

21-6304

NO.

IN THE  
SUPREME COURT OF THE UNITED STATES

ORIGINAL

Supreme Court, U.S.  
FILED

SEP 11 2021

OFFICE OF THE CLERK

NENG POR YANG,

Petitioner,

Vs.

ANN MARIE HOLLAND,

Respondent,

On Petition for a Writ of Certiorari to  
The Minnesota Court of Appeals

PETITION FOR WRIT OF CERTIORARI

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## **I. Questions Presented**

1. Whether the Minnesota Court of Appeals decision to continue the enforcement of a fraudulent and pretentious state harassment restraining order to an imposture for 50 years without reviewing her acts of frauds; her lack of judicial jurisdiction, her manipulative police evidences, her police and in court perjured testimonies; and her conspiracies with police officers, prosecutors, judges, sheriffs, and Minnesota attorney generals, in enforcing the HROs had deprive the Petitioner of His Fourth and Fourteenth Amendment Rights to an infinite and unreasonable seizure, and a deprivation of the Petitioner's procedure due process and equal protection rights.
2. Whether Petitioner continues to be deprive of his statutory and procedure due process rights to be heard only on the evidences in the case was due to Petitioner's Pro-Se status.

## **II. Table of Contents**

I	Questions Presented.....	ii
II	Table of Contents.....	iii-iv
III	Table of Authorities.....	v-vii
IV	Petition for Writ of Certiorari.....	1
V	Opinions Below.....	1
VI	Jurisdiction.....	1
VII	Constitutional and Statutory Provisions Involved.....	1
VIII	Statement of the Case.....	2
	1. The Fraudulent Business Scam and the HROs.....	6
	2. The Petitioner’s Arrest and the Enforcement of the Amended HROs in Nov 2009.....	14
	3. The Ongoing Systemic Racist Policy Being Enforce Against the Petitioner.....	19
IX	REASONS FOR GRANTING THE WRIT.....	20
	A. This Court Should Clarify the Procedure Due Process Rights Violations in this Case.....	20
	B. This Court Should Clarify the Equal Protection Rights Violations in this Case.....	23

X.	Conclusion.....	27
XI.	Index to Appendices.....	28

### III. Table of Authorities

#### Cases

Brown v. Board of Education, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873.....	23
Brown v. State of Louisiana, 383 U.S. 131, 86 S.Ct. 719, 15 L.Ed.2d 637.....	24
Buchanan v. Warley, 245 U.S. 60, 38 S.Ct. 16, 62 L.Ed. 149.....	24
Commonwealth of Pennsylvania v. Board of Directors of City of Trusts, 353 U.S. 230, 77 S.Ct. 806, 1 L.Ed.2d 792.....	23
Carey v. Piphus, 435 U.S. 247, 266–67 (1978).....	2, 20
Frontiero v. Richardson, 411 U.S. 677, 684–87 (1973).....	2
Fuentes v. Shevin, 407 U.S. 67, 81 (1972).....	2, 20
Gayle v. Browder, 352 U.S. 903, 77 S.Ct. 145, 1 L.Ed.2d 114.....	24
Griffin v. State of Maryland, 378 U.S. 130, 84 S.Ct. 1770, 12 L.Ed.2d 754.....	24
Hamilton v. State of Alabama, 376 U.S. 650, 84 S.Ct. 982, 11 L.Ed.2d 979.....	24
Holmes v. City of Atlanta, 350 U.S. 879, 76 S.Ct. 141, 100 L.Ed. 776.....	24
Johnson v. State of Virginia, 373 U.S. 61, 83 S.Ct. 1053, 10 L.Ed.2d 195.....	23
Lombard v. State of Louisiana, 373 U.S. 267, 83 S.Ct. 1122, 10 L.Ed.2d 338.....	24
Loving v. Commonwealth Virginia, 388 U.S. 1, 87 S.Ct. 1817, 18 L.Ed.2d 1010.....	24
Marshall v. Jerrico, Inc., 446 U.S. 238, 242 (1980).....	2, 20

Mayor and City Council of Baltimore v. Dawson, 350 U.S. 877, 76 S.Ct. 133, 100 L.Ed. 774.....	24
Michael M. v. Superior Court, 450 U.S. 464 (1981).....	2
Mississippi Univ. for Women v. Hogan, 458 U.S. 718, 724 n.9 (1982).....	2
Negro voting, e.g., Lane v. Wilson, 307 U.S. 268, 59 S.Ct. 872, 83 L.Ed. 1281.....	23
Nelson v. Adams, 529 U.S. 460 (2000).....	2, 20
New Orleans City Park Improvement Assn. v. Detiege, 358 U.S. 54, 79 S.Ct. 99, 3 L.Ed.2d 46.....	24
Plessy v. Ferguson, 163 U.S. 537, 16 S.Ct. 1138, 41 L.Ed. 256.....	24
Rostker v. Goldberg, 453 U.S. 57 (1981).....	2
Shelley v. Kraemer, 334 U.S. 1, 68 S.Ct. 836, 92 L.Ed. 1161.....	24
Strauder v. West Virginia, 100 U.S. 303, 25 L.Ed. 664.....	23
Sweatt v. Painter, 339 U.S. 629, 70 S.Ct. 848, 94 L.Ed. 1114.....	23

### **Statues**

28 U.S.C §1257(a).....	1
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### **Others**

Minnesota Statue§609.748 Subd. 3a.....	15
Minnesota§609.748 Subdi.5(d).....	16

## **Constitutional Provisions**

United States Amendment V .....	1
United States Amendment XIV .....	2

#### **IV. Petition for Writ of Certiorari**

The Petitioner, (Neng Por Yang), respectfully petitions this Court for a writ of certiorari to review the judgment of the Minnesota Court of Appeals.

#### **V. Opinions Below**

The opinion of the Minnesota Court of Appeals denying the Petitioner's motion to vacate, or, modify Respondent's 50 years amended harassment restraining order, ("HROs"), appears at Appendix A pg1-4, Dated: March 25<sup>th</sup>, 2021, to the petition and is unpublished. The Minnesota Supreme Court denied the Petitioner's for rehearing of the Minnesota Court of Appeals decision on June 15<sup>th</sup>, 2021, and is attached at Appendix C.

#### **VI. Jurisdiction**

The date on which the Minnesota Court of Appeals decided Petitioner's case was March 25<sup>th</sup>, 2021. A copy of that decision appears at Appendix A. The Petitioner petition for rehearing to the Minnesota Supreme Court was denied on June 15<sup>th</sup>, 2021, and a copy of the order denying review appears at Appendix C.

The Petitioner invokes this Court's jurisdiction under 28 U.S.C§1257(a).

#### **VII. Constitutional and Statutory Provisions Involved**

United States Constitution Amendment V:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be put twice in jeopardy of life or limb; nor shall be compelled in



any criminal case to be a witness against himself, nor be deprive of life, liberty, or property, without due process of law; nor shall private property be taken for public use without compensation.”

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**

This Court had long held that proper procedure due process is an essential right in any legal proceedings. *Fuentes v. Shevin*, 407 U.S. 67, 81 (1972). At times, the Court has also stressed the dignitary importance of procedural rights, the worth of being able to defend one’s interests even if one cannot change the result. *Carey v. Piphus*, 435 U.S. 247, 266–67 (1978); *Marshall v. Jerrico, Inc.*, 446 U.S. 238, 242 (1980); *Nelson v. Adams*, 529 U.S. 460 (2000) (amendment of judgement to impose attorney fees and costs to sole shareholder of liable corporate structure invalid without notice or opportunity to dispute). Moreover, equal protection rights was held by this Court as essential. *Rostker v. Goldberg*, 453 U.S. 57 (1981) (military); *Michael M. v. Superior Court*, 450 U.S. 464 (1981) (application of statutory rape prohibition to boys but not to girls). Four Justices in *Frontiero v. Richardson*, 411 U.S. 677, 684–87 (1973), were prepared to find sex a suspect classification, and in *Mississippi Univ. for Women v.*

Hogan, 458 U.S. 718, 724 n.9 (1982), the Court appeared to leave open the possibility that at least some sex classifications may be deemed suspect.

In this case, this had been a prolong and unnecessary civil harassment restraining order case, (“HROs”), where both the Minnesota Court of Appeals and the Scott County First Judicial District Courthouse had only heard the Respondent’s side of the case, and therefore, deny the Petitioner due process and equal protection rights because of His race, gender, sex, and Pro-Se status, for not being able to afford an attorney in the case; and neither were there any review of the procedure due process violations, the false evidences and perjured testimonies on public records, and the numerous false and undisclosed police complaints, that the Respondent, her attorneys, and the Shakopee police officers, had manipulated as evidences for their HROs case.

Furthermore, this is a civil HROs case where the Petitioner is being deprive of equal protection by the judges and the state of Minnesota due to race and sex discrimination, because they had continue to allow an imposture, (Ann Marie Holland, a White Caucasian female), the Shakopee police officers, the Scott Cty prosecutor, (William C. Strait), and MN attorney generals, to continue the enforcement of a farcical HROs that they knew were fraudulent, and for the sole purpose of harassing, provoking, and enforcing a prolong and infinite prosecution against the Petitioner without merits; including abusing the judicial process with their false police and official oaths for the purpose of inciting racial tension, discriminatory practices, instigating an unlawful prosecution, and enforcing a systemic racist policy against the Petitioner at Shakopee, MN.

This case had been prolong indefinitely by Scott County prosecutors, judges, Shakopee police officers, and unknown Minnesota attorney generals, due to their conspiracy with Ann

Marie Holland, and because of unknown government agents' involvements with the Respondent in this case.

Since 2008, the Petitioner was deny the rights to examine the evidences on the HROs affidavits by all of the judges at the Scott County 1<sup>st</sup> Judicial District Courthouse; the rights to file proper motions for review of the evidences and the frauds per the civil court rules and the rules of evidences; including, the rights to defend the Petitioner's legal rights in this pending and open HROs case. And because of these reasons, this case had become more complex than ever when the Petitioner had no help in the case by any court administrators and government agencies in Minnesota; and no attorney at law would be able to defend the case because of the complex issues involving the Respondent's police allegations and her fraudulent evidences that are being sustained by the district court judges as relevant evidences to procuring the Respondent's HROs. And because of these reasons, the Petitioner is even confused about the nature of the case, because there are no clear objectives about the nature of this frivolous and fraudulent HROs case, other than the fact that this HROs case had cause and unlawful arrest, incarceration, and ongoing prosecution of the Petitioner's person at Scott County, MN; and neither is the Petitioner aware of their intentions in the HROs case when the Petitioner continues to be deny due process, and these judges are excluding relevant evidences of frauds from the case, therefore, helping the Respondent gain the upper advantages in the HROs.

Furthermore, the HROs case had become extremely complex, dangerous, and confusing when the Respondent and the Shakopee police officers' continue to enlarge the case by manipulating hate crime police reporting and exaggerating numerous crime stories that they say had already been committed by the Petitioner for the sole purpose of initiating their state court warrant and their amended HROs. And then after they had initiated their criminal reports and

procured their HROs, they would withhold their criminal reporting from the Petitioner since 2007, and until the Petitioner was arrested in 2008, on additional criminal reporting that were manufactured by white police officers of the Shakopee Police Dept.

In this case, the Shakopee Police Dept., and its officers had become the finding of facts and the determination of the law in the case, because the language of the Scott Cty District Court and the Minnesota Court of Appeals are only relying on their evidences presented and what they wrote and say on the HROs and on court testimonies; and because what they wrote on the HROs had been nothing but false and fraudulent material facts that had never been reviewed by any of these district court judges since 2007, to the current year 2021. Thus, means that the Petitioner had been in violation of the harassment law and order because the Shakopee police officers had say that the Petitioner had violated crimes that violated the HROs orders at their Shakopee Police Dept., however, there are no physical evidences to sustain their allegations that any crimes had been committed. And because, they had concluded that the Petitioner's discovery requests, subpoena request, police dept., encounter, and in court motion hearing on a pending and open HROs in the court of law are harassment and criminal acts being committed against the Respondent—that even the Petitioner's in court presence before a court of law is a violation against the Respondent's fundamental rights and safety at Shakopee, MN. Therefore, sustaining that this is a case of systemic racist policy, judicial discrimination, and an unlawful criminal judicial proceedings being enforce against the Petitioner by the Shakopee Police Dept., and its entire police officers with conspiracy by the Respondent.

As of today, the Respondent continues to be unlawfully protected as a victim to her own fraudulent judicial misconducts and fraudulent judicial practices by the state and the judges involved in her case; and the Minnesota Attorney General's Office and unknown attorney

general's had provided her with full immunities from being investigated and criminally prosecuted on anything that she does and say in her criminal and HROs cases at Scott County, MN. Meaning, all of these HROs and criminal cases are related to each other, and the Respondent gets to walk away from all of her fraudulent judicial misconducts by the state as if her fraudulent allegations are protected by the "freedom of speech," on one hand, and on the other hand, they will continue to use her freedom of speech allegations to prosecute the Petitioner at will with her HROs and criminal cases.

Since the last court hearing in February 2020, no investigation had ever been implemented, nor, enforce by the state of Minnesota and the Shakopee Police Dept., police administrator, and as required by law and by their official obligation to do so under the law and under the equal protection of the law. And because of these reasons, all of the Scott Cty 1<sup>st</sup> Judicial District Courthouse judges will refused to hear the Petitioner's motion to vacate, or, modify the HROs on fair and equal grounds, nor, heed the frauds being used as jurisdiction to procure the HROs, thus, leaving the Petitioner with no option to properly defend the Petitioner's judicial rights from their malicious and discriminatory practices. The Petitioner also believe that the judges, prosecutors, and MN attorney generals, involved in this case had provided the Respondent with immunities and false protection because she is a cop and a government related employee for the state of the Minnesota, and there are allot of government officials that had a play in the decision of these judges in the HROs case at the district court level.

### **1. The Fraudulent Business Scam and the HROs**

The Petitioner first encounter the Respondent, (Ann Marie Holland), at Esquire Deposition Services, located at 701 Fourth Ave S, Suite 500, Minneapolis, MN, 55415, because the Petitioner had sought and sign a contract with this court reporter firm to conduct a deposition

on a police officer in an unrelated case against the City of Minneapolis in 2006, (See Yang vs. City of Minneapolis, 4<sup>th</sup> Judicial District Courthouse Civil Case File No. 27-cv-06-5454, and Yang vs. U.S Governments, Nutter, Leone, et. al., Minnesota United States District Courthouse Civil Case File No. 10-4389 (JRT/FLN). At this meeting in January 7<sup>th</sup>, 2007, the Respondent presented herself to the Petitioner at the deposition that she was from Brooklyn, New York State; that she was a professional real-time case viewer court reporter; that she's done over 1000s deposition and typist since her career; she's an outstanding student and current membership with the NCRA; she was a floater reporter that travels all over the country by plane for deposition; and she also posted her professional court reporter career on the Linkedin.com search website under the name "Ann Marie Holland-court reporter." Therefore, this is the Respondent and Esquire selling their pretentious evidences to the Petitioner while the Petitioner was only going about the Petitioner's legal business at Esquire.

The Petitioner later found out that Respondent and Esquire had provided the Petitioner with nothing but fictitious and pretentious evidences at the deposition, and their actions taken had become a white collar crime and a fraudulent business transaction. Meaning, they had made false pretense that the deposition was real on documents, when in reality, it was fraudulent. The Petitioner was the person that had called the National Court Reporter Agency in Virginia and conducted a few administrative review of Respondent's court reporter criteria in New York State and in Minnesota, and found nothing true, or, real about her and her identity and professional claims. This also mean that this company and Respondent had committed frauds against the Petitioner's case against the City of Minneapolis in 2007, and therefore, incited the Petitioner to file that unrelated civil lawsuit against Esquire. The Petitioner then initiated the Fourth Judicial District Courthouse civil case file No. 27-cv-07-1640, (Yang vs. Esquire), in early 2007. The

case did not go in Petitioner's favor because Respondent, Esquire, and their attorney, Kevin C. Quigley had manipulated and fabricated fictitious evidences in that unrelated case to procured their judgment.

In about late 2007, the Petitioner had received evidences from the NCRA and various court reporter, law firms, and New York State Public Dept., that they had no evidences of Respondent being a court reporter, nor, a notary public in their jurisdictions. These discovery requests were made pursuant to a letter of recommendation provided to the Petitioner by Respondent, Diamonds Reporting in New York State, and Esquire in 2007, with her social security number on it. Meaning, they provided the Petitioner with all of these pretentious evidences, and the Petitioner was only reviewing them for his defense.

Here, to be a professional court reporter a person must also sign up with each state to be a notary public; thus, Respondent's name only appear on the state of Minnesota as a notary public, and none other states held any evidences for the Respondent. These evidences were supposed to be brought up in the Yang vs. Esquire case in Hennepin County, MN, against Esquire for manipulating false evidences to procured judgment per the civil rules in 2007. However, in about late November 2007, the Respondent and her attorney Mr. Kevin C. Quigley had gone to the Shakopee Police Dept., and manipulated a crime story with Officer John Kolar that a crime had been committed against her and her resident. It is believed that Officer Kolar had filed their criminal reporting as if the crimes had been committed at the police department and behind close door, but he never did actually gone to any locations, places, and addresses, where they say any crimes had been committed, and there are no physical evidences that any crimes had been committed, except for what the officers had say on document. And because of these same reasons, the other Officers, namely Officer Scott Weiers, Craig Robson, Cannon Christianson,

John Buetow, Bob Forberg, Chief of Police Jeff Tate, Officer Michelle Herrera, and other unknown Shakopee police administrators had initiated their crime stories for the Respondent behind close door, and without ever actually gone to any locations, places, address, and employers, that they say the Respondent had been harassed, stalked, and crimes had been committed against her. Meaning, they live in Shakopee, MN, and her crimes were documented to being committed in Minneapolis, Hennepin Cty, MN, and in Woodbury, Washington Cty, MN; and on their police evidences and profiles, they say that they had investigated all of these crimes under police oaths, and that these crimes had been committed by the Petitioner. And these are the malicious, derogatory, and racist, police misconducts and criminal police doings that had provoked numerous judges at the Scott County 1<sup>st</sup> Judicial District Courthouse into granting them and the Respondent their state court arrest warrant and her amended HROs to prosecute the Petitioner since 2007.

In their initial police complaint and profiles, they had alleged that the Petitioner had committed numerous criminal and harassment acts against the Respondent at her court reporter employers; her court reporter career; her residents in Shakopee, Minneapolis, and Woodbury, MN; that Petitioner had been stalking Respondent for over 2 years in public places and at her employments; and had been following her around the state of Minnesota for over 2 years; that Petitioner will try to kill her; that the Petitioner was so “obsessed” with the Respondent court reporter profession and it’s the reason why Petitioner continues to file discovery requests to her law firm; that Petitioner was outside her Woodbury, MN resident for three days and nights in Sept. 27<sup>th</sup>-28<sup>th</sup>, 2008 stalking her and causing numerous property damages to her Woodbury, MN, resident and slashing her vehicle tires, (See also Scott Cty Criminal Case File No. #70-cr-08-27632, State vs. Yang). These allegations are false, because no Shakopee police officers had



ever come to Minneapolis, MN, and spoke to any legitimate court reporter firms, law firms, and places of employer that Respondent had claim of being stalked, and there are no evidences from any legitimate employers that says she had been harassed and stalked since 2007. And no Shakopee police officers had ever gone to her Woodbury, MN, resident to investigate any of her residential damages claims, stalking claims, and tires being slashed claims; in which includes the facts that there is the Woodbury Police Dept., sitting next to her residential location for three days and three night and no police complaint had ever been made to the Woodbury Police Dept. The Petitioner believe that the Respondent is a mentally derange, dangerous, and a psychotic actor, that had been playing victim in these prosecuting cases; and the Shakopee police administrators and the Scott Cty prosecutor's office had continue to allowed her to play her psychotic mind games with real prosecution against the Petitioner.

Furthermore, the Petitioner believe that the Respondent had taken advantages of the entire situation by pretending to being a victim to crimes and harassments that never occurred, because of her Caucasian race and female status; and she had used her race and female status to conspired with her police and government connections into prosecuting the Petitioner. The Petitioner had never meet the Respondent since January 2007, and believe that she had changed her looks, and the government actors that had used the Petitioner to commit the Esquire business scam against the Petitioner are now believed to being actors that knew the Petitioner outside of the judicial system during this year in 2006-2007. The Petitioner also believe that her crime stories with the Shakopee Police Dept., and its officers took place behind close door; and the only people that knew of their police doings were themselves; and it's the sole reason why these white police officer had failed for numerous years to investigate anything, because there is

nothing to investigate in her cases, especially, when everything that they say on police documents are fictitious and pretentious. More

Furthermore, no investigation of any source had ever been implemented by the Shakopee Police Dept., police administrator, nor, the State of Minnesota; and the Petitioner believe that they failed to enforce any investigation because they already knew that Respondent was providing their department with fraudulent and fake evidences; and the only investigation that had taken place are pretentious investigation made by the Shakopee Police Dept., and racist white police officers that had a discriminatory police practice against the Petitioner at Shakopee, MN. Meaning, no crimes actually took place from 2007, to 2008, and these Shakopee police officers had abused their police authorities by faking crimes against the Petitioner in Hennepin County, Minneapolis, MN, and they were doing the Respondent a personal favor because she's a cop.

In about 2008, the Petitioner had tried to have the HROs be dismissed because Respondent and her attorneys were using frauds and manipulating false evidences against the Petitioner; however, Judge Hanson refused to examine her and her new attorney, (Mr. Corey J. Ayling), fraudulent evidences on her HROs affidavit, and therefore, deny the Petitioner of due process for further review of the case. Here, Judge Hanson did not exclude their fraudulent evidences from the HROs case, she sustained their fraudulent and fictitious evidences as being legitimate in the HROs case. And the case continues to be enlarged when Ayling brought in additional fraudulent evidences to put in the prior HROs case, and therefore, his continued lies and perjury testimony as an attorney did endanger the Petitioner to other false prosecution.

In about summer 2008, the Petitioner had conducted more discovery requests in the HROs case and had also obtained a court subpoena to review all of Respondent's evidences

according to Petitioner's judicial rights on a pending HROs case. In about Sept. 12<sup>th</sup>, 2008, the Petitioner was concern that he was dealing with an imposture, and therefore, believe that it was right to stop by the Shakopee Police Dept., to have an officer do a background check on her. On Sept. 12<sup>th</sup>, 2008, the Petitioner had unknowingly walked into an all-white Shakopee Police Dept., to seek a criminal investigation against the Respondent, but did not know that police officers from this department had a personal connection with the Respondent. On this day, the Petitioner brought in paperwork for an officer to review Respondent's background, and was told by the front desk officer to write what the Petitioner want the officer to look into. The Petitioner was not aware that the police document was a request for information, however, the Petitioner had scribble information on that piece of police document that the Petitioner may be dealing with someone that had been forging evidences about herself, and will explain these reasons to the officer. After this encounter, the Petitioner was summon to speak to Officer Buetow. In that conversation the Petitioner told Officer Buetow if he can do an investigation against Respondent because of the forgery evidences involved; and because, of a pending case at the court of law, this request will help support the Petitioner. Officer Buetow then told the Petitioner that he will look into what the Petitioner had provided to him.

Furthermore, these Shakopee police officers had later told the judges at the district court in Scott County, MN, that the Petitioner was at their police department fishing for evidences on the Respondent. Here, this allegation is denied, because the Petitioner had only sought a criminal investigation against the Respondent, and the Officers had never provided the Petitioner with anything, nor, did the Officer review anything that the Petitioner wanted him to investigate.

In about a week, Officer Buetow left a voice mail on Petitioner's prior phone number, (612-208-4869), and told the Petitioner that there's nothing he can do about what the Petitioner

needed from the officer. However, in reality, in about Sept. 12<sup>th</sup>, 2008, after the Petitioner left the Shakopee Police Dept., the entire Shakopee police officers had notify the Respondent of what the Petitioner was doing at their police department, and therefore, they told her to come into the Shakopee Police Dept., that evening to initiate other criminal reports against the Petitioner under oaths. And this is exactly what Respondent and the entire Shakopee police officers at this department had done on Sept. 12<sup>th</sup>, 2008, and continuing thereby, until they had falsified enough derogatory and racist police testimonies, police oaths, and false police evidences, to provoke the Scott Cty 1<sup>st</sup> Judicial District Courthouse into granting them a state court warrant for the arrest and incarceration of the Petitioner, because these Shakopee officers believed that the Petitioner's presence at their all-white police dept., on Sept. 12<sup>th</sup>, 2008, and the Petitioner's motion hearing on the HROs at the district courthouse, and the Petitioner's discovery requests made on the HROs for the motion hearing in 2008, are considered to being harassing acts, stalking acts, and criminal acts against the Respondent and her professional court reporter career in Minnesota.

The Minnesota Court of Appeal and the district court never review the back door conspiracy doings between these Shakopee police officers and the Respondent, because these officers were the ones that had informed her of everything; however, on documents and on the timeline, they had made pretense that everything that had happened just happened by chance. In reality, why would the Shakopee police officers be informing the Respondent on the same day to stop by the Shakopee Police Dept., and provide a book size page of police testimonies on the same that that the Petitioner was at the police dept.

Furthermore, the above police allegations also means that these Shakopee police officers are the determination of the facts and the laws in this entire case, and the Scott County 1<sup>st</sup> Judicial District Court judges were only going by what these Shakopee police officers had

initiated against the Petitioner since 2007, and 2008; and that any judicial proceedings that the Petitioner had undergo in defending the Petitioner's rights on a pending and open HROs case is a violation of the law and a harassment of the Respondent's fundamental rights and safety—even the Petitioner's presence at Shakopee, MN, and at the Scott County District Courthouse is a threat and a harassment act against the Respondent. These are the languages that are being used by the Shakopee Police Dept., the officers, the county prosecutors, the judges, and its officials that had been helping the Respondent since 2007; and these are the reasons for why Judge Rex and other judges continues to call the Petitioner derogatory names, degrade the Petitioner's rights in open court hearing in front of these officers and county prosecutors, and continue to call the Petitioner a “thug and a menace to society;” while on the other hand, refused to review any fraudulent and pretentious evidences and allegations made by these racist white police officers, the Respondent, her attorneys, the county prosecutors, et. al., in their proceedings since 2007, to 2020.

Furthermore, the Petitioner had already informed the Shakopee Police Dept., the Scott County Prosecutor's Office, and the MN Attorney General's Office, including Quigley and Ayling, that they're dealing with an imposture and a psychopathic actor, (Ann Marie Holland). And had gone as far as seeking Ayling's law firm Human Resource Dept., to review his fraudulent and malicious attorney practices before that law firm gets sued in the court of law, and that criminal charges be brought against him and his law firm.

## **2. The Petitioner's Arrest and the Enforcement of the Amended HROs in Nov 2009**

The Shakopee officers and the Scott Cty prosecutor, (William C. Strait), brought up their criminal case against the Petitioner on four counts of harassment violations, (See Scott Cty Criminal Case File #70-cr-08-27632, however, the case was dismissed on April 30<sup>th</sup>, 2013).

In about November 13<sup>th</sup>, 2009, it was William C. Strait that had helped Respondent initiated her amended HROs, by signing off a legal affidavit, "Review of Petitioner's Affidavit and Petition for Harassment Restraining Order Pursuant to MS 609.748 Subd. 3a." This new petitioner was signed by William Strait being the state prosecutor at the time because he was provoked by the Petitioner when the Petitioner had seek his county attorney's office to review Respondent's fraudulent background and evidences in about this time. The Petitioner believe that William Strait and the Shakopee police officers had helped her enforce the amended HROs because of their inability to move forward with her criminal state warrant case at the time, and he needed this HROs to be enforce based on his own discriminatory practices against the Petitioner, so that if their criminal case were to be dismissed, he and the officers can have this HROs case for future prosecution and harassment acts against the Petitioner at Shakopee, MN. In reality, their sole purpose in enforcing and prolonging this HROs case is to mitigate their criminal case, and by not reviewing any of her fraudulent evidences in her entire HROs case since 2007—William C. Strait and the Shakopee police officers' motives were racist and of discriminatory practices against the Petitioner, because in reality, a state prosecutor and a police department are obligated under the law and under oath to investigate these matters, and for this many years they had refused and failed to investigate their own client, (Ann Marie Holland), for perjuries, manipulation of false evidences, and providing them with fraudulent evidences and false crime stories, to pretending to being a victim to numerous criminal acts, harassment acts, and stalking acts, that never occurred in the state of Minnesota.

The Petitioner believe that William C. Strait, the Shakopee police officers, the sheriffs, and the judges involved in granting Respondent with anything that she tells them on public documents were due to the reason that Respondent is a cop and a government employee for the

state of Minnesota. And that was one of the main reason why William Strait and numerous Minnesota attorney generals, (John S. Garry and Lori Swanson), had adamantly continue to help her, and protect her fraudulent manipulation from being reviewed by an unbiased judge; and they had continue to heap prosecution against the Petitioner because their intentions had been to make pretense to the public that their cases were real; when in reality, and behind close door, their cases were fictitious and of pretentious evidences.

Judge Hanson and Judge Fahey granted Respondent with the amended HROs and enforce that order for 50 years, and there was nothing that the Petitioner can do about the case, because the case had become so complex and so complicated that the Petitioner became confuse when showing up for the court hearing in Nov 2009. Moreover, the confusion of the case was due to their numerous police allegations, crime stories, and false evidences that they had manipulated to being committed in multiply counties in Minnesota, and then they made pretense that those crimes were committed at Scott County, MN. And because when Judge Hanson and other judges at the Scott County 1<sup>st</sup> Judicial District Courthouse had denied the Petitioner of the right to review the evidences, of making discovery requests, and to be heard on the evidences in the prior HROs in 2008—their issuing of the amended HROs in 2009, had already been decided in advance by these judges and the Respondent. Moreover, these judges had continue to only review Respondent's side of the case, and there is nothing on any of their finding of facts and conclusion of law that had indicated that they had reviewed her acts of frauds and false pretense when they granted her the HROs; and neither had they ever reviewed the facts that Respondent's HROs is void when they had used frauds to procured jurisdiction for the HROs under Minnesota§609.748 Subdi.5(d).

Furthermore, the Petitioner also believe that these prosecutors, police, and judges, are only enforcing these type of judicial discrimination and unlawful judicial practices to the Petitioner in this case, and they're not doing it in any other person, or, other HROs cases at Scott County, MN. Meaning, the Petitioner was condemn as an incompetent person simple because the Petitioner was denied due process in the case, while their psychotic actor and imposter, (Ann Marie Holland), was sustained as a competent witness in the case because of sex and race discrimination against the Petitioner. This also means that if this psychotic actor, (Ann Marie Holland), were to incriminate the Petitioner of any other serious crimes, they will prosecute the Petitioner on her psychotic behalf without regards to anything that she says and do on public records.

The Petitioner had appealed their decisions in 2010, and then again in 2020. In about February 2020, the Petitioner believed that the Shakopee Police Dept., and the State of Minnesota would have already enforce a full criminal investigation into Respondent's HROs, her pretentious evidences, and her false allegations for the procurement of a state warrant in the criminal case in 2008; however, it had been concluded that no actual criminal investigation had ever been enforce against the Respondent and the police officers, and they continue to obtain full immunities as of today; and the only investigation in the case was against the Petitioner since 2008; while the state, the prosecutor, and the Shakopee Police Dept., continue to make pretense that they had already investigated the case in full. And they even enforce an injunction against the Petitioner to not appear in the court of law without an attorney; while on the other hand, they had continue to protect the Respondent, (being an imposture and a psychotic actor in this case), with numerous government and judicial immunities, legal help, and protections by the state of Minnesota. These are the evidences to say that Ann Marie Holland is not an imposture, but she's



a cop and a government employee, and a proxy of government actors; and she have many government insiders helping her be immune from any criminal investigation and prosecution.

The Petitioner had appeal the recent Scott County 1<sup>st</sup> Judicial District Courthouse order in denying the Petitioner's motion to vacate, or, modify the 50 years HROs in March 2020; however, the Minnesota Court of Appeals had again only review the Respondent's side of the case, and its conclusion of facts and laws had never touched upon the facts that Respondent, her attorneys, and the Shakopee Police Dept., and its entire police officers, had been using frauds, manipulating false evidences, and enforcing racist and discriminatory police practices against the Petitioner for the enforcement of the HROs. Moreover, the Petitioner's due process violation in the case had never been reviewed by the Minnesota Court of Appeals, nor, was there any mentioning of the numerous amount of procedure due process and equal protection rights violations being committed against the Petitioner by the Shakopee police officers, William C. Strait, Respondent, her attorneys, and the judges involved in her case.

In the recent appeal to the Minnesota Court of Appeals, the Petitioner had brought up the facts that the HROs should have been dismissed on allegations that it was procured by frauds and manipulative police evidences that was never disclosed to the Petitioner, and that the HROs violated numerous Minnesota criminal laws and statutes; and that the court of law is dealing with a Respondent that is extremely dangerous, unpredictable, and instable, whereas, anything that her mind had fabricated and say to the court of law become evidences against the Petitioner without any actual evidences being in existence; and then it enlarges her cases into other cases because the court of law is only relying upon fictitious and pretentious evidences coming from her mouth.

These are the evidences to say that the Petitioner's due process rights had been deprive by the Minnesota Court of Appeals, and this case do hold important questions of constitutional laws that needs to be heard by this Court.

### **3. The Ongoing Systemic Racist Policy Being Enforce Against the Petitioner**

The Minnesota Court of Appeals refusal to review the frauds, the false prosecution, the manipulative of false evidences, and the ongoing harassments of the Petitioner's person by the Shakopee Police Dept., its entire police officers, the Scott Cty prosecutor's office, the Respondent, her attorneys, and even judges, in this case constitute an unlawful prosecution, unlawful seizure, unlawful criminal judicial misconducts, and unlawful harassment acts against the Petitioner; and therefore, implemented an ongoing systemic racist policy being enforce against the Petitioner by the Shakopee police officers, the Shakopee Police Dept., the Scott county prosecutor, the Respondent, and the MN attorney generals that were directly involved in the HROs case on behalf of the Respondent. This also means that they had in advance plotted these doings behind close door at the police and government level; and that they're all in on the conspiracy to enforce the amended HROs against the Petitioner in this case for future prosecution cases that are in their control.

In this HROs case since 2007, and 2009, nothing had been done in this case. All of these police officers, county prosecutors, judges, court administrators, and attorneys that had helped the Respondent had obtained full immunities by the state of Minnesota, therefore, leaving the Petitioner in being a victim to their racist and discriminatory police and judicial practices without any clear objectives; and as the years move forward their HROs case had become so enlarged and confusing that they're now mitigating their wrongdoings and fraudulent practices in the case by concealing and withholding evidences from the public. And the case still remains pending

and open with an indefinite and unnecessary prosecution against the Petitioner; and because of these false prosecution reasons, the Petitioner had developed a prolonged emotional distress health issue from their systemic racist practices and criminal judicial misconducts at Scott County, Shakopee, MN.

## **IX. Reasons for Granting the Writ**

### **A. This Court Should Clarify the Procedure Due Process Rights Violations in this Case**

This Court had held that procedure due process is notice and a hearing before an impartial tribunal; whereas, due process requires an opportunity for confrontation and cross-examination, and for discovery, and that the decision be made based on the record. *Fuentes v. Shevin*, 407 U.S. 67, 81 (1972). At times, the Court has also stressed the dignitary importance of procedural rights, the worth of being able to defend one's interests even if one cannot change the result. *Carey v. Piphus*, 435 U.S. 247, 266–67 (1978); *Marshall v. Jerrico, Inc.*, 446 U.S. 238, 242 (1980); *Nelson v. Adams*, 529 U.S. 460 (2000) (amendment of judgement to impose attorney fees and costs to sole shareholder of liable corporate structure invalid without notice or opportunity to dispute).

In this case, both the district court and the Minnesota Court of Appeals had only relied on the Respondent's side of the case and evidences since 2007, and then again in 2009. The Petitioner's was denied procedure due process by Judge Hanson and many other judges that had viewed the HROs case since then, when they denied the Petitioner to make discovery requests; when they denied the Petitioner to compel evidences from the Respondent and her attorney that they had been providing the district court with fictitious employer, pretentious court reporter profession, and other fictitious evidences on their HROs affidavit for harassment claims against

the Petitioner without privileges; and especially, when only the district court and the Respondent was aware of their police criminal reporting; and this had become a HROs case where any crimes that are being relied on by the judges at the district court had been sustained as crimes and criminal acts that had already being committed by the Petitioner. And this is where the Shakopee Police Dept., and its police officers had adamantly continue to falsified criminal computer database and profiles against the Petitioner at their discretion and behind close door without an actual crimes occurring. This means that these Shakopee police officers had committed crimes against the Petitioner when they abused their police code of conduct and police jobs to perpetrate fraudulent crimes, hate crimes, and racist police practices against the Petitioner's identity and person by publicly exposing their perpetrated police crimes on public documents, computer database, and on the world wide web for the public to view.

Here, the Shakopee police officers' and both the Scott County 1<sup>st</sup> Judicial District Court and the Minnesota Court of Appeals had held the same language on their finding of facts and conclusion of laws that the Petitioner's judicial process of making discovery requests per the Minnesota civil court rules; and obtaining a court subpoena to subpoena fraudulent businesses and law firms that Respondent had made pretense on her legal affidavits; and filing a motion to be heard in the pending HROs case, had become a violation of Respondent's HROs order and numerous Minnesota criminal harassment laws. Thus, even the Petitioner's presence at the Scott County 1<sup>st</sup> Judicial District Courthouse is consider to be threat and a harassment act against the Respondent and her HROs. Here, when the amended HROs was enforce by Judge Hanson an Judge Fahey in 2009-2010 for up to 50 years, the Petitioner was unable to properly defend the Petitioner's rights in the case. Meaning, the case was so enlarge and so complex that not even an attorney at law would want to review, or, be hire to defend the case; and because when these

judges had continue to allow the Respondent, her attorneys, and the Shakopee police officers, to produce false evidences for the procurement of the HROs without the Petitioner's knowledge and awareness in advance, they took advantage of the case.

Furthermore, these Shakopee police officers, the Respondent, and her attorneys, are extremely conniving at their doings, because when they are not being investigated and reviewed for any frivolous and fraudulent judicial and police filings, they would continue to do malicious things behind the Petitioner's back and on documents; however, when they know that they are being reviewed, they'll make pretense that they were just doing their job, and therefore, mitigate any criminal police misconducts and racist police practices against the Petitioner.

In reviewing the entire HROs case from 2007, to 2009, to 2021, there had been no review of any evidences in this HROs case; and the only conclusion of facts and laws had been based of the Shakopee Police Dept., and its police officers criminal allegations. In reality, this HROs case should not be allow by law to stand, because its foundation were of fraudulent doings and conspiracies from the beginning; and the Minnesota Court of Appeals continuation of allowing this pretentious and fraudulent HROs case to stand as law and order for an imposture is a deprivation of the Petitioner's procedure due process rights, life, and liberty. And because of these reasons, the Petitioner believe that Respondent had obtained help from judges and court administrators in high places within the Minnesota judicial system; and it's the only reason why the Scott County 1<sup>st</sup> Judicial District Courthouse and the Minnesota Court of Appeals continues to protect the Respondent in a false light, thus, portraying her to the public as being victim to her own acts of frauds and perjured testimonies; while the Petitioner continues to be vexed with their false prosecution mind game.

The Petitioner had continue to face numerous judicial discriminatory practices and criminal judicial practices at the Scott County 1<sup>st</sup> Judicial District Courthouse, because the Petitioner had become a victim to the Shakopee police officers, the judges, the Respondent, William C. Strait, and Respondent's attorneys' ongoing judicial misconducts and abuse of the judicial system for an unlawful purpose, prosecution, and harassment of the Petitioner's rights and person at Scott County, Shakopee, MN. In the recent appeal to the Minnesota Court of Appeal, the Petitioner had mentioned that their harassments and unlawful prosecution of the Petitioner's person with the amended HROs for 50 years is outrageous and unlawful—and it's liken unto sentencing a person to life without ever reviewing any fraudulent evidences on records.

With that being said, the Petitioner procedure due process rights per the Fourteenth Amendment of the United States Constitution had been deprive.

#### **B. This Court Should Clarify the Equal Protection Rights Violation in this Case**

This Court had held that equal protection rights extends to numerous cases and situations, thus, not excluding race, color, etc. “We have seen contrivances by States designed to thwart Negro voting, e.g., *Lane v. Wilson*, 307 U.S. 268, 59 S.Ct. 872, 83 L.Ed. 1281. Negroes have been excluded over and again from juries solely on account of their race, e.g., *Strauder v. West Virginia*, 100 U.S. 303, 25 L.Ed. 664, or have been forced to sit in segregated seats in courtrooms, *Johnson v. State of Virginia*, 373 U.S. 61, 83 S.Ct. 1053, 10 L.Ed.2d 195. They have been made to attend segregated and inferior schools, e.g., *Brown v. Board of Education*, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873, or been denied entrance to colleges or graduate schools because of their color, e.g., *Commonwealth of Pennsylvania v. Board of Directors of City of*

Trusts, 353 U.S. 230, 77 S.Ct. 806, 1 L.Ed.2d 792; *Sweatt v. Painter*, 339 U.S. 629, 70 S.Ct. 848, 94 L.Ed. 1114. Negroes have been prosecuted for marrying whites, e.g., *Loving v. Commonwealth Virginia*, 388 U.S. 1, 87 S.Ct. 1817, 18 L.Ed.2d 1010. They have been forced to live in segregated residential districts, *Buchanan v. Warley*, 245 U.S. 60, 38 S.Ct. 16, 62 L.Ed. 149 and residents of white neighborhoods have denied them entrance, e.g., *Shelley v. Kraemer*, 334 U.S. 1, 68 S.Ct. 836, 92 L.Ed. 1161. Negroes have been forced to use segregated facilities in going about their daily lives, having been excluded from railway coaches, *Plessy v. Ferguson*, 163 U.S. 537, 16 S.Ct. 1138, 41 L.Ed. 256; public parks, *New Orleans City Park Improvement Assn. v. Detiege*, 358 U.S. 54, 79 S.Ct. 99, 3 L.Ed.2d 46; restaurants, *Lombard v. State of Louisiana*, 373 U.S. 267, 83 S.Ct. 1122, 10 L.Ed.2d 338; public beaches, *Mayor and City Council of Baltimore v. Dawson*, 350 U.S. 877, 76 S.Ct. 133, 100 L.Ed. 774; municipal golf courses, *Holmes v. City of Atlanta*, 350 U.S. 879, 76 S.Ct. 141, 100 L.Ed. 776; amusement parks, *Griffin v. State of Maryland*, 378 U.S. 130, 84 S.Ct. 1770, 12 L.Ed.2d 754; buses, *Gayle v. Browder*, 352 U.S. 903, 77 S.Ct. 145, 1 L.Ed.2d 114; public libraries, *Brown v. State of Louisiana*, 383 U.S. 131, 86 S.Ct. 719, 15 L.Ed.2d 637. A state court judge in Alabama convicted a Negro woman of contempt of court because she refused to answer him when he addressed her as 'Mary,' although she had made the simple request to be called 'Miss Hamilton.' *Hamilton v. State of Alabama*, 376 U.S. 650, 84 S.Ct. 982, 11 L.Ed.2d 979.”

In this case, the continuation of enforcing a fraudulent HROs to an imposture had deprive the Petitioner of his equal protection rights. The Petitioner believe that this equal protection rights was deprive because of the Petitioner’s race and gender; whereas, the Respondent in being a Caucasian white-female, had used her gender, sex, and race, to obtain personal favor and immunities by judges, court administrators, police officers, sheriffs, and county prosecutors, and

MN attorney generals since 2007. And she had continue to used her sex and Caucasian race status to be immune from being investigated by the state of Minnesota on any fraudulent and malicious manipulation that she had used to procured her HROs. In reality, any other person other than the Respondent in another HROs cases would have face criminal investigation, prosecution, and imprisonment, by the state of Minnesota for deceiving a police department, a court of law, and a judge, into granting him/her a HROs against another person with malicious intention to do wrong.

Here, the language of Minnesota Court of Appeals had continue to uphold the Respondent's fraudulent judicial practices and perjured testimonies as evidences to enforce the 50 years HROs; and there are no mentioning in any of the Minnesota Court of Appeals order opinions since 2010 that Respondent had abused the judicial system and used frauds to procured a state HROs; by which case, would have made the HROs void, and in violation of numerous Minnesota criminal laws. The Petitioner believe that the finder of facts in this HROs case at the appeal level had only review the Respondent's side of the story, and therefore, any conclusion of the laws and the facts in this case are not based on actual evidences, but perjured testimonies and fictitious evidences that doesn't exist.

Furthermore, there had been no equal protection of rights to the Petitioner in the HROs case since 2007, because the Petitioner was denied the rights to file a civil lawsuit and to enforce a judicial injunction order against these white Shakopee police officers, prosecutors, the Respondent, and her attorneys, from further using frauds and malicious evidences as pretext to procuring their HROs. Here, the Petitioner is being painted by the judges, William C. Strait, the Shakopee Police Dept., and its entire police officers, and the Respondent, as a criminal, a stalker, and a harasser; and only they had evidences of these allegations—while the Petitioner was never



informed of their numerous criminal police reports until the Petitioner was either arrested, or, on trial. These are evidences to sustain the fact that these officers, prosecutors, and judges, are only pretending to protect rights in this HROs case; however, in reality, their true intentions had been to prolong Respondent's HROs infinitely and with malicious intention to do harm to the Petitioner.

Furthermore, in the recent appeal to the Minnesota Court of Appeals, the Petitioner had mentioned that the district court and its judges had disregarded these equal protection rights, because nothing had been done in the HROs case, there had been no review of any evidences, and no investigation of any evidences had ever been conducted by the Shakopee Police Dept., administrator, the Scott County prosecutors, and the MN attorney generals, by whom are still obligated by law to review and investigate the Respondent, her HROs, and her allegations since 2007, and therefore, enforce the equal protection of the law in this case to the Petitioner, because the Petitioner had become a victim to their pretentious harassments and ongoing false prosecution. And because of these reasons, their false HROs in this case had continue to unlawfully seize the Petitioner's person and liberty rights per the Fourth Amendment, where their intention is to further prosecution the Petitioner in the future, and to continue the police harassment of the Petitioner's person in Hennepin County, MN.

With that being said, the Petitioner believe that the deprivation of the Petitioner's Fourteenth Amendment equal protection rights warrants review by this Court.

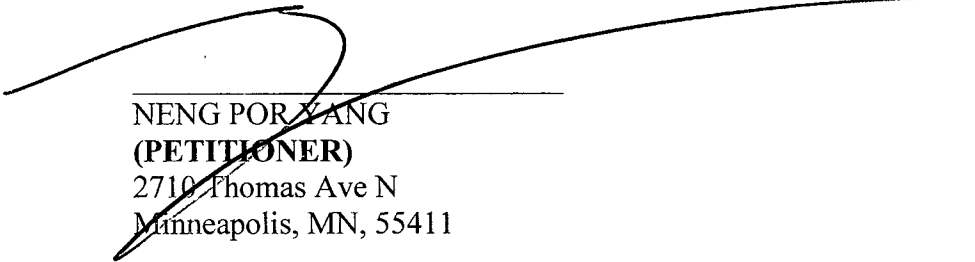
## **X. Conclusion**

Based upon the above reasons, the Petitioner respectfully seeks that this Court issue a writ of certiorari to review the order opinion of the Minnesota Court of Appeals decision.

Dated: Sept. 12<sup>th</sup>, 2021,

Respectfully Submitted,

**NENG POR YANG (PRO-SE)**



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