

No. 19-7471

IN THE
SUPREME COURT OF THE UNITED STATES

Barbara E. Brown — PETITIONER

vs.

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

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT

CORRECTED
PETITION FOR REHEARING ON
PETITION FOR WRIT OF CERTIORARI

Barbara Eva Brown, In Pro Per

P.O. Box 5408

Sugarloaf, CA 92386

(951) 534-8277

Supreme Court of the United States

1 Name: Barbara Eva Brown

2 Address: P.O. Box 5408

3 Sugarloaf, CA 92386

4 Phone: (951) 534-8277

5 Fax: _____

6 In Pro Per

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8
9 CASE NUMBER: 19-7471

10
11 Barbara E. Brown

12 v.

13 SAN BERNARDINO County, et al.

14 CORRECTED PETITION FOR REHEARING

15
16 comes now, Barbara Eva Brown, Petitioner, files
17 this corrected Petition For Rehearing in this current action.

18 This civil rights action arises from the illegal kidnapping
19 and retention of petitioner's nephew, Joseph William Kula Brown,
20 by defendants, sheriff deputies of Big Bear Lake, California.

21 Both deputy Montebraind and deputy McCracken along with
22 their counsel, Blakney Ann Boggs, county counsel, had agreed
23 to conspire together to defame petitioners character to
24 injure and cause special damage to petitioner and Joseph Brown.

25 Both deputies and their counsel libeled Petitioner when the
26 written record, which was false statements, was presented to
27 San Bernardino County child protection Agency and Federal Court Judge
28 Dale Fishcher of Los Angeles, California, thus sealing Joseph's fate

1 and damaged petitioner's reputation and character to the
2 extent that petitioner was denied the opportunity to be
3 considered for Family Placement to take in Joseph Brown,
4 my then, 7 year old nephew who has been institutionalized
5 for 9 years in 10-15 different foster homes, group
6 homes and mental wards in California, being denied
7 the chance to be adopted by myself, my mother and
8 my adult niece, Christina Marie Brown who has been
9 asking for the right to adopt and for family placement for the
10 past 9 years and is now seeking the heads of state,
11 local and federal governments to intervene and
12 possibly convict those who continually commit crimes
13 against Joseph William Kula Brown by denying him the
14 same right to be adopted that all caucasian children
15 in the United States of America and supposedly children
16 of color are denied, thus, violating the Federal Law that
17 President Clinton passed in 1997 "Adoption and Safe Families Act".

18 Petitioner was and still is damaged to the extent
19 that the Big Bear Lake Sheriff deputies now have a false written
20 record of petitioner being an "obstructionist" and can and
21 have used that record of, obstructing an officer of the law,
22 as a pretext to justify for future harassment and arrests.

23 SEE: Exhibit _____ Petitioner's Book 'O Tickets, racial profiling.

24 Also SEE: Petitioner's prior cases; S.C.O.T.U.S. #18-116 me v. Wellman,
25 S.C.O.T.U.S. case #18-8597 me v. Scott Burton,
26 S.C.O.T.U.S. case #19-5765 me v. California D.M.V.,
27 9th circuit case #20-55350 opening Brief due June 12, 2020, ^{me v. DMV}
28 S.C.O.T.U.S. case #18-6507 & 17-9567 Alice Brown v. Del Norte County.

CERTIFICATION OF PARTY UNREPRESENTED BY COUNSEL

I, Barbara Eva Brown, Petitioner, hereby certifies that this corrected petition for Rehearing is presented in good faith and not for delay and that the intervening circumstances are of substantial and controlling effect and to other substantial grounds not previously presented.

Respondent's Counsel, Blakney Ann Boggs did file a waiver electronically on February 26, 2020 stating she did not intend to file a response and did not oppose petition for Rehearing.

I did file ~~the~~ petition for Rehearing within 25 days after this court denied my petition for writ of certiorari.

This court has allowed me to file just the original filing due to extreme poverty and lack of counsel.

Enclosed is the original and 10 copies, minus exhibits (1 copy only) of the corrected petition for Rehearing, due to extreme poverty.

I, Barbara Eva Brown hereby certify that the foregoing statements are true and I verify its accuracy and declare under penalty of perjury that the foregoing is true and correct.

April 24, 2020

Barbara Eva Brown

Barbara Eva Brown

FIRST Claim

(Name the law or right violated: 42 U.S.C. 1983)

(Name the defendants who violated it: Deputies Montebroad and McCracken)

1. I bring my lawsuit under the Federal Statute, 42 U.S.C. 1983 which provides that any person or persons who, under color of state law, deprives another of any rights, privileges or immunities secured by the constitution or laws of the United States shall be liable to the injured party.

3. I am an American citizen born in the United States, Compton, California on 12/21/64 and I claim all the rights, privileges and immunities secured by the Federal Constitution, Human, Civil, Presumed & Inherent Rights.

4. I was deprived of my right to be free of government intrusion and my character defamed by both defendants, that has injured my reputation and caused me years of illegal arrests and vehicle

5. impoundments by defendants co-workers at Big Bear Lake Sheriff's Department, the continual harassment and racial profiling has cost me my driver's license, thousands of dollars, my freedom & my nephew.

6. _____

SECOND Claim

(Name the law or right violated: Defamation of Character

(Name the defendants who violated it: Montebrand and Maercker

1. Defamation is the intentional

publication of a statement of fact that is false, unprivileged and has a natural tendency to injure or that causes special damage" Grenier v. Taylor (2015) 234 CA2 APP4th

2. Both respondents did libel me when 471, 486. they referred to me as an "obstructionist," when the true facts are I was denied family placement of Joseph Brown because I'm Black/Jew and the county of San Bernardino

3. uses these poor Black children taken to child Protection Agency and foster homes as a way to generate revenue by Human Trafficking of children, fraud, extortion, asset misappropriation, kidnapping and bribery.

4.

5.

6.

THIRD Claim

(Name the law or right violated: THE DEFAMATION ACT 1952)

(Name the defendants who violated it: Montbrand and McCracker)

1. IF the words are likely to cause economic damage to claimant and are published in writing or another permanent form and/or in respect of any office, profession, calling, trade or business held by claimant at time of publication,

2. the respondents did violate the Defamation Act 1952.

3. Montbrand and McCracker did cause economic damage to petitioner when the word "obstructionist" was used to describe petitioner's demeanor on the day in question.

4. Every pull-over by Big Bear Lake sheriffs ended in arrest of petitioner for being an "obstructionist" violating CALIFORNIA Penal Code PC-148(a) (allegedly), which the officers always used excessive force and assault.

4. Petitioner had to pay an average \$500.00 to get car out of impound when falsely accused, arrested and assaulted by respondents co-workers, for years.

FOURTH Claim

(Name the law or right violated: THE PROTECTION FROM HARASSMENT ACT 1997)

(Name the defendants who violated it: "Montbrand and McCracken")

1. A person must not pursue a course of conduct which amounts to harassment of another and which he or she knows or ought to know amounts to harassment of another. The Act states that harassing someone includes alarming them or causing them distress. It also defines a course of conduct as having to involve conduct on at least two occasions, and states that such conduct can include speech.

2. A civil claim can be brought against a person who pursues such a course of conduct, which I did (5) five times to this Supreme Court of the United States, all petitions were denied by this Court with no explanation.

3. The punishment for harassment can be up to 6 months imprisonment and/or a fine of \$5,000. A court may also impose a restraining order for the purpose of protecting the victim of the offence.

4. I have been harassed by local law enforcers for 10 years since I returned from Alaska for allegedly driving with no drivers license though I possessed an Alaskan Commercial Drivers License. SEE: CA Reporter me v. Calif.

4. I have been subjected to illegal stops, car impoundments, false arrests, physical and verbal and sexual abuse by the Big Bear Lake Sheriffs due to respondents published words against me, no probable cause.

FIFTH

Claim

(Name the law or right violated: 18 U.S. Code 249 Hate Crimes Acts)

(Name the defendants who violated it: Montbrand and McCracker)

1. Offenses involving actual or perceived
race, color, religion or national origin— whoever whether
or not acting under color of law, willfully causes bodily
injury to any person or... attempts to cause bodily
injury to any person, because of the actual or perceived
race, color, religion, or national origin of any person—
(A) shall be imprisoned not more than 10 years, fined in
accordance with this title or both.
(B) shall be imprisoned for any term of years or for life,
fined in accordance with this title or both, if —
(i) death results from the offense or
(ii) the offense includes kidnapping or an attempt to kidnap,
aggravated sexual abuse or an attempt to commit
aggravated sexual abuse or an attempt to kill.

a. Respondents did commit Hate Crimes against
me and my twin sister and our children, in that
Joseph William Kulu Brown now age 16 years old has never
been given an opportunity to be adopted in 9 years and
he is in a new fosterhome vulnerable to the Corona Virus
and named an orphan and a Ward of the State of California
though he has over (20) twenty Brown family members to raise
him and my son, after police harassment, moved 3,000 miles away.

SIXTH Claim

(Name the law or right violated: MALICIOUS FALSEHOOD)

(Name the defendants who violated it: Montebrand and McCracker)

1. To be successful in a claim for Malicious Falsehood the claimant must prove that:
The respondents/defendants published words about the claimant which were false, they were published maliciously and the publication has caused special damage

2. Defendants and their Counsel did publish words about me that can be proven false and they were published maliciously and the publication to both Child Protection Agency and District Court Judge Fisher has caused special damage.

3. Special damage also occurs every time I encounter law enforcers, in that, they read my "Rap sheet" created by Big Bear Lake Sheriffs Montebrand and McCracker and assume I obstruct and assume I will resist arrest and always on every traffic violation and encounter have arrested me for obstructing and resisting an officer which I don't, I fully cooperate to lawful orders.

SEVENTH

Claim

(Name the law or right violated:

NEGLIGENCE

(Name the defendants who violated it:

Montbrant and McCracker

1. Where a claimant can show that the defendant owed him or her a duty of care, the defendant breached that duty by failing to exercise reasonable care and the claimant has suffered loss, he or she can recover compensation in respect of statements made to a third party(s) which have adversely affected his or her relationship with that third party.

2. Defendants working under the color of law as law enforcers, they both owed me a duty of care and defendants breached that duty by failing to exercise reasonable care.

3. Petitioner has suffered loss due to statements made to a third party which has adversely affected my relationship with five (5) third parties, the Child Protection Agency put a 5 year restraining order on me to stay away from my nephew Joseph, my niece Christina, my two other nephews Keeland and Darius who are all not strangers to me, my family, and I was rejected for family placement of Joseph Brown.

4. Defendant's Counsel even lied to District Court Judge Dale Fischer in open Court stating she suspected I was on a drug and that I was giving the judge threatening looks through the court door.

IN THE

SUPREME COURT OF THE UNITED STATES

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vs.

SAN BERNARDINO COUNTY, et al.

DECLARATION IN SUPPORT OF

CORRECTED PETITION
FOR REHEARING

I, Barbara Eva Brown, declare as follows:

1. I am the Petitioner in the above-entitled case.

2. I have personal knowledge of the following facts, and, if called as a witness, I could and would competently testify thereto.

3. I am a 55 year old physically disabled Black woman born in Compton, California.

4. I live in the San Bernardino Mountains in Sugarloaf, California for eleven (11) years at the same house.

5. I have been continually harassed by the law enforcers in this small 1 square mile town and racially profiled for (9) nine years.

6. I have had my reputation and character defamed.

7. Defendants Montebland and McCracker libeled me, when they both falsely stated to Child Protection Agency and declared to Federal Judge Dale Fishcher "I was an Obstructionist."

8. That written statement is on my police record that Big Bear Sheriff Deputies have access to and have used against me in every traffic stop.

9. I have been unlawfully detained, falsely accused and arrested 10-15 times and my car impounded, physically, emotionally and sexually assaulted for minor traffic violations.

10. This campaign of harassment and retaliatory acts against me only began after the Big Bear Lake Sheriff Dept. was notified of legal action taken against them by my twin sister Alice.

11. Defendants Montebland and McCracker seized my twin's son, Joseph William Kula Brown and retained him in foster care for (9) nine years even after Joseph recanted his story. No search warrant.

12. Defendants denied me access to my nephew and ignored my twin sister's note giving me permission to care for her son, pending CPS investigation. SEE: Exhibit 11

13. San Bernardino County Counsel put a restraining order against me for (5) five years for delivering Joseph a Valentine's Day Card at his school, 1 year after his seizure by defendants. Exhibit 13

14. I never saw Joseph again since 2012 and being institutionalized in numerous group homes he has a higher likelihood of contracting the Coronavirus, I probably never will.

15. I have suffered financially, physically and emotionally due to the hate crimes defendants and co-workers acts against me including loss of drivers license nationwide forever.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 24, 2020, in Sugarloaf, California.

Barbara Eva Brown

Barbara Eva Brown, In Pro Per

REASONS FOR GRANTING THE PETITION

This action and petitioner's prior cases;
S.C.O.T.U.S. case No. 18-M6 me v. Wellman (CHP)
S.C.O.T.U.S. case No. 18-8597 me v. Burton (sheriff deputy)
S.C.O.T.U.S. case No. 19-5765 me v. California D.M.V.
9th circuit case No. 20-55350 me v. CA DMV due 6/12/20
and Alice Brown v. Del Norte County case No 18-6507
and case No. 17-9567 S.C.O.T.U.S.,

are all in regards to government intrusion,
racial profiling, deprivation of civil, constitutional,
human, parental, presumed and inherent rights.

Law enforcement officers have conspired to
deprive petitioner of all rights, including the right
to travel by defaming my character to the driver
safety officer at the D.M.V., judges, District Attorneys,
child protection Agency, Federal court judges and
churches I've attended, rendering me civilly dead
and emotionally distraught, dependant of others for rides.

Defendants Montbrand and McCracker has committed
Perjury (18 U.S. Code 1621) acting under the color of law
maliciously used perjured testimony and fabricated evidence
to deprive petitioner of my nephew, my vehicles, my
money, my drivers license, my peace, joy and happiness.

Petitioner's numerous cases prove my Monell claim
which was dismissed by District Court Judge Cormac Carney
who ruled on all (5) five cases though they were not
related and he refused to acknowledge that he could
appoint Counsel for a Plaintiff violating his oath of office
and committing treason and a Fraud upon the court.

1 Judge Carney was not to be the trier of the facts,
2 in that, petitioner demanded a jury trial and he
3 refused to send an order to serve all parties and
4 then dismissed the case thus denying petitioner the
5 right to redress and equal justice under law, repeatedly.
6 He also sanctioned petitioner \$100.00 for failure to attend
7 a video deposition which was 105 miles away disobeying
8 court rules, they are to come to my town over 100 miles away.
9 Carney has allowed perjured testimony and fabricated
10 evidence from multiple defendants and his bias ~~against~~
11 petitioner is evident in his rulings and refusal to believe
12 any word on petitioner's Filings, with his Mark Fuhrman
13 attitude towards Black Americans and the disadvantaged.

14 Judge Carney gave all defendant in every case
15 of mine absolute qualified immunity though none
16 of the cases, even this one, has never been to trial.
17 SEE: Preslie Hardwick v. County of Orange 844 F.3d 1112 (2017),
18 Murphy v. Carron, 536 S.W. 2d 30 (mo. banc 1976)
19 Title 42 U.S.C. sec. 14141, Title 18 U.S.C. 241 and 242, 18 USC 1203.
20 Article 1 sec. 9 ~~US~~ Constitution, No ex post Facto law shall be passed.
21 "Adoption and Safe Families Act" 1997 & R.I.C.O. ACT.
22 Plummer v. State, 136 Md. 306, John Bad Elk v. U.S.,
23 147 U.S. 529, State v. Robinson, 145 ME. 77, 72 ATL-260
24 Exhibit 2 is people in Alaska seeking me & my twin for help,
25 in that, We are the alaises "sharon and Susan Smith".
26 Exhibit 3 is a child who grew up abused in Alaska Foster care.
27 Exhibit 4 is petitioners Birth Certificate showing Race is Black.
28 Exhibit 5 is my neighbors son, Gilbert Mesa, murdered by ^{Big Bear Lake} Sheriffs.

CONCLUSION

Exhibits 6-9 Abuses of power, Alaska, against Alice Brown.

Exhibit 10 my nephew at age 7, now 16 years old.

Exhibit 11 Note from Alice giving me permission to care for Joseph.

Exhibit 12 Petitioner turned down for Family Placement.

Exhibit 13 Restraining Order against Petitioner by County Counsel.

Exhibit 14 Valentines Card to Petitioner from Joseph

Exhibit 15 Alice Brown's demand for 1st born girl back

Exhibit 16 Jessica Lani Cynnamon Brown kidnapped by Alaska.

Exhibit 17 My Mother's efforts to adopt/house Jessica.

Exhibits 18 & 19 Alaska Temporary Service Agreement, CPS.

Exhibit 20 Kidnapping papers for newborn Jessica Alaska CPS

Exhibits 21 & 22 Jessica's Father's attempts to take back his child.

Exhibit 23 Petitioners attempt to have Jessica placed in my home.

Exhibit 24 Alice Brown's attempt to keep her daughter.

Exhibit 25 Alaskan child abductions made legal

Exhibit 26 Contract Law

Exhibit 27 Man's Law

Exhibit 28 Natural Law

Exhibit 29 Inherent Rights

Exhibits 30 & 31 Native American Laws and Cherokee Cases

Exhibit 32 Anaheim Global Medical Center overdosed my brother.

Exhibit 33 my brother's death certificate.

Exhibit 34 People contacted to expose Alaska Baby Ring.

Exhibit 35 Reality for unarmed Black people killed by police.

Government intrusion is of National

Importance, Crimes against Humanity and a

genocide of unarmed Black people and disadvantaged

group of people and we have no chance to redress if we can

not afford an attorney. Barbara Eva Brown 4/24/20 Barbara Eva Brown

**Additional material
from this filing is
available in the
Clerk's Office.**