

# APPENDIX A

## United States Court of Appeals FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-5313

September Term, 2020

Filed On: January 4, 2021

In re: Momolu V.S. Sirleaf, Jr.,

Petitioner

**BEFORE:** Rogers and Katsas, Circuit Judges, and Sentelle, Senior Circuit Judge

### ORDER

Upon consideration of the petition for writ of habeas corpus and the motion to proceed in forma pauperis, it is

**ORDERED** that the motion to proceed in forma pauperis be granted. It is

**FURTHER ORDERED** that the petition be dismissed for lack of jurisdiction. This court lacks jurisdiction to entertain an original petition for a writ of habeas corpus. See Fed. R. App. P. 22(a); Felker v. Turpin, 518 U.S. 651, 660-61 (1996).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.

### Per Curiam

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Manuel J. Castro  
Deputy Clerk

APPENDIX B  
AGENCY OF NECESSITY AND  
DURABLE POWER OF ATTORNEY

TAKE NOTICE that I, the undersigned Principals residents of Gaithersburg,  
~~and~~ do hereby make, constitute and appoint Momolu V.S. Sirleaf Jr. a resident of Liberia my  
true and lawful attorney in fact, to act for me in my name, place and stead. The powers contained herein are  
to be effective immediately. I give unto my said attorney in fact the full power to do and perform any, all,  
and every act that I may legally do through an attorney in fact, and every proper power necessary to carry out  
the purposes for which this general power of attorney is granted, and I hereby ratify and affirm the acts done  
by my attorney in fact by virtue of the power herein conferred upon Momolu V.S. Sirleaf Jr.. Without  
limiting in anyway the full powers herein granted I specifically set out that my attorney in fact may act on  
my behalf with regard to the following:

1. Conduct any business with any banking, brokerage house or financial institution with respect to  
any of my accounts, including but not limited to, making deposits and withdrawals, obtaining bank  
settlement, passbooks, drafts, money orders, warrants and certificates or vouchers payable to me by any  
person, firm, corporation or political entity and to have full access to any safety deposit box I may have.
2. Perform any act necessary to deposit, negotiate, sell or transfer any note, security, stock, bond or  
draft of the United States of America, including U.S. Treasury Securities.

This durable power of attorney is to continue until my death or until I have provided my attorney in  
fact written notice of revocation and is to continue in the event of my mental or physical incapacity and I  
specifically direct that the powers hereby conferred shall continue in full force and effect in the event I  
become incompetent. If for any reason a court of proper jurisdiction should appoint a guardian to act for and  
on my behalf then I specifically request the court to appoint my attorney in fact as my guardian.

I further direct that a faxed, e-mailed or photo static copy of this durable agency of Necessity be  
deemed as valid as the original and anyone dealing with my attorney in fact may accept such a copy of the  
power of attorney without production of the original.

IN WITNESS WHEREOF, I have executed this AGENCY OF NECESSITY, on this 11<sup>th</sup> day of

March, 2021.

El-Shaddai Sirleaf,  
Momolu Sirleaf + Menelik Sirleaf [SEAL]  
Name of First Party

President Sirleaf  
Signature of negotiorum gestor [SEAL]

STATE OF VIRGINIA, CITY/COUNTY OF Greensville, TO WIT:

This is to certify that the foregoing agency of Necessity (was) signed and acknowledged before me by  
Karash Momolu V.S. Sirleaf Jr., on this 11<sup>th</sup> day of March, 2021.

My Commission Expires:

January 31, 2024

ADRIENNE CARROLL  
NOTARY PUBLIC  
Commonwealth of Virginia  
Registration #7880905

Adrienne Carroll

Notary Public



# APPENDIX D

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT  
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX  
1100 EAST MAIN STREET, SUITE 501  
RICHMOND, VIRGINIA 23219-3517  
WWW.CA4.USCOURTS.GOV

PATRICIA S. CONNOR  
CLERK

TELEPHONE  
(804) 916-2700

July 16, 2018

**CONFIDENTIAL**

Monolu Sacker Sirleaf, #1166862  
Greensville Correctional Center  
901 Corrections Way  
Jarratt, VA 23870

Dear Mr. Sirleaf:

Complaints against state judges in the State of Maryland should be filed with the Maryland Commission on Judicial Disabilities, P.O. Box 340, Linthicum Heights, MD 21090-0340. You should write that commission to obtain information on how to file a complaint against a Maryland state court judge.

Sincerely,

*Patricia S. Connor*  
Patricia S. Connor

PSC/swv

# APPENDIX E

FILED: November 16, 2018

## UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

5-2018-23

In the Matter of a

\*

No. 04-18-90101

Judicial Complaint

\*

Under 28 U.S.C. § 351

\*

### MEMORANDUM AND ORDER

Complainant brings this judicial complaint against a circuit judge pursuant to the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364, which provides an administrative remedy for judicial conduct that is "prejudicial to the effective and expeditious administration of the business of the courts." 28 U.S.C. § 351(a). The complaint also makes a number of allegations against persons who are not federal judges and who are not subject to that Act. Those allegations are not properly before me.

Complainant filed a petition for a writ of habeas corpus in the district court as "next friend" on behalf of his minor son, who had been convicted of a crime in state FALSE STATEMENT \*  
Where is  
aid  
order? } court. The district court ordered the petition stricken on the ground that only parties presenting their cases either personally or through licensed counsel can proceed in federal court. Complainant then produced a mandamus petition asking that the district court's ruling be reversed. He sent the mandamus petition directly to the circuit judge, as well as to many others. The court of appeals (through a panel that did not include the circuit judge) ultimately denied the mandamus petition. } Where is This ORDER ?

Complainant alleges in his judicial complaint that the circuit judge took no action regarding the mandamus petition that he sent directly to the circuit judge (although, again, the court of appeals did take up, and deny, an identical mandamus petition). *? Where is the ORDER ?*

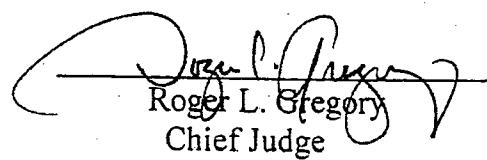
Under 28 U.S.C. § 352(b)(1)(A)(ii), claims that are "directly related to the merits of a decision or procedural ruling" are not subject to review through a complaint of judicial misconduct. To avoid the merits-related bar, a misconduct claim must contain "clear and convincing evidence of an arbitrary and intentional departure from, or willful indifference to prevailing law." *In re Memorandum of Decision*, 517 F.3d 558, 562 (U.S. Jud. Conf. 2008).

Misconduct may also be based upon a showing that the judge's rulings were motivated by racial or ethnic bias or other improper motive, but the claim must be supported by sufficient evidence to raise an inference that misconduct has occurred and cannot be based on mere speculation. *See* 28 U.S.C. § 352(b)(1)(A)(iii); Rule 3(h)(3)(A), Rules for Judicial-Conduct and Judicial-Disability Proceedings; *In re Doe*, 2 F.3d 308 (8th Cir. 1993) (judicial complaint process may not be used to pursue speculative claims).

Complainant has failed to present, and the records do not disclose, any evidence of willful indifference to prevailing law or other misconduct. Complainant may not pursue his disagreement with the rulings of the court of appeals through a complaint of judicial misconduct. The circuit judge certainly was under no obligation to take up a petition sent *False statement* improperly to the circuit judge directly rather than through the proper channel of the clerk of court.

Accordingly, this judicial complaint is dismissed as merits-related and lacking in factual support. 28 U.S.C. § 352(b)(1)(A)(ii) & (iii).

IT IS SO ORDERED.



Roger L. Gregory  
Chief Judge

APPENDIX E EXHIBIT B



Barbara Meiklejohn  
Clerk of the Circuit Court for Montgomery County  
50 Maryland Ave.  
Rockville, MD 20850

Date: Monday, January 22, 2018

RE: Case Number NA

Document(s) returned for the following reason(s):

- Costs Not Enclosed. Amount Due \$
- Do Not Need Check.
- Signature Missing.
- Not Original Document/Note.
- No Certificate of Service/Mailing. See MD Rule 1-323
- Costs Not Paid:
- Need Additional Copies of Documents.
- No Address/Telephone Number.
- Incorrect Case Number.
- Reference Number Missing.
- Sent to Montgomery County Circuit Court in Error.
- Other: The enclosed documents are being returned to you. Please provide the Montgomery County Criminal case number related to the request for Habeas Corpus. Please note that we do not forward copies to other parties in a case. Additionally, you may only represent yourself in a Circuit Court matter.

Thank you.

INITIAL HR

The Civil Department  
240-777-9401

Appendix E EXHIBIT C



Barbara Meiklejohn  
Clerk of the Circuit Court for Montgomery County  
50 Maryland Ave.  
Rockville, MD 20850

Date: Wednesday, February 07, 2018

RE: Case Number N/A

Document(s) returned for the following reason(s):

- Costs Not Enclosed. Amount Due \$
- Do Not Need Check.
- Signature Missing.
- Not Original Document/Note.
- No Certificate of Service/Mailing. See MD Rule 1-323
- Costs Not Paid.
- Need Additional Copies of Documents.
- No Address/Telephone Number.
- Incorrect Case Number.
- Reference Number Missing.
- Sent to Montgomery County Circuit Court in Error.
- Other: If you wish to file your Motion to Vacate, you must file it in the District Court where the case originated. Please also note that we do not forward copies to other parties.

Thank you.

INITIAL ML

The Civil Department  
240-777-9401

(APPENDIX) *F*

In 1990 the Supreme Court had occasion, in Whitmore v. Arkansas, to consider when a next friend can file a habeas corpus petition on behalf of a prisoner. There are, it said, two firmly rooted prerequisites for next friend standing. First, the next friend must provide "an adequate explanation—such as inaccessibility, mental incompetence, or other disability—why the real party in interest cannot appear on his own behalf to prosecute the action". Second, the "next friend" must be "truly dedicated to the best interests of the person on whose behalf he seeks to litigate \*\*\* and it has been further suggested that a 'next friend' must have some significant relationship with the real party in interest". The burden is on the "next friend"<sup>3</sup> clearly to establish his status and thereby justify the jurisdiction of the court.

CASES CITED

Whitmore v. Arkansas, 1990, 110 S.Ct. 1717, 495 U.S. 149, 109 LEd.2d 135;

<sup>2</sup> "Next friend" 110 S.Ct. at 1727, 495 U.S. at 163.

<sup>2 2</sup> "Adequate explanation" 110 S.Ct. at 495 U.S. 163.

<sup>3</sup> "Significant relationship" 110 S.Ct. at 1727, 495 U.S. at 163-164.

<sup>3 3</sup> "Burden on next friend" 110 S.Ct. at 1727, 495 U.S. at 164

REFERANCES

FEDERAL PRACTICE and PROCEDURE: JURISDICTION / Related Matters (3<sup>rd</sup>)  
§ 4268.3, pgs 487-487. *(17B)*

[APPENDIX] G - H

A. Mary Earl Erickson; Paul L. Erickson, parents and next friends of Chase W. Erickson, Plaintiffs-Appellants,

v.

BOARD OF EDUCATION OF BALTIMORE COUNTY, a Body Corporate and Politic of the State of Maryland; Anthony G. Marchione, Officially, Superintendent, Defendant-Appellees.

"Like attorneys appearing pro se, attorney-parents are generally incapable of exercising sufficient independent judgement on behalf of their children to ensure that 'reason, rather than emotion' will dictate the conduct of the litigation. Kay, 499 U.S. at 437, - 111 S.Ct. 1435. (see, pg 292, ¶[3] at 2nd ¶)

B. "Infant is always the ward of every court wherein his rights . . . . are brought into jeopardy, and is entitled to the most jealous care that no injustice be done to him." (see, Wenger, 143 F.3d at 125, - quoting Johns v. County of San Diego, 114 F.3d 874, 877 (9th Cir.1997); at pg. 293 ¶2, of case ERICKSON.