

19-8496 ORIGINAL
No. _____

FILED
DEC 16 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Cheryl Jenkins — PETITIONER
(Your Name)

vs.

State of Pennsylvania — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of PA
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Cheryl Jenkins
(Your Name)

P.O. Box 186
(Address)

Subury PA 17801
(City, State, Zip Code)

570-765-8552
(Phone Number)

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FEB 27 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

(See attached
next page)

QUESTIONS PRESENTED

1. Is it lawful for judges to evaluate a judge recusal on themselves?
2. Should Domestic Relations Code (23 P.A.C.S.) and Judicial Code (42 P.A.C. S), Act 107 of 2013 be upheld in all custody cases? If not, should it be vacated?
3. Should PA have a Guardian Ad Litem review/complaint board to assure children's choice and voice in their own lawyer in PA?
4. Shouldn't agencies such as Casa in PA apply to all at risk youth not just foster children, and the advocate be mandatory in court?
5. Should it ever be lawful for a judge to deem the need to protect from domestic violence as parental or familial alienation ever?
6. Is it lawful for a judge to not believe a child's claims of abuse, even if the accused party is a parent? and that person removed? Cyf should be able to override custody judges if a child is in danger?
7. Attorney General Referrals should be allowed by any citizen?
8. Superior/Supreme court should be answered in county opposing jurisdictions?
9. Judicial misconduct should vacate the case(s) effected?
10. Does G.B. v. M.M.B., 670 A.2d 714 allow for abuse of power?
11. Should Kassam v. Kassam apply when the case has already been unfair?
12. Genovese v. Genovese, 550 A.2d 1021 (Pa. Super 1988), Is the improper loss of a child through change of custody a sanction?
13. Should PFA's not be allowed to be superseded for any reason?

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:

RELATED CASES

(In PA) - Westmoreland Co. - 3 1948 of 2017 D

Superior Court of PA - 101 WDM 2019

Supreme Court of PA 67 Wm 2019

(In PA) Northumberland Co. - CV 19-1205

(In PA) Superior Court - 1416 WDA 2018

Supreme Court - 16 Wm 2019

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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

For cases from federal courts:

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

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

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

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

For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix J,K,S 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 _____.

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**:

September 17,

2019

The date on which the highest state court decided my case was 2019.
A copy of that decision appears at Appendix S.

Also April 9, 2019 (J) and May 10, 2019 (K)

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

*(See attached
page, earlier
in document)*

STATEMENT OF THE CASE

(See ~~b6~~
attached)

VII. Constitutional Provisions Involved

United States Constitution, Amendment V:

No person shall be deprived of life, liberty, or property, without due process of law.

United States Constitution Amendment VI:

The *Moran* held that the Sixth Amendment need for counsel is up help if it could result in criminal charges.

United States Constitution, Amendment XIV: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

VIII. Statement of the Case

All citizens are to have a fair and impartial trial. In *Moran v Burbine* enforced that the sixth amendment right to counsel. Contempt is quasi criminal and the right to counsel should apply. In *P.H.D. v. R.R.D* there must be a petition for modification of custody before a change can be made and a change of custody cannot

occur during a contempt proceeding. In Whitmayer v. Whitmayer and Myers v. DiDomenico the child's preference was to be weighted and the tipping factor in child custody. In Haller v. Haller the case was vacated for the blocking of testimony. In Everett v. Parker modification requires notice. The Domestic relations code (23 P.A.C.S.) and Judicial code (42 P.A.C.S) Act of Dec. 18, 2013 P.L. 1167, No. 107 Cl. 23 Session of 2013 No. 2013-107 providing for factors to be considered in custody; providing for consideration of child abuse and involvement with child protective services; in child protective services, further providing for release of information in confidential reports and for county agency requirements for general protective services; and, in juvenile matters, further. providing for inspection of court files and records and for law enforcement records need to be upheld. 16 factors are commonly accessed prior to a custodial decision or change as well as the child's preference asked. In Fisher v. Fisher it was found that staying in the same school district was in the child's best interest. In Hartman v. Hartman it was found that it was important that the child stay with the caregiver he/she is most strongly attached to, as well as in English v. English, a long happy relationship was decided to be more important. In Re of Pearce wealth is not a factor in custodial decisions. We also should consider one's rights to due process and the civil rights of both mother and child, amendment 5,6, and 14 of the United States Constitution. In Renb, the courts are supposed to also take care of jurisdictional issues themselves

as they arise. As well, both parties are to be served for court. The defendant is supposed to sign receipt of delivery for the first court case and both parties must be served for all proceedings.

1. The Case and Need for Interlocutory Appeal (Interim)

On June 20, 2019 after contacting multiple agencies, the mayor, the attorney general, casa, a few state representatives, and even the white house to try to stop the illegal taking of my son, a total change of custody was allowed to happen after I was set up for contempt of court, during a false contempt case without notice of the possibility of a modification happening and the denial of my continuance when court notice was just 11 days. I lost a previous job for the denial of the continuance too. There was no basis for this change of custody. The judge had no basis for this change in custody. The same judge that is on our custody case, denied a recusal and all remarks on the recusal back in the fall of 2018, because in Pennsylvania currently there is no way to stop corruption with a recusal being answered by the presiding judge and without it causes a total imbalance in the case. This same judge prior to custody court, called the pfa office in Westmoreland county and instructed staff to not allow mother to file for a pfa, which also was part of the recusal. Mother was not invited to the court case that supposedly happened in April of 2018. There is no transcriptional record of this case and we had trouble even getting a copy from the prothonotary for our first appeal in September of 2018, because the

prothonotary said there was no order in April of 2018, but the case was continued. Father did not show for paternity in 2013, had a 6-month window, and he failed to pay support. As well, Westmoreland county said he did not have to pay support to see his son. The judge refused to allow mother to have an attorney and changed custody during contempt cases and only offered a trial and the supposed submission of evidence when she heard that mother would be contacting the higher court. The child wanted a new guardian ad litem from the beginning and PA lacks a complaint process or review board. Even when misconduct is found, the judicial conduct board cannot undue a crooked case, or hardly ever can. As well, Cyf failed to properly assess how my son got bowel damage from his father while his case was open (instead evaluated the separate issue of std and improperly at that) and failed to continue that the std and the bowel damage could and would possibly have to be two separate issues and evaluated as such, including an internal exam and examination of other evidence. This was before it got vacated for employee issues and improper county, and the detective transferring the criminal case was halted by the police refusing to file a report where it happened, and then casa was unable to help, after the judge failed to recuse, because in PA only foster children can get advocacy.

In her Petition for Interlocutory appeal, Ms. Jenkins sought to enforce the

change of venue to Northumberland County. CJJ has been in the care of his mother and only had his mother as a parental figure his entire life (English v English, Hugo v. Hugo). Christian's birthdate is September 10, 2012. He turned 7 in September. CJJ and mother, Cheryl Jenkins, resided in Northumberland county. CJJ attended Kindergarten last year, for his full year and got perfect grades in Sunbury PA. CJJ has many friends and a big family, as well as his mother. CJJ and mother have been victims of domestic violence at the hands of the father for years. Mother and father did not live together, nor did father care for CJJ or provide financial support but father attacked them. CJJ was also involved in 4 sports with many of his friends in Northumberland county and attended church with his mother and family. Mark Tengowski, father, does not live in Westmoreland county either, but Fayette county. Ms. Jenkins filed this Petition to file an Interlocutory appeal on July 18, 2019 and by the 24 of July, the superior court made a quick and improper decision/order denying Ms. Jenkins request and the Supreme court of PA denied her Petition for review. Mother, Cheryl Jenkins has experienced obstruction of justice through this superior court previously with her Child's fast track appeal in the fall (see superior court docket sheet 1416 WDA 2018, October 18, 2018, in bold print) and was told that her appeal should have been interlocutory and when she filed an interlocutory appeal was told she should file a regular appeal. Cheryl Jenkins doesn't feel the court did a full reading of her petition for

Interlocutory appeal and reviewing of facts in relation to her filing. The superior court answered within 4 business days. There is a lot of concern in relation to CJJ within

Ms. Jenkins filings that would need more time than just 4 days. As well, a transcript request was sent to Westmoreland county and the transcripts were not produced before the order was denied and referred to the county judge. These transcripts are very important. They have since been reordered and are in process. Transcripts from Northumberland county pfa court have been pulled showing a violation of the pfa order that was not enforced and proof of stalking and threats of murder by the father that support earlier pfa filings, one in Lycoming and an attempt to one in Westmoreland county. Regarding Westmoreland County, unfortunately on June 20, 2019, during what was supposed to be a contempt case for mother, with no motions to address custody, and both after mother filed her second change of venue and both Mother and son had a pfa against father, in Northumberland County, who had just one supervised visit thus far with Christian, Judge Bononi decided to unexpectedly change custody from Mother to Father and superseded Christian's protection from abuse order, as well Mother's custody was changed to only supervised visitation. The Guardian Ad Litem also said in court that she smelled cigarette smoke but "it wasn't that bad" and that there was a dog in the home. Then

even tried to coerce CJJ in chambers, as seen in the transcripts from August 16, 2019 that he doesn't have a dog allergy that he was diagnosed with and has had breathing troubles, including asphyxiation, in which case CJJ answered that he was having allergy symptoms including sneezing and also reported this to mother during a visit and they left him in the home after. In general, it is almost impossible for a child to hire or select a new guardian ad litem when it's needed. In PA currently guardian ad litems are assigned by the judges and removed by the judges and when you have a need for a recusal and deliberate refusal to do so, this also effects one's ability to get any motion granted or a change of anything, including a guardian ad litem. Other states have review boards and complaint processes for guardian ad litems. Pennsylvania needs a review board and an easy process for changing the guardian ad litem that is child friendly and that does not have to go through the judge on the custody case. Because of the lack of ability to recuse judges and this assignment and removal process my son has been failed by the judicial system once again. Everyone desperately misses CJJ in Northumberland county, especially his mother who only gets up to 4-hour visits after parenting him his whole life. It isn't right to move a child 4 hours away from his primary and only parent for his whole life (Hartman v. Hartman). This is traumatic for Christian. Ms. Jenkins also asked to vacate the entire order and all amendments for case 1948 of 2017D and for reversal of false contempt against

her to clear her name. She also asked within this Petition for Interlocutory appeal for intervention by a fair and impartial judge, since she has been denied this in the lower court and the right to counsel and submission of evidence. As well as the intervention by a higher court judge to immediately return her son to safety with her and/or the upholding of the child's pfa in Northumberland county against his father, Mark Tengowski that has since been dismissed due to mother being given the wrong time for court but CJJ should have never been allowed to go to father's house at the time of custodial change and his rights to protection were violated. There is urgency in this safety and life of CJJ. The pfa had been entered before the change of custody and after Christian's father only had one supervised visit and this is very odd behavior of a judge who should be looking out for the best interests of the child. Christian, child, was never asked of his wishes and he had already expressed that no one was listening to him. Testimony from the visitation center indicated that the CJJ was afraid during the visit as well. Mother is fit, having only probable ADHD, which doesn't affect the child, which the judge has admitted, both in May and August of 2019, but had in June tried to defame mother writing a court order to defame mother as if she had other mental health concerns. The ADA has since been contacted. Mother has been caring successfully for the child since birth, as well as providing all monetary costs, as well as support of the child emotionally. Mother had previously filed a recusal of the judge which

is necessary but can be handled by transferring the case to the proper jurisdiction, Northumberland County. The judge did various modifications/amendments as well as a change of custody all during contempt cases without notifying mother beforehand of possibilities of these changes and those should all be vacated (P.H.D. v. R.R.D.). Mother has never been asked to attend an actual custody case, only contempt cases up until the most recent case, but that was far too late and only in an effort to avoid consequences for her actions and that is something that the plaintiff shares in common with some others in the court room. Ms. Jenkins was always proud of this country pursuits until the handling of this case and her son and she worries for other children and her own son's trust in our country and authority figures. Mother has also been denied all continuances when late notice was given to her, even when a detective requested a continuance, during the beginning of the investigation into Father's sexual abuse which was never completed due to the refusal of the borough to write a report. 0,0, 9, and 11 days are not good preparation time for court and those are the notices Ms. Jenkins was given. Mother was asking for immediate intervention because the child is in danger, the judge assisted/caused this dangerous placement, and because of the very unfair and drastic change the lower court judge did, so mother needed a fast and immediate intervention by a higher court, not to be sent back to the lower court which is not impartial. It can be clearly seen that Judge Bononi reacted

to the need to transfer the case and the protection of the child by doing this crazy and unsafe change of custody so she can retain the case and pull her favors for father and his family. Judge Bononi refuses to be fair or impartial and won't change venue, judges, or look out for the best interest of Christian. There will never be a fair hearing in Westmoreland county. Mother has never been allowed to enter any evidence and mother has just been railroaded to this illegal change of custody. CJJ needs to return to his school for 1st grade too. Even in February, the Judge was trying to scheme a way to change custody unlawfully. She was threatening to jail mother for false contempt, for not taking CJJ to a visitation center that was on a wait list from the time ordered, the end of August 2018, until February 2019, while mother was negotiating a visit, a contempt charge was filed and the judge did not allow for the investigation of facts, nor did she order the visitation report from Justice Works but held mother in contempt. The visitation place even indicated to mother that they were talking to the judge and she would not be in trouble at court, that it was their fault. Mother has been told that she cannot have a copy of the report, so it will need to order from Justice Works and is still in attempts with them to do that, even told that they may need a subpoena for that. Then in June, Judge Bononi caused and forced mother to not be able to comply with the order she wrote on May 20, 2019 by court ordering the visitation center, Justice works, to not to talk to mother, Cheryl Jenkins (please order a copy of this from

Justice Works). Even the director of Justice works, Mr. Heit could not or has not communicated with Ms. Jenkins. Ms Jenkins has since had a sit-down meeting with a HR representative but they have not produced the court order yet. Judge Bononi did not offer another visitation center or respond to mother regarding what to do about this when she called. Ms. Jenkins did come to find out that Christian's guardian ad litem was misusing information and was pushing this change of custody, even calling it a "heroic effort", damaging CJJ is a heroic effort to this guardian. Judge Bononi did this deliberately to prevent mother from being able to cooperate with the order so Judge Bononi could create and fabricate a reason to take CJJ away from mother. In May the order had stated to CJJ to the visit which was the same day of court and to the following supervised visit. The judge held a contempt hearing and used that as a basis to do a change of custody to father after just one supervised visit on the basis that mother wasn't cooperating when she was trying as the judge court ordered the visitation place not to communicate with mother. The Judge on February 25, 2018 was threatening to jail mother for no reason and place CJJ in foster care in Westmoreland county instead of returning CJJ to family and to her education is Sunbury, as the school year was proceeding. She was accusing mother of not cooperating with a visit place that was on a waiting list. Judge Bononi never indicated that

the contempt hearing on June 20, 2019 would be used for a custody changed nor was a motion filed for change of custody. Only jurisdiction/change of venue, contempt, and mother's special relief petition address father's pedophilia. All parties were served properly, lower court, Judge Bononi, Mark Tengowski, Father's attorney Nancy Madeya, and Patricia Elliot. The order is not final, but needs intervention immediately for CJJ wellbeing, progress, relationships, school, and relationship with is mother and family as well as preventing harm and/or death of the child, or further sexual abuse As well, the superior court of Pa, western district, made a terrible decision indicating that mother should return to the lower court for relief. Why would any judge be able to supersede a pfa? When will this state and our country take domestic violence seriously? The state representative's office told Ms. Jenkins about a child with the last name Plucker who was killed similarly and there are other cases and the system is failing. Ms. Jenkins is terrified that CJJ will get murdered at some point by Mr. Tengowski as well as abused in other ways too. CJJ has a bright future ahead of him with his mother and needs his pfa in place. It's sad and mostly just unfair, unjust and frankly against the law that Ms. Jenkins was never notified of court for April 19, 2018 by any means. She even had a mailing service at the time, because she had previously problems with her mail carrier and was unsuccessful at getting the situation remedy, so all mail was forwarded to a mailing facility that had the ability to sign for certified documents but in fact

never received any mail from the court or anyone associated with the case. For the first custody case, mother would have had to been officially served and would have had to sign or had someone at her residence sign acknowledging court. In August 28, 2019, Judge Bononi and mother spoke to the effect that Cheryl had missed something in court but did not indicate what. The judge indicated that she would mail paperwork to her address but never mailed any court documents to Ms Jenkins to address she provided to Judge Bononi, leaving Ms. Jenkins unaware of what type of case she was attending, such as criminal, civil, family etc. So, lawyers were on hold for the paperwork. The date Judge Bononi referenced came and mother called the courthouse and was told it was a contempt case but the woman on the phone couldn't see anything else. Mother was instructed to come in and get a new date. When mother walked into the court room is when she found out it was a contempt case that the judge handled like a custody case and Cheryl asked to proceed a different day since she didn't receive any paperwork at all from the court, because she doesn't have a lawyer present and the judge refused. Had mother had notice and the ability for counsel, she could have had a recusal and change of venue prepared for this hearing although it would have been denied anyway and we'd still be right here where we are today. As well, Judge Bononi cut mother's questioning short and did not allow mother to do her testimony (Haller v. Haller). Judge Bononi also began here, not allowing mother, Cheryl Jenkins to enter any evidence,

regarding domestic abuse or sexual abuse. Therefore, the first court case pertaining to contempt/custody that mother, Cheryl Jenkins received notice for was February 25, 2019 contempt hearing and there she only received 9 days' notice. Effectively making the start of court February 25, 2019 possibly. Judge Bononi also previously instructed her pfa staff to not allow mother and son to enter pfa paperwork, leaving both in extreme danger, by literally calling into the pfa office and not allowing the staff to enter it. Some of Ms. Jenkins family were present for this. All of this after Judge Bononi single handedly preventing CJJ and Cheryl from having a pfa that they needed. As well, mother filed a fast track appeal with the superior court western district, shortly after filing a judge recusal at the county level, as she immediately knew jurisdiction needed changed and that the judge needed recused to protect Christian. The superior court judge was asking for documentation of abuse but Father's attorney along with a clerical staff in Superior court changed Mother's address, as indicated on the docket sheet at the bottom, October 18, 2018 (1416 WDA 2018). By the time, mother found out what happened she was out of time, and tried to go to the higher courts for allowance of appeal but the order was not final and they used G.B. v. M.M.B. which needs deleted because it allows for abuse of power when something needs appealed prior to a final order, as you can see in this case. In the meantime, Mother followed all the amendment entered illegally during the

contempt case in August and waited for the visitation center to open, this coincided with her waiting for response for the child's fast track appeal. To better illustrate, this occurred between September 2018 and February 2019. To add, mother still only possessed the amendment from August 2018, for all of 2018. Even when she requested any additional documentation occurring before August 28, 2018. the prothonotary indicated that in April 2018, the hearing was continued, so the amendment they just made applied to nothing. In March 2019, Mother finally got the "original" order from April 2018 and in May 2019, finally received paternity results through another office in Westmoreland county. Directly after that Cheryl Jenkins was served, not at her address on file but her actual home, by father. Domestic abuse was going on at this time as well and mother filed the PFA documents in the wrong county and was instructed to move the case to Northumberland county but she got scared to talk again for fear for her and her son's life, as there had been death threats to their lives and they were being followed multiple times a day by father and people who were hired by father and his family. After the State Police were contacted father tried to present in court that he hired people to serve mother "court papers" but as indicated in the transcripts from a witness this behavior continued even after the change in custody (Northumberland County PA, CV-19-1205). February 25, 2019 was also a contempt case, the partial judge was still on the case, was falsely claiming that Ms. Jenkins was "hard to find" when

her address was the same as it was at the Contempt hearing in August 28, 2018. There is proof of this, an envelope from Judge Bononi from August 29, 2018 and stamped address verification from the Westmoreland county prothonotary for February 15, 2018. Judge Bononi unfairly claimed that Ms. Jenkins and CJJ didn't deserve to have a continuance so Ms Jenkins' lawyer(s) could be present because Ms. Jenkins 'was hard to find" which is untrue. This was the second contempt case with a denial of the right to an attorney. Even a detective called and asked for a continuance for an important appointment with CJJ to investigate his father for sexual abuse and the judge did not allow. Judge Bononi was mocking/laughing at the detective "for having the audacity to ask her for a continuance." At this case, the judge did not allow, Cheryl Jenkins to entered any evidence or testify to the fact that she was not in contempt, instead she attempted to just hold mother in contempt and was trying to take CJJ and put him in foster care in Westmoreland county so she could integrate father Mark Tengowski an absentee father at most. A guardian ad litem near Mother's residence indicated all was great at mother's residence before the change of custody, way back in the winter/spring of 2019, but unfortunately is too far from this improper venue to help enough and the Guardian ad litem felt she should try to use the one tiny bit of information that mother had little for herself and much for CJJ as being negative. This guardian has done nothing but have no regard for CJJ either. The judge was showing

clear disregard for Christian's wellbeing and security here. They are treating CJJ like an object and a dollar sign and have no care for his emotional wellbeing, his health, his psychological wellbeing (he now has an adjustment disorder). Cheryl Jenkins tried to call various agencies, the conduct board, state representatives etc. to try to get help, most said they could not intervene. Pennsylvania needs some serious work to protect children. In the meantime, Mother continued to fully support Christian. Mother developed a temporary medical condition that limited her driving temporarily, by doctor order from January 21, 2019 through the beginning of May. The judge would not move the case or Mr. Tengowski's visits east nor was mother allowed to enter this information to support her innocence. I did go to meet with the visit place for intake, but the worker was not there when she arrived due to a family emergency (a four-hour trip for mother against medical advice). The woman was then on vacation. Mother got cleared to drive at the beginning of May and began to really address visitation and the visitation place was lacking in meeting times and schedules. Honestly if the case was in Northumberland county and/or Father's visits were moved this could have been handled better. Mother was then scheduling visits with Justice works and their schedule did not meet hers until the day of court. In the May hearing, Judge Bononi was confused to why mother was afraid they were going to take CJJ away from her. Mother was ordered to take CJJ to his visit that evening, May

20, 2019 and to schedule the next one by the end of that visit, which she did and had text message proof of. She had offered three Saturdays in June and father picked the last one. Then what happened next was crazy. CJJ indicated that Mark, father, forced a hug on him during the visit and told CJJ that Cheryl, mother, did not have custody of Christian. Mother reported this to the court. The following day, May 21, 2019, mother received a text while at work that father wanted to change the visit. Visit cancellation costs \$140. Mother asked if he was cancelling and the visitation person indicated no, he wants additional visits. Mother was trying to work with them to change the visits, but the visitation woman stopped texting mother and wouldn't return her phone calls. Cheryl Jenkins called the visitation center and couldn't reach anyone for days. After two weeks of numerous, estimated at 20-30 or more, unsuccessful calls, (call logs and screens shots of this can be provided, on screen shot is included), Cheryl finds out that the reason the visitation place is not communicating with her is because Judge Bononi court ordered them not to speak with her to prevent mother from being able to comply with the order. Mother was very nervous, as Judge Bononi had threatened a warrant for mother's arrest if she didn't comply with the order and mother knew this judge had been completely unfair even lying about her on multiple occasions. A contempt charge was then filed with 11 days' notice for June 20, 2019. Cheryl

Jenkins filed a continuance but was denied. Mother called the president judge's office, Judge Hathaway on numerous occasions asking for a new judge and about this but they did nothing too. June 20, 2019 court proceeded. Mother was assured of one thing, that she would not go to jail, when she called judge Hathaway's office that day. Mother was sick on her way in and needed to go the hospital, but the court would not allow her to go so she arrived late. Judge Bononi then used her own blocking of the visitation center and mother in turn not being able to take CJJ to the visit to say Cheryl "was not cooperating with the father and that a change of custody was necessary". The case was being held as a contempt case and also a change of venue had been filed again by Cheryl Jenkins, that was being discussed at the court hearing, as well as a special relief mother filed in regard to father's pedophilia, since the judge had been trying to ignore all aspects of abuse in regard to Mr. Tengowski to help him appear fit. As well, mother and CJJ each had their own pfas against Mr. Tengowski, father, at this time. She also ignored mark's history of drug and alcohol rehabs and denied mother's request for drug and alcohol testing of Mark, father in May. In any regard, mother had been cooperating and tried so hard to reach that facility, but the judge set that up to change the custody for Mark and his family, as well to attempt to keep a case that isn't hers, in Westmoreland County. Ms. Jenkins believes the judge may be getting paid with money or real estate beyond just knowing the Tengowski family honestly, as

Judge Bononi knows the risks to the child and would realize that she will face prison time when something happens to Christian. Judge Bononi did not do a risk assessment on Mark, father.

Seriously, the judge used this contempt case to change custody from a fit mother to an absent dad, who has a history of rehab stays and relapse, is extremely abusive and even homicidal? And superseded a pfa? Judge Bononi has not returned CJJ to his mother's care nor does she plan to return him to his school he attended last year.

Please change the venue and remove this judge and the ability for this judge or any judge to abuse her power and anyone else involved in this court or another. As well, a sheriff has indicated that they are aware of what is going on but will lose their job if they get involved. That person as well as the attorney general told me to go the DA's office. A detective entered and called security on Cheryl Jenkins for waiting in the waiting area like anyone else and previous to that indicated that Cheryl would not be permitted to speak with the DA and when mother, Cheryl, called from another location was told that she was not permitted to call the office. The attorney general then told mother to file a complaint against the DA's office. There is no one in the lower court currently that can or will move this to a fair and impartial position and no can move the venue as it currently stands in a state of corruption. An unnecessary, biased, and dare I say plotted changed of custody has occurred. CJJ needs to be

returned to his mother. The venue needs to be changed to Northumberland county. Honestly all of mother's due process rights as well as CJJ and mother's civil rights have been violated, Cheryl Jenkins is asking to allow the Interlocutory appeal through this petition for review. CJJ needs to return to his same school for 1st grade. (Fisher v. Fisher) All parties were served properly, lower court, Judge Bononi, Mark Tengowski, Father's attorney Nancy Madeya, and Patricia Elliot. The order is not final but needs intervention immediately for Christian. As well, the superior court of Pa, western district, made a terrible decision indicating that mother should return to the lower court for relief. Mother and CJJ will not receive any relief in the lower court of Westmoreland county or from Judge Bononi, only from a higher court with a fair and impartial judge or judges and seemingly not so in Superior Court, Western District either.

IX. Reasons for Granting the Writ

We left England for a reason please uphold that everyone is given the same rights especially children and we need to save Christian. We have lost children in PA to murder and sexual assault that were involved in custody court, CYF had been involved etc and our system is failing them including awarding custody to abusive parents. Any citizens should be able to report abuse of power or danger to themselves or their children by making a referral directly to the Attorney General's office. The court fixed our court case to falsely accuse

mother of contempt of court and then used that set up to place the child with his and his mother's abuser. Please save my son CJJ and send him home before it's not possible anymore. Other children we already lost in Pennsylvania include Grace Packer (Philadelphia PA), Arabella Parker (Trevorton, PA), Conor and Brinley Snyder (Berks County), and others. I know the law supports Christian's return home and I want so badly to believe in our country and in our constitution. I don't want to lose my son. Domestic and sexual abuse victims need advocacy as well.

One parent protecting a child from domestic violence or sexual assault by another parent is not parental alienation and we should never allow an abusive parent to use this to get away with abuse anymore, as my abuser, the plaintiff, and my son's father currently is. They act as if you are lying when you are trying to express abuse in custody court. In my case they went as far as removing my son's pfa and changing custody by fixing the case and this is not the only case with issues and children stuck in abusive situations because the abuser is a parental figure because people become ignorant to domestic violence and sexual assault and would rather believe that parental figures are being childish in reporting very serious and even deadly abuse. What is so improper is that they are sometimes giving the abuser more custody than the good parent because of the reporting. How can one be expected to tell the truth in court and

not put their child in more danger when a judge decided that what is being said isn't true but vindictive? I am afraid to even talk about the abuse anymore because it just puts my son in more and more danger.

A judge should never be allowed to dismiss or not believe a child's claim of abuse, or sexual abuse against anyone, even a parent ever. research does not support that children lie about this and stop blaming the other parent for these children's reports. If children can't trust us to protect them, they can't trust anyone. That parent, relative, or person should be immediately removed from that child and a rape or child advocacy agency should be required in the court case, even if it's a custody case and a counselor mandatory for the child.

We have a failing system in Pa. Please don't be offended or think I am anti American because I am pro America but Pennsylvania doesn't let intervention over judges even when a child is in danger. Many people have said to me, how does a judge endanger the welfare of a child and why is it allowed? State representatives can't intervene, police can't override an inappropriate order for safety, judge's decide if they are recused or not, the judicial conduct board does not undo cases even when they need to, guardian ad litem cannot be changed or it is very difficult nor are they reviewed, advocacy groups are limited to foster children, children and youth services cannot override custody matters when a child is in danger, the attorney general requires a referral when an investigation is needed even if a child is in danger, judges have the ability to

remove a child's protection from abuse order written in different counties, and we have hierarchy issue with superior and supreme courts allowing for partiality. My son's pfa was taken away from him, an order another judge wrote, and no one "knew" who had jurisdiction, after I raised him alone and successfully for 6 going on 7 years of his life, including all monetary costs too. We are having a problem in PA with the ability for corruption. A lot of people are acting on who they know as opposed to the law and high-profile individuals and those with money have the upper hand to say the least. You currently have the hierarchy set up in columns, west, central, east, and it allows for corruption. If an individual needs to appeal it would be much more fair to have their appeals etc. sent to the opposing areas, superior to central or east, if your county court case is in the west for example and then if you need to go the supreme court it should again be in the opposing area, not already used. West in county to central for superior and required east for supreme, as an example. This helps avoid corruption and partiality. It also avoids deaths and promotes equality.

Our judicial conduct board wrote me a letter saying they could not intervene in my case and verbally that even if misconduct was found it would not undo my case. Any misconduct by a judge in any capacity should immediately vacate the current case and any associated case, no matter how long ago it was. It is

inappropriate to allow misconduct to affect people's lives permanently. It also allows for bribes and partiality if you do not undo the cases that have judicial misconduct because they can get away with it. Not okay Washington!

I believe in our country and I believe in the constitution. I believe we came over here to avoid the abuse of power please help these children survive and help us avoid corruption and please just uphold our country. I do not want my son to die and I don't want to see another child lost to this senselessness. Reporting violence is not parental alienation. Children have a voice and let them use it. Attorney generals are there to make sure laws are enforced, don't limit their abilities. Please stop domestic violence, childhood sexual violence, and abuse of power in our state of Pennsylvania please. Extend agency funding, a sexual assault agency in our area on services older children, teens and had no one to refer us too. I was trying to find a new sexual abuse specialist when the change of custody was forced upon my son. I am asking for an extension of casa to any case including custody cases that has domestic violence or suspecting violence or sexual assault and that it is mandatory for the advocate in the court room. This is inappropriate, domestic violence and sexual assault victims also need advocates and the judge should not get a say as to their presence in the court room, it should be mandatory. I am giving you everything I have left to ask you to please start to save our country from domestic violence, sexual assault, partiality, and promote fair and impartial cases as well as reporting means to

address when the people we look to to uphold our laws fail to do so, by starting with my son CJJ and vacating this order, giving us a fair judge, and helping my son grow to be the person he should be.. He is 7 and he wants to come home.

X. CONCLUSION

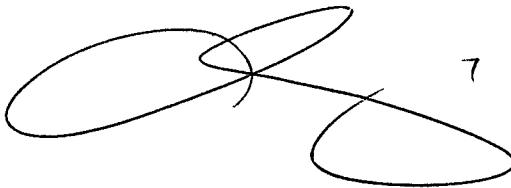
For the foregoing reasons, Mr. Jenkins respectfully requests that this Court issue a writ of certiorari to review the judgment of the Pennsylvania Court of Appeals.

Dated December 1, 2019 *and 4/6/2020*
and 5/1/2020
Cheryl Jenkins, Petitioner

Pro Se

P.O. Box 186

Sunbury, PA 17801

A handwritten signature in black ink, appearing to read "Cheryl Jenkins", is written over a stylized, overlapping oval and elliptical shape.

REASONS FOR GRANTING THE PETITION *(See attached
e-mail)*

SAVE my son
Stop. abuse of power in the State of
PA.

CONCLUSION

Stop allowing the abuse of power
abuse of children
and ~~abuse~~ Stop domestic
Violence

The petition for a writ of certiorari should be granted.

Respectfully submitted,

 and 

Date: Feb 24 2020

April 6, 2020

and May 1, 2020 