

No. _____

19-6507

IN THE

SUPREME COURT OF THE UNITED STATES

Original

Kenneth Michael Smith — PETITIONER

(Your Name)

FILED

OCT 28 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

vs.

Melissa Sue Graham — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

First District Court, Lewis & Clark County, Montana

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Kenneth Michael Smith

(Your Name)

6990 Antelope Dr. Lot S

(Address)

Helena, MT 59602

(City, State, Zip Code)

(406) 996-1137 / 949-0837 (c)

(Phone Number)

QUESTION(S) PRESENTED

Does an "overly intense and litigious nature" constitute probable cause to appoint a guardian ad litem to a Domestic relations case.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

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:

Guardian Ad Litem
See GAL Bill in appendix

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

[] For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

[] For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

reported at see opinion record ✓; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

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Appendix

FINAL RESPONSE AND MOTION REGARDING CAUSE # BDR -2016-389..... (10 PGS)

DR-2016-389 Case register (6pgs)

PN-2017-5 available upon request, 80 documents

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. __ A _____.

8-13-19 opinion
9-18-19 order

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

9-18-19

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

9-18-19

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. __ A _____.

9-18-19

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

4th amendment rights.

34 months of Investigation...

Order to pay a guardian
ad litem.

"unlawful search (extended investigation)

"unlawful seizure (Order to pay
Guardian)

* no regulation, limits or way
to satisfy the court!

when I asked the judge how
we get out of this investigation
etc., he expressed "When I say".

STATEMENT OF THE CASE

Initially, Family Services (CPS) was involved. A Dependant Neglect case DN-2017-05 was filed and dismissed. As there were no problems with the father (Me). The mother is disabled (learning impairment) and has demonstrated an unwillingness to parent - see final response Appendix.

No abuse or neglect has been substantiated. The mother's disability which she receives SSI for is noted by the court.

The intense & litigious nature is because her Aunt Emily & Power of Attorney keep filing vexatious motions against me. She's never happy and was asked NOT to contact me again during a restraining order hearing.

REASONS FOR GRANTING THE PETITION

We have gone from

Judge to Judge

Justice to Justice

Guardian to Guardian

and

Therapist to therapist

with no resolution. A simple visitation schedule for mom is all we need. Not an endless investigation and excessive legal fees for a lawyer (Guardian) we didn't ask for.

It's an 8th amendment violation, Excessive fines cloaked a little differently.

Didn't see due process either 5th amendment.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Kenneth Michael Smith / KMS

Date: October 28th 2019.