

19-7471

No. 19-55850 (9th circuit)

ORIGINAL

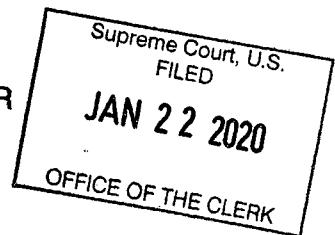
IN THE

SUPREME COURT OF THE UNITED STATES

Barbara E. Brown, — PETITIONER

vs.

COUNTY of SAN BERNARDINO, et al. — RESPONDENT(S)



ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Ninth Circuit

PETITION FOR WRIT OF CERTIORARI

Barbara E. Brown

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QUESTION(S) PRESENTED

1. Whether the 9th circuit judges erred in the dismissal of this petition, in agreeance with District Court Judge Carney?
2. Whether this petition is, was, or should be considered frivilous, under law, under the RICO Act 18 U.S.C. 1961?
3. Whether District Court Judge Cormac Carney erred in denying Petitioner the right to redress?
4. Whether Judge Carney obstructed justice by denying Petitioner the right to file complaint and serve parties?
5. Whether Judge Carney abused his power in this and (3) three previous actions by denying petitioner the First Amendment right to redress, since 2013?
6. Whether Judge Carney aided and abetted petitioner's defendants in this and previous actions brought against Big Bear Lake CA Law Enforcement officers which includes, but limited to, practicing law, illegal sanctions against petitioner, misappropriations of funds allocated by Congress for appointment of Counsel for those of us in the disadvantaged class of Americans?
7. Whether reparations should be paid to ex-slaves and their descendants, so that we Blacks can afford attorneys to protect and defend ourselves?

## 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:

COUNTY OF SAN BERNARDINO  
SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT  
ANDREW MONTBRIAND  
MARKE McCACKEN

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TABLE OF AUTHORITIES CITED

CASES	CITATION	PAGE NUMBER
	Cunningham v. Gatz, 229 F.3d 1271, 1289 (9th Cir 2000)	
	Cohen v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed. 257 (1821)	
	People v. Zajic 88 Ill. App. 3d 477, 410 N.E.2d 626 (1980)	
	Monell v. Department of Social Services of the City of New York U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.	
	Cooper v. Aaron, 358 U.S. 1, <sup>Ed. 2d 392, 406 (1980)</sup> 36 U.S. 658 (1978)	
	"No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it" to wit, "I (Carney) do solemnly swear that I will support the Constitution of the United States" (July 30, 1947, ch. 389, 61 Stat. 643.)	
	Bullock v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985)	
	Kennet v. C.I.R., 387 F.3d 689 (1968)	
	7 Moores Federal Practice, 2d ed., p. 512, 160-23	
STATUTES AND RULES	Meyer v. Pierce, 753 S.W.2d 79 (Mo. Ct. App. 1988)	
	Murphy v. Carroll, 536 S.W.2d 303 (Mo. Ct. App. 1976)	
	The RICO Act 18 U.S.C. 1961, 1962	
	Larceny Act of 1861	
	Safe Adoption Act of Bill Clinton 2002	
	Larceny	
	Extortion	
	Kidnapping	

CASES: Flatley v. Mauro 39 Cal. 4th 299 (2006) No. S128429

OTHER

- Defamation of Character - The Defamation Act of 1952
- Exciting Violence against unarmed Black Women
- Fraudulent Concealment
- Harassment Act of 1997
- Abraham Lincoln's Proclamation of 1862

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 A 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 \_\_\_\_\_; 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.

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was October 25, 2019.

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\_\_\_\_\_.

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 \_\_\_\_\_.

A timely petition for rehearing was thereafter denied 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\_\_\_\_\_.

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

42 U.S.C. 1983

The Rico Act 18 U.S.C. 1961

Monell Claim-~~Monell~~ v. D.S.S. of N.Y. (1978)

Perjury 18 U.S.C. 1621

Obstruction of Justice 18 U.S.C. 1503

42 U.S.C. 14141 Law Enforcement <sup>Pattern and Practice</sup> Misconduct

Title 18 U.S.C. Sec. 241

Title 18 U.S.C. Sec. 242

Title 18 U.S.C. Sec. 1203, chapter 55 Kidnapping 1201

Title 18 U.S.C. Sec. 2421

Title 18 U.S.C. 2243

Title 18 2251 (a)(b)(c)

Title 18 2251 (a) (b)

Title 18 2423 (a) (b)

8th Amendment of the U.S. Constitution

14th Amendment Bill of Rights

4th Amendment

## STATEMENT OF THE CASE

On September 28, 2018 Respondents, Andrew Montbriand conspired with county counsel Blakney Boggs and Deputy Marke McCracken to commit perjury and obstruction of Justice when, both respondents Deputies Montbriand and McCracken signed their names to ~~a~~ declarations

prepared by Blakney Boggs in support of Defendants' opposition to Plaintiff's Motion for Summary Judgment filed 10/1/18 by Plaintiff, Alice Brown, twin sister of petitioner, Barbara Brown, case No. 5:13-cv-00130-DSF-FFM, case No. Edcv 19 103 DSF.

Respondents, Montbriand and McCracken in collusion with each other and Blakney Boggs maliciously used the perjured declarations and fabricated evidence to influence the District Court Judge Dale Fischer to rule against Plaintiff Alice Brown, thereby committing fraud, fraud upon the Court and obstruction of justice while giving the State of California permission to continue to commit fraud upon Congress, misappropriation of funds for orphans and human trafficking for sexual exploitation, of children that are illegally deemed Ward of the State.

## REASONS FOR GRANTING THE PETITION

Petitioner was wronged by the malicious words written and spoken by Respondents, that defamed the character of petitioner and caused damage to petitioner's character, in so much as to have the employees of Big Bear Lake, CA Sheriff Deputies, County Social Workers, (C.P.S.) Child Protection Services, 2 Federal Court Judges (Capney & Fischer) and a Riverside Elementary School to believe every word that comes out of petitioner's mouth or that is written in a sworn declaration, to be a "lie", which is not the case.

The damage done to petitioner was to be denied to receive petitioner's nephew when kidnapped by the County & Sheriffs & the State of California see: Appendix C and a 5 year restraining order and many false charges, false imprisonments & Civil actions dismissed by District Court Judge Capney.

Appendix D is Abraham Lincolns Proclamation  
declaring all persons held as slaves,  
thenceforward, and forever free.

When County, State and Law Enforcer  
workers are allowed to lie and commit  
perjury in Family and federal Court houses,  
justice will not be served and we the  
disadvantaged people suffer SEE: Appendix B

CONCLUSION

petitioner seeks justice and reparations  
for the wrong done to myself my twin & my Nephew,  
Joseph William Kula Brown named a 'wind of the State'.  
The petition for a writ of certiorari should be granted.

Respectfully submitted,

Barbara E. Brown, In Pro Per

Date: January 22, 2020