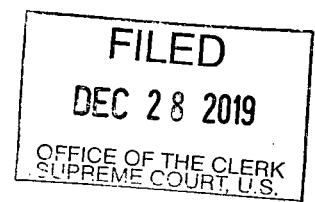


19-1077
No.



In The
Supreme Court of the United States

CHRIS JAYE,

Petitioner,

v.

OAK KNOLL VILLAGE, et. al.

Respondents.

On Petition for a Writ of Certiorari
To the US Court of Appeals, Third Circuit

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED FOR REVIEW

1. Are the circuit judges of the Third Circuit acting in violation of the US Constitution by providing different due process to citizens similarly situated? Does the doctrine of reverse incorporation apply to the circuit judges of the Third Circuit as it pertains to the Equal Protection Clause? And if so, does judicial immunity apply when they violate a citizen's right to same?
2. Are the circuit judges of the Third Circuit violating the separation of powers act by failing to apply the laws as they are written and acting outside of their jurisdictional limitations that Congress has authorized?
3. Is it a violation of a citizen's First Amendment rights for circuit judges to lie in their rulings to deprive them of a court of law (and a required remand of their case based on facts and law)? Is it a violation of a citizen's First Amendment rights to deprive them of a court to have claims adjudicated that were properly pled by R. 8? Is it a violation of a citizen's First Amendment rights to be sanctioned by a judge acting under color of law for speaking out against their government and expressing themselves with the words of their choosing?
4. Are judges immune from civil liability when they misuse their power and act under color of law to aid and further criminal acts by others who are parties to a case?

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APPENDIX

<u>Second</u> Judgement 8/1/19 ¹	Ap 1-7
Related Sanction Order 8/1/19	Ap 8-11
Censorship Order 8/2/18	Ap 13-15
Merits Panel Order 12/14/18	Ap 16
Judge Kugler Order	Ap 17-19

*The court has already denied a petition for certification in the first appeal of this idiotic case that has never made it beyond the pleading stage and was never appealable as of right. 18-1374. This is now the second appeal from a second judgment (which is unprecedented.) Note: Justice Alito allowed for an extension to file this second petition, but did not consolidate the two as sought by me by my application. Although futile to have this second petition filed (at my expense) when the initial petition and rehearing have both been denied per the first judgment, it is being filed as proof of the oppressive tactics used by the Judicial Branch to keep litigants out of their own courts by any means necessary (especially when the case involves holding lawyers and judges to account in the law).

OPINIONS BELOW

The SECOND judgment and decision of the US Court of Appeals, Third Circuit, in this matter was entered on August 1, 2019. It is reproduced in Appendix as Ap 1-7. A petition for a rehearing was deprived outright due to Petitioner's refusal to pay the illegal sanction order which was not appealable. A rehearing petition was filed but not

docketed by order of the court. (Ap 8-11)

The original petition of this matter was docketed as 18-1374 with a rehearing petition that followed. This is a second appeal judgment. Everything has been denied by this Court (although it is disputed whether the rehearing petition was ever viewed by the Justices at all.) Petitioner's filing fee was cashed on the same day the denial was entered.

JURISDICTION

The jurisdiction of this Court is invoked per 28 U.S. Code § 1254.

CONSTITUTIONAL PROVISIONS INVOLVED

US Constitution, First Amendment, Seventh Amendment, and Fourteenth Amendment.

LIST OF PARTIES

Chris Jaye, *Petitioner*

Oak Knoll Village Condominium Owners Association, Inc.; Erick P. Spronck; Robert A. Stephenson; Dennis Leffler; Kelly Jones; Jennifer Cooling; Konstantinos Rentoulis; The Estate Of Joseph Cousins, F/K/A Joseph Cousins (Deceased); Marilyn Cousins; Les Giese; Anne

Thornton; Maintenance Solutions, Inc., Its Agents and Assigns; Condo Management Maintenance Corporation, Its Agents and Assigns; RCP Management; Access Property Management, Its Agents and Assigns; Fox Chase Contracting, Llc., Its Agents and Assigns; Tracy Blair; Berman, Sauter, Record & Jacobs, PC., Its Agents and Assigns F/K/A Berman, Sauter, Record & Jacobs; Kenneth Sauter, Esq. and CPA; Edward Berman, Esq.; Steve Rowland, Esq.; Brown, Moskowitz & Kallen, Pc., Its Agents and Assigns; Hill Wallack, Its Agents and Assigns; Marshall, Dennehey, Warner, Coleman & Goggin, Its Agents and Assigns; Suburban Consulting Engineers, Its Agents and Assigns; Schneck, Price, Smith & King, LLP., Its Agents and Assigns; The Law Offices Of Ann M. McGuffin, Its Agents and Assigns; Williams Transcontinental Gas Pipeline, Its Agents and Assigns; Clinton Township Sewerage Authority, Its Agents and Assigns; Pumping Services, Inc., Its Agents and Assigns; J. Fletcher-Creamer & Sons, Its Agents and Assigns; Strathmore Insurance, Its Agents and Assigns; QBE Insurance Corporation, Its Agents and Assigns; Community Association Underwriters Of America, Inc., Its Agents and Assigns; Mirra & Associates, LLC, Its Agents and Assigns; Stephenson Associates, Inc.; Henkels and Mccoy, Inc., Its Agents and Assigns; Frey Engineering; Gny Insurance Companies, Its Agents and Assigns, John Does 1-20 (Fictitious Names). *Respondents.*

BRIEF FACTUAL BACKGROUND

This is now the Petitioner's *ninth petition* filed with the US Supreme Court since 2015. Since 2012, Petitioner has been unable to obtain a day in court, a jury or due process in either state courts or federal court (including the US Court of Federal Claims). Every right the law demands be applied has been deliberately eviscerated by judges (state and federal). The result has been nothing but harm to the Petitioner with no avenue for a remedy.

Despite every effort made to address the illegal acts in play, this Court has refused to make a ruling on the impact its unconstitutional gift of judicial immunity has had on the **constitutional rights of the people**.

This court has placed the interest of the government (judges) over the rights of the citizen. This it cannot do. Petitioner's rights cannot be negated for the benefit of government employees.

But as is proven by the record, controlling law has never been applied (liberal pleading standards, right to amend, rules of dismissal, finality and jurisdiction) by the obstructionist judges (district

and circuit). This has been done with deliberate intent (criminally) to ensure Petitioner is without any day in court. This underlying case is the latest example of another valid cases that has been destroyed, impaired and killed without any basis in the law.

These judges have (again) abused their positions of power to obstruct justice, commit fraud and illegally decide who has the right to access the court (while cherry-picking the winners and losers). With the decision in the record and no right to appeal many of the rulings entered at the appellate stage (which is another deliberate tactic used), there is now no place to obtain a remedy for such conduct which *Marbury v. Madison* clearly demands be provided.

Illegitimate, Fraudulent, Void Rulings

These judges (working in concert to aid the criminal acts of the Defendants) have taken an activist role and so vastly departed from normal judicial procedures that their rulings are devoid of legitimacy. In addition to circuit judges never having jurisdiction, the law does not support the actions taken to preclude Petitioner and her claims from any court of law.

These illegal acts and actions are not expected of judges nor are they lawful. Many of the “decisions” made have been made without due process and cannot be appealed. Others were done in absent the judges’ jurisdictional authority. Those with a legal duty to ensure the law is provided are the very government actors (judges) violating the law. But as of right now (and after nearly five years), the fraudulent, lawless rulings remain as do all the cause and effects (*res judicata*, preclusion, etc.).

Petitioner, as a matter of law, has had and has a right to remedies in the law. (*Marbury v. Madison*). This repeated routine of illegality cannot be without a remedy nor can her claims be without lawful, truthful adjudication on the merits. A right that has been wronged demands a remedy. The expectation of judges and reliance on judicial immunity by judges to get away with crimes, fraud and lies by judges cannot be deemed due process.

And as this Court knows, a citizen cannot obtain remedies when they are being illegally precluded, dismissed and barred from the court by Federal Officers (judges) acting under color of law.

At all times, Petitioner has had standing, a valid case with claims and was in a court with jurisdiction. If the law was applied and facts relied upon, Petitioner would not be without her remedies in the law as she is.

Federal judges acting as advocates and obstructionists violated her rights to prevent her from obtaining remedies. This Court cannot countenance that.

Legal Argument

Federal Judges vs. Facts and Law

This entire second appeal is not only unprecedented, but the second judgment is as illegal as the first. One would have thought Justice Alito would have prevented the need for a second petition when consolidation was sought, but apparently the law and the rights of the citizens to obtain equal justice in the courts do not even matter in the highest court of the land.

Despite all the illegality, the law dictates. And the law is clear. The Third Circuit did not ever have jurisdiction because there was no final order in the district court (despite the lies put forth by Judge Michael Shipp). As evidenced by the underlying case itself, Judge Shipp avoided

adjudicating a R. 60 motion by lies after he dismissed my case because it was not final as he sought to make it appear. He rigged this case and forced into an appeal, but it was never appealable as of right. Post-judgment rulings were not provided which further support this to be a fact.

Following the illegal dismissal, the Third Circuit judges refused to address all that was appealed, deal with its own lack of jurisdiction or correct any of the lies that were required to be corrected.

Now the Third Circuit is submitting this well-crafted lie as a judgment to assert finality **after the fact** which did not and does not exist.

Despite all the obfuscation, fraud and lies on the part of the judges and Defendants alike, the district court judge had no right to dismiss any of my claims. It did not rely on *Erickson v. Pardus* (as required) and did not have the legal right to dismiss state claims with prejudice. All of this was known and ignored by the Third Circuit during the first appeal but not corrected. And why? The judges did not want to remand this case. They did not want the Petitioner to have the right to adjudication of her claims. And they still do not want this.

This second judgment is replete with lies and now is furthered by sanctions being used as an illegal tool of oppression. Everything that has been done to deny clear remedies in the law. *Marbury v. Madison*. And it has all been illegal.

Now the third time in two cases (16-2641), the Third Circuit's judges have acted without jurisdiction. They have come up with this emotionally-driven, fiction-based collection of judgments, rulings, sanctions and censorships to silence the Petitioner. They cannot do any of this because the law does not support such censorship. They also cannot do this because they have no jurisdiction.

All that was required for the Petitioner to have her case heard was a valid R. 8 pleading. This was illegally negated by activist judges which caused the total deprivation of Petitioner's rights and this entire mess that is now before you. The judges ventured down their own path and sought to prevent Petitioner from enjoying her First Amendment rights. This is all illegal (and criminal).

As it pertains to the vendetta rulings, none of these *ad hoc* punishments can be supported by

facts or law. These punishments without any right to appeal are simply being used as tools of oppression which violate federal law.

As to the sanctions based on comments by the Petitioner in pleadings and in an email, it is beyond incredulous. **Whatever happened to the First Amendment?** Did Petitioner lose her right to freedom of expression as well as every other First Amendment right? Judge Nygaard's ruling was not only utterly unconstitutional it was completely not based in fact, devoid of due process and wholly arbitrary.

But if this personal outrage by Judge Nygaard proves anything, it proves that these lawless judges never considered and were never going to consider Petitioner's pleadings as factual as they were required. The goal was and remains to hide the crimes of those they seek to aid (the Defendants) and other judges involved in this RICO enterprise. Federal judges have weaponized the courts to protect those they wish to protect from harm.

The judges involved in this scheme of fraud have walked themselves into a world of lies. And now they seek to bar the Petitioner from the court

entirely to forever shield themselves from accountability moving ahead. Their void rulings cannot be used as a tool to accomplish such an illegal task.

The crimes in play and the violation of constitutional rights are so severe it is shocking. Petitioner's right to a remedy to undo all this harm exists and can be obtained via meaningful due process. The case demands being remanded and adjudicated on the merits by facts and law.

Petitioner has rights. If her rights had been upheld (including a ruling by the proper pleading standard and the correcting of the lies by the district judge in the first place as required), Petitioner would not be before you now.

The right to life, liberty and the pursuit of happiness itself are being infringed upon by these costs, delays, deprivations, crimes and lies of government employees. These acts of oppression need to stop.

s/ Chris Ann Jaye
Chris Ann Jaye