

18-8270
No.

Supreme Court, U.S.

FILED

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IN THE
SUPREME COURT OF THE UNITED STATES

Wylmina Hettinga - Petitioner

vs.

Timothy P. Loumena – Respondent

On Petition for a Writ of Certiorari to the
Supreme Court of California

PETITION FOR WRIT OF CERTIORARI

Wylmina Hettinga
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SUPREME COURT, U.S.

QUESTIONS PRESENTED

Does a vexatious litigant right have a reasonable opportunity to know the claims of the opposing party, who the opposing party is, and to rectify a monetary judgment made in favor of the non-existent opposing party and a denial of a constitutionally protected liberty interest of visitation with a minor child?

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:

Wylmina Hettinga

Timothy Loumena

Theresa Loumena

Walter Hammon

TABLE OF CONTENTS

| | |
|--|---|
| OPINIONS BELOW | 1 |
| JURISDICTION | 1 |
| CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED | 1 |
| STATEMENT OF THE CASE | 2 |
| REASONS FOR GRANTING THE WRIT | 3 |
| CONCLUSION | 3 |

INDEX TO APPENDICES

| | |
|---|-------|
| APPENDIX A, Decision of the CA Court of Appeal, Sixth District | 4 |
| APPENDIX B, Decision of the CA Superior Court, Santa Clara | 5-6 |
| APPENDIX C, Decision of the CA Supreme Court Denying Review | 7 |
| APPENDIX D, Superior Court Order Granting Peremptory Challenge | 8 |
| APPENDIX E, Decision of the CA Court of Appeal, Sixth District same hearing | 9 |
| APPENDIX F, Superior Court Order denied review for the same hearing | 10-12 |
| APPENDIX G, Transcript of Superior Court proceedings | 13-45 |

TABLE OF AUTHORITIES CITED

Morgan v. United States (1938) 304 U.S.1.

1

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 judgments below.

OPINIONS BELOW

The opinion of the Supreme Court of California appears at Appendix C and is unpublished.

The opinion of the State of California Appellate Court, for the Sixth District appears at Appendix A and is unpublished. A second opinion issued for the same hearing of the State of California Appellate Court, for the Sixth District appears at Appendix E and is unpublished.

The opinion of the Superior Court of California, County of Santa Clara appears at Appendix B and is unpublished. A second opinion issued for the same hearing of the Superior Court of the State of California, County of Santa Clara appears at Appendix F and is unpublished.

JURISDICTION

The last date on which the highest state court decided this case was filed on August 15, 2018. A copy of that decision appears at Appendix C. The jurisdiction this Court is invoked under 18 U.S.C. §1257 (a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Morgan v. United States (1938) 304 U.S.1. 18. Held: The right to a “full hearing” embraces not only the right to present evidence, but also a reasonable opportunity to know the claims of

the opposing party and to meet them. The right to submit argument implies that opportunity; otherwise, the right may be but a barren one. Those who are brought into contest with the Government in a quasi-judicial proceeding aimed at the control of their activities are entitled to be fairly advised of what the Government proposes and to be heard upon its proposals before it issues its final command.

STATEMENT OF THE CASE

In this case Respondent filed for and intentionally represented his daughter, Theresa's Loumena interests, her college funds, even though he is not a lawyer, seeking that he, not she, be awarded these funds for which Petitioner was the sole custodian of. Even more impermissible in regards to Petitioner's due process rights, was that the trial court judge, Judge Stuart J. Scott, who had recused himself from all matters regarding Theresa and Petitioner, see Exhibit D, ordered that Petitioner pay Theresa these funds directly then permanently cut off all visitation with Petitioner's minor son, Luke see Exhibit F, on the basis of a police report, Walter Hammon, Luke's attorney falsely claimed Petitioner had instigated, when she had not. Luke called the police on Loumena.

Petitioner presented this basic lack of jurisdiction to both the trial court and the appellate court and provided the transcript [Exhibit F, page 19, lines 23-27] "Your Honor, you have a problem in that Theresa's an adult and Mr. Loumena filed this motion in July 2017. If she wants to sue me or ask me, which would be better, for those college funds, she can come to me directly. What he can't do is file a motion on behalf of another adult."

Petitioner provided the double hearsay testimony used to permanently remove visitation, a constitutional liberty protected interest of Luke's and Petitioner's protected right [Exhibit F, page 26, lines 20-21]

REASONS FOR GRANTING THE PETITION

In Morgan v. United States (1938) this court made it clear that Petitioner had a right to confront her accuser, Theresa, and California law grants Petitioner the right to an unbiased judge who would not cut out a liberty protected right of a minor child to his parent's companionship for any such low evidence standard as the double hearsay was presented by Walter Hammon to the trial court.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Wylmina Hettinga:

Date: 11/5/18