

19-6596

No.

Supreme Court, U.S.

FILED

OCT 28 2019

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Wylmina Hettinga – Petitioner

vs.

Timothy Loumena – Respondent

On petition for a Writ of Certiorari to the
Sixth District Appellate Court of California

PETITION FOR WRIT OF CERTIORARI

Wylmina Hettinga
1587 17th Street
Los Osos, CA 93402
805-235-1699

ORIGINAL

QUESTIONS PRESENTED

Can the state courts levy Petitioner's joint bank accounts, freeze her safety deposit box, suspend her California clear teaching credential, and suspend her driver's license regarding a minor child she has no legal rights to, and no visitation rights with, unable to be heard in any state court in California because she is deemed a vexatious litigant required to post a \$100,000 bond?

Can the United States Department of State then suspend her ability to renew her passport after being wrongfully denied due process rights to review by all trial courts and appeals courts in the State of California?

LIST OF PARTIES

All parties 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

California Department of Child Support Services, Santa Clara County

United States Department of State

TABLE OF CONTENTS

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

INDEX TO APPENDICES

APPENDIX A, Order by the Superior Court of California, County of Santa Clara, denied filing 105FL127695 February 4, 2019 even though the US Department of State was threatening Petitioner's passport renewal.....	9,10, 11
APPENDIX B, Order by the Superior Court of California, County of Santa Clara, denied filing 105FL127695 March 20, 2019 even though the US Department of State subsequently denied Petitioner's passport renewal.....	6,7,8
APPENDIX C, In the Court of Appeal for the State of California, Sixth Appellate District, Appeal H046924 denied even being filed May 22, 2019	4,5
APPENDIX D, In the Supreme Court for the State of California, Petition for Review Denied, S256481 filed July 31, 2019.....	3

TABLE OF AUTHORITIES CITED

<i>Morgan v. United States</i> (1938) 304 U.S.1.....	1
--	---

IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioners respectfully prays that a writ of certiorari issue to review the orders below.

OPINIONS BELOW

The denial of review of the Supreme Court of California appears at Appendix D and is unpublished. The opinion of the State of California Appellate Court, for the Sixth District appears at Appendix C and is unpublished. The opinion of the Superior Court of California, County of Santa Clara appears at Appendix A and B and are unpublished.

JURISDICTION

The last date on which the highest state court decided this case was filed on April 18, 2018 and for a year and a half, the appeals court and trial court have refused to review this matter. The latest date the highest state court decided this case was filed on July 31, 2019. A copy of that decision appears at Appendix A. The jurisdiction of 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, Petitioner has not held any legal rights to her youngest minor son for the past 10 years. The boy was placed on an 80 year restraining order; barred from any and all contact with Petitioner, until she is dead, based upon an alleged text message she sent to the 15 year old boy instructing him on how to protect himself from his father. A few months later, Petitioner was imputed with income by a Commissioner claiming Petitioner should hold two full time jobs simultaneously, instead of one, for this boy she is no longer the parent of and then the Commissioner abruptly left the courtroom. Petitioner objected to having this Commissioner hearing the matter before, during and after the trial.

When she appealed the Commissioner's orders, she was denied review in the state appellate court and in the highest state court as well, as a vexatious litigant. The United States Department of State then used these state court orders, obtained without Due Process Rights, to deny Petitioner her passport renewal.

REASONS FOR GRANTING THE PETITION

In Morgan v. United States (1938) this court made it clear that Petitioner had a right to confront a federal governmental agency misusing its authority and a state court denying Petitioner due process rights as a vexatious litigant.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted on October 27, 2019.

Wylmina Hettinga: