

Original

Cause no. 21-5864

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

JUL 22 2021

OFFICE OF THE CLERK

COLUMBIA LUXAR, *Respondent-Plaintiff*,

vs.

DELORIS PHILLIPS, *Petitioner-Defendant*.

ON PETITION 20-10984 THE UNITED STATES COURT
OF APPEALS FOR THE FIFTH CIRCUIT

PETITIONER'S DE NOVO REVIEW ON CERTIORARI

Respectfully,

/s/: Deloris Phillips
AIFP-Pro se Appellant
P.O. Box 530236
Grand Prairie, TX 75053-0236
Email: delorisphillips360@aol.com
Phone: (469) 671-8941
Date: 09.24.2021

*Petitioner Humbly Request De Novo Review, Oral Argument, Reverse, and Remand
For Appointment of Counsel, and Trial-by-Jury with Court Reporter to Preserve Record.*

QUESTIONS PRESENTED

- 1) Whether it is unconstitutional, in violation of the Fourteenth Amendment- Equal Protection Clause, for any litigant alleging discrimination in the Court System of America to be labeled *vexatious, frivolous, and pernicious* without being granted due process to be heard physically in the court of law at least once to present evidence, exhibits, reports, support, witnesses, etc.;
- 2) Whether the United States District Court of Northern Texas Dallas Division and the United States Court of the Fifth Circuit violated the Fifth Amendment and erred in labeling and sanctioning litigant, Deloris Phillips as *vexatious, frivolous, and pernicious* without ever once granting petitioner Deloris Phillips due process once in the Court of Law; and
- 3) Whether America's Highest Court of Justice, the Supreme Court of the United States of America has an obligatory duty, per the United States Constitution, to correct obvious, miscarriages of documented and erroneous injustices of lower courts.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

RELATED CASES

- 1) SEC. HH and SEC. F 261-262: JE-19-00343-H

(Justice of the Peace Precinct One Place One) Honorable Judge Thomas Jones presiding. *Columbia Luxar v. Deloris Phillips*. Filed by plaintiffs on 01.15.2019. Petitioner motioned for appointment of counsel, trial-by-jury, Court reporter, motion to add parties, motion to deem case complex, motion for counterclaim, and rehearing but was denied. Petitioner motioned for rehearing but was denied.

- 2) SEC. GG and SEC. F 259-260: 3:19-CV-00136-G-BT

(U. S. D. C. Northern Texas Dallas Division) *Columbia Luxar v. Deloris Phillips*. Honorable Judge A. J. Fish (Honorable Magistrate Rebecca Rutherford) presiding. Motion for leave to file Notice of removal JE-19-00343-H per Federal question, filed by Removant-Defendant on 01.17.2019. Motion for leave to file denied (Doc. 5);

- 3) SEC. FF and SEC. F 249-258: CC-19-00788-E

(Dallas County Court at Law No. 5) *Columbia Luxar v. Deloris Phillips*. Honorable Judge Mark Greenberg presiding.Appealed by defendant on 02.06.2019 from JE-19-00343-H. Appellant motioned for appointment of counsel, trial-by-jury, court reporter, motion to deem case complex, and motion for rehearing but was denied. Appellant was actually told during

I

hearing that the jury was in the back waiting to come out but jury never came out;

- 4) SEC. EE and SEC. F 246-248: 3:19-CV-00478-M-BK
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- 5) SEC. DD and SEC. F 239-241: 05-19-00251-CV (The Fifth Judicial District Court of Appeals-Texas) *Columbia Luxar v. Deloris Phillips*. Defendant filed Notice of Appeal CC-19-0788-E (Dallas County Court at Law No. 5) on 02.28.2019. This appeal was closed by mandate on 09.12.2019;
- 6) SEC. F 242-245: 05-19-00251-CV Clerk's Record Report VOL. I 04.24.2019;
- 7) SEC. EE and SEC. F 246-248: 19-10271 (The U. S. Court of Appeals for the Fifth Circuit). *Columbia Luxar v. Deloris Phillips*. Appellant-defendant filed appeal (3:19-CV-00478-M-BK) on 03.04.2019;
- 8) SEC. AA and SEC. F 227-235: 3:20-CV-00467-X-BT (U. S. D. C. Northern Texas Dallas Division) *Columbia Luxar v. Deloris Phillips*. Honorable Judge Brantley Starr (Honorable Magistrate Rebecca Rutherford) presiding. Motion for leave to file Notice of Removal CC-19-0788-E denied on 09.24.2020;
- 9) SEC. F 236-238: 3:20-CV-00464-K Hon/ Ed Kinkeade (U. S. D. C. Northern Texas Dallas Division) *Columbia Luxar v. Deloris Phillips* filed 02.24.2020;

A handwritten signature consisting of the letters 'T' and 'I' connected by a horizontal line, likely a signature of the author or a witness.

- 10) SEC. CC and SEC. F 222-226: 20-10984 (The U. S. Court of Appeals for the Fifth Circuit). *Columbia Luxar v. Deloris Phillips*. Appellant-defendant filed appeal (3:20-CV-00467-X-BT) on 09.28.2020. On petition the Supreme Court of the United States of America on 09.24.2021;
- 11) SEC. BB: Supreme Court Orders & Letters and other Orders.
- 12) SEC. F 236-264: U. S. D. C. Northern Texas Dallas Court Query of Cases Appellant;
- 13) SEC. F 265: U. S. D. C. Northern Texas Dallas Court Query of Cases Appellant;
- 14) SEC. F 266: U. S. C. A. for the Fifth Circuit Court Query of Cases Appellant;
- 15) SEC. F 267-268: U. S. C. A. for the Fifth Circuit Court Query of Cases Appellant; and
- 16) SEC. F 269: U. S. Bankruptcy Court of Northern Texas Dallas Court Query of Cases Appellant.



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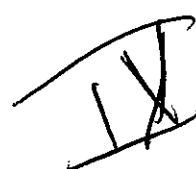
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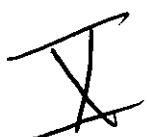
06-19-00291-GA ORDER Form 9-1970 B (4) (b) (5) (B) (7) (D)
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06-18-00551-CA ORDERED HERE July 28, 1968, W.M. Ferguson
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The Conspiracy to Silence a JFK Assassination Theorist
Robert Groden and his Attorney Kizzia speaks of prevailing in all cases
Against the City of Dallas, Dallas County Historical Museum,
And Dallas Police Department (DC-06-12501, 3:10-CV-01280,
And DC-14-01521. Dallas lawlessly battled Groden over two decades.
And Groden also prevailed in all 82 citations Dallas lawlessly wrote him.
Robert Groden also mentions of being approached by Homeland
Security because Dallas intentionally and maliciously set up Groden.
To look as though he was a criminal.

<https://youtu.be/nfahV3CMbA>

The Conspiracy to Silence a JFK Assassination Theorist - YouTube

The Conspiracy to Silence a JFK Assassination Theorist

Posted 01.06.2017 [6:37(8) minutes].....**PLEASE SEE YOUTUBE VIDEO**

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Oral Argument

[https://www.supremecourt.gov/oral_arguments/audio/2014/12-1226 \(12.03.2014\)](https://www.supremecourt.gov/oral_arguments/audio/2014/12-1226 (12.03.2014))

SEC. C: DIANE FORD VS. UNITED PARCEL SERVICE, INC. DC-2014-02874 NOTICE OF REMOVAL 3:14-CV-01872-D DIANE FORD PREVAILS VIA DUE PROCESS

<i>Diane Ford v. UPS, Inc.</i> DC-14-02874 Docket Sheet (3 pgs.)	
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SEC. C: DIANE FORD VS. UNITED PARCEL SERVICE, INC. DC-2014-028743:14-CV-01872-D NOTICE OF REMOVAL DIANE FORD PREVAILS VIA DUE PROCESS

Diane Ford v. UPS, Inc. DC-14-02874 (Dallas County 68th District Court)
Honorable Martin Hoffman 68th Dallas County
Petitioner Diane Ford's Original Complaint 03.20.2014
Racism Discrimination, wrongful termination (race/color based),
Disability discrimination, Age Discrimination (race/color based).....SEC. C: 152-160

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SEC. D: CEDRIC HOWARD VS. UNITED PARCEL SERVICE, INC. 3:09-CV-02074-K (1:09-CV-02333 NOTICE OF REMOVAL) 42 U.S.C. 1981 (DISCRIMINATION/RACE) DISMISSED WITH PREJUDICE

Cedric Howard v. UPS, Inc. 3:09-CV-02074-K Docket Sheet (10 pgs.)
Honorable Ed Kinkeade
Opened/Notice of Removal 11.03.2009. Closed 01.18.2011SEC. D: 167-176

Cedric Howard v. UPS, Inc. 1:09-CV-02333-ODE
Original Complaint 08.26.2009 (17 pgs.).....SEC. D: 177-193

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SEC. E: JEARLDINE MANGUM VS. UNITED PARCEL SERVICE, INC. 3:09-CV-00385-D U.S.D.C.NORTHERN TEXAS (DALLAS) CIVIL RIGHTS CLAIM DISMISSED WITH PREJUDICE

Jearldine Mangum v. UPS, Inc. 3:09-CV-00385-D Docket Sheet (10 pgs.)
Honorable Sidney A. Fitzwater
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Appendices

SEC. E CONT: JEARDINE MANGUM VS. UNITED PARCEL SERVICE, INC. 3:09-CV-00385-D U.S.D.C.NORTHERN TEXAS (DALLAS) CIVIL RIGHTS CLAIM DISMISSED WITH PREJUDICE

Jearldine Mangum v. UPS, Inc. 3:09-CV-00385-D
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Jearldine Mangum v. UPS, Inc. 3:09-CV-00385-D
Plaintiff's Reply to Defendant's Response to Findings of Magistrate Judge
11.17.2009.....SEC. E: 201(a)

Debtor: Jearldine Mangum v. UPS, Inc. 13-35755 (Multiple Court Documents)
U.S. Bankruptcy Court Northern D.C. Texas (Dallas)
Honorable Stacey E. Jernigan
Filed 11.04.2013.....SEC. E: 202-215

SEC. F: COLUMBIA LUXAR VS. DELORIS PHILLIPS 3:20-CV-0467-X(BT) U.S.D.C.NORTHERN TEXAS (DALLAS) DALLAS' RETALIATORY CONSTRUCTIVE EVICTION BY "OPEN" QUID PRO QUO

20-10984 Columbia Luxar v. Deloris Phillips
U.S. Court of Appeals for the Fifth Circuit
NOA Filed 09.24.2020
Docket Sheet (09.24.2020-10.01.2020).....SEC. F222-226

3:20-CV-467-X-BT Columbia Luxar v. Deloris Phillips
Honorable Brantley Starr and Hon. Magistrate Rebecca Rutherford
U. S. District Court of Northern Texas Dallas Division
Opened 02.24.2020. Terminated 09.24.2020
.....Docket Sheet SEC. F227-235

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SEC. F: COLUMBIA LUXAR VS. DELORIS PHILLIPS
3:20-CV-0467-X(BT) U.S.D.C.NORTHERN TEXAS (DALLAS)
DALLAS' RETALIATORY CONSTRUCTIVE EVICTION
BY "OPEN" QUID PRO QUO

3:20-CV-0464-K (Hon. Ed. Kinkeade)/3:20-CV-047-X-BT (Hon. Starr)
Defendant's Motion for State Court Records to be Provided for JE-19-00343-H,

CC-19-0788E, AND 05-19-00251-CV, Pursuant 28 U.S.C. § 1449 AND FRCP 11; AND ASSISTANCE WTH DISCOVERY AND DISCLOSURE FROM THE CITY OF DALLAS FAIR HOSUING, HUMAN RIGHTS, AND OFFICE OF EQUITY FOR COMPLAINTS 9.0042/06-19-5157-8/19.002 Filed 02.24.2020.....SEC. F236-238

05-19-CV-0251 *Columbia Luxar v. Deloris Phillips*

Dallas County Court at Law No. 5.

NOA Filed 02.28.2019 Docket Sheet.....SEC. F239-241

05-19-CV-0251 *Columbia Luxar v. Deloris Phillips*

Clerk's Record Report (CC-19-00788-E)

Dallas County Court at Law No. 5

VOL. I of I-04.24.2019 (report 3 pgs.).....SEC. F242-245

3:19-CV-478-M-BK *Columbia Luxar v. Deloris Phillips*

Honorable Barbara M.G. Lynn and Hon. Magistrate Renee Harris

U. S. District Court of Northern Texas Dallas Division

Opened 02.25.2019. Terminated 02.26.2019

Docket Sheet.....SEC. F246-248

CC-19-00787-E Honorable Mark Greenberg

Dallas County Court at Law No. 2

Opened 02.06.2019.Closed 03.04.2019

Docket Sheet.....SEC. F249-258

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3:19-CV-00136-G-BT (Opened 01.22.2019 closed 01.28.2019)
Honorable A.J. Fish and Hon. Magistrate Rebecca Ruthefrord
U. S. District Court of Northern Texas Dallas Division
Opened 01.17.2019 closed 01.22.2019
Docket Sheet..... SEC. F259-260

JE-19-00343-H Honorable Thomas Jones
Justice of the Peace Precinct One Place One
On the day of hearing this case was on appeal
in USDC North TX (Dallas) as 3:19-CV-0136
Opened January 15, 2019....file folder.....SEC. F261-262

U.S. D.C. Northern Texas Dallas Court Query of Cases
for Plaintiff/Appellant/Petitioner Deloris Phillips
Dated 06.26.2019.....SEC. F 263-264

U.S. D.C. Northern Texas Dallas Court Query of Cases
for Plaintiff/Appellant/Petitioner Deloris Phillips
Received after 06.26.2019.....SEC. F 265

U.S. C. A. for the Fifth Circuit Court Query of Cases
for Plaintiff/Appellant/Petitioner Deloris Phillips
Dated 12.16.2019.....SEC. F 266

U.S. C. A. for the Fifth Circuit Court Query of Cases
For Plaintiff/Appellant/Petitioner Deloris Phillips
Dated 12.16.2019.....SEC. F 267-268

U.S. Bankruptcy Court of Northern Texas Court Dallas
Query of Bankruptcies for Deloris Phillips.....SEC. F269

Columbia Luxar's Cease & Desist Email to petitioner
Deloris Phillips delorisphillips360@yahoo.com on
09.25.2020.....SEC. F270

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SEC. G: COLUMBIA LUXAR VS. DELORIS PHILLIPS 3:20-CV-0464-K U.S.D.C.N TEXAS (DALLAS)

3:20-CV-0464-K (Hon. Ed. Kinkeade)/3:20-CV-047-X-BT (Hon. Starr)
Defendant's Motion for State Court Records to be Provided for JE-19-00343-H,

***CC-19-0788E, AND 05-19-00251-CV, Pursuant 28 U.S.C. § 1449 AND
FRCP 11; AND ASSISTANCE WITH DISCOVERY AND DISCLOSURE
FROM THE CITY OF DALLAS FAIR HOUSING, HUMAN RIGHTS,
AND OFFICE OF EQUITY FOR COMPLAINTS 9.0042/06-19-5157-8/19.002 Filed 02.24.2020.....SEC. G271-318***

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STATEMENT OF THE CASE

Appellant duly Filed appeal 20-10984 (3:20-CV-00467-X-BT).

REASONS FOR GRANTING THE PETITION

There will be ongoing erroneous miscarriages of injustices if writ of certiorari is not granted. This is not a frivolous writ. This is the fact of ongoing, lawless, retaliatory, antics by an “open” quid pro quo with endless links connections and networks.

Appellant requests for the Highest Court of Justice to audit her cases and it will prove beyond any type doubt that appellant is not frivolous. An audit of all cases filed by appellant Deloris Phillips will validate that she has been unlawfully battled by over a decade. Appellant has never been heard in the court of law as a plaintiff. Prevailing in the court of law is impossible without due process.

Appellant humbly asks the questions stated below to the court:

- 1) Whether it is unconstitutional, in violation of the Fourteenth Amendment- Equal Protection Clause, for any litigant alleging discrimination in the Court System of America to be labeled *vexatious, frivolous, and pernicious* without being granted due process to be heard physically in the court of law at least once to present evidence, exhibits, reports, support, witnesses, etc.;
- 2) Whether the United States District Court of Northern Texas Dallas Division and the United States Court of the Fifth Circuit violated the Fifth Amendment and erred in labeling and sanctioning litigant, Deloris Phillips as *vexatious, frivolous, and pernicious* without ever once granting petitioner Deloris Phillips due process once in the Court of Law; and
- 3) Whether America’s Highest Court of Justice, the Supreme Court of the United States of America has an obligatory duty, per the United States Constitution, to correct obvious, miscarriages of documented and erroneous injustices of lower courts.

This petition is duly submitted for more time to file her brief and extensions in lower court. Appellant motioned to supplement record but was denied. This petition is in all reality one and the same as:

- 1) JE-19-0788-E; 2) 3:19-CV-00136-G-BT; 3) JE-19-00788-H; 4) 05-19-00251-CV;
- 5) 3:19-CV-00478-M-BK; 6) 19-10271; 7) 3:20-CV-00467-X-BT; and
- 8) 20-10984.

Plaintiff reiterates each of her three applications for extensions of time as if each were fully rewritten herein (with all attached supporting evidence/documents/records/files/etc. attached thereto) in its entirety listed below and attached as Evidence/Exhibit 6, Evidence/Exhibit 7, Evidence/Exhibit 8.

EVIDENCE/EXHIBIT 6: *Petitioner's Application to Extend Time to File De Novo Writ of Certiorari only on issues of Nondispoistive Order (01.13.2021)* filed on 01.13.2021 and attached exactly the same;

EVIDENCE/EXHIBIT 7: *Petitioner's Application for Extension of Time to File Writ of Certiorari 20-10984 (USCA5) Denied Extension of Time to File Brief and Record Excerpts* filed on 07.21.2021:

EVIDENCE/EXHIBIT 7: *Petitioner's Amended Application for Extension of Time Per Instruction Court Letters Dated 02.17.2021 & 07.27.2021 to File Writ of Certiorari for Denied Multi Motion, Brief, and Record Excerpts. Petitioner Motion Court (Per Rules 21 & 22) to Accept this Application for Extension of Time that Exceeds Page limit* filed on 09.09.2021.

Appellant humbly pleads with said Court, the Highest Court of Justice, the Supreme Court of the United States to impartially rule after reviewing all original records in lower courts. In Sec.BB (pgs. 8-9) these two cases (3:21-CV-1628-C-BK & 3:21-1905-C-BN) appellant alleges to be ongoing retaliation. One case is for an occupational license because appellant can pay for a "DOT-CD Don't Walk Ticket from 04.28.2016. Appellant had all required documents and monies and was denied

in three different courts and this is documented and recent history. Appellant has to appeal these cases. Appellant is in this process now. Appellant seeks more time to file brief and records excerpts in this petition due to covid-19 limiting movement and other issues.

Appellant seeks review on all Orders, Judgments, and opinions from lower court listed and attached as:

05-19-00251-CV (The Fifth Judicial District Court of Appeals-Texas)
Letter from Dallas County Noticing Record (CC-19-00788-E is Ready
w/ copy of Index of Clerk's record. Letter Dated 04.25.2019..... SEC. DD 1-3

05-19-00251-CV TRIAL COURT CAUSE CC-19-00788-E
REPORTER'S RECORD VOLUMES III OF III
Court Reporter Brooke Wagner
Master Index Forcible Entry and Detainer
VOL. I Trial and Motion to Transfer (02.21.2019).....SEC. DD 4-9
VOL. II Trial (02.21.2019).....SEC. DD 10-44
VOL. III Defendant-Appellant's Motion to Transfer
And other motions (03.04.2019).....SEC. DD-45-62

05-19-00251-CV ORDER Hon. Judge B. Whitehill
Denying motion to supplement record on appeal
Order dated 04.26.2019.....SEC. DD-63

05-19-00251-CV ORDER Hon. Judge B. Whitehill
Denying motion for en banc hearing. Order requiring
appellant's jurisdictional brief
Order dated 05.30.2019.....SEC. DD-64

05-19-00251-CV ORDER Hon. Judge B. Whitehill
Denying appellant's second motion to supplement
Record as moot. Order dated 07.03.2019.....SEC. DD-65

05-19-00251-CV MEMRANDUM OPINION Hon. Judge B. Whitehill
Granting appellant's motion for voluntary dismissal
Pending Housing and Urban Development of Fort Worth
And the City of Dallas Fair Housing Complaint
Nos. 19.002 & 19.042 (transferred from HUD Fort Worth
Office to the City of Dallas fair Housing Office
Memorandum Opinion dated 07.03.2019.....SEC. DD-66

05-19-00251-CV JUDGMENT Hon. Judge B. Whitehill
Appeal dismissed
Judgment dated 07.03.2019.....SEC. DD-67

05-19-00251-CV MANDATE Opinion delivered by Hon. Judge B. Whitehill
Justices Partida-Kipness and Pedersen, III participating
Dismissing appeal
Order dated 09.12.2019.....SEC. DD-68

05-19-00251-CV LETTER from Court dated 03.12.2020
Agreeing to transfer records on CD to appellant.....SEC. DD-69

Appellant reiterates her list of related cases to be true and correct as if these cases were fully rewritten herein. Appellant reiterates her supporting appendices Sec.1, Exhibit 1, Sections A-G and Evidence/Exhibits 6, 7, 8, 9 as if each were fully rewritten herein. Appellant in this said petition motions for leave to file amended de novo writ at the granting of court. Petitioner motions for Court to please accept this one copy of petition and supporting documents. Petitioner does not have the monies to make duplicate copies.

Petitioner alleges lower courts not granting due process at least once allowed an ongoing, decade, and continuous, retaliatory “open” quid pro quo to lawlessly persist. Petitioner alleges being heard in the court of law, by due process, will prove, beyond any doubt, petitioner too was/is battled as Robert Groden proved in the Court of a law as a plaintiff in DC-06-12501 (*Robert Groden vs. City of Dallas, et al.*)—personal injury. 3:10-CV-1280-N (Robert Groden vs. City of Dallas, et al.)—Constitutional Rights Violation. DC-14-01521 (*Robert Groden vs. Dallas County Historical Museum, et al.*)—Civil Rights Violation. Robert Groden duly prevailed in each of his cases (including when Dallas’ frivolously made him a defendant).

Petitioner alleges this appeal for 20-10984 was created by the City of Dallas creating a hostile living environment because petitioner continues to speak truthfully of an ongoing cover-up within a cover-up that involved a fabricated police report, premeditated official oppressions, sabotaged educations, unlawfully redacted

(4)

video and audio of dash cam and car cam. Robert Groden proved in the Court of law, Federal Court (3:10-CV-1280-N) with two law enforcement officers testifying that they were instructed to be unlawful with Groden while calling it other names. Petitioner alleges if she was granted due process she too could allow evidence, Law Enforcement testimonies, witness, depositions, Police dash cam and body cam, and evidence would show an ongoing, relentless, retaliatory quid pro quo. Groden called his twenty years plus of being battled by Dallas the *crackdown*. Appellant is calling the "open" quid pro quo. Ford of *Diane Ford vs. UPS, Inc.* was granted due process and prevailed. Young of *Peggy Young vs. UPS, Inc.* was granted due process and prevailed. Fisher of *Abigail Fisher vs. University of Texas at Austin, et al.* was granted due process and prevailed.

CONCISE STATEMENT

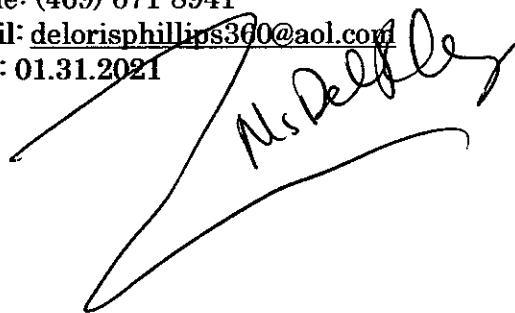
Appellant alleges her attached supporting documents, the documents she filed in lower courts, the orders, denial, dismissal, and more so, reviewing the original records will show that lower courts were in violation of the 14th Amendment-Equal protection Clause and seemingly, intentionally biased with petitioner when allowing other litigants due process regarding the same issues and parties.

CONCLUSION

For the aforementioned reasons, petitioner prays Court vacate, reverse with instructions, and remand.

Respectfully,

/s/: Deloris Phillips
P.O. Box 530236
Grand Prairie, TX 75053-0236
Phone: (469) 671-8941
Email: delorisphillips360@aol.com
Date: 01.31.2021

A handwritten signature in black ink, appearing to read "Deloris Phillips", is written over a large, sweeping, curved line that starts from the left and ends at the bottom right. The signature is written in a cursive, fluid style.A handwritten circled 'S' is located in the bottom right corner of the page. The 'S' is written in a cursive style and is enclosed within a circle.

**STATE OF TEXAS §
DALLAS COUNTY §**

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that the foregoing is true and correct. Declarant has irrefutable evidence to physically present before the Court indisputably validating this has been an ongoing decade plus, retaliatory "open" quid pro quo. I write/speak as if I were in the court of law, under sworn oath to speak the truth, whole truth, and nothing but the whole truth so help me God.

EXECUTED on the 25 September, 2021.

S/: Deloris Phillips
Declarant