

NO. 19-8115

ORIGINAL

Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

BRENDA R. WHITE- PETITIONER – (pro-se)

VS

EDS CARE MANAGEMENT LLC et al, - RESPONDENT (S)

ON PETITION FOR A WRIT OF CERTIORARI TO
THE MICHIGAN COURT OF APPEALS

PETITION FOR WRIT OF CERTIORARI

BRENDA R. WHITE
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QUESTIONS PRESENTED

1. Must a court overlook a plaintiff's race in making a decision about her capacity and her right to defend herself against attempted murder by doctors, hospitals, and attorneys who made poor legal decisions, motivated by race, political and economic gain (RICO).
2. Must a court overlook evidence of past disciplinary action against doctors, attorneys, and court officials who made poor legal decisions.
3. Must a court be the only authority responsible for reshaping of statutes to fit the new world we live in to deter fraud and human abuse.
4. Must a court continue to have the authority to protect all vulnerable citizens from exploitations.
5. Must a court bear the burden of interpreting what is dishonesty or misrepresentation of facts that constitute penalty or not.

LIST OF PARTIES

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:

Travelers Indemnity Company

Defendant- Appellee

RELATED CASE

Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks, No. 2012-002017-NH, Macomb County Circuit Court. Judgment entered March 25, 2019, and April 11, 2019.

Michigan Court of Appeals. No. 348552, Judgment entered July 31, 2019

Michigan Supreme Court. No. 160200 Judgment entered January 2, 2020

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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

The opinion of the Michigan Court of Appeals, the highest state court to review the merits of my case appears at Appendix A to the petition and is unpublished.

JURISDICTION

The date on which the Michigan Supreme Court the highest state court to dismiss my Application for Leave to Appeal was on January 2, 2020, a copy of that decision appears at Appendix C

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The UNITED STATES code in title 18 U.S.C. § 201, Provides for the prosecution of public corruption in the United States of America.

1.

STATEMENT OF THE CASE

This case arises from a workplace injury on April 12, 2007, when plaintiff Brenda White, fell down the basement stairs while at work ,and she broke her ankle in three places. Plaintiff White, was taking care of a closed head injury patient at the time of her fall. Plaintiff's employer (EDS Care Management LLC), stands for Elizabeth Deluca Spina, an attorney that had illegal guardianship of the patient that plaintiff Brenda White, was taking care of at the time of her fall. Brenda White, found out years later that EDS Care Management LLC was not a licensed care facility after she found out about EDS Care Management LLC case named Elizabeth Deluca, and EDS Care Management, INC., Plaintiffs/ Counter- Defendants, v Amica Mutual Insurance Company, Defendant/Counter- plaintiff. Case no.14-12175. Plaintiff's work place injury turned into a State of Michigan Workers Compensation claim for EDS Care Management LLC. Travelers Indemnity company was the Insurance carrier that handled the workers compensation claim for EDS Care Management LLC.

Plaintiff Brenda White, was referred to orthopedic surgeon Jeffrey Zacharias, from a St. John Hospital emergency room doctor on April 12, 2007, to do surgery on her right ankle. Plaintiff Brenda White's husband Joseph White, was referred to an attorney named Joseph Dedvukaj, from his prior supervisor Joya Craighead, from Detroit East Community Mental Health Provider. Brenda White's surgery was scheduled by Dr. Zacharias, and because of attorney Joseph Dedvukaj 's political and financial interest, he immediately called Brenda White, and her husband Joseph White, several days later after the surgery was scheduled, and he told Brenda White, not to let orthopedic surgeon Jeffrey Zacharias, do the surgery, and referred Brenda White, to his DEN of THIEVES. Because plaintiff Brenda White, and her husband Joseph White, trusted attorney Joseph Dedvukaj, they took his advice, and they went to see Dr. Wasim Rathur M.D., and Dr. Rathur M.D. referred Brenda White, to orthopedic surgeon Hassan Hammoud M.D., and Dr. Rather told plaintiff Brenda White, to come back to see him after the surgery, and he billed workers Compensation for his services. Brenda White and her husband went to see orthopedic Surgeon Dr. Hassan Hammoud, at his office in Dearborn Michigan. Dr. Hammoud, conducts surgeries at Southeast Michigan Surgical Hospital. Dr. Hammoud examined Brenda White's right ankle and he stated he had a full schedule, and he would not be able to do the surgery. Dr. Hammoud, billed Workers Compensation for his services, and he referred Brenda White, to Dr. Gary Docks. Dr. Hammoud, informed Plaintiff Brenda White, that Dr. Gary Docks, was a reputable qualified doctor, because he was teaching students at Southeast Michigan Surgical Hospital. Plaintiff Brenda White, had the right to expect that the hospital would have checked out the doctor to make certain that he was a qualified ethical surgeon, and that he was the appropriate person to perform the surgery.

Plaintiff Brenda White, had surgery on her right ankle performed by Dr. Gary W. Docks on two occasions, which was witnessed by the student physicians working at Southeast Michigan Surgical Hospital. The students name were Julie Kai Lester, DPM, Modupe Aderibigbe, DPM, and Joseph Gatlin, DPM.

The first surgery was on April 27, 2007 for an Open Reduction /Internal Fixation of Trimalleolar Fracture of the right ankle, and the second surgery was on July 23, 2007, for a removal of a syndesmotic screw in the right ankle, and Endoscopic gastrocnemius Recession of the right lower extremity. The second surgery was not a success, the surgery did not increase the range of motion in plaintiff White's right ankle. Dr. Gary Docks was paid for both surgeries by Travelers Indemnity Company, because it was a workplace injury, and Travelers was the insurance carrier for EDS Care Management LLC.

After the second surgery, plaintiff Brenda White, suffered a number of injuries that are still ongoing today. The injuries are : Nerve Damage in the throat, Temporomandibular joint, (TMJ),Sensorineural hearing loss, and Tinnitus. There were five doctors who saw and validated plaintiff White's injuries from the second surgery on July 23, 2007, and one of the doctors was a state doctor from workers compensation, who Travelers Indemnity sent Brenda White, to see and his name was Dr. Ted Schwartzenfied D.O. The other four doctors who attended to plaintiff after her injuries on July 23, 2007 are: Dr. Adam D.Rubin, M.D.; Dr. Robert E. Brammer, M.D.; Dr. Donald Gary Wolford, M.D. and Dr. Michael D. Seidman, M.D.

Plaintiff Brenda White, discovered a case in Arizona against Dr. Gary Docks, in which he committed an almost identical malpractice on a patient. Plaintiff Brenda White was under the care of Travelers Indemnity Company, and Dr. Gary Docks, Travelers Indemnity Company, and Southeast Michigan Surgical Hospital, never filed an incident report. Dr. Gary Docks should not have been practicing. Dr. Docks, was allowed by Travelers Indemnity, to do two surgeries on plaintiff Brenda White, while all the time Travelers knew that Dr. Gary W. Docks had prior license issues. Due to the fact that plaintiff Brenda White, was injured on the job, and the surgeries came as a result of the workplace injury, Travelers indemnity is responsible for plaintiff White's care and Injuries. Dr. Docks, was paid to do a second surgery on Brenda White, on July 23, 2007, that was not needed with the conscious intent to cause death or great bodily harm, as evidence by Dr. Gary Docks, and staff not filing an incident report. Jackie Malofy, was the claims representative who handled Brenda's workers compensation claim. The registered nurse that handled Brenda White's claim was Joann Danczak.

Brenda White's 2009 workers compensation fraudulent redemption settlement, that involved Michigan Workers Compensation Magistrate Beatrice Logan, Travelers Indemnity Company, attorney Elizabeth Deluca Spina, (EDS Care Management LLC), Travelers attorney David W. Nowinski, from the law offices of Catherine A. Gofrank , plaintiff Brenda white's former workers compensation attorneys Richard L. Warsh, and attorney Joshua Syme, and plaintiff Brenda White's former Social Security attorneys Clifford L. Weisberg, and Deanna Lee-Kaniowski, from the Law Centers for Social Security Rights all were involved in fraud and handled and witnessed a fraudulent redemption settlement. They knowingly made false statements in a workers compensation redemption settlement. This is a health and safety case. Health and safety regulations have been violated.

Plaintiff 's workers compensation claim was reopened in March of 2015, and on July 1, 2015, Magistrate Beatrice Logan granted defendants motion to dismiss without the case going to trial. On pg. 7 of the July 1, 2015, motion transcripts Magistrate Beatrice Logan, stated Fraud, whatever, there is nothing the Board of Magistrate can do once the order becomes final. On pg. 8 of the July 1, 2015, motion transcripts, Magistrate Beatrice Logan, stated that plaintiff white signed it. On pg. 8 of the motion transcripts plaintiff Brenda White, stated It was all planned, and it was all set up from the beginning. Magistrate Beatrice Logan, statements in the transcripts clearly shows that her behavior was irrational due to her anger and distress.

On August 5, 2015 Bryna J. Olson, from legally correct transcriptions, who does transcripts for Magistrate Beatrice logan, had to do an Errata, after plaintiff Brenda White, called her and demanded that she correct the cover page of the transcripts where she stated the case had been to trial. Bryna J. Olson, changed the word trial transcripts to motion transcripts, because the case did not go to trial. Bryna J. Olson in support of Magistrate Beatrice Logan's unwavering decision wanted to make it look like the case had been to trial.

On August 5, 2015, plaintiff Brenda White, sent a Claim of review to the Michigan Compensation Appellate Commission. On August 17, 2015, the Michigan Compensation Appellate Commission sent a letter to plaintiff stating that a petition was dismissed without a hearing on the merits. This will be treated as a motion for reinstatement. On September 22, 2015, the Michigan Compensation Appellate Commission sent plaintiff a fraud order stating they believe cause has not been shown.

The defendants attorneys from the Kitch, Drutchas, Wagner, Valitutti, & Sherbrook law firm, Christina A. Ginter, Thomas R. Shimmel, and the Plunkett Cooney law firm attorneys Kenneth M. Mattson, Robert G. Kamenec, former Macomb County Clerk Carmella Sabaugh, and Judge Edward Servitto Jr. intentionally set up a default lied about how they were served and committed fraud in the Brenda white v Southeast Michigan Surgical Hospital case in order to conceal EDS Care Management LLC, and Travelers Indemnity Company, and The Macomb County Circuit Court, later listed the Brenda R .White v EDS Care Management LLC and Travelers Indemnity Company case as a companion case to the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case on the register of action. It is very clear that the two cases are the related.

Attorney Elizabeth Deluca Spina, owner of EDS Care Management, had a case in the United States District Court Eastern District of Michigan Southern Division. Case no. 14-12175. Elizabeth Deluca Spina, and EDS Care Management INC., plaintiffs/ counter-Defendants v Amica Mutual Insurance Company, Defendant/counter plaintiff. In 2012, the Washtenaw County Probate court appointed attorney Elizabeth Deluca Spina illegal guardianship of a client. EDS Care Management is not a licensed attendant care provider company. Deluca with the client's mother's agreement illegally transferred the client from her prior live-in care facility, to EDS' facility sometime after May of 2013. This clearly shows that Elizabeth Deluca Spina violated her sacred oath, and she is involved in a conflict of interest.

On September 13, 2016, plaintiff Brenda White, filed a second complaint with the Michigan Attorney General Bill Schuette, on Southeast Michigan Surgical Hospital and Dr. Gary Docks. On October 12, 2016. Plaintiff received a response from Michelle M. Brya Division Chief of Licensing and Regulation Division, with the addresses and telephone numbers to the Department of Licensing and Regulatory Affairs Bureau of Community and Health Systems, and the Bureau of Professional Licensing, and a file number of 20140072404-A. Plaintiff Brenda White, attempted to file a second complaint, and the director of the Michigan Department of Licensing and Regulatory Affairs Bureau of Community and Health systems, Larry Horvath , Director responded to plaintiff on December 5, 2016 by e-mail and he stated : The Department will send a letter soon. I apologize for the delay. Based on the information to date, the Bureau Community and Health Systems does not plan to re-open the investigation as request. I will attempt to get our letter out this week. Larry Horvath never sent the letter.

On September 13, 2016 plaintiff Brenda White, filed a complaint with the Michigan Attorney General Bill Schuette, on EDS Care Management LLC and Travelers Indemnity Company. On December 7, 2016, plaintiff received a response letter from Dennis J.Raternick, Division Chief of the Labor Division. The complaint # is 2016-0149686-A. The letter states that the Department of Licensing and Regulatory Affairs Workers Compensation Agency has the authority to address complaints concerning the employment issues that you raised.

On December 8, 2016 plaintiff Brenda White, called the Workers Compensation agency, and she talked to Suzy Snieder about the response she received from Michigan Attorney General Bill Schuette's office, and Suzy Snieder told plaintiff Brenda White, she could file an Application for Mediation or Hearing. A telephone mediation hearing was scheduled for January 31, 2017.

On September 16, 2016, plaintiff Brenda White's husband Joseph White, filed a consumer complaint on attorney Joseph Dedvukaj, for attorney misconduct and auto insurance fraud with Michigan Attorney General Bill Schuette. On October 5, 2016 Michigan Attorney Bill Schuette sent a letter to Joseph White, stating that we have received the information you recently submitted to this office regarding Joseph Dedvukaj. We are, by copy of this letter, referring your correspondence to the Attorney Grievance Commission. From the information you submitted it appears that the agency may be able to assist you. AG# 2016-0157370. On November 14, 2016 plaintiff Brenda White, and her husband, filed a request for investigation with the Michigan Attorney Grievance Commission on attorney Joseph Dedvukaj, for his misconduct in the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case, Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company case, and a Allstate auto insurance claim involving plaintiff Brenda White, and her husband Joseph White, in which attorney Joseph Dedvukaj committed fraud. On December 1, 2016 plaintiff Brenda White, and her husband Joseph White, was sent a letter from the Attorney Grievance Commission, stating that the commission will determine if an investigation is warranted. ACG File No.16-1401.

On December 21, 2016 Attorney Joseph Dedvukaj, filed an answer to Brenda White and her husband's Request for Investigation with the Attorney Grievance Commission. Attorney Joseph Dedvukaj, continues to involve himself in more criminal activity, and more fraud. He Seems to think he is above the law, and no one is above the law.

On January 25, 2017, the Michigan Attorney Grievance Commission sent a copy of attorney Joseph Dedvukaj's answer to Brenda White and her husband's Request for Investigation with a ACG File: 16-1401. They also, sent a letter that states: RE: Joseph and Brenda White as to Joseph Dedvukaj, Dear Mr. and Mrs. White: The commission is authorized to investigate and when necessary prosecute charges of attorney misconduct. After preliminary investigation and careful review of the materials in the file by the commission 's staff, it has been determined that the matter raised in your Request for Investigation will not be pursued further. Our office feels Joseph Dedvukaj has answered your allegations adequately. I am enclosing a copy of the answer for your review. We will take no further action. Please be advised that this matter is being closed under the authority granted to the Grievance Administration pursuant to Michigan Court Rule 9. 112(C)(1)(a.). I hope that this letter adequately explains my office 's position in this matter.

On October 21, 2015, plaintiff filed an application for leave to appeal in the Michigan Court of Appeals under docket No. 329827. On April 8, 2016, the Michigan Court of Appeals issued a fraud order without any evidence denying plaintiff Brenda White's application for leave to appeal.

On May 16, 2016, plaintiff Brenda White filed an application for leave to appeal in the Michigan Supreme Court. On October 26, 2016, The Michigan Supreme Court issued a fraud order with no evidence denying Brenda White's application for leave to appeal, and on October 26, 2016, defendant's attorney Donald H. Hannon's motion to strike evidence was also denied by the Michigan Supreme Court.

On December 13, 2016, plaintiff Brenda White, Filed an Application for Mediation or hearing in the workers Compensation agency, after getting permission from Suzy Snieder, from the state of Michigan Workers Compensation. On January 31, 2017, an agency telephone Mediation hearing was scheduled with facilitator David R. Campbell, and it was cancelled by David R. Campbell, because he scheduled a pre trial in front of Magistrate Beatrice Logan, on March 6, 2017, and it was not held. Defendants attorney Donald H. Hannon, did not show up for the pretrial hearing. On March 8, 2017, Magistrate Beatrice Logan illegally granted defendants motion to dismiss. On May 2, 2017, plaintiff Brenda White, filed an Appellant's Brief in the Michigan Compensation Appellate Commission. On January 30, 2018, the Michigan Compensation Appellate Commission mailed plaintiff Brenda White a fraud order with threats of sanctions for plaintiff to pay 2,500.00 if plaintiff came back again. The Commission had no evidence to support that plaintiff was a vexatious litigator, and the case did not go to trial.

On January 13, 2017, Plaintiff's Petition for Writ of Certiorari was filed in the United States Supreme Court as docket no 16-7580. On March 30, 2017, plaintiff Brenda White's Petition for Writ of Certiorari printed in the United States Supreme Court. On April 24, 2017, plaintiff's petition for Writ of Certiorari was denied without prejudice in the United States Supreme Court. On May 16, 2017, plaintiff's Petition for Rehearing was filed in the United States Supreme Court. On June 12, 2017, plaintiff's Petition for Rehearing was denied in the U.S. Supreme Court.

On February 28, 2018, plaintiff Brenda White, filed an application for leave to appeal in the Michigan Court of Appeals as no. 342657 along with plaintiff's Motion to Waive Fees. On March 7, 2018, plaintiff Brenda White's motion to waive fees was denied, On March 27, 2018, Plaintiff Brenda White, filed a motion for reconsideration of the court's order denying plaintiff's waiver of fees. On April 11, 2018, plaintiff's motion to waive fees was denied, plaintiff once again was forced to pay illegal filing fees. The illegal fees were charged to pervert the course of justice. On June 4, 2018, plaintiff's application for leave to appeal was illegally denied by the Michigan Court of Appeals. On July 11, 2018, plaintiff filed an application for leave to appeal in the Michigan Supreme Court, and she was charged illegal filing fees once again.

On October 24, 2017, plaintiff Brenda White, mailed two checks to the Michigan Court of Appeals Grand Rapids Office, to Chief Commissioner Mark Stoddard. Plaintiff was given a post office receipt with an expected delivery date of Thursday October 26, 2017. The checks was for two cases that was filed in the Michigan Court of Appeals. The case names are Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks ; Brenda Ford White v O.L.Matthews, M.D., Wook Kim, M.D., Joram Mogaka, M.D., Harper University Hospital and St. John's Hospital And Medical Center,INC. The Michigan Court of Appeals, sent an order to plaintiff Brenda White, stating that the filing fees was due on or before November 8, 2017, failure to comply with this order will result in the dismissal of the appeal. On Friday October 27, 2017, plaintiff called Chief Commissioner Mark Stoddard, and asked him if he had received the checks and he said he had not received the checks. Plaintiff called Chief Commissioner Mark Stoddard, a second time on Monday October 30, 2017, and Mr. Stoddard, again stated he had not received the checks. Plaintiff husband went to the Roseville, Michigan Post Office, and he asked for them to take a written Report/Complaint for him, and he was informed it was not possible. On October 31, 2017, plaintiff's husband , went to the Roseville Police Department and he filed a Police Report, and he was given a complaint no. of 170031301-Offense Suspicious Circumstances. Plaintiff Brenda White, called the Roseville Post Office, for the matter to be investigated, because it involved mail tampering, and wire fraud, and illegal filing fees was charged on two cases that was filed in the Michigan Court of Appeals. Plaintiff Brenda White, made calls to the Michigan Court of Appeals on October 31, 2017, and November 1, 2017, and

plaintiff spoke to a clerk named Kate, and she continued to say that the checks had not been received. On November 1, 2017, plaintiff called Chase Bank to put a stop payment on both checks. On November 2, 2017, Plaintiff called Mark Stoddard, again and he stated the checks had not been received. Plaintiff then informed Chief Commissioner Mark Stoddard, that a stop payment was placed on the old checks, and Mr. Stoddard was also informed that two new checks was taken to the Michigan Court of Appeals Office in Troy Michigan. On November 6, 2017, a special agent from the Office of Inspector General named Aaron Bowen, called to do a further investigation in regards to plaintiff's police report and post office verbal complaint taken by the post office that was on file. Agent Bowen, also left plaintiff a contact number. On November 6, 2017, plaintiff called commissioner Mark Stoddard to inform him that Agent Aaron Bowen had called to follow up on the complaint that was filed on October 31, 2017, and on November 8, 2017, plaintiff Brenda White, received two suspicious letters from Chief Commissioner Mark Stoddard, with the original checks attached to the letters. All updated information and documents was given to the Roseville Police Department and added to the original police report.

This criminal act done by Chief Commissioner Mark Stoddard, from the Michigan Court of Appeals, was done to impede justice in plaintiff's cases, and to dismiss plaintiff's cases for not paying an illegal fee by the due date of November 8, 2017.

Michigan Supreme Court Chief Clerk Larry Royster, did the same criminal act as Chief Commissioner Mark Stoddard, did, tampering with mail involving the United States Postal Service. Plaintiff Brenda White, mailed an illegal filing fee check on October 29, 2018, to the Michigan Supreme Court to the correct address, plaintiff had a post office receipt with an expected delivery date of Wednesday October 31, 2018. The order dated October 11, 2018, stated that the case would be administratively dismissed if the filing fee was not paid within 28, days. The name of the case is: Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company, SC No. 158078. On Tuesday November 6, 2018, Plaintiff contacted the Michigan Supreme Court Clerk's office, and she talked to Chief Clerk Larry S. Royster, and he stated in an audio recording that they did not receive the check and he directed Plaintiff Brenda White, to send a new check, and certify the mail, and if he receive the original check he would send the check back. So, plaintiff and her husband decided that it was necessary to take an almost two hour drive to Lansing, Michigan, to hand deliver another check, because they did not trust Larry S. Royster, and the illegal filing fees was due on November 8, 2018, On November 7, 2018, plaintiff called the Michigan Supreme Court at 11: 07 A.M. and she talked to the administrative assistant Tess Haadsma, and Tess stated in an audio recording that the check had not been received. Plaintiff told her that she would have to come up with the check, because plaintiff knew the court had the check. So, On November 7, 2018, at 12:16 P.M. plaintiff called The Michigan Supreme Court back to ask the court again about the mail, to determine if she would have to put a stop payment on the original check, and Chief Court Clerk Larry S. Royster, said in an audio recording he had received the check in the mail. He asked plaintiff, if she wanted him to tear up the original check or, if she wanted him to mail the

original check back to her. So, plaintiff directed him to send the original check back to her in the mail, and he did. This is a criminal act done by Michigan Supreme Court Clerk Larry S. Royster, and it was done to impede, and to dismiss plaintiff 's case for not paying illegal filing fees by the due date of November8, 2018, in the Brenda R. White, v EDS Care Management LLC and Travelers Indemnity Company case.

On February 4, 2019, the Michigan Supreme Court issued an order that states: On order of the Court, the application for leave to appeal the June 4, 2018, order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal we REMAND this case to the Michigan Compensation Appellate Commission for further clarification of the details of the sanctions that it has imposed on the plaintiff. In all other respects, leave to appeal is denied, because we not persuaded that the questions presented should be reviewed by this court. We do not retain jurisdiction. Plaintiff Brenda White's application was once again illegally denied by the Michigan Supreme Court.

On April 11, 2019, Macomb County Circuit Court Judge Edward Servitto, who is the Judge in plaintiff's case named Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case, which is the related case to Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company case, issued a vacating order of his March 25, 2019 order that states: The Court has Sua Sponte reconsidered it's order dated March 25, 2019. Upon reconsideration, the court hereby VACATES the paragraph of the March 25 order which provides that "IT IS FURTHER ORDERED that plaintiff shall be precluded from filing in the Macomb County Circuit

Court any more motions, or any other lawsuits related to this matter without first providing the Chief Judge of this court a paper copy of the motion, brief and all exhibits and/or complaint and obtaining leave from the Chief Judge of this court to file a motion in this case or a complaint in a new case.' The Court further VACATES the paragraph of the March 25 Order which Provides that "IT IS FURTHER ORDERED that if plaintiff violates this order, she shall be sanctioned for damages including attorney fees and costs and the motion and/or complaint will be dismissed" pursuant to MCR 2.602 (A) (3), case remains closed.

On April 16, 2019, the Michigan Compensation Appellate Commission issued an Opinion/Order, and the commission ignored the order of the Michigan Supreme Court. They have continued with the same threats of if you come back again you must pay 2,500.00.

On April 18, 2019, plaintiff Contacted the State of Michigan Workers Compensation unit, in Lansing Michigan, and spoke to Linda, in regards to the fraud order from the Commission. Plaintiff was told that there was no restrictions on filing an application for a mediation or hearing. Plaintiff then requested that a form be sent. Plaintiff was sent a claim for review form instead. The form was filled out and sent back to the State Workers Compensation Unit in Lansing Michigan. and a copy was send to defendants attorney Donald H. Hannon.

On May 6, 2019, plaintiff received a letter from the Michigan Compensation Appellate Commission that states on May 3, 2019, we received a claim for Review filed by you, signed April 29, 2019. On April 16, 2019, the Commission issued 2019 Mich. ACO 12 in response to the Michigan Supreme Court's Order dated February 4, 2019. If you disagree with our decision issued April 16, 2019, your recourse is to timely file an application for leave to appeal with the Michigan Court of Appeals. Sincerely, Rita L. Jenks.

This is clearly abuse of authority, and against the law, This clearly shows that EDS Care Management and Travelers Indemnity Company has lost this case.

On May 15, 2019, Plaintiff Brenda White, filed an Application for leave to appeal in the Michigan Court of Appeals as docket No. 349018. The Michigan Court of Appeals did not have travelers Indemnity company name listed as a defendant on the docket. On May 21, 2019, the Michigan Court of appeals sent plaintiff Brenda White, a letter requesting plaintiff to order the certified record. The letter also stated that Judge Michael E. Servitto, from Macomb County Circuit Court was the Judge handling this case in the Workers Compensation Appellate Commission. On May 23, 2019 plaintiff made a telephone Contact and talked to Francine from the Michigan Court of Appeals Troy office, in a taped audio recording plaintiff explained to Francine, that Micheal E. Servitto, should not be listed as a Judge in this case, and Travelers should be listed as a defendant. Francine stated she was going to put everything in writing and turn it over to Clare M. Cykowski. On May 24, 2019, plaintiff Brenda White, looked at the docket and found that Judge Michael M. Servitto's name had been removed from the docket like he was never listed on the docket without a new docket entry as to the date that the Judge had been removed. A new docket entry should have been used with the date in which Judge Micheal E. Servitto, was removed from the docket. This Constitutes fraud on the court. On May 24, 2019, plaintiff Brenda White, hand delivered a letter to Clare M. Cykowski, regarding the major discrepancies on the public docket, Plaintiff Brenda White, asked Clare for clarification as to why travelers was not listed as a defendant on the docket in this case, when travelers was listed on the order on appeal as a defendant. Plaintiff also asked Claire, why was Judge Michael E. Servitto, named removed from the docket one day after Plaintiff reported these major discrepancies to the Michigan Court of Appeals, without a new entry on the docket as to the date in which the Judge was removed from the docket. On May 31, 2019, the Michigan Court of Appeals sent plaintiff Brenda White, a letter stating Dear Ms. White: In response to

your letter received on May 24, 2019, please be advised that Judge Michael Servitto, who was added to this case in error has been removed from the docket, as you noted. Also, Travelers Indemnity has been added as a defendant. This Court apologizes for the oversight. An updated docket sheet is enclosed for your review. (exhibit A).

This intentional act was not done in error as stated by the Michigan Court of Appeals, this was done to impede justice, and to take advantage of a pro se litigant.

On April 15, 2019, Plaintiff Brenda White, filed a motion to waive fees along with the application for leave to appeal and on July 12, 2019 plaintiff's motion to waive fees was denied by the Michigan Court of Appeals even though plaintiff 's income did not show the ability to pay. Plaintiff Brenda White, has been charged illegal filing fees continuously. This is against the law, and abuse of authority.

On July 16, 2019, plaintiff Brenda White, gave a copy of Plaintiff's Request for Investigation with exhibits and a copy of a letter from the Michigan Attorney Grievance Commission to the Michigan Court of Appeals regarding Donald H. Hannon. On July 31, 2019, attorney Donald H. Hannon filed a motion to Strike to impede justice, and on August 29, 2019, attorney Donald H. Hannon's motion to strike was denied by the Michigan Court of Appeals.

On October 13, 2015, attorney Donald H. Hannon, filed a notice of substitution, of attorneys and a consent to substitution of attorneys for the Brenda R. White v EDS Care Management LLC et al, case following attorney David Nowinski and the Gofrank firm discharge. Attorney Donald H. Hannon, came in this case to futher compromise the integrity of the court, to create confusion and fraud on the court for bad Faith and Delay.

The decision made by the commission was not based on truthful disclosure of evidence. This constitutes FRAUD ON THE COURTS. Attorney David Nowinski Misrepresented Material Facts as evidence by Nowinski making fraudulent statements in the court and Nowinski and his firm the Law Offices Of Catherine A .Gofrank, is no longer the defendants attorney . Following David Nowinski and the Gofrank firm discharge, Attorney Donald H. Hannon came in to Represent the defendants in this case, to further compromise the integrity of the court, to create confusion and fraud on the court, for BAD FAITH and DELAY.

The Michigan Compensation Appellate Commission once again made a decision without the case going to trial. They had no evidence . The Commission made up their own rules while working with defendants attorney Donald H. Hannon, on when to impose sanctions while misrepresenting facts and running over a pro-se litigant, so they can continue fraud on the court when the case is OVER. If plaintiff's litigation was really vexatious, as the commission stated in the order dated June 30, 2018, the commission would have imposed sanctions of \$2,500.00 to be paid immediately. The order would have made it clear on who plaintiff would have had to pay. The Commission could Not impose sanctions, so they used the sanctions as a threat, intimidation, and deceit to scare plaintiff Brenda White, from filing any further litigation in the worker compensation agency, and the appellate commission. This case did not go to trial, and to impose sanctions to pervert the course of justice is a crime done by the appellate commission.

On April 16, 2019, The Michigan Compensation Appellate Commission, entered the same fraud Opinion/Order from a February, 4, 2019, Remand Order from the Michigan Supreme Court, using the same threats to impede justice and to cover up crimes against Brenda White. The commissioners Jack F. Wheatly, Garry Goolsby, and Lester A. Owezarski are involved in fraud. Former Magistrate Beatrice Logan, was also involved in fraud, and she was not reappointed by Governor Gretchen Whitmer. Defendants attorneys Donald H. Hannon did not file a response to the remand order, and the commissioners who are officers of the court, are involved in fraud on the court.

In the spring 2018, Workers Compensation Newsletter Case law Update by author Martin L. Critchell, who has practiced law at Conklin Benham since 1976 emphasizing cases before the Michigan Compensation Appellate Commission, Court of Appeals, and Supreme Court of Michigan, and he has taught at Western Michigan University Cooley School of Law since 2012. Mr. Critchell, discussed four cases. In the White v EDS Care Mgt, LLC, 2018 Mich ACO 4 he Discussed the sanctions of \$2,500.00 assessed on plaintiff Brenda R. White and other details of this case. Mr. Critchell stated there was two features on pg. 2 of the news letter One is that the commission did not specify who to pay, the party requesting the sanction, EDS Car/Travelers, or the Commission itself. The other noteworthy feature is that a payment of the sanction was a prerequisite for filing anything further by white. Id. at.3 ("[White] may not file any additional claims [claims for review]with the commission regarding this matter.(**exhibit B pp. 1-2**).

Attorney Donald H. Hannon and the Michigan Compensation Appellate Commission was complicit in Fraud to Strike evidence in this case. Karen A. Spranger a Former Court Clerk/ Register of Deeds from the Macomb County Circuit Court found fraud in this case that is a related case to the Brenda White v Southeast Michigan Surgical Hospital et al, where fraud was also found by Karen A. Spranger.

On August 29, 2019, the Michigan Court of Appeals, issued another fraud order and denied plaintiff's Application for leave to appeal on its own motion, without any proof to substantiate their claim that plaintiff Brenda White's appeal is frivolous and vexatious, and defendants attorney Donald H. Hannon does not have any proof to support his claim that plaintiff Brenda White's appeal is frivolous and Vexatious. Plaintiff has shown the courts over and over and over again a plethora of evidence that this case has merit and that this case is a related case to the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case. The Michigan Court of Appeals had no grounds to assess sanctions with no proof. The Michigan Court of Appeals continues to impede Justice and violate public safety. This clearly shows that the Michigan Court of Appeals and all other Judicial authorities are abusing their authority against plaintiff Brenda White in this broken system.

On January 2, 2020, The Michigan Supreme Court Issued another fraud order, dismissing Plaintiff Brenda White's Application for leave to appeal, and illegally granting defendants attorney Donald H. Hannon's Motion to Dismiss, The Michigan Supreme Court has no evidence to support their claim that Plaintiff is a vexatious litigator. This is abuse of authority and more fraud on the court. The Michigan Supreme Court, and defendant attorney Donald H. Hannon is ignoring plaintiff Brenda White's evidence and they are breaking the law.

On October 20, 2017, plaintiff wrote a letter to Karen A. Spranger Former Macomb County Clerk/ Register of Deeds regarding two orders not entered on the record from Judge Edward Servitto Jr. from plaintiff's filing of a renewed motion for relief from judgment and a motion for reconsideration with attachments. On November 14, 2017, Karen A Spranger responded with a two page letter stating she would do an investigation. On November 30, 2017, Karen A. Spranger a former officer of the court did a reply to investigation report with a proof of service. and she stated she found FRAUD on the court in this case and four other RICO cases, and it was done with obvious intent and it caused inappropriate Register of action false statements. So she will forward her findings to the necessary authority. She also found that the

Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company case is a companion case to the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case, as stated in the Macomb County Circuit Court register that states that the case originated at the Workers Compensation Appellate Commission, where attorneys were involved in a fraudulent Workers Compensation Redemption settlement. Karen A. Spranger also stated that plaintiff Brenda White and her husband Joseph White, who had a pending case in the Michigan Supreme Court named: Joseph White v Detroit East Community Mental Health et al, has both been charged illegal fees in their cases in this unusual circumstances of fraudulent dismissal by the Michigan Court of Appeals and the Michigan Supreme Court Clerks.

On January 23, and January 24, 2018, News Reporter Jason Colthorp for WDIV LOCAL 4 aired a story regarding Karen Spranger's Reply Investigation report involving this case and plaintiff Brenda White and husband Joseph White's other Rico cases where Jason Colthorp covered up plaintiff's cases and made false statements. A false police report was filed by Clerk Lisa Emerson and a clerk office employee Brian Brdak, on Joseph White, on January 30, 2018, at the Macomb County Sheriff's office in regards to Joseph's facebook post. On January 31, 2019, Two detectives came to plaintiff's home to question Joseph White and cleared Joseph of any wrong doing. The detectives called the complaint a suspicious complaint. This incident is very similar to a case in Macomb County Circuit Court where Johnathon Vanderhagen was jailed for allegedly posting threatening facebook post on Judge Rachel Rancilio, the court system, and his sons death. He was found not guilty by a Jury on Friday September 20, 2019. On September 16, 2019, plaintiff Brenda White and Joseph White filed a new police report at the Macomb County Sheriff's office.

On September 17, 2019, reporting Officer Jamie Bagos, made a statement in the Macomb County Sheriff's Office Police Report, and he acknowledged that false statements was made by the local news station WDIV and news anchor Jason Colthorp during one of their news stories on January 23rd and 24th of 2018, in regards to Brenda White's lawsuit filed in Macomb County Circuit Court.

On August 14, 2019, A Request for Investigation was filed by Brenda and Joseph White, at the Michigan Attorney Grievance Commission on attorney Joseph H. Barnardi, the attorney who represents WDIV/TV Local 4 News in regards to a news story that aired on January 23, 2018 and January 24, 2018, where news reporter Jason Colthorp made statements involving Former Court Clerk/Register of Deeds Karen Spranger, Chief Court Clerk Lisa Emerson, Macomb County Commissioners, Macomb County Lawyer John Schapka, in which Jason Colthorp stated that Lisa

Emerson said that Former Macomb county clerk/Register of Deeds Karen Spranger, pressured her to illegally alter record in plaintiff's case named: Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks ; Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company. WDIV/TV Local 4 News and Jason Colthorp, covered up plaintiff's other case named: Brenda Ford White v O.L. Matthews M.D. et al, and Joseph White's case named: Joseph White v Detroit East Community Mental Health et al, and a client's case.

On October 8, 2019, Cynthia C. Bullington, Assistant Deputy Administrator, from the Michigan Attorney Grievance Commission sent a letter to Brenda and Joseph White, stating that the matter is being closed under the authority of the Grievance Administrator pursuant to Michigan Court Rule 9.112(C)(1)(a). Your Request for Investigation have been thoroughly reviewed. The facts as you have stated in your Request for Investigation do not constitute professional misconduct.

The Michigan Attorney Grievance Commission has abused their authority once again, and the Grievance Commission is involved in corruption, and fraud on the court.

On August 29, 2019, Former Macomb County Clerk/Register of Deeds Karen Spranger, came to plaintiff's home and She talked for 5 ½ hours. She discussed her intentions to file a complaint to Secretary of State Jocelyn Benson, to report election tampering, political conspiracy, Macomb County Circuit Court mismanagement, corruption in the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case ; Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company case, and Fraud upon the court. She also stated the system is broken and she was wrongfully terminated for trying to clean up corruption in Macomb Court. Karen, Stated she was attacked by her peers and the media for attempting to clean up corruption and for her replacing former Court Clerk Carmella Sabaugh. She stated she hopes to get her job back as Macomb County Clerk/ Register of Deeds. She also stated she was going to send a letter to Attorney General Dana Nessel.

On September 26, 2019, Plaintiff Brenda White, sent an email letter to Michigan Attorney General Dana Nessel's office requesting that her office intervene in Brenda and Joseph White criminal cases. (**exhibit C** attached.) On November 26, 2019, Brenda White, sent an email letter to Richard L. Cunningham, head of the criminal Division in regards to him sending an ending letter to Brenda and Joseph White, after he stated in a telephone conversation that his office would not be handling the cases. (**exhibit D** attached) On December 3, 2019, Richard L. Cunningham, responded in a letter that states:

Dear Mr. and Mrs. White: This letter is written in response to your request that the Michigan Attorney General intervene in several lawsuits in which you are a party. In your request you cite several different civil actions, but assert that the Court of Appeals has determined that these cases are criminal, You state that the Court of Appeals issued orders recognizing those cases are criminal, but you failed to provide copies of any such orders. I have considered your request and reviewed the Court of Appeals records concerning the cases in which either one of you was a party. I am simply not persuaded that there is any valid basis for the involvement of the Attorney General in your lawsuits. Likewise, I see no basis for any criminal proceedings based on the information you presented. Within the scope of prosecutorial discretion, I am closing our file on this matter without further action. (**exhibit E** attached)

Former Michigan Attorney General Bill Schuette, conspired with Assistant Attorney General, Gregory J. Townsend, and Richard L. Cunningham, Division Chief from the Criminal Division to cover up Brenda White cases. Plaintiff Brenda White, filed a Consumer Complaint in 2014 with former Attorney General Bill Schuette, for the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case, and plaintiff Brenda white, was given a file number of AG 2014-0072404-A, and a complaint was also filed in plaintiff's related case named Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company in 2016, and plaintiff was given a file number of 2016-0149686-A. Brenda White, also has a case in Wayne County Third Circuit Court, and Plaintiff's husband Joseph White, has a case in Wayne County Third Circuit Court, and complaints were filed in those cases also, and all cases listed above was intentionally covered up with malice and forethought to impede justice, by former Michigan Attorney General Bill Schuette, Assistant Attorney General Gregory J. Townsend, and Richard L. Cunningham, Division Chief from the Criminal Division.

On December 30, 2019, Brenda White, left a message at the news desk of the Macomb Daily Newspaper in regards to filing a complaint on Jeff Payne the editor of the Macomb Daily and Jameson Cook, a reporter from the Macomb Daily. On January 2, 2020, Jeff Payne, called and Spoke to Brenda and Joseph White. Brenda and Joseph mentioned all cases, but the Brenda

White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case and the Brenda R. White v EDS Care Management LLC and travelers Indemnity Company case was discussed more at length. Brenda White, asked Jeff Payne, why did reporter Jameson cook, use an audio recorded conversation between former Macomb County Clerk/ Register of Deeds Karen Spranger, and Joseph White, and make a fraud statement in the Macomb Daily Newspaper on Sunday July 8, 2018, that Brenda White, had a case from several year ago, and he did not mention that Joseph White had a case. Jeff Payne, acted like he did not know that the cases went to the United States Supreme Court. Jeff Payne, stated give him two weeks.

On February 5, 2019, Brenda White and Joseph White, had a telephone conversation with Macomb Daily News reporter Jameson Cook, and all of Brenda and Joseph white cases were mentioned, but Jameson Cook discussed the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks ; Brenda R. White v EDS Care Management LLC and Travelers Indemnity company cases more at length. Jameson Cook used a fraud Michigan Court of Appeals per curium opinion from the Brenda White v Southeast Michigan Surgical hospital and Dr. Gary Docks case and litigated with Brenda White, like he was an attorney instead of a reporter. Brenda White, asked Jameson Cook, why did he use an audio recording between Joseph White and Karen Spranger, and print in the Macomb Daily Newspaper on Sunday July 8, 2018, that Brenda White, had a case from several years ago when he knew that Brenda White, was still in the court. He responded the statement didn't mean that. Jameson also stated he did not do Brenda White, story he just mentioned the case, and he regret mentioning the case. Jameson stated that he did not know anything about Brenda and Joseph White cases. To add insult to injury the Macomb Daily Newspaper has been intentionally interfering with the delivery of the newspaper. The carrier has been throwing the paper in the snow, in the street, under cars, in puddles of melting snow, and has stopped putting the address on the paper. The Carrier has stopped delivering the paper at the door. This intentional problem has been reported over and over and over again to the Macomb Daily Circulation Desk, reporter Jameson Cook, and editor Jeff Payne. All to no avail. The audio recording of Jameson Cook with Brenda and Joseph white has been sent to the Michigan Supreme Court with Joseph White case, under docket no. 160201.

On January 29, 2020 Brenda and Joseph White had a telephone conversation with Connie, from state Senator Paul Wojno's office, in regards to their cases, and Connie stated that there is nothing they can do at this point, because the cases are in the court. The audio recording of Brenda and Joseph White with Connie has been sent to the Michigan Supreme Court with Joseph White case, under docket no. 160201. This is another excuse by State Senator Paul Wojno's office to continue to impede justice.

On February 7, 2020, Brenda White, sent Jason Colthorp from WDIV Local 4news an email update regarding her cases, and the same email was sent to other people regarding Brenda cases going back to the United States Supreme Court. Jason Colthorp sent Brenda White, an email stating: Stop Contacting me. You're violating a court order. Jason Colthorp, continues to use threats to impede justice, after he did a fraud news story.

On February 20, 2020, Brenda White and Joseph White, contacted the City of Detroit Mayor Mike Duggan's office, and spoke to a person by the name of Karen, and recorded the conversation. Karen, listened and she took notes in regards to plaintiff Brenda White, cases and her husband's case. Karen, stated she was going to forward this information to their Constituent Service Department, and they will report directly to the Mayor and inform him, and if they need more information or have any questions they will contact Brenda and Joseph White. A copy of the audio has been sent to the Michigan Supreme Court. On March 2, 2020, Brenda and Joseph White, contacted Mayor Mike Duggan's office a second time and spoke to Karen, and they requested that Karen, contact Constituent Service Department, to ask them to send Brenda and Joseph a letter, and Karen stated that she would contact Constituent Service Department in regards to them sending a letter.

Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in " fraud upon the court. "In Bulloch v United States, 763 F. 2d 1115, 1121 (10, Cir. 1985), the court stated "Fraud Upon the court" is fraud directed to the Judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ...It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function ---thus where the impartial functions of the court has been directly corrupted." "Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication. " Kenner V C.I.R., 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512 ¶ 60.23. The 7th Circuit further stated " a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final.

"Fraud upon the court" makes void the orders and judgments of the court. It is also clear and well-settled Illinois law that any attempt to commit "Fraud upon the court" vitiates the entire proceeding. The people of the state of Illinois v Fred E. Sterling, 357 Ill. 354; 192N.E. 229 (1934) (" The maxim that fraud vitiates every transactions into which it enters applies to judgments as well as to contracts and other transactions."); Allen F. Moore v. Stanley F. Sievers, 336 Ill. 316;

168 N.E. 259 (1929)(The maxim that fraud vitiates every transaction into which it enters"...) In re village of Willowbrook, 37 Ill. App. 2d 393 (1962) ("It is axiomatic that fraud vitiates everything".); Dunham v Dunham, 57 Ill. App. 475 (1894), affirmed 162 Ill. 589 (1896); Skelly Oil Co. v Universal Oil Products Co., 338 Ill. App. 79, 86 N.E. 2d 875, 883-4 (1949); Thomas Stasel v. The American Home Security Corporation, 362 Ill. 350; 199 N.E. 798 (1935)

Under Illinois and Federal law, when any officer of the court has committed "fraud upon the court " the orders and the judgment of that court are void, of no legal force or effect.

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Liljeberg v health Services Acquisition Corp.*, 486 U.S. 847, 108 S. Ct. 2194 (1988) (what matters is not the reality of bias or prejudice but it's appearance) ; *United States v. Balistreri*, 779 F. 2d 1191 (7th Cir. 1985) (Section 455(a) " is directed against the appearance of partiality, whether or not the judge is actually biased." ("section 455(a) of the Judicial Code, 28 U.S.C §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process.").

The court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her or his impartiality might reasonably be questioned. " *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989). In *Pfizer Inc. v Lord* 456 F.2d 532 (8th Cir. 1972), the court stated that " It is important that the litigant not only actually receives justice, but that he believes that he received justice."

The supreme court has ruled and has reaffirmed the principle that " justice must satisfy the appearance of justice " *Levine v United States*, 362 U.S. 610, 80 S. Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S. Ct. 11, 13 (1954). A judge receiving a bribe from an interesting party over which he is presiding, does not give the appearance of justice. Recusal under Section 455 is self – executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself or himself *sua sponte* under the stated circumstances." *Taylor v. O' Grady*, 888 F. 2d 1189 (7th Cir. 1989). Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that " We think that this language (455(a) imposes a duty on the judge to act *sua sponte*, even if no motion or affidavit is filed. " *Balistreri*, at 1202. Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the Law.

Should a judge not disqualify himself as required by law, then the judge has given another example of his "appearance of partiality" which, possibly, further disqualifies the judge. Should another judge not accept the disqualification of the judge then the second judge has evidenced an "appearance of partiality" and possibly disqualified himself/herself. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal force or effect. Should a judge not disqualify himself, then the judge is in violation of the Due Process Clause of the U.S. Constitution. *United States v Sciuto*, 521 F. 2d 842 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.")

If you are a non-represented litigant, and should the court not follow the law as to non-represented litigants, then the judge has expressed an "appearance of partiality" and, under the law, it would seem that he/she has disqualified him/herself.

However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on the subject. Notice that it states "disqualification" is required and that a judge must be disqualified" under certain circumstances.

The Supreme Court has also held that if a judge wars against the constitution, or if he acts without jurisdiction, he has engaged in treason to the constitution. If a Judge acts after he or she has been automatically disqualified by law, then he or she is acting without jurisdiction and that suggests that he is then engaging in criminal acts of treason, and may be engaged in extortion and the interference with interstate commerce. Courts have repeatedly ruled that judges have no immunity for their criminal acts. Since both treason and the interference with interstate commerce are criminal acts, no judge has immunity to engage in such acts.

REASONS FOR GRANTING THE PETITION

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

Equality before the law, like universal suffrage, holds a privileged place in our political system, and to deny equality before the law delegitimizes that system...When these rights are denied, the expectation that the affronted parties should continue to respect the political system ...

that they should continue to treat it as a legitimate political system--has no basis. The abuse of power by a public or private official for private gain. Corruption is so common that it is expected when ordinary business or citizen interact with government funds or officials. We must continue to hold ourselves accountable. A person who does not hold themselves accountable to anyone, holds themselves accountable to nothing.

Conclusion

For the reasons stated in this petition for writ of certiorari, petitioner Brenda R. White prays this Court issue a writ of certiorari.

Respectfully Submitted,

Brenda R. White

Date: March 19, 2020