered a case in Arizona against Dr. Gary Docks in which he committed an almost identical malpractice on a patient. Brenda White, was under the care of Travelers Indemnity Company, and Dr. Gary Docks, Travelers Indemnity Company, and Southeast Michigan Surgical Hospital, never filed an Incident report. Dr. Gary Docks, should not have been practicing. Dr. Docks, was allowed by Travelers Indemnity, to do two surgeries on plaintiff Brenda White, while all the time Travelers Knew that Dr. Gary Docks had prior license issues. Due to the fact that plaintiff Brenda White, was injured on the job, and the surgeries came as a result of the workplace injury, Travelers Indemnity was responsible for plaintiff White's, care and injuries. Dr. Docks, was paid to do a second surgery on Brenda White, on July 23, 2007, that was not needed with the conscious intent to cause death or great bodily harm. As evidence by Dr. Gary Docks, and staff not filing an incident report.

On May 4, 2012, Plaintiff Brenda White, served both Defendant-Appellees with a copy of the Summons and Complaint by Certified US Mail, and both Defendants were served with an Amended Complaint on May 7, 2012, by Certified US Mail. On June 19, 2012, a copy of the Certified Mail receipts were filed with the Macomb County Circuit Court. The green copy of the Certified Mail receipts for the Amended Complaint did not appear in the Register of Action because Macomb County Former Court Clerk/ Register of Deeds Carmella Sabaugh, indicated that "I do not need that for the file."

Neither the Southeast Michigan Surgical Hospital nor Dr. Gary Docks responded by the required date. June 8, 2012. On June 19, 2012, Plaintiff Brenda White, acting in pro-se, attempted to file a Motion for Default Judgment, which was refused by the former Macomb County Clerk/ Register of Deeds Carmella Sabaugh. A hearing for Motion for Default Judgment was scheduled on July 9, 2012, by former Court Clerk Carmella Sabaugh, and Judge Edward Servitto, DENIED the Motion for Default Judgment for both defendants, and the only attorney present was Christina A. Ginter, the attorney for Southeast Michigan Surgical Hospital. Defendant Dr. Gary Docks was not at the hearing nor was his attorney Kenneth M. Mattson.

Defendant Southeast Michigan Surgical Hospital attorneys Christina A. Ginter, and Thomas R. Shimmel, from the Kitch, Drutchas, Wagner, Valitutti, & Sherbrook, P.C. Firm and defendant Dr. Gary Docks, attorney Robert G. Kamenec, and defendant's former attorney Kenneth M. Mattson from the Plunkett Cooney firm, defaulted, lied about how they were served, and committed fraud in order to conceal EDS Care Management LLC, and Travelers Indemnity Company's involvement in Rico.

Attorney Elizabeth Deluca Spina, owner of EDS Care Management LLC, has a case in the United States District Court Eastern District of Michigan Southern Division. Case no. 14-12175. Elizabeth Deluca Spina, and EDS Care Management INC., plaintiffs/ Counter- Defendants, v Amica Mutual Insurance Company, Defendant/Counter plaintiff. In 2012, the Washtenaw County Probate Court appointed attorney Elizabeth Deluca Spina guardianship of a client. EDS Care Management LLC, is an attendant care provider company. Deluca with the client's mother's agreement transferred the client from her prior live-in care facility, to EDS's facility sometime after May of 2013. This clearly shows that Elizabeth Deluca Spina violated her sacred oath, and she is involved in a conflict of interest.

Plaintiff Brenda White, submitted a Petition for Writ of Certiorari and a motion for leave to proceed in forma pauperis, and it was filed on February 12, 2015, and given a docket number of 14-8491. On May 18, 2015, petitioner Brenda White, complied with the order of April 20, 2015 to pay the docketing fee required by rule 38(a) and plaintiff Brenda White submitted a petition in compliance with rule 33.1 of the rules of the court. On June 1, 2015, plaintiff's petition for rehearing was filed. On January 13, 2017, Plaintiff Brenda White's second Petition for Writ of Certiorari was filed under docket number 16-7581.

Plaintiff Brenda White, and her husband Joseph White, filed two Petition for Writ of Certiorari in the United States Supreme Court on over 21 attorneys, and both petitions were filed on January 13, 2017 and docketed on January 18, 2017, and printed under docket numbers 16-7592 and 16- 7593. Case name: Joseph White, et ux., Petitioners v Attorney Grievance Commissioner of Michigan.

On September 16, 2016, plaintiff Brenda White's husband Joseph White, filed a consumer complaint on attorney Joseph Dedvukaj, for attorney Misconduct and auto insurance Fraud with attorney general Bill Schuette. On October 5, 2016, attorney Bill Schuette sent a letter stating that we have received the information you recently submitted to this office regarding Joseph Dedvukaj. We are, by copy of this letter, referring your correspondence to the Attorney Grievance Commission. From the information you submitted it appears that the agency may be able to assist you. AG# 2016 -0157370. On November 14, 2016, plaintiff Brenda White, and her husband, filed a Request for Investigation with the Michigan Attorney Grievance Commission on attorney Joseph Dedvukaj, for his misconduct in the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case, Brenda R. White v EDS Care Management LLC, and Travelers Indemnity Company; and an Allstate auto insurance claim involving plaintiff Brenda white, and her husband Joseph White, in which attorney Joseph Dedvukaj committed fraud. On December 1, 2016 plaintiff Brenda White, and her husband Joseph White, was send a letter from the Attorney Grievance Commission, stating that the commission will determine if an investigation is warranted. ACG File No. 16-1401.

On December 21, 2016, Attorney Joseph Dedvukaj filed an answer to Brenda and Joseph White's Request For Investigation with Attorney Grievance Commission. Attorney Joseph Dedvukaj continues to involve himself in more criminal activity, and more fraud. He seems to think he is above the law, and no one is above the law. Attorney Joseph Dedvukaj behavior is a health and safety risk. On January 25, 2017, the Attorney Grievance Commission sent Brenda and Joseph White, a copy of attorney Joseph Dedvukaj's answer to our Request for Investigation. ACG File: 16-1401. They also, sent a letter that states: RE: Joseph and Brenda White as to Joseph Dedvukaj, Dear Mr. and Mrs. White: The commission is authorized to investigate and when necessary prosecute charges of attorney misconduct. After preliminary investigation and careful review of the materials in this file by the commission's staff, it has been determined that the matter raised in your Request for Investigation will not be pursued further. Our office feels Joseph Dedvukaj has answered your allegations adequately. I am enclosing a copy of the answer for your review. We will take no further action. Please be advised that this matter is being closed under the authority granted to the Grievance Administration pursuant to Michigan Court Rule 9.112(C)(1)(a). I hope that this letter adequately explains my office's position in this matter.

On June 27, 2017, Plaintiff found fraud on the public Macomb County Court Register of Action in the Brenda White v Southeast Michigan Surgical Hospital case. The public register of action states: Case Number 2012-002017-NH Case type: NH- Medical Malpractice- File Date: 5/03/2012- Party Type: Defendants Dr. Gary Docks and Southeast Michigan Surgical Hospital- Case Status: Closed- Disposition: Uncontested /Def/ Settled. Case Number 2012-002017- NH Case Type: NH-Medical Malpractice- File Date: 5/03/ 2012- Party Type: Brenda White Plaintiff- Case Status: Closed- Disposition: Uncontested/Def/Settled. The public register of action also states: Case Disposition Uncontested/Def/ Settled: Date 8/20/12- Case Judge: Edward A. Servitto Jr. This was not listed on the court register of action. This is clearly fraud on the court. Defendants attorneys has continued litigation in this case for six ½ years. This case was never settled or resolved. All attorneys that Brenda White, contacted refused and conspired not to take her case. This information represents a fallacy to the public that only benefits insurance companies and special interest groups. This clearly shows that this action was done with malice and forethought to benefit special interest groups. It was also done to prevent insurance companies from having an increase in insurance rates. This is abuse towards pro se litigants, that only benefits people in administrative authority. Plaintiff Brenda White, also found fraud in her other case named: Brenda Ford White v O.L. Matthews M.D.et al, on the Courts register of action in the Wayne County Third Circuit Court it states: Statistical Closures 01/10/2014- Uncontested /Default/ Settled – Case Status: 01/ 14/ 2014 final. Case: 13-013472-NH. This case was never settled or resolved. To show a pattern of corruption, plaintiff's husband Joseph White, found fraud in his case and a client named Tiffany Wilson's case, after his wife, Brenda White, found fraud in her cases. The cases are in the Wayne County Third Circuit Court. The case names are: Joseph White v Detroit East Community Mental, et al, on the Court register of action it states: Case: 11-011126-CZ - Dismissed by party- 02/07/ 2013- File Date:09/12/2011 - Case Status: Final 02/07/2013 final and Tiffany Wilson v Carl Coleman et, al States: Case: 12-006875-CZ - Statistical Closure 01/18/2013- Uncontested/Default/ Settled- File Date: 05/22/2012- Case Status: 01/ 24/ 2013, Final. Joseph White never dismissed his case, he has been in his case for seven years, and his case has never been resolved. Tiffany Wilson's case has never been settled or resolved, and she did not have a replicable attorney.

Plaintiff Brenda White, filed a motion for relief from Judgment on July 17, 2017, because fraud was found on the public register of action docket that states: Uncontested/ Def/ Settled. On July 17, 2017, Judge Edward Servitto Jr. issued a signed order to plaintiff, that states: Plaintiff's Renewed Motion For Relief From Judgment Is Denied For The Reasons Stated On The Record And Plaintiff Shall Pay Southeast Michigan Surgical Hospital And Dr. Gary W. Docks Each \$250.00 Within 14 Days Of This Order.

Plaintiff Brenda White, went to the Macomb County Circuit Court Clerks office on numerous occasions to request a true and attested copy of the order, and plaintiff found out that the July 17, 2017, order was not a valid order, because the order was never received for filing in the clerks office, the order was never entered by the clerk into the court record, and the order was never enforced or filed in the clerks office.

On July 18, 2017, Robert G. Kamenec, from Plunkett Cooney Law Firm, who is the attorney for Dr. Gary Docks, sent plaintiff a copy of a letter addressed to the clerk of the Macomb County Circuit Court, with a copy of a notice of presentment and a proposed order. The letter to the clerk states: Dear Clerk: Enclosed for Filing please find a Notice of Presentment with proposed Order denying Plaintiff's Renewed Motion for Relief from Judgment and Awarding Costs, and Proof of Service. If no written objections are received within seven (7) days, please submit the order for entry with Judge Servitto, and return three true copies to the undersigned in the enclosed self-addressed stamp envelope. Sincerely, Plunkett Cooney, Robert G. Kamenec.

On July 21, 2017, plaintiff filed in the Macomb County Court an Objection to the order denying plaintiff's Renewed Motion For Relief From Judgment and Awarding Southeast Michigan Surgical Hospital And Dr. Gary Docks Costs. Plaintiff, contacted the Macomb County clerks office, and she was told by the clerk that attorney Robert G. Kamenec, did not send the clerk a copy of a letter or a copy of a Notice of Presentment with a proposed order instructing the clerk to submit the order for entry within seven days if no written objections were received within seven days from plaintiff Brenda White. So, there was no order entered on the Macomb County Register of action under lower Court docket: 2012-002017-NH

On August 17, 2017, plaintiff filed a motion for reconsideration in Macomb County Circuit Court. On August 31, 2017, a copy of the denied order was sent to plaintiff Brenda White. Plaintiff went to the clerks office, and the clerk stated that the order was not filed in the clerks office and not entered on the record.

On July 20, 2017, plaintiff Brenda White, gave an inquiry letter to former Macomb County Clerk/ Register of Deeds Karen Spranger, asking her if she could verify that Judge Edward Servitto's order dated July 17, 2017 and August 31, 2017, was never entered on the record, and never received for filing in the clerks office. Plaintiff asked former Clerk Karen Spranger, to verify other questions in regards to EDS Care Management LLC and Travelers Indemnity Company.

On October 16, 2018, Former Macomb County Clerk/ Register of Deeds Karen Spranger, visited plaintiff Brenda White, and her husband Joseph White, in their home to discuss Court and Union Corruption.

On November 14, 2017, Karen Spranger, wrote a letter to plaintiff stating that she was going to do an inquiry and review the Content of plaintiff Brenda White's complaint on facts and allocated analysis of case facts.

On November 30, 2017, Karen A. Spranger, Former Macomb County Clerk/ Register of Deeds did a reply to Investigation report, and she stated she found Fraud On The Court, she made statements that she found that the Macomb County Circuit Court, Wayne County Third Circuit Court, Michigan Court of Appeals, and Michigan Supreme Court, are all complicit in fraud to deny meaningful access. She made other statements that Uncontested/ Def/ Settled -file date: 05/03/2012 and case Disposition Uncontested/ Def/ Settled – 08/20/2012-closed –Case Judge: Edward A. Servitto Jr. was placed on the register of action was improperly and done with intent, and show false statement in the court files. and the orders from July 17, 2017, and August 31, 2017, from the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks Case were not valid true orders, were not received for filing from Judge Edward Servitto's court clerk, and was not entered by the clerk into the court record. Also, in her investigation she stated she did not authorize her stamp to be placed on two fraudulent orders dated July 17, 2017, and August 31, 2017, and that the Brenda R. White v EDS Care Management LLC and Travelers Indemnity case is a Companion case to Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks Case, as stated in the Macomb County Circuit Court register of action docket # 2012-002017-NH. Karen Spranger made statements that Former Court Clerk/ Register of Deeds Carmella Sabaugh, was complicit in fraud and set up a default to conceal corruption. Fraud was found by Karen Spranger in four other cases and they are: Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company; Brenda Ford White v O.L. Matthews M.D. et, al,; Joseph White v Detroit East Community Mental Health, et al,; and Tiffany Wilson v Carl Colman et al,. She found that all of the cases listed above was improperly and done with obvious intent, and it caused inappropriate register of action false statements. Former Court Clerk Karen Spranger, stated that plaintiff Joseph White, and his wife Brenda White, were both charged illegal filing fees in their cases in this unusual circumstances of fraudulent dismissal, by the Michigan Court of Appeals, Michigan Supreme Court Clerk's office, Judge Michael J. Talbot, Judge Elizabeth L. Gleicher, Judge Joel P. Hoekstra, District Commissioner Mark Stoddard, attorney Linda Garbarino, and attorney Robert G. Kamenec.

On April 16, 2018, Plaintiff Brenda White, hand delivered a Complaint/ with attachments to Macomb County Court Administrator Julie Bovenschen, and filed a copy of the documents in the Macomb County Circuit Court register of action, On May 3, 2018, Administrator Julie Bovenschen, sent a reply letter to plaintiff Brenda White that states: Re: white v Southeast Michigan Surgical Hospital, et al Dear Ms. White: I am receipt of your letter and

correspondence from April 16, 2018, After reviewing the register of action, I see no irregularities. Your case has been resolved and closed. Your post- Judgment motions and appeals have been heard and resolved. Any further complaints may be made to the State Court Administrative Office. a copy of plaintiff's Complaint with attachments and reply from Julie Bovenschen, was filed in the Michigan Court of Appeals under docket: 339587 and the Michigan Supreme Court under docket: 157197.

The reply letter from Macomb Circuit Court administrator Julie Bovenschen, is criminal and more fraud on the court. This is clearly an example of abuse of authority, directed towards pro- se litigants.

On October 24, 2017, Plaintiff Brenda White, mailed two checks to the Michigan Court of Appeals Grand Rapids Michigan office, to Chief Commissioner Mark Stoddard. Plaintiff was given a post office receipt with an expected delivery date of Thursday October 26, 2017. The Checks was for two cases that was filed in the Michigan Court of Appeals. The case names are: Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks; Brenda Ford White v O.L. Matthews M.D. et al,. The Michigan Court of Appeals, sent an order to plaintiff stating the filing fees was due on or before November 8, 2017, failure to comply with this order will result in the dismissal of the appeal. On Friday October 27, 2017, plaintiff Called Chief Commissioner Mark Stoddard, and asked him if he had received the checks, and he said he had not received the checks. Plaintiff called Chief Commissioner Mark Stoddard, a second time on Monday October 30, 2017, and Mr. Stoddard, again stated he had not received the checks. Plaintiff husband went to the Roseville, Michigan Post office, and he asked for them to take a written Report/ Complaint from him, and he was informed it was not possible. On October 31, 2017, Plaintiff's husband, went to the Roseville Police Department and filed a Police Report and he was given a complaint number of 170031301- Offense Suspicious Circumstances. Plaintiff called the Roseville post office for the matter to be investigated, because it involved mail tampering, and wire fraud, and illegal filing fees were charged on two cases that were filed in the Michigan Court of Appeals. Plaintiff continued to make calls to the Michigan Court of Appeals on October 31, 2017, and November 1, 2017, and spoke to a clerk name Kate, she continued to say the checks had not been received. On November 1, 2017, plaintiff called chase bank to put a stop payment on both checks. On November 2, 2017, Plaintiff called Mark Stoddard, again and he stated the checks had not been received. Plaintiff then informed Chief Commissioner Mark Stoddard, that a stop payment was placed on the old checks, and Mr. Stoddard, was also informed that two new checks were taken to the Michigan Court of Appeals Office in Troy Michigan. On November 6, 2017, a special agent from the Office of Inspector General named Aaron Bowen, called to do a further Investigation in regards to plaintiff's police report and Post.

Office verbal Complaint taken by the Post Office that was on file. Agent Bowen also left plaintiff a contact number. On November 6, 2017, Plaintiff called Chief Commissioner Mark Stoddard, to inform him that Agent Aaron Bowen had called to follow up on the complaint that was filed on October 31, 2017. On November 8, 2017, Plaintiff Brenda White, received two suspicious letters from Chief Commissioner Mark Stoddard, with the original checks attached to the letters. All updated information and documents was given to the Roseville Police Department and added to the original police report.

This criminal act done by Chief Commissioner Mark Stoddard, from the Michigan Court of Appeals, was done to impede justice, in plaintiff's cases named: Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks; Brenda Ford White v O.L. Matthews M.D. et al, and to dismiss plaintiff's cases for not paying an illegal filing fee, by the due date of November 8, 2017.

Michigan Supreme Court Chief Clerk Larry S. Royster, did the same criminal act as Chief Commissioner Mark Stoddard, did, tampering with mail involving the U.S. Postal Service. Plaintiff mailed an illegal filing fee check on October 29, 2018, to the Michigan Supreme Court to the correct address, plaintiff had a post office receipt with an expected delivery date of Wednesday October 31, 2018. The order dated October 11, 2018, stated that the case would be Administratively Dismissed if the filing fee was not paid within 28, days. The name of the case is: Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company, SC: 158078. On Tuesday November 6, 2018, Plaintiff contacted the Michigan Supreme Court Clerks Office, and she talked to Chief Clerk Larry S. Royster, and he said in an audio recording that they did not receive the check and directed plaintiff to send a new check and certify the mail, and if he receive the original check he would send it back. So, Plaintiff and her husband decided that it was necessary to take an almost two hour drive to Lansing, Michigan, to hand delivery another check, because we did not trust Larry S. Royster, and the illegal filing fee was due on November 8, 2018. On November 7, 2018, plaintiff call the Michigan Supreme Court at 11:07 A.M. and talked to the administrative assistant Tess Haadsma, and she stated in an audio recording that the check had not been received. Plaintiff told her that she would have to come up with the check, because plaintiff knew the court had the check. So, On November 7, 2018, at 12:16 PM, plaintiff called the Michigan Supreme Court back, to ask the court again about the mail, to determine if she would have to put a stop payment on the original check, and Chief Court Clerk Larry S. Royster, said in an audio recording he had received the check in the mail. He asked plaintiff, if she wanted him to tear up the original check, or if she wanted him to mail the original check back to her. So, Plaintiff directed him to send the original check back to her in the mail, and he did. This is criminal act done by Michigan Supreme Court Clark Larry S. Royster, and it was done to impede Justice, and to dismiss plaintiff's case for not paying illegal filing fees by the due date of November 8, 2018, in the Brenda R. White v EDS Care Management LLC, and Travelers Indemnity Company Case.

On March 23, 2018, plaintiff filed a Motion for relief from Judgment, In front of Judge Edward Servitto Jr. The hearing was scheduled for April 2, 2018. Plaintiff showed up for the hearing, and Judge Edward Servitto Jr. dismissed the motion hearing. On April 4, 2018, plaintiff Brenda White, was sent a copy of the order from Judge Edward Servitto, Jr. without a clerk stamp on the order, just his signature.

On November 15, 2017, the Michigan Court of Appeals issued a order that states: The Court orders that the application for leave to appeal is Denied for lack of merit in the grounds presented. This is a statement that the Michigan Court of Appeals has used over and over and over again to delay, deny, defend, to perpetuate injustice, while allowing defendants attorneys to threaten plaintiff Brenda White, with sanctions to cover up crimes, while charging plaintiff Brenda White, illegal filing fees, to chase her out of court. The Michigan Court of Appeals has also waived the filing fees in this case under Michigan Court of Appeals: 311908, 311273, 312159, 329594, 329929,

On September 12, 2018, Michigan Supreme Court mailed two orders to Plaintiff Brenda White, for her Cases named Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks, and Brenda Ford White v O.L. Matthews M.D., Wook Kim, M.D., Joram Mogaka, M.D., Harper University Hospital, and St. John's Hospita And Medical Center, INC., The Michigan Supreme Court has called plaintiff Brenda White, a vexatious litigator after plaintiff found Uncontested/ Default/ Settled on the trial court dockets in both cases in the Macomb County Circuit Court docket 2012-002017-NH, and the Wayne County Third Circuit Court docket 13-013472-NH. The attorney Robert G. Kamenec, who is in both cases filed a motion to dismiss in both cases, to cover up crimes in both cases, and to run a pro se litigant out of court. Attorney Linda Garbarino, Filed a motion to dismiss for Harper University Hospital to cover up a crime, and to run a pro se litigant out of court. Plaintiff Brenda White, has too much evidence to be a vexatious litigator.

After Plaintiff Brenda White, noticed for two months, that Michigan Supreme Court September 12, 2018, Orders were not on the trial court dockets, Plaintiff called Chief Court Clerk Larry S. Royster, about the orders, and Larry S. Royster stated in an audio recording on Tuesday November 20, 2018, that he sent the Orders from both cases to the trial courts. The Michigan Supreme Court September 12, 2018, order has not been sent to the Macomb County Circuit Court and is not on the register of action, and this has been confirmed by a clerk named Erica, in an audio recording on Wednesday November 21, 2018, in the Brenda White v Southeast

Michigan Surgical Hospital and Dr. Gary Docks, LC: 2012-002017-NH. On November 21, 2018, plaintiff called Attorney Richard M. Lynch, Wayne County Third Circuit Court Corporate Counsel, to ask him about a September 12, 2018, Michigan Supreme Court Order that was not on the public register of action in the Brenda Ford White v O.L. Matthews M.D. et al, case, and Mr. Lynch confirmed in an audio recording on November 21, 2018, that the Order was not on the register of action. Richard M. Lynch, later made an entry on the register of action on 11/21/2018 of a Higher Court Order/ Decision Received by Circuit Court without a new Order attached. Docket: 13-013472-NH. This is clearly more deceptive practice that presents more fraud on the court.

On October 29, 2018, Plaintiff discovered that the Transcript from a motion hearing in plaintiff's case named: Brenda white v Southeast Michigan Surgical Hospital and Dr. Gary Docks. held on Monday July 17, 2017, in front of Judge Edward Servitto, in Macomb County Circuit Court was fraud. Court Reporter Brion David Coury had at the heading of his transcript, State of Michigan In The Third Circuit Court For The County Of Wayne. The heading Should have stated: In The Circuit Court For The County Of Macomb. Court Reporter Brion David Coury also did a certificate of ordering transcript, using a Third Circuit Court document with an address of Civil/Family division with a Third Circuit Court telephone number of 313-224-0409. Judge Edward Servitto Jr. did not enter an order July 17, 2018. A letter with exhibits regarding this matter was hand delivered to the Michigan Court of Appeals on November 1, 2018, and a stamped copy was given to plaintiff, a copy of the documents was emailed to Brion David Coury. The Michigan Court of Appeals has not responded to plaintiff as of yet in regards to the fraud Transcript with exhibits. A copy was given to Fran at the Troy Michigan Office, and she stated in an audio recording dated November 2, 2018, that she scanned and sent copies by email on November 1, 2018, to Chief Commissioner Mark Stoddard, Chief Clerk Jerome Zimmer Chief Clerk Jerome Zimmer's Secretary, and the clerk at the Troy Michigan office. Fran also stated she has the physical copy on her desk.

On January 23, 2018, and January 24, 2018, WDIV-TV Local 4 news Reporter Jason Colthorp, aired a Fraud news story on the news, where he made a statement that the incident began with a letter from Spranger in a response to an inquiry from a woman named Brenda White regarding her 2012 court case. and he stated that Employee says Macomb County Clerk Karen Spranger pressured her to illegally alter a record. In an incident report, Emerson said she was forced to lock herself in her office out of fear.

News Reporter Jason Colthorp, and WDIV-TV Local 4 covered up Brenda White cases named: Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks; Brenda R. White v

EDS Care Management LLC and Travelers Indemnity Company; Brenda Ford White v O.L. Matthews M.D. et al, Jason Colthorp also covered up the details in the Joseph White v Detroit East Community Mental Health et , al case. Local 4 news also covered up plaintiff Joseph White and Tiffany Wilson's case on several occasions in 2016, while airing a story on Detroit East Community Mental Health and Gateway. On January 24, 2018, WDIV-TV Local 4 news aired another Fraud news story where two Newscasters, Sandra Ali and Jason Carr stated in a morning news cast that Macomb County Clerk Karen Spranger was facing new allegations of harassing employees. This time from an employee who says she threatened to fire her for not changing a court document. This involves a Workers Comp case back from 2012. Spranger investigated the case on her own and said former county clerk committed fraud and fraudulently did not enter a decision. The employee said she was asked to falsify a court record, Spranger has yet to respond or comment. WDIV-TV Local 4 news was referring to Brenda White's court case in Macomb County Circuit Court.

Plaintiff and her husband Joseph White, made numerous telephone calls to WDIV-TV Detroit news reporter Jason Colthorp, and WDIV news station asking them to correct a news story that aired on January 23, 2018 and January 24, 2018. To no avail.

On August 23, 2018, Plaintiff Brenda White, and her husband Joseph White, gave a copy of a complainants statement with exhibits in regards to a news story involving Jason Colthorp, Karen Spranger, and Lisa Emerson to Kathy Smith Macomb County Circuit Court Clerk/ Register of Deeds, and she turned the complainants statements with exhibits over to Macomb County Circuit Court Corporate Counsel, John Schapka. Also, on August 23, 2018, Plaintiff Brenda White's husband, gave a copy of the complainants statement with exhibits to Deputy Miller, at the Macomb County Sheriff's Office, and deputy Miller gave Brenda White's husband Joseph White, a complaint # of 63058-18. Deputy Miller, stated he was going to put the complainants statement with exhibits in Detective Jeff Pintal's box. On October 1, 2018, Plaintiff Brenda White's husband, called Detective Jeff Pintal, and he left a voice message for Detective Jeff Pintal, to return his call. On October 2, 2018, Detective Jeff Pintal, returned plaintiff's husbands call. Detective Pintal, stated he had not seen the complainants statement with exhibits, and he could not find the complainants statement with exhibits. Plaintiff's husband asked Detective Pintal, if he wanted him to bring him another copy of the complainants statement with exhibits, and Detective Pintal, said no, because he would have to locate the original complainants statement with exhibits. On Friday October 26, 2018, Detective Pintal called plaintiff's husband to tell him he had found the complaint. He informed Plaintiff and her husband that they could file an addendum to their statement. Plaintiff Brenda White, and her

husband Joseph White, met with a Macomb County Sheriff by the name of Mark Tillman, on Saturday October 26, 2018, at the Macomb County Sheriff's office. Sheriff Tillman gave plaintiff Brenda White, and her husband, a new complaint number of 81302-18. A police report was done on October 27, 2018, with a complaint # of 2018-00081302. On November 15, 2018, Plaintiff Brenda White and her husband Joseph White, met with Detective Jeff Pinal, from Macomb County Sheriff's Office to turn over more documents to him regarding their cases. Detective Jeff Pinal, told plaintiff Brenda White and her husband Joseph White, he was going to turn all of their documents over to Macomb County Prosecutor Eric Smith.

On August 31, 2018, Plaintiff Brenda White, and her husband Joseph White, sent a copy of the complainants statements to Richard M. Lynch General Counsel of the Wayne County Third Circuit Court. On September 7, 2018, Mr. Lynch sent a letter addressed to Plaintiff Brenda White and husband Joseph White, stating he received our mailing that included Complainants Statements dated August 23, 2018. After reading your documents, that I must again advise you that the issues presented are outside the scope of my office and of the Third Judicial Circuit of Michigan. Consequently, I take no action on this matter and consider it closed. On September 7, 2018, attorney Richard M. Lynch stated in an audio recording that the documents given to him address issues in Macomb County Circuit Court. Plaintiff has a copy of the audio recording dated September 7, 2018, and attorney Richard Lynch is breaking the law.

On September 25, 2018, Plaintiff's husband Joseph White, received a threatening letter from WDIV/ Jason Colthorp attorneys BERNARDI, RONAYNE & GLUSAC regarding a cease and desist. Joseph J. Bernardi stated in his letter dated September 25, 2018, If you fail to cease and desist from making telephone calls to, leaving voicemail messages for and/ or sending email messages to WDIV and its employees, or if you have contact with WDIV and its employees, I will be forced to take appropriate legal action against you and will seek all available damages and remedies. On October 1, 2018, Plaintiff Brenda White, and her husband Joseph White, sent a letter to attorney Joseph J. Bernardi requesting a correction in a news story that aired on WDIV on January 23, 2018 and January 24, 2018, a copy of attorney Joseph J. Bernardi's threatening cease and desist letter, and a copy of Plaintiff Brenda White and her husband Joseph White's letter addressed to Joseph J. Bernardi was mailed to Detective Pinal on October 1, 2018. In a telephone contact on October 2, 2018, Detective Pinal, from Macomb County Sheriff's Office, stated that WDIV attorneys could not send a threatening letter regarding a cease and desist without an order from a judge.

On October 4, 2018, Plaintiff Brenda White's husband Joseph White, contacted Fox 2 News in Southfield Michigan, in regards to a news story by M.L. Elrick, on Karen Spranger, Macomb County Clerk Candidate Lisa Sinclair, and Candidate Fred Miller. Fox 2 news and M.L. Elrick, stated that they did not find any problems with Fred Miller public record check. Plaintiff's husband Joseph White, called Fox 2 News and told them that they failed to mention about Fred Miller and Karen Spranger's collusion with former Court Clerk/Register of Deeds Carmella Sabaugh, in an election scheme, and Carmella Sabaugh not granting a clear default in the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks. and the concealment of the Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company case. Plaintiff's husband Joseph White, also mention that Jason Colthorp and WDIV did a fraud news story on January 23, 2018, and January 24, 2018, involving Former Macomb County Clerk/ Register of Deeds Karen Spranger, and Chief Clerk Lisa Emerson. Ken Martinek, from Fox 2 News, send plaintiff's husband Joseph White, an email in regards to plaintiff's husband sending the news director Kevin Roseborough, a copy of plaintiff Brenda White and her husband Joseph White, Complainants Statement documents in regards to WDIV and Jason Colthorp Fraud news cast.

On October 12, 2018, Plaintiff called the State of Michigan Department of Licensing and Regulatory Affairs in regards to a complaint that plaintiff filed on Dr. Gary Docks, File # 59-132302 and Southeast Michigan Surgical Hospital complaint number MI00065804. Plaintiff talked to Manager Stephanie Rosenthal, to give her an update on plaintiff's case, and she stated in an audio recording on October 12, 2018, that she was going to look into the complaints.

Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court." In *Bulloch v United States*, 763 F.2d 1115, 1121 (10, Cir. 1985), the court stated "Fraud Upon the court" is fraud directed to the Judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury....It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function ---thus where the impartial functions of the court has been directly corrupted." "Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." *Kenner V C.I.R.*, 387 F.3d 689 (1968); 7 *Moore's Federal Practice*, 2d ed., p. 512¶ 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final.

"Fraud upon the court" makes void the orders and judgments of the court. It is also clear and well-settled Illinois law that any attempt to commit "Fraud upon the court" vitiates the entire proceeding. The people of the state of Illinois v Fred E. Sterling, 357 Ill. 354; 192 N.E. 229 (1934) ("The maxim that fraud vitiates every transactions into which it enters applies to judgments as well as to contracts and other transactions."); Allen F. Moore v. Stanley F. Sievers, 336 Ill. 316; 168 N.E. 259 (1929) (The maxim that fraud vitiates every transaction into which it enters"...) In re village of Willowbrook, 37 Ill. App. 2d 393 (1962) ("It is axiomatic that fraud vitiates everything"); Dunham v Dunham, 57 Ill. App. 475 (1894), affirmed 162 Ill. 589 (1896); Skelly Oil Co. v Universal Oil Products Co., 338 Ill. App 79, 86 N.E. 2d 875, 883-4 (1949); Thomas Stasel v. The American Home Security Corporation, 362 Ill. 350; 199 N.E. 798 (1935).

Under Illinois and Federal law, when any officer of the court has committed "fraud upon the court" the orders and the judgment of that court are void, of no legal force or effect.

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. Liljeberg v Health Services Acquisition Corp., 486 U.S. 847, 108 S. Ct. 2194 (1988) (what matters is not the reality of bias or prejudice but it's appearance); United States v Balistreri, 779 F. 2d 1191 (7th Cir. 1985) (Section 455(a) "is directed against the appearance of partiality, whether or not the judge is actually biased." ("section 455(a) of the Judicial Code, 28 U.S.C §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process.")).

The court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her or his impartiality might reasonably be questioned." Taylor v. O'Grady, 888 F.2d 1189 (7th Cir. 1989). In Pfizer Inc. v Lord 456 F.2d 532 (8th Cir. 1972), the court stated that "It is important that the litigant not only actually receives justice, but that he believes that he has received justice."

The supreme court has ruled and has reaffirmed the principle that "justice must satisfy the appearance of justice" Levine v United States, 362 U.S. 610, 80 S. Ct. 1038 (1960), citing Offutt v. United States, 348 U.S. 11, 14, 75 S. Ct. 11, 13 (1954). A judge receiving a bribe from an interested party over which he is presiding, does not give the appearance of justice. Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself or himself sua sponte under the stated circumstances." Taylor v. O'Grady, 888 F. 2d 1189 (7th Cir. 1989). Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language (455(a) imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." Balistreri, at 1202. Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the Law.

Should a judge not disqualify himself as required by law, then the judge has given another example of his "appearance of partiality" which, possibly, further disqualifies the judge. Should another judge not accept the disqualification of the judge then the second judge has evidenced an "appearance of partiality" and possibly disqualified himself/herself. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal force or effect. Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S.

Constitution. *United States v Sciuto*, 521 F. 2d 842 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.")

If you are non-represented litigant, and should the court not follow the law as to non-represented litigants, then the judge has expressed an "appearance of partiality" and, under the law, it would seem that he/she has disqualified him/herself.

However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on the subject. Notice that it states "disqualification" is required and that a judge must be disqualified" under certain circumstances.

The Supreme Court has also held that if a judge wars against the constitution, or if he acts without jurisdiction, he has engaged in treason to the constitution. If a judge acts after he or she has been automatically disqualified by law, then he or she is acting without jurisdiction and that suggest that he is then engaging in criminal acts of treason, and may be engaged in

extortion and the interference with interstate commerce. Courts have repeatedly ruled that judges have no immunity for their criminal acts. Since both treason and the interference with interstate commerce are criminal acts. no judge has immunity to engage in such acts.

REASONS FOR GRANTING THE PETITION

The Jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

The effect of corruption has many dimensions related to the political, economic, social and environmental effects. In political sphere, corruption impedes democracy and the rule of law. In a democratic system, public institutions and offices may lose their legitimacy when they misuse their power for private interest. Corruption may also result in negative consequences such as encoring cynicism and reducing interest of political participation, political instability, reducing political competition, reducing the transparency of political decision making, distorting political development and sustaining political activity based on patronage, clientelism and money, etc.

In our society, the impact of corruption is often manifested through political intolerance, problems of accountability and transparency to the public, low level of democratic culture, principles of consultation and participation dialogue among others.

The economic effects of corruption can be categorized as minor and major. However, both in one way or the other have serious impact on the individual community and country. First and foremost, corruption leads to the depletion of national wealth. It is often responsible for increased costs of goods and services, the funneling of scarce public resources to uneconomic high profile projects at the expense of the much needed projects such as schools, hospitals and roads, or the supply of potable water, diversion and misallocation of resources, conversion of public wealth to private and personal property, inflation, imbalanced economic development weakening work ethics and professionalism, hindrance of the development of fair in market structures and unhealthy competition there by deterring Competition. Large scale corruption hurts the economy and impoverishes entire population.

In the social sphere, corruption discourages people to work together for the common good. Frustration and general apathy among the public result in a weak civil society. Demanding and paying bribes become the tradition. It also results in social inequality and widened gap between the rich and poor; civil strife; increased poverty; and lack of basic need like food, water and drugs, jealousy and hatred and insecurity.

Closer home, corruption is said to have been factors for the down fall of past regimes by way of undermining the legitimacy of the governments and weakening their structures, reducing productivity, hindering development, worsening poverty, marginalizing the poor, creating social unrest and then to their downfall.

CONCLUSION

For the reasons stated in this petition for writ of certiorari, Petitioner Brenda White prays this court issue a writ of Certiorari.

Respectfully Submitted,

Brenda White
BRENDA WHITE

Date: December 3, 2018