

NO.

20-7613

ORIGINAL

Supreme Court, U.S.  
FILED

JAN 08 2021

OFFICE OF THE CLERK

IN THE  
SUPREME COURT OF THE UNITED STATES

Carl Womack (Petitioner)

Vs.

Merrimon Oxley (Respondent)

ON PETITION FOR A WRIT OF CERTIORARI TO  
NORTH CAROLINA SUPREME COURT

PETITION FOR WRIT OF CERTIORARI

Carl Womack

1429 West Floyd Baker Blvd Suite 103

Gaffney SC 29341

(828) 279 4737

RECEIVED

JAN 19 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

### **Questions**

**Is Merrimon Oxley tied to a major international cult?**

**Is the gatekeeper order a matter of significance to the united states**

**Did Judge Pope have a conflict of interest**

**Was the gatekeeper order put in place to keep a violation of the rules of civil procedure covered up.**

**Did Merrimon Oxley falsify records.**

**Is the Gatekeeper order unconstitutional?**

**Were my civil rights violated by the imposition of the gatekeeper order.**

**Does the Gatekeeper order go against US supreme court decisions?**

**Is the gatekeeper order too broad**

**LIST OF PARTIES OXLEY**

**ALL PARTIES APPEAR IN THE CAPTION OF THE CASE ON THE COVER PAGE.**

**RELATED CASES**

Gate Keeper order Rutherford County NC

NC Appeals Court No. 20-136

NC Supreme Court No. 20-136

## TABLE OF CONTENTS OXLEY

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### APPENDIX A

North Carolina Supreme Court 427P20-1

Motion is dismissed.

### APPENDIX B

North Carolina Court of Appeals NO 20-136

The motion to dismiss by Merrimon Oxley, is dismissed as moot.

### APPENDIX C

Carl Womack vs Merrimon Oxley Gatekeeper Order 19 CVS 804

A gatekeeper order against Carl Womack shall include Buncombe, McDowell, Rutherford, Cleveland, and Henderson Counties, and all of the matters pertaining to Mrs Oxley in any Federal court or state court proceeding. Including The Estate of Ruth Womack, The Competency of Ruth Womack. The only way Mr. Womack can pursue any matter is by the approval of a licensed attorney in the state of North Carolina. As for Mr. Womack's motion for Trial by Jury, it is dismissed as futile.

**OPINIONS BELOW OXLEY**

**GATE KEEPER ORDER 19 CVS 804 Unpublished**

**NC COURT OF APPEALS 20-136 Unpublished**

**NC Supreme Court 427P20-1 Unpublished**

## Decision of Judge Marvin Pope Regarding Carl Womack vs. Merrimon Oxley

There were no Findings of Fact nor conclusions of law in regards to my motion to have the case moved out of the county or my motion for a Trial by Jury, in fact, the only thing Judge Pope said in regards to them was, they are denied as BEING FUTILE.

I had filed a lawsuit against Oxley, he dismissed the case.

She had filed a gatekeeper order against me. His decision was the following:

Carl Womack shall be prohibited from filing any documents in regards to anything connected with Merrimon Oxley, in the counties of Buncombe, Rutherford, McDowell, Polk or Cleveland counties unless he first submits documents to a licensed attorney in north Carolina, who, in writing approves the documentation. The gatekeeper order includes the matters of Carl Womack Vs, Merrimon Oxley, The guardianship of Ruth Womack, The estate of Sandra Summey, Carl Womack vs Steve Owens and John Carroll Social Services, Carl Womack vs Cleveland County, The Estate of Ruth Womack,

## TABLE OF AUTHORITIES OXLEY

- 1- North Carolina Judge's Bench Mark (page 4 Reasons to Grant)
- 2- The Olmstead Act (page 4 Reasons to Grant)
- 3- American's With Disabilities Act (page 4 Reasons to Grant)
- 4- O'Connor vs Donaldson (page 4 Reasons to grant)
- 5- In Cromer, 390 F 3d at 819 a Fourth Circuit Court Of Appeals vacated an gatekeeper order for being Overboard with Restrictions. 390 F 3d at 819
- 6- Right to Trial by Jury, North Carolina Constitution page 2

A handwritten signature, appearing to be the letter 'S', is located at the bottom center of the page.

JURISDICTION OXLEY

The Dismissal from the NC Supreme Court was entered October 15 2020. Enclosed is a copy of the dismissal.

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**CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

**In Re Cromer Fourth Court of Appeals**

**Falsifying documents**

**Defrauding the US GOVERNMENT**

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## STATEMENT OF THE CASE Oxley

Intrigue, an international cult, Millions of dollars, and a federal judge. What do they all have in common??? Read and find out.

In my 58 years of life, I have filed a total of 5 lawsuits, all of which were done since 2017 and either involved my mother, or myself or both of us. In each case I had evidence of wrong doing and 2 cases, were mainly dismissed due to lack of jurisdiction. I filed two lawsuits against Merrimon Oxley, and 2 reports with the state bar. Yet, a gatekeeper order was written against me.

Several parts of Oxley's gatekeeper order have nothing to do with her at all, and one, I didn't know for a long while, involved her, and her reason for putting it in the gatekeeper order was to do a coverup. I and my mom filed a lawsuit against the Rutherford County clerk of court, and Social Services in federal court, the case was dismissed, but I appealed it to the appeals court, where all charges were dropped except one count, and it involved social services, which was remanded back to district court. In district court, Oxley was strangely appointed my mom's GAL, and immediately moved to dismiss the case. What I did not know at the time, was that Merrimon Oxley works FOR Social Services. That's a Conflict of Interest.

Oxley worked for the District Attorney's office, and is friends with several judges. What she did against me, is a clear indication that all courts need to be monitored more closely. Yes, look at all the courts who targeted blacks decades ago, and still do. Look at all the people being released from prisons who were proved innocent by DNA who were convicted decades ago by biased judges and juries.

Oxley's friendships often biased judges against me, including a now former judge, Randy Pool, who resigned as judge amid accusations by several women who claimed he used his position as judge to pressure them for sex. I say often because Oxley did NOT get her away every time and I will point that out in another document. Yet, almost every petition or motion I presented in any court was denied, often violating the rules of civil procedure.

Yet I never ran, I never quit, I never gave up, and I'm still going, still fighting, and starting to WIN. Now, investigations are opening from different agencies, both federal and state. I lost battles because judges were biased against me, now top leaders in agencies are ordering investigations.

Now (I) have allies, and from agency's Id never heard of yet welcome their input.

And when those agencies tie in a major international cult which has made headlines over and over again, it will be major news for the world. I look forward to that day.

From the very first case I filed in Federal court, I had a judge be prejudice against me, Martin Reidinger, each time I filed a case in federal court, he addressed them himself though other judges had taken the cases. Why? Why would he take over cases other judges had already been issued? MOTIVE. Could it be because of his ties to the cult, a cult with millions of dollars in assets?? It is referred to as a cult by several organizations as well as two Associated Press writers in a new book. The church is referred to as WOFF, and Reidinger had one of the members work for him, as well as gave speeches at a forum for members in Cleveland County NC. Several news agencies have covered activities of the church, and just a short while back some of the followers were convicted in Federal Court for corruption, strangely Reidinger was the judge, and they were given what is considered by many to be light sentences. The church has members worldwide, and even celebrity is a known member. Judge Marvin Pope was the one who ruled for the gatekeeper order against me, yet he has a strong conflict of interest. He is a residing judge in Buncombe County, yet came to Rutherford County to hear the case, I'm assuming because no judge in Rutherford County wanted any part of it, as they had indicated before. Thing is, The clerk of court of Buncombe County is one of the people I attempted to sue in federal court, long before Pope hearing the gatekeeper case. And the top clerk of court of Buncombe County, got judge Pope a major grant for a project.

Next of course is the fact that Oxley wrote that the gatekeeper order should apply to several counties and cases. That goes against a court decision In Cromer, a Fourth Circuit of Appeals vacated an order that was "Overboard with Restrictions" Thing is, Oxley was only officially named in TWO lawsuits. Both only targeting her. One was attempted in Federal Court, but both the district and appeals courts ruled Oxley was not a state actor, therefor the lawsuit lacked jurisdiction.

The other is the state lawsuit I filed against her which got thrown out during the gatekeeper hearing by Marvin Pope.

ALL of the other federal cases: Carl Womack vs Steve Owens, and John Carroll, Adena Widener et al., Carl Womack vs, Cleveland County Clerk of Court, Karen Wright et al. and Carl Womack vs Johanna Finkelstein, did not name Oxley as a defendant.

She also included several counties which had nothing to do with her at all.

She included Rutherford County in the gatekeeper order, and she mentioned a matter before a Judge Davis, about me filing for the competency of my mom Ruth Womack. Only problem with that is judge Davis, on his own accord, ruled to move cases from Rutherford County to another. He stated in court and I quote, "I'M NOT TOUCHING THIS CASE". Oxley, objected, but he ruled to move it out anyway and

it went to Henderson county. I have several witnesses to that effect along with court record.

Next, she included McDowell County. After I filed a lawsuit against Rutherford County, Steve Owens, recused himself from my mom's re competency hearings and sent it to McDowell. Yet it was not accepted in McDowell county. The clerk of court own her own accord, stated that she was recusing herself from any cases, due to a conflict of interest involving Oxley. I had nothing to do with that whatsoever.

She included Henderson County in the order. What happened there was her own fault, not mine. Any time I went to see a clerk of court, I was told they could not talk to me outside the court room, which I later found out is per rules of civil procedure. I went to the clerks office one day to file paper work about the re competency of my mom, only to find Oxley entering in the office with the clerk of court, and the door being closed. They were in there for at least 20 mins. Upon exiting, Oxley looked over at me and quickly ran out a side door. I complained to the clerk of court, and she moved the case out of her court to Cleveland county.

In the Cleveland county federal case, again, Oxley was not named as a defendant. Yet here is the one thing that troubled me about the entire time I was fighting to get my mom's competency restored, Oxley, who was only GUARDIAN OF THE ESTATE, not of the person, was the one who continued cases, and was the only person at the hearings until the hearings began in Buncombe County. In Cleveland, county, her and Karen Wright, who was appointed to be my mom's guardian ad litem, sat back laughing and talking about going out to eat and shopping. There was a holiday approaching, and the clerk of court motioned to continue the case.; In court, Karen Wright, told the clerk to 'TAKE HER TIME, SHE NEEDS A VACATION'. When I objected to it, I was threatened with JAIL. All the while Oxley and Wright continued to talk about the THREE OF THEM GETTING TOGETHER. I have a witness to that.

When I filed for my mom's competency, I had checked the document for a trial by jury which is guaranteed under the North Carolina constitution. Karen Wright motioned to remove it from the case. That's right, she motioned to stop my mother from having a jury trial and the clerk of Cleveland County ruled in her favor. I then filed a federal lawsuit against the clerk of court and Karen Wright. Wright was also named after she told me I did not have to appear in court, that the case was being continued. I became suspicious and went into the court room to find it in session. Yes, lied to. Also, documents were being presented by Karen Wright, and if I had not been there, my mom's competency case would have been dropped.

I filed a complaint with the North Carolina state bar about it and was told it did not violate their rules. Yet, in 2019, Karen Wright was DISBARRED for the exact same thing, and I found out she had been charged with the same thing previously!!!

**DOUBLE STANDARDS.** She lied about court sessions to me, she filed documents that my mom never approved of or even knew of. After I filed the lawsuit against Cleveland County, the case and other cases, including a case where William Smith had petitioned to remove Oxley as Ruth's guardian of the estate were sent to Buncombe County.

I was so hoping everything would be different in Buncombe County, it was not. I did not know at the time that the clerk of court, Johanna Finkelstein was friends with Oxley. After finding out, at one of the hearings, I asked her point blank, "Aren't you friends with Merrimon Oxley" she replied, "you are not allowed to ask me questions". I repeated, Isn't it true you are friends, and she said "I refuse to answer that question";

Again, Merrimon Oxley was only guardian of the estate, yet she was the one who got cases continued, so before the hearing I sent an order for my mom to appear in court so I could prove she could do all the things social services said she could not.

I filed to have my mom appear in court, Finkelstein blocked it. That's **ILLEGAL!!!**

I petitioned to have my mom freed under the Olmstead Act, Finkelstein ignored it. I motioned for the case to be moved to Federal court, Finkelstein denied it.

Nothing but corruption, I can only imagine what happens to people in her courtroom who don't know the law. Yes, she has a reputation of doing the same thing to other people. And I'm tired of hearing the Jewish shit. I am a member of a Jewish organization, yet I don't get the same treatment, I get my rights and my mom's rights violated over and over again.

Yes, I filed the lawsuit against Oxley in state court, and it was dismissed during the gatekeeper order hearing, I had asked for a jury hearing regarding the Oxley lawsuit as well as one for the gatekeeper order against me, both denied **WITHOUT CONCLUSIONS OF LAW** by Marvin Pope.

So I appealed to the NC Court of Appeals. There, the case was dismissed on a technicality, Oxley had stated I did not send her certain documents, and that documents weren't paginated. NC dismissed the case. I then appealed to the NC Supreme Court who did not even give me a reason why they rejected the case.

Oxley brings up repeatedly the gatekeeper order needs to be in place because of underlying proceedings, claiming I had cases continued. That's not true. She is the one who got cases continued, and there are **SEVERAL** letters to the courts about her having to go to the doctor, and then there is the one where I found out she works for social services. **THAT ONE IS GOLDEN TO ME!!!** She states, that she cannot come to court because she represents **SOCIAL SERVICES** in child cases. Ah, the **NUMEROUS** times, she messed up.



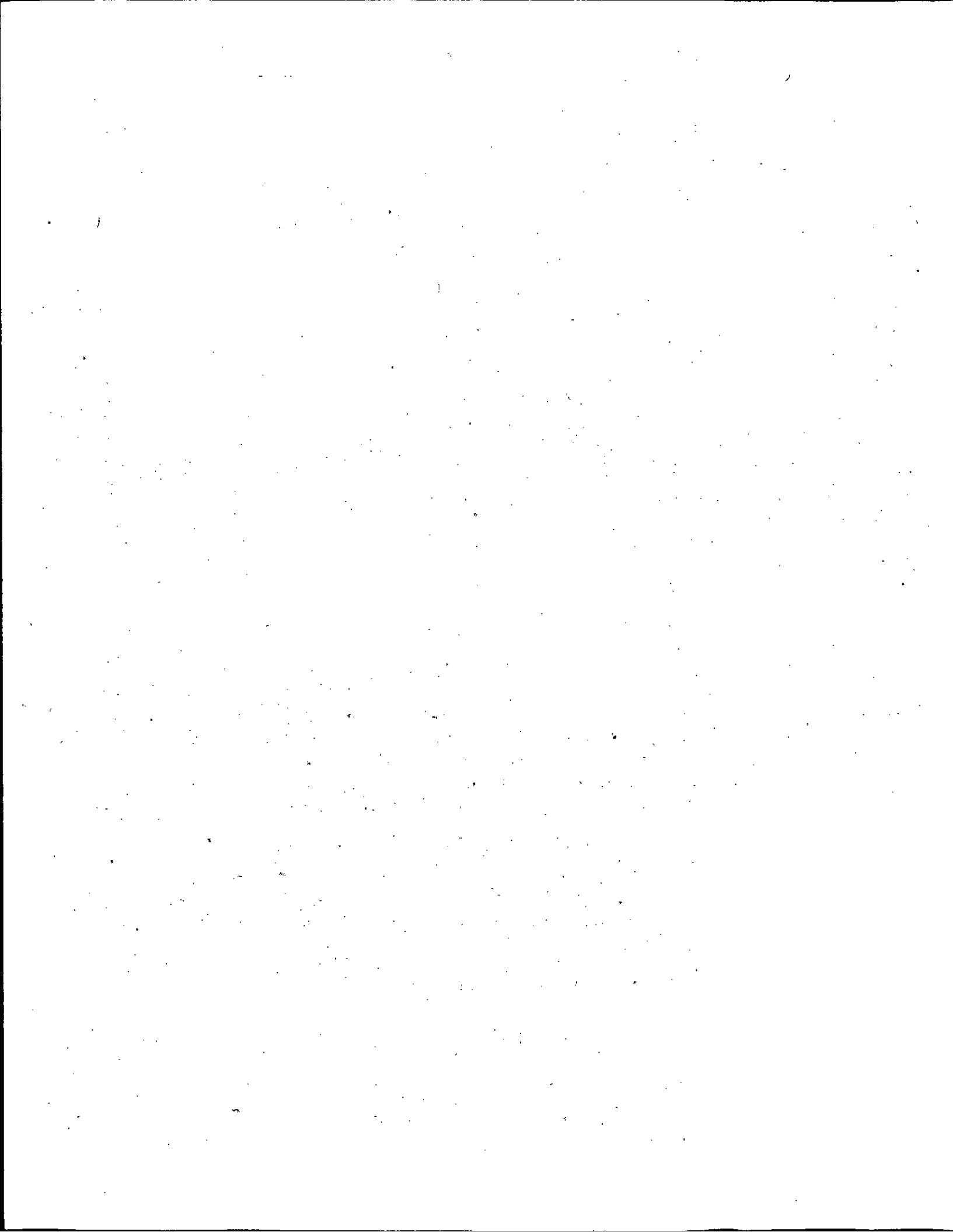
I have stated, that I am not a police officer, or a detective, yet I've uncovered so much deception and misconduct, that a real federal agent will have a field day with these people if any federal investigation opens against them. And that is soooooooooo true!!!

My next action will be to perhaps write a book about all this and have it published as I have with my first book.

Yes, Judge Pope had a conflict of interest because part of the gatekeeper order involved Johanna Finkelstein, Pope got a major grant because of steve cogburn buncombe county clerk of court.

Then of course there is the falsifying records done by Oxley.

In Pope's ruling he dismissed my lawsuit against Oxley, put the gatekeeper order into action, and included all of the court proceedings and counties she requested. I had also noted I demanded a jury trial as well as to have the case move the case out of the area. He didn't note any conclusions of law, he simply stated that they were FUTILE. And THAT is on his gatekeeper order.



## REASONS FOR GRANTING PETITION OXLEY

Donald Trump is said by the Justice Department to have filed numerous baseless lawsuits, yet nothing done about it, no Gatekeeper order on him. It's a double standard to not put gatekeeper orders on people who are celebrities.

The national significance of the case rests in the fact not only am I targeted for being a pro se litigant yet also because I'm not an attorney. Also because Oxley, who used to work for the District Attorney's office, came up with the gatekeeper order, to coverup violations of the rules of civil procedure. She used her influence to get people to block every petition or motion I made. But that's not all. When Oxley worked for the District Attorney's office it was at a time the DA was getting favors from a large international cult, known as the WOFF which even has a celebrity as one of its members. Numerous accusations from former members plagued the church, until the federal government stepped in and got some of the members for unemployment fraud. WOFF has been featured on ABC and CBS news and on Inside Edition as well as in numerous newspapers. A recent book about WOFF was written by two Associated Press writers.

My mom had been ruled incompetent in Rutherford County NC and ordered to enter a nursing home. I filed a federal lawsuit against the Rutherford County Clerk of Court, as well as two Rutherford County Social Services workers, namely, John Carroll the director and Adean Widener. Part of the lawsuit involved my mom Ruth Womack. The case was dismissed in District Court, and I appealed to the Appeals Court where all but one count was dismissed. The one count only involved my mother Ruth, and I was told I would not appear in court. The count involved DSS telling my mom's bank not to lend her money for a lawyer. The case was remanded back to district court, where I learned later that Oxley was appointed my mom's Guardian Ad Litem instead of being appointed a US Attorney. Oxley was my mom's Guardian of the Estate. Oxley immediately moved for dismissal. What I did not know at the time was that, in fact, Oxley works for DSS. And I have her own words as proof. In a letter calling for a continuance of a case, Oxley stated, "I WORK FOR SOCIAL SERVICES AND HAVE A COURT DATE THAT DAY". LUCKILY, I was sent a copy of that document requesting a continuance. Yes, a clear conflict of interest. So before I found that out, when Oxley included the matters of the lawsuit over the Rutherford County Clerk of Court and Social Services, I was perplexed as to why, since she was not a named defendant. Now I know why, to coverup her involvement over the dismissal of the case, that was in 2017. I petitioned to have my mom's competency reinstated, and Oxley, though only a guardian of the estate, moved to block it, the reason being retaliation for my filing the lawsuit against social services, and to try and get and sell both my sister's estate, and Ruth's my

mom. Oxley is one of many in government who use their authority and their friendships with government workers to bully and deny people who cannot defend themselves their rights.

Oxley also included various other court actions and counties in her gatekeeper petition.

- 1- McDowell County, After I filed a federal lawsuit against Rutherford County, the clerk there, Steve Owens recused himself, and wrote a letter to the Clerk of Court of McDowell County asking them to take the case. Yet the clerk of court renounced herself from the case concerning my mom's competence, citing a conflict of interest with Oxley since they worked together at the District Attorney's office. I had nothing to do with that, yet Oxley includes it in her gatekeeper order.
- 2- My lawsuit against a Cleveland County Clerk of Court, and my mom's Guardian Ad Litem in Cleveland County, Karen Wright. Again, Oxley is not a named defendant. In her gatekeeper petition, she said my claim against Karen Wright was frivolous, Funny thing, while my case against Wright was dismissed by the Federal Court in Asheville as being frivolous, later Wright was charged by the NORTH CAROLINA STATE BAR FOR THE SAME THING AND DISBARRED!!! And she had been reprimanded before for the same thing.
- 3- As for the Clerk of Court of Cleveland county, I could go on for hours over what happened in her court room when I was there. But I am limited in space for the Supreme Court, Yes, so much happened, that I would need extra pages., Hearings were continued several times by Mrs. Oxley, and by Karen Wright. And they had a hearing about my filing for the reinstating of Ruth's competency, I had asked for a jury hearing which is guaranteed, by both the US and NC Constitutions. Strangely, Karen Wright motioned to have my mom's right to trial by jury revoked, and the clerk agreed!!! Right to trial by jury in a Civil Proceeding is guaranteed under the North Carolina Constitution.
- 4- There were the numerous times, all three sat in the court room before session laughing and talking about the three of them going shopping and dining together, and during one session, when a holiday was approaching, Karen Wright commented to the Clerk of Court, to take her time about rescheduling the case and to quote "Take a vacation, you need to relax", When I objected, the clerk yelled at me saying to shut up or go to JAIL. Each time I objected I was threatened with jail, while they sat in the court room laughing and talking about doing things with each other. Oxley leaves all that out of her

gatekeeper petition. and I have a witness to it. There are all the times Karen Wright told me there was no court, that the competency was continued but I went in anyway to find court in session. Once, in the hall, she came up to me and told me court would not happen, that it was continued, but I was suspicious and went in anyway, Court started and Wright had presented a motion that, if I had not been there, the case would have been dismissed. The federal case was dismissed in District court for being frivolous OF COURSE BY MARTIN REIDINGER, and I failed to file in time for it to be heard in the Appeals Court.

- 5- Oxley claimed I got the case about my mom's re competency moved out of Rutherford County, but that's not true. After I filed the Lawsuit against the Clerk of Court of Rutherford County, he, Steve Owens recused himself, and the case was heard in Superior Court by a judge Davis. Davis, refused to even hear the case, and moved to move it out of the county. Oxley demanded the case be heard in Rutherford County, but Davis refused and moved it to Henderson County. I had nothing to do with it being moved out of Rutherford County, that was judge Davis' decision and I have witnesses to that effect and court record.
- 6- In Henderson County, Oxley met with the Clerk of Court behind closed doors and I seen it happen. I complained to the Clerk about it, and she recused herself from the Competency case and it was moved to Cleveland County.
- 7- Anytime I met with any clerk of court, I was told they could not talk to me. Oxley knows that as well, she is an attorney, yet met with the Clerk of Court in Henderson county tainting the case.
- 8- The gatekeeper order was supposedly about Oxley, yet again, in several circumstances, she included things that did not directly involve her. In 2019, thankfully she had resigned as my mom's Guardian of Estate. In court, she presented items that I showed in court to not be true. She stated that my mother's homeowner insurance was paid by checks, but my mom's own bank statements revealed automatic drafts came out monthly, and the amounts of the checks were never shown to be withdrawn from my mom's account. So where is the money?? Oxley claimed \$146 came out of my mom's bank account to pay for dental insurance, but Medicaid always paid for my mom's dental work, plus, the guardian of the person, Hope for the Future said that the money came from the nursing home, not from my mom, and in fact, in none of my mom's bank statements, there is no listing of money in that amount being taken out nor showing anything about any dental insurance. Yes, missing money!!! Oxley never paid the taxes on my mom's property, I did. Oxley made claims for other bills which I showed in court were bills I had sent to me, and that could not be my mom's since she was put in the

nursing home. William Smith an accountant, had petitioned to replace Oxley, claiming mismanagement of my mom's estate.

- 9- The competency case finally went to Buncombe County. I learned about the Olmstead Act, and I petitioned the court to release my mom for it and ADA. The Clerk of Court, Johanna Finkelstein simply ignored it. In 2012, the US DEPARTMENT OF JUSTICE SUCCESSFULLY SUED NORTH CAROLINA FOR OVER 2000 violations of the Olmstead Act and won. I filed a lawsuit in Federal Court against Finkelstein, it was dismissed as being frivolous, I appealed to the Appeals Court who stated the same thing.
- 10-Whatever happened to Amendment ONE of the Bill of Rights??? I have the right to petition the court. And I was doing what the DOJ had done, only I'm not a us attorney, and I was met with discrimination. My lawsuit against Finkelstein does not involve Oxley, yet she included that case in her gatekeeper order.

**The NORTH CAROLINA JUDGES BENCHMARK ADDRESSES GATEKEEPER ORDERS.**

It states that gatekeeper orders are a LAST RESORT. When sanctions fail. I was never given any sanctions by any North Carolina Court.

It states that if the gatekeeper order is from one party, then it should be NARROWLY TAILORED to that party.

As for the dismissals by the Federal District Court, all were by the same Judge, a man who has ties to the WOFF, Martin Reidinger. Who had one of the members once work for him and he has been a public speaker, at a WOFF function.

One-time other judges were given a lawsuit by me and they were already asking for documents. One of the judges was named Cogburn, but Reidinger got them removed from the case, called it frivolous and dismissed it himself. On 2 occasions when Reidinger dismissed cases himself, the Appeals Court cited that Reidinger should have given me the opportunity to amend my case. Is it frivolous to protest a person right to trial by jury be revoked? Is it frivolous to petition the court to follow US SUPREME COURT guidelines, and to complain when that court ignores them???

Martin Reidinger has motive.

In both Federal and State courts, Civil Rights violations occurred.

Violations of the Olmstead Act, Americans With Disabilities Act, O'Connor Vs Donaldson, The First Amendment Right to Petition the Government.

Conclusion

The Writ Of Certiorari Should Be Granted

Respectfully Submitted

Signed



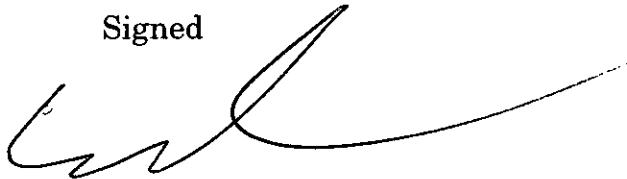
Date



## DECLARATION

I Declare under penalty of perjury that all facts contained herein are true the best of my knowledge.

Signed

A handwritten signature in black ink, appearing to read "Carl Daniel Womack".

Carl Daniel Womack

01/04/2021

No.

IN THE  
SUPREME COURT OF THE UNITED STATES

CARL WOMACK (Petitioner)

Vs.

Merrimon Oxley (respondent)

PROOF OF SERVICE

I, Carl Womack, do swear or declare that on this date, 14 2021 as required by Supreme Court Rule 29, I have served the enclosed Motion For Leave To Proceed In Forma Pauperis and Petition For Writ Of Certiorari on each party to the above proceeding, or party's counsel. And on every other person as required to be served by depositing an envelope containing the above documents, in the US MAIL, properly addressed to each of them, and with certified delivery.

The names and addresses of those served are as follows

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

on

WJ 2021

  
Signature