

No. _____

21-6413

IN THE
SUPREME COURT OF THE UNITED STATES

Betty Caitlin Nicole Smith — PETITIONER
(Your Name)

vs.

Zachary Taylor Daniel — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

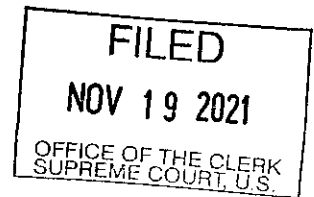
Betty Caitlin Nicole Smith
(Your Name)

812 Bluebird Court
(Address)

Hopkinsville, KY, 42240
(City, State, Zip Code)

(270) 874-2452
(Phone Number)

ORIGINAL



QUESTION(S) PRESENTED

1. Can a state court enter a child custody order, knowing one already exists in another state, without ever contacting the other state; and ignoring the Uniform Child Custody and Jurisdiction and Enforcement Act.
2. Can Courts decide to not enforce a Domestic Violence Order. Is anyone required to enforce a Domestic Violence Order, even when Federal Law requires them to.
3. Are Courts required to tell the truth.

LIST OF PARTIES

- ☐ All parties appear in the caption of the case on the cover page.
- ☒ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Hon. Judge Jason Fleming, 100 Justice Way Hopkinsville KY 42240

RELATED CASES

Kentucky Court of Appeals 2020-CA-0504-OA

A case with this Honorable Court which does not yet have a case number being filed the same time as this case.

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the Inter-American Commission on Human Rights REPORT No. 80/11 CASE 12.626 MERITS
JESSICA LENAHAH (GONZALES) ET AL. UNITED STATES (*) July 21, 2011. Page. 4

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

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

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☐ is unpublished.

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

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☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

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

The opinion of the Kentucky Court of Appeals court appears at Appendix B to the petition and is

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

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was August 26th 2021.
A copy of that decision appears at Appendix A.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. Uniform Child Custody Jurisdiction and Enforcement Act
2. 42 U.S.C. Section 10606(b)
3. 18 U.S.C. § 2265
4. the Fourteenth Amendment
5. 28 U.S. Code §1738A
6. 28 U.S. Code §1738

STATEMENT OF THE CASE

The Petitioner has had two Domestic Violence Orders for herself and the minor child against the Respondent and a child custody order, all from Kentucky. The Respondent filed in Florida for a new child custody order. The Petitioner appealed when an order was issued. The Appeal was granted because of the active Domestic Violence Order (Appendix C and D). The lower court of Florida decided to go against the appeals court, never contact Kentucky and said it dismissed the Domestic Violence Order. The Florida appeals Court would not enforce it's opinion and Mandate.

The Domestic Violence Order was not dismissed and expired, as the Kentucky court record will show. The Domestic Violence Order was active when the Florida court entered its new custody order giving the respondent custody of the minor child. There is and was a Kentucky child custody ordered, signed by both the petitioner and respondent prior to the last Domestic Violence Order, which would go back into effect after the expiration of the last Domestic Violence Order. Florida refused to acknowledge the Kentucky Child Custody Order at any time.

The lower Court of Kentucky will not hear anything involving this case.

The Petitioner went to the Kentucky Court of appeals for a writ, since the lower court refuses to hear the case. The Kentucky Court of Appeals denied the writ on the grounds the Petitioner could Appeal, which is impossible when the lower court will not have a hearing, nor do anything.

The Supreme Court of Kentucky agreed with the Appeals Court of Kentucky, and said the Petitioner could file an appeal instead of a writ. Both higher Courts also say the petitioner is trying to get an order from Kentucky to override the Florida order; when in reality the Petitioner has only asked for a true statement. A statement that the Domestic Violence Order was not changed and expired, the custody order in Kentucky was not changed, and that Kentucky never gave up Jurisdiction to Florida. Just that, a true statement. Now an Autistic child is with his abuser, and the petitioner cannot get a simple statement, not an order.

Also, neither Kentucky Domestic Violence Order has ever been enforced, not by the issuing court in Kentucky, or any Kentucky Court, not by Florida, and not by Tennessee. The Respondent has been allowed to break it multiple times while it was active, with no repercussions. Domestic Violence Orders are not taken seriously by the courts. Even this Honorable Court was found in the Inter-American Commission on Human Rights REPORT No. 80/11 CASE 12.626 MERITS JESSICA LENAHA (GONZALES) ET AL. UNITED STATES (*) July 21, 2011 to be in the wrong on how a Domestic Violence Order was handled.

REASONS FOR GRANTING THE PETITION

1. To uphold the federal laws regarding Domestic Violence Orders.
2. To protect the victims of Domestic Violence.
3. To protect children from abuse.
4. To ensure and enforce Domestic Violence Orders.
5. To enforce Child Custody agreements/Orders.
6. To ensure unity between State Courts when it comes to Domestic Violence Orders and Child Custody Orders/Agreements.
7. To ensure open honesty of the courts.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Betty Smith Betty Smith

Date: November 19th 2021