No. 22-1126

In The

Supreme Court of the United States

IN RE DOROTHY M. HARTMAN,

Petitioner.

PETITION FOR WRIT OF MANDAMUS

DOROTHY M. HARTMAN
254 So. 16th St. #2A
Philadelphia, Pa. 19102
610-924-4014
Petitioner Pro Se

QUESTIONS PRESENTED

1) Should Judges of Appellate Courts have the right to ignore, manipulate, or even destroy evidence in cases pending before them in support of the Federal Government?

2) Should the United States be permitted not to answer charges but insist upon the dismissal of a case against its government brought by a minority merely on the basis of the Federal Claims Court or Appeals Court for the Federal Circuit claiming that it "has no jurisdiction" when in fact substantive evidence shows that the court does have jurisdiction.

3) Should the United States government deem itself a patenting authority by prejudging before a patent is granted using heretofore unused or undetermined methods of patent prosecution such as considering the race, gender, or health status of the inventor?

4) Should it then have the power to usurp patenting from the inventor and bestow the invention inward and upon itself as the default owner of the intellectual property based on its prejudgment?

5) Considering the previous question – is this not a conflict of interest by the federal government itself while violating rights of the inventor?

QUESTIONS PRESENTED – Continued

6) Having committed these violations and others associated with the acts that could be classified as government tyranny and constitutional violations of a most virulent kind including but not limited to the following constitutional amendments: Amdts, I, IV, V, XIII, XIV – the inventor is then denied a public, swift, and fair hearing by the Federal Claims Court and any other court cases related to the proceedings – should the government remain in possession of the stolen personal property of the inventor?

7) Should city, state, and the federal government be allowed to commit violations related to the takings by the federal government and then be dismissed from accountability by the Courts and the Congress because the self awarded invention is worth trillions of dollars?

8) Is liability owed and duty of care to the inventor whose invention has been usurped by the government?

9) Should an Appeals Court that participated in a wrongly decided case of which the Court itself knows that the case is wrongly decided refuse to review the case so as not to reveal corruption in the government and misconduct of several of its judges?

10) Should the Court neglect or refuse to go about the business of the courts by defending

QUESTIONS PRESENTED – Continued

misconduct on the part of the government and its judges in order to cover up the wrong doing?

11) When the Courts have failed in application of law to stop violations in settled law by the government that would negatively affect innovation as well as rights of personal property law going forward, should an Extraordinary Writ ensue?

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows: United States of America; U.S. Federal Claims Court; U.S. Appeals Ct. for the Federal Circuit .

Counsel: For the United States, James Mc Birney

All parties **do not** appear in the caption of the case on the cover page.

RELATED COURT CASES:

Case No. 1447, Spring Term 1998 CCP Court of Common Pleas Dorothy Hartman vs. Dennis Milstein; Greenwich Walk Homeowners et al case Discrimination Dropped; Fraud replaced with Negligence; Milstein not ordered to repair roof

Mellon Bank et al vs. Dorothy Hartman, Case no. 120202759 in State Court, in rem, Hartman moves civil asset forfeiture case to Federal Court under *§ 1443*

Hartman vs. Mellon Bank et al, Case no. 2-13-cv-01909 in Federal Court, Federal Judge Paul Diamond without evidentiary hearing remands Case back to State Court 120202759 § 1446, § 1447 where home is illegally taken .

Writ of Certiorari to the Supreme Court, No. 12-10884 Title: Dorothy M. Hartman, Petitioner v. Patent and Trademark Office Docketed: June 20, 2013 Lower Ct:

RELATED COURT CASES – Continued

United States Court of Appeals for the Federal Circuit Case Nos.: (2013-1070) Decision Date: March 8, 2013 Rehearing Denied: May 7, 2013. Jun 14 2013 Petition for a Writ of Certiorari and motion for leave to proceed in Forma Pauperis filed., Denied Waiver of Right to Respond filed.; 1st and 2nd Supplemental Brief filed, Forma Pauperis Denied. Petitioner paid docketing fee on Oct. 7, 2013, Oct. 31 2013 distributed for Conference of November 15, 2013, Petition Denied November 18, 2013

No. 13-10188 Title: In Re Dorothy M. Hartman, Petitioner v. Docketed: May 21, 2014 Linked with 14A7 **May 13 2014 Petition for a writ of mandamus to Appeals Ct. for Federal Circuit and motion for Forma Pauperis denied. Jun 25 2014 Application (14A7) for an extension of time within which to comply with the order of June 23, 2014, submitted to The Chief Justice. Jul 2 2014 Motion DISTRIBUTED for Conference of September 29, 2014. Jul 3 2014 Application (14A7) granted by The Chief Justice extending the time to file until November 14, 2014. Nov 20 2014 DISTRIBUTED for Conference of December 5, 2014. Dec 8 2014 Petition DENIED. Dec 30 2014 Petition for Rehearing filed. Jan 28 2015 DISTRIBUTED for Conference of February 20, 2015. Feb 23 2015 Rehearing DENIED.**

RELATED COURT CASES – Continued

U.S. Court of Federal Claims Case No. 20-0832 Hartman vs. United States, Ilegal Takings, Dismissed. December 30, 2020

U.S. Appeals Court for the Federal Circuit Case 21-1535 *Hartman vs. United States*, Illegal Takings, Dismissed September 3, 2021

OTHER SOURCES OF INFORMATION ABOUT THIS CASE

BANKRUPTCY Chapter 7, #10-15058, USPTO.PATENT APPLICATION #11,003,123;

Relevant video links. Copy links and place into your browser

Science Teacher works in the Bio-Medical Science Program, Temple University.

https://vimeo.com/640026249/dd1defc941?share

Download **Pet. Appxc.**

https://www.telecomstraighttalk.com/patent-application

OTHER SOURCES OF INFORMATION ABOUT THIS CASE – Continued

Tomorrow's World, introduction of "Information Superhighway" to U.K.

https://vimeo.com/635822684/93429728cd?share

*** Copy of Petition for Hearing Enbanc's Table of Content for the Appendix at the above link the as entire file was sabotaged and mixed-up by the Court filings. Case No. 22-1955; Appeals Ct. Federal Circuit. The true page numbers of Exhibits in the Appendix are written in pencil at the bottom of the page by the Petitioner. Do not use court's page numbers on the Exhibits as they as Petitioner alleges they have been deliberately mixed up to confuse you. Case No. 21-2214 in Federal Claims Court, Petitioner's documents stacked together, or mixed-up and out of order.

TABLE OF CONTENTS

TABLE OF CONTENTS – Continued

TABLE OF AUTHORITIES

Page

CASES:

TABLE OF AUTHORITIES – Continued

OPINIONS BELOW

United States Court of Appeals, order (11-29-22)

United States Court of Federal Claims, Order dismissal (5-18-22)

United States Court of Appeals for the Fed. Order (denying rehearing) 2-7-23

JURISDICTION

This Court has Jurisdiction over Extraordinary Writs under 28 U.S.C. § 1651(a). This Court is invoked under 28 U.S.C. § 1651(a)

PROVISIONS INVOLVED

Amendment I
Amendment IV
Amendment V
Amendment VIII

Amendment IX
Amendment XIII
Amendment XIV

Under Amendment V:
VIOLATIONS OF EMINENT DOMAIN
No person shall be held to answer for a capital,
or otherwise infamous crime, nor be
deprived of life, liberty, or property, without
due process of law; nor shall private property
be taken for public use, without just compensation.

VIOLATION OF CITIZENSHIP CLAUSE IN USE OF TACIT DRED SCOTT DECISION

The amendment's first section includes several clauses: the Citizenship Clause, Privileges or Immunities Clause, Due Process Clause, and Equal Protection Clause. The Citizenship Clause provides a broad definition of citizenship, overruling the Supreme Court's decision in Dred Scott v. Sandford (1857), which had held that Americans descended from African slaves could not be citizens of the United States. The Privileges or Immunities Clause has been interpreted in such a way that it does very little. . . . The Due Process Clause prohibits state and local government officials from depriving persons of life, liberty, or property without legislative authorization. This clause has also been used by the federal judiciary to make most of the Bill of Rights applicable to the states, as well as to recognize substantive and procedural requirements that state laws must satisfy.

US Code 2011 – Title 28, § 455(a)
U.S.C. § 1343

28 U.S. Code § 1443

42 U.S. Code § 1981
42 U.S.C. § 1982:
42 U.S. Code § 1985
42 U.S. Code § 1988

Federal Rules of Evidence
Rule 402. General Admissibility of Relevant Evidence
Relevant evidence is admissible ..
Rule 902. Evidence that is Self Authenticating.
(2) Domestic Public Documents That Are Not Sealed but Are Signed and Certified. A document that bears no seal if: (A) it bears the signature of an officer or employee of an entity named in Rule 902(1)(A); and (4) Certified Copies of Public Records. A copy of an official record or a copy of a document that was recorded or filed ..
Fed.R.Evid. Rules 901(a) and 104(b) allow evidence to be admitted on a prima facie showing of relevancy and authenticity.

U.S. Conflict of Interest Laws –

establish an objective standard "directed not only at dishonor, but also at conduct that tempts dishonor;" they are preventive, acting upon tendencies as well as prohibited results.
(U.S. v. Mississippi Valley Co. (1961) 364 U.S. 520, 549-551; Stigall v. City of Taft (1962) 58 Cal. 2d 565, 569; People v. Watson (1971) 15 Cal. App. 3D 28, 37-39 860].)
A violation occurs not only when the official participates in the decision, but when he influences it, directly or indirectly. (§ 87100, fn. 2, ante; Stigall v. City of Taft, supra, 58 Cal. 2d at p. 569.) Thus, a public official outside the immediate hierarchy of the

decision-making agency may violate the conflict of interest law if he uses his official authority to influence the agency's decision.

United States v Meyers

Section 281 reached a broader range of assistance, covering not just prosecution of claims against the United States but also the "rendering [of] service" in relation to administrative proceedings in which the United States has an interest, but applied only where the federal employee received compensation for his or her services. Cf. United States v. Meyers, 692 F.2d 823, 856-57 (2d Cir. 1982).

. . . . § 205 is properly understood to apply to those matters in which a federal employee's representational assistance could potentially distort the government's process for making a decision to confer a benefit, impose a sanction, or otherwise to directly effect the interests of discrete and identifiable persons or parties

FN 1. All statutory citations in this opinion will refer to the Government Code.

FN 2. Section 87100 declares: "No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest."

See Section 205, 18 U.S.C. paragraph 205(a)

Section 205 applies to federal employees, employees of the District of Columbia, and "special Government employee[s]," defined as those serving for 130 days or less in a calendar year. See 18 U.S.C. § 202(a).

See Section 205, 18 U.S.C. paragraph 205(a)

Section 205 applies to federal employees, employees of the District of Columbia, and "special Government employee[s]," defined as those serving for 130 days or less in a calendar year. See 18 U.S.C. § 202(a).

Section 205(a), applicable to regular federal employees . . . has two parts, one barring an employee from assisting with, or sharing in, a private party's claim against the United States, § 205(a)(1), the other subjecting a federal employee to criminal or civil penalties if the employee "acts as an agent or attorney for anyone before any department [or] agency . . . in connection with any covered matter in which the United States is a party or has a direct and substantial interest. . . ." 18 U.S.C. § 205(a)(2). A "covered matter" is "acts as an agent or attorney for anyone before any department [or] agency . . . in connection with any covered matter in which the United States is a party or has a direct and substantial interest. . . ." 18 U.S.C. § 205(a)(2). A "covered matter" is defined in § 205(h) as "any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest, or other particular matter." Id. § 205(h).

a financial interest. (§ 87100.) fn. 2 It requires state and local agencies to adopt 3.

conflict of interest codes covering their "designated employees." (§ 87300.) Such a code designates the decision-making positions within the agency..

Other Rules and Statutes 8-41

18 U.S.C. Sec. 1832 – referencing Patent
Theft of trade secrets
(a) Whoever,
with intent to convert a trade secret,
that is related to or included in a product
that is produced for or placed in interstate or
foreign commerce, to the economic benefit of
anyone other than the owner thereof, and
intending or knowing that the offense will,
injure any owner of that trade secret,
knowingly – (1) steals, or without authorization
appropriates, takes, carries away, or
conceals, or by fraud, artifice, or deception
obtains such information. . . .

35 U.S.C. Paragraph 261 – regarding ownership of patents, intellectual Property. Under Chapter 26 of Title (35 U.S.C. paragraph 261. Ownership; Assignment). Subject to the provisions of this title, patents shall have the attributes of personal property.

Applications for patent, patents, or any interest therein, shall be assignable in law by an instrument in writing. The Applicant, patentee, or his assigns or legal representatives may in like manner grant and convey an exclusive right under his application for patent or

patents to the whole or any specified part of the United States .

13 CFR Part 112 – Nondiscrimination in Federally Assisted 8-41

Programs of the SBA§ 112.3 Discrimination prohibited.

(a) General. To the extent that this part applies, no person in the United States shall, on the ground of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination by any business or other activity.
(b) Specific discriminatory actions prohibited. (1) To the extent that this part applies, a business or other activity may not, directly or through contractual or other arrangements, on ground of race, color or national origin,(i),(ii),(iii),(iv),(v)

"The Civil Rights Act of 1964 (Pub.L. 88–352, 78 Stat. 241, enacted July 2, 1964) is a landmark piece of civil rights legislation in the United States[4] that outlawed discrimination based on race, color, religion, sex, or national origin.[5] It ended unequal application of voter registration requirements and racial segregation in schools, at the workplace and by facilities that served the general public (known as "public accommodations")."

RULE 20.1 STATEMENT

Petitioner has entered here as expressed by Authorities:

"As we have observed, the writ "has traditionally been used in the federal courts only 'to confine an inferior

court to a lawful exercise of its prescribed jurisdiction or to compel it to exercise its authority when it is its duty to do so.'" Will v. United States, supra at 389 U. S. 95, quoting Roche v. Evaporated Milk Assn., 319 U. S. 21, 319 U. S. 26 (1943). And, while we have not limited the use of mandamus by an unduly narrow and technical understanding of what constitutes a matter of "jurisdiction," Will v. United States, supra, at 389 U. S. 95, the fact still remains that "only exceptional circumstances amounting to a judicial usurpation of power' will justify the invocation of this extraordinary remedy." Ibid

STATEMENT OF THE CASE

The Petitioner is a Science Teacher and Inventor who alleges that the federal government uses her invention, the Accessing Accessibility Process as the modern day internet and that it has never paid or compensated her but rather uses it as its own property and allows others to use it royalty free. She filed claims regarding Breach of Contract leading to Doctrine of Unjust Enrichment; Federal Government Intentional Interference and Denial of Patent regarding U.S. Patent Application #11003123, Accessing Accessibility Process; Illegal Confiscation and Copying of Intellectual Property and the failure of Declaration of Eminent domain all violate the 4th, 5th, and 1st Constitutional Amendment rights of the Petitioner. In both the U.S. Court of Federal Claims Cases no. 21-2214 and the U.S. Appeals Court for the Federal Circuit Case no. 22-1955, Hartman vs. United States alleges are in violations of the

Petitioner's rights to a fair trial. Hartman is a natural born U.S. citizen and alleges that the U.S, is in violation of her constitutional and civil rights See App.16. These documents downloaded from the United States Patent and Trademark Office on 9/01/22 showing Dorothy M. Hartman as *all inventors* and her invention, the Accessing Accessibility Process as having a Global Dossier and having been exported out to foreign nations. SEE App.17

In 1990, the Petitioner a retired science teacher devised a way to work from home by being "online". This was a new look at the world of telecom that had not yet advanced that far. She developed a prototype search engine and how to improve the economy by commercializing telecommunications. She filed her proposals to the federal government's Small Business In novation and Research Programs or SBIR and in exchange she asked for $25,000 to $35,000 funding for a small business startup in a home office.

She alleges the government built from her proposals the current internet that made its debut around 1993. Petitioner had a successful teaching career and had been respected in her field. Upon retiring through Disability because of chronic health issues, and after filing proposals with the government on how to improve telecommunications, she alleges assaults began. Apparently begun through the University Of Pennsylvania by the NSF, Dept. of Commerce and President Bill Clinton Administration. She had attended the graduate school in 1967 as a recipient of a National Science Foundation Stipend. Not a direct recipient she had

been given the opportunity to participate when the original recipient dropped out. Dr. C.F. Hazel a Chemistry Professor Emeritus at the University of Pennsylvania gave her the opportunity to earn her Master's Degree in Science Education. Although the professor offered it she alleges the National Science Foundation resented her for taking advantage of the opportunity.

She alleges the discrimination began some 20 years later when she applied to the SBIR, the National Science Foundation being the determiner of who is awarded funding – but the Petitioner alleges the NSF did not want to approve her. It was director over the NSFNET which is where the Arpanet and residual telecom structures were stored and the Petitioner alleges that it confiscated her intellectual property, entitled Accessing Accessibility and secretly used it to transform from the old internet, Internet 1 to the current Internet 2. The new Internet or Internet 2 made its debut secretly around 1993, being first introduced as the "Information Superhighway". The government still controls it to this day, more than 30 years later – alleges the Petitioner and keeps the fact that it is using her property for which she has never been compensated a cent a secret. The Internet of today designed by Hartman has become a powerful tool and a wealthy enterprise worth trillions of dollars. It reaches billions across the world. She alleges numerous torts were committed against her in order to breach the contract that was created when she filed her proposals to the SBIR program(s) in several U.S. locations.

The digital revolution and the growth of Big Technology and Ecommerce came about because of the government's use of her intellectual property. Further the government agencies and the individuals against whom Ms. Hartman brings suit have redistributed her intellectual property for use by others *royalty free* – mostly Jews and Europeans, people unlike her. She was the only one granted a domestic license and the right to a foreign license when she had applied for a patent See App 18, 19 – but was denied the patent by what the Petitioner alleges to be a wrongly decided court case *In Re Dorothy M. Hartman* Circuit Court of Appeals, Case No. 2013-1070 where the government *took property completely.*

Since the first court Case No. 1447, 1998 Common Pleas Ct. in Philadelphia Hartman vs. Milstein, Greenwich Walk Homeowners et al, Petitioner alleges that all of her personal property both real estate and intellectual property has been illegally taken from her through defamation, fraud and illegal court cases. From that time Evidence without exception: was not reviewed, ignored, or somehow gerrymandered or destroyed with each judge following after and affirming the judge before. In the current case(s), Hartman v United States before the Federal Claims Court No. 21-2214 and the Appeals Court, Federal Circuit No. 22-1955, the United States against whom Ms. Hartman has brought charges has refused to answer, but the Courts have not hesitated to dismiss her case regardless of the presence of evidence to the contrary.

The U.S. Federal Claims Court alleges Petitioner sabotaged her filings to the extreme by mixing up documents out of order. Literally putting Motions in pieces, and placing exhibits in appendices out of order, numbers mixed up, upside down and other outrageous treatment. The Documents and the dockets are unrecognizable, especially in CFC Case 21-2214; CAFC Case 22-1955

In Gibbons v. Ogden, 22 U.S. 1 (1824), the U.S. Supreme Court first held that Congress has the authority to regulate any form of commerce that crosses state lines. The opinion, authored by Chief Justice John Marshall, is considered the most influential regarding the Commerce Clause. Knick v. Township of Scott. Supreme Court overruled William County's exhaustion requirement held that property owners have a "Fifth Amendment right to full compensation" and a concomitant right to bring a federal suit at the time the government takes their property, "regardless of post-taking remedies that may be available to the property owner." The Court said its cases had long established that a right to compensation "arises at the time of the taking," and that Williamson County's conclusion otherwise had rested on a misunderstanding of precedent. The Supreme Court concluded that Williamson County was wrongly decided and that *stare decisis* considerations did not preclude it from overruling the exhaustion aspects of that decision. United States v. Klamath Indians, 304 U.S. 119, 123 (1938); Jacobs v. United States, 290 U.S. 13, 17 (1933); Kirby Forest Industries v. United States, 467 U.S. 1 (1984) (substantial delay between valuation and payment necessitates procedure for modifying award to reflect value at time of payment).

The Appeals Court For the Federal Circuit is still continuing to refuse to review what it knows to be a wrongly decided case as it is the Court that originally decided the case. Petitioner alleges that the judges in the Appeals Court knew or should have known that it was reviewing the wrong claims. The Petitioner's claims had been rewritten to satisfy the changes in Patent Law in 2011-although her patent application had been filed in 2004. Case No. 2013-1070 wrongly denies patent.

Those rewritten claims that she had been forced to rewrite appear in related court cases as well and *were not indefinite*. The rewritten claims appeared in the Briefs of all solicitors from the Patent Office,

---

Legal Standard – United States Conflict of Interest laws.
United States vs. Meyers
Section 205(a), applicable to regular federal employees . . . has two parts, one barring an employee from assisting with, or sharing in, a private party's claim against the United States, § 205(a)(1), the other subjecting a federal employee to criminal or civil penalties if the employee "acts as an agent or attorney for anyone before any department [or] agency . . . in connection with any covered matter in which the United States is a party or has a direct and substantial interest. . . ." 18 U.S.C. § 205(a)(2). A "covered matter" is defined in § 205(h) as "any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest, or other particular matter." Id. § 205(h). . . .
FN 1. All statutory citations in this opinion will refer to the Government Code.
FN 2. Section 87100 declares: "No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest."

and the rewritten claims had even appeared in related court cases including No. 12-10884, U.S. Supreme Court Appendix D A000180, A000181. The case was still wrongly decided and has been mandated three times See Mandate 02/14/2023. Petitioner alleges misbehavior by *activist* judges in both CFC and Appeals Court is collusion to obstruct justice to the minority inventor in favor of the United States Government. These rewritten claims #61-75, See App 20 were seen 5 times in the briefs submitted by the Patent Office to the Appeals Court in *In re Dorothy M. Hartman in 2013*. Yet the Judges Prost, Newman, and Dyke still decided wrongly based on the unedited claims #26-60 See App 11, opining *indefiniteness reversed by Supreme Court in 2014 in their opinion* and continue to unlawfully mandate the judgment. On the Brief, USPTO solicitors Benjamin T. Hickman, Sydney O. Johnson Jr. and Nathan K. Kelly. The brief in 2013 led by then Patent Office Chief Solicitor, Raymond Chen afterwards promoted to Judge on the Circuit Ct. of Appeals Petitioner alleges that this is an abuse of 18 U.S.C. § 202(a)1,h. Her health so declined by stress that now she is on a walker and may have to move to a wheelchair and due to bacterial poisoning by unscrupulous doctors under the influence of government actors involved in *color of law* ploys by state and local officials to change her identity by lying and defamation published into public records. Casting her as "criminal" and "crazy" – lying about her character and placing

embellished and fraudulent public and medical records online.

LEGAL STANDARDS IN CLAIMS AGAINST THE UNITED STATES in its violations of conflict of interest laws. Suit Against Government Corporations. – The multiplication of government corporations during periods of war and depression has provided one motivation for limiting the doctrine of sovereign immunity. In Keifer & Keifer v. RFC the Court held that the Government does not become a conduit of its immunity in suits against its agents or instrumentalities merely because they do its work. Nor does the creation of a government corporation confer upon it legal immunity. Whether Congress endows a public corporation with governmental immunity in a specific instance is a matter of ascertaining the congressional will. Moreover, it has been held that waivers of governmental immunity in the case of federal instrumentalities and corporations should be construed liberally.

Some charges the Petitioner is filing locally. The Petitioner complains that she is being hurt physically, emotionally, and economically causing her extreme loss, and suffering and that the actors involved are lawless and their acts reprehensible and unconscionable.

Hartman was forced out of her condo, in the first case related to the assaults. Petitioner claims the lack of due process in that case was the beginning of a 30 year rout and assault on Hartman including the loss of two homes and other financial assets. Then later Judge Paul Diamond in the District Court regarding her 2nd home also lost through a court case without due process, defamation (derogatory public records) and the switching of her original mortgage document(s) either by the city of Philadelphia that had a vested interest in the property or by the Greenwich Walk Homeowners Association which was Incorporated and both the sale of the condominium and the purchase of the 2nd home by the Petitioner were both accomplished on the same day, one settlement in the morning the other in the afternoon. $66,000 was stolen from her in her sale of the condominium. She purchased the condominium for $84,000 and sold it for $202,000. The ones handling the land transfer, the city of Philadelphia or whomever had access to her original mortgage from E-Loan switched it off to predator banks that set up her new home at 822 So. 5th Street for civil asset forfeiture on the day of settlement and her home was taken by a Criminal Court Judge for $331,995 and was sold in Sheriff's Sale for $295,000 in 2016. This was the same year President Obama declared the new Internet a utility

without declaring Eminent Domain who is still the legal owner intellectual property, all property illegally taken from the inventor through some kind of fraudulent police action – predicated on defamatory lies. Hartman alleges that a magistrate judge from the Hartman v Milstein Case 1447 in Philadelphia was also involved with actions coming out of Harrisburg that involved State Officers and the set up of falsified so called medical records for Hartman completing the defamation and discrediting creating the scenario of color of law "criminal and crazy" identity inventor from whom extremely valuable personal property could be stolen with no questions asked and the reclusive and ill 50-year old victim having no means of fighting back was being assaulted on every side. She asks this Court to intervene with the Writ of Mandamus and put an end to this inhumane treatment as well as violations of the Petitioner's constitutional and civil rights. These actors in state and local governments are involved in deliberate breach of contract torts to destroy any liability or duty of care owed by the federal government. The Appeals Court even denying her the right to subpoena the sources of these fraudulent records. Petitioner alleges these sources are: Pennsylvania Judicial Administration, CBH a city run organization with another set of records set up by doctors unknown to her, and an Osteopath that Hartman claims was set up by a Penna. State Officer SEE Docket, docs. 25-28 in Case #22-1955. These are not ordinary tort claims but actions to dismiss Ms. Hartman from the SBIR program

and to give the government complete control over her intellectual property. By refusing to list

---

United States v. Reynolds, 397 U.S. 14 (1970).32 28 U.S.C. § 1738 ("[J]udicial proceedings . . . shall have the same full faith and credit in every court within the United States and its Territories and Possessions as they have by law or usage in the courts of such State, Territory or Possession from which they are taken.").Unbiased Judge essential to the very concept of justice. In order to declare a denial of it . . . [the Court] must find that the absence of that fairness fatally infected the trial; the acts complained of must be of such quality as necessarily prevents a fair trial." For instance, bias or prejudice either inherent in the structure of the trial system or as imposed by external events will deny one's right to a fair trial. Thus, in *Tumey v. Ohio* In vacating the Nevada Supreme Court's decision, the Supreme Court noted that "[u]nder our precedents, the Due Process Clause may sometimes demand recusal even when a judge 'ha[s] no actual bias.' Recusal is required when, objectively speaking, the probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable." Id. at 907 (quoting Aetna Life Ins. Co. v. LaVoie, 475 U.S. 813, 825 (1986); *Withrow v. Larkin*, 421 U.S. 35, 47 (1975)). Bias or prejudice of an appellate judge can also deprive a litigant of due process. *Aetna Life Ins. Co. v. LaVoie*, 475 U.S. 813 (1986) (failure of state supreme court judge with pecuniary interest – a pending suit on an indistinguishable claim – to recuse) *Mayberry v. Pennsylvania*, 400 U.S. 455, 464 (1971) ("it is generally wise where the marks of unseemly conduct have left personal stings [for a judge] to ask a fellow judge to take his place"); Taylor v. Hayes, 418 contempt hearing). But see *Ungar v. Sarafite*, 376 U.S. 575 (1964) . . . "A fair trial in a fair tribunal is a basic requirement of due process. Fairness of course requires an absence of actual bias in the trial of cases. But our system of law has always endeavored to prevent even the probability of unfairness." *In re Murchison*, 349 U.S. 133, 136 (1955).

the Petitioner's causes for action listed in her Complaint, See Document 1, Case No. 21-2214 on the docket the Court of Federal Claims concentrating on a wrongly decided case not granting a patent and instead eliminated the breach of contract by insisting on refusing that the tort was breach of contract torts, but *smelled of tort.* Thus the CFC wrongly allowed the government not to answer in both its cases and No. 21-2214 literally put the evidence submitted by the Petitioner into unrecognizable pieces. Her websites sabotaged, and her attempts at business startups online ruined by tech and internet companies that have been given permission by the government to use Ms. Hartman's internet invention *"royalty free"*. They have become fierce interrupters and competitors. She has filed several FTC and FCC complaints to no avail. The facts are that the government did receive Ms. Hartman's proposals in several locations. SEE Pet.Appxc.pdf She was encouraged indeed directed to apply at more than one location SEE Pet.Appxc.pdf. She alleges that once she had received the funding denial letters, the assaults and torts associated with the breach began to be practiced by different methods in each. Please See OTHER SOURCES OF INFORMATION ABOUT THIS CASE.

Tort consists of breach of duty. – If a contract imposes a legal duty upon a person, the neglect of that duty is a tort founded upon a contract; in such a case the liability arises out of a breach of duty incident to and created by the contract, but is only dependent upon the contract to the extent necessary to raise the duty. The tort consists in the breach of duty. Wolf ex rel. Salomon Bros. & Co. v. Southern Ry., 130 Ga. 251, 60 S.E. 569 (1908)

S.E. 441 (1936); Frank Graham Co. v. Graham, 90 Ga. App. 840, 84 S.E.2d 579 (1954).

– Action of tort may be maintained for violation of specific duty flowing from relations between the parties, created by contract Ellis v. Taylor, 172 Ga. 830, 159 S.E. 266 (1931); Frank Graham Co. v. Graham

Superior Ct. of Pennsylvania – gist of the action doctrine, the critical distinction between a breach of contract action and a tort action is that "the former arises out of 'breaches of duties imposed by mutual consensus agreements between particular individuals,' while the latter arises out of 'breaches of duties imposed by law as a matter of social policy.' "

The locations to which Hartman filed to are below in 1990-1993:

1. Washington D.C. – U.S. Small Business Administration; National Science Foundation

2. Philadelphia, Pennsylvania – Benjamin Franklin Technology Center

3. Harrisburg, Pennsylvania – Pennsylvania Department of Commerce * that later merged with the Federal Government's Department of Commerce in Washington, D.C.

** United States Patent and Trademark Office in Alexandria, Virginia. Also location for National Science Foundation. *** Patent Application filed there in 2004.

U.S. Supreme Court

Marbury v. Madison,
5 U.S. (1 Cranch) 137 (1803) . . . Abbreviated

When the heads of the departments of the Government are the political or confidential officers of the Executive, merely to execute the will of the President, or rather to act in cases in which the Executive possesses a constitutional or legal discretion, nothing can be more perfectly clear than that their acts are only politically examinable. But where a specific duty is assigned by law, and individual rights depend upon the performance of that duty, it seems equally clear that the individual who considers himself injured has a right to resort to the laws of his country for a remedy. . . . Having this legal right to the office, he has a consequent right to the commission, a refusal to deliver which is a plain violation of that right for which the laws of the country afford him a remedy. . . . To render a mandamus a proper remedy, the officer to whom it is directed must be one to whom, on legal principles, such writ must be directed, and the person applying for it must be without any other specific remedy . . . it must be shown that it

---

is an exercise of appellate jurisdiction, or that it be necessary to enable them to exercise appellate jurisdiction. . . .

It is the essential criterion of appellate jurisdiction that it revises and corrects the proceedings in a cause already instituted, and does not create the cause. The authority given to the Supreme Court by the act establishing the judicial system of the United States to issue writs of mandamus to public officers appears not to be warranted by the Constitution. . . . It is emphatically the duty of the Judicial Department to say what the law is. Those who apply the rule to particular cases must, of necessity, expound and interpret the rule. If two laws conflict with each other, the Court must decide on the operation of each. If courts are to regard the Constitution, and the Constitution is superior to any ordinary act of the legislature, the Constitution, and not such ordinary act, must govern the case to which they both apply.

It began under the Bill Clinton – Al Gore Administration and was fully established under the Barack Obama – Joe Biden Administrations – Bill Clinton used the expansion and flexibility of the new internet or Internet 2 to start establishing FREE TRADE AGREEMENTS, and his administration began the exporting of the new internet out to foreign nations. one of the first, NAFTA. Barack Obama declared it a utility in 2016 without Declaration of Eminent Domain. Joe Biden has continued the secrecy and exploitation with censuring Hartman and he and his Attorney General Merrick Garland condoning secretive and illegal trials through the United States Court of Federal Claims and the Appeals Court for the Federal Circuit.

Argument

The Inventor is seeking what belongs to her by law and that is to be paid and made whole from the reprehensible treatment of her by the federal government after it breached its contract with her and literally stole her personal property for the next 33 years causing her to lose everything that she and her family worked for over a lifetime – while at the same time persecuting her for standing up for her rights. She had lived inside of her own home with goals of manufacturing some of her own designs. SEE Petition for Rehearing Enbanc Case 22-1955 and Pet.Appxc.pdf The proof of the government's guilt is in its behavior. Hartman alleges that there was no reason why she should have been omitted and breached from the contract. She alleges that this destruction of her life and property was

accomplished not by law but by using the ploy of *Color of Law* primarily through defamation and fraud and deliberately barring her from legal counsel. In her appellate court experiences since 2020 when the petitioner entered the U.S. Court of Federal Claims and the Appeals Court for the Federal Circuit she alleges that she found that activism had crossed over to what appears to be an attempt to cover up the government's *illegal takings* by judicial misconduct. The Inventor has not committed any crimes or been accused of any crimes. Nor is she mentally ill. Social Security had vetted her thoroughly before granting permanent disability. There was no diagnosis of psychosis. Federal officers had no right to have judges, state, city, or federal officers invading Ms. Hartman's privacy so that the government actors could make up their own stories or perjure what it wanted Ms. Hartman's identity to be – all abusing their station and acting outside of their jurisdictions. Changing someone's identity in this situation constitutes or implies criminal behavior. The government then wrongly condoning an illegal trial in the Circuit Ct. of Appeals while at the same time using its replicated version of Hartman's Accessing Accessibility Process to set up a Global Dossier (App. 16, 17) without her knowledge or permission. Thus the Petitioner files this matter in the Supreme Court asking for a Writ of Mandamus to force the U.S. Federal government, the U.S. Federal Claims Court and the U.S. Appeals Ct. for the Federal Circuit to follow the law and grant Justice to Dorothy M. Hartman without further delay.

She alleges the Appellate Courts are tacitly applying *the Dred Scott Decision as well as Hartman is African-American* – that decision by the Supreme Court that was supposedly overturned by the Citizenship Clause of the 5th Amendment of U.S. Constitution. This as well as continuously having judges acting more like individuals than judges within their jurisdiction which should remove sovereign immunity violate the Petitioner's rights and create a demand for money judgments.

Will v. United States, supra, at 389 U. S. 95, the fact still remains that exceptional circumstances amounting to a judicial usurpation of power' will justify the invocation of this extraordinary remedy. The Petitioner alleges that these bizarre and drastic measures by the court create such circumstances.

Violating the Rules of Appellate Procedure even barring Hartman's use of the electronic portal trying desperately to keep all evidence out, while dismissing her case amounting to a judicial usurpation of power predicated on politics, race, and redistribution of wealth to privileged and elite classes and have been since 1998 in first court case no 1447 Hartman vs. Milstein, Greenwich Walk Homeowners Inc. SEE Petitioners Complaint; Document 1, in Case 21-2214 in Federal Claims Court, Causes of Actions shown in Court's Jurisdiction, but never reflected on Court Dockets.

The Court of Federal Claims although it claims in its opinions mostly by omission, that it does not have jurisdiction over the causes for action listed in the

Petitioner's Complaint: The Court of Federal Claims besides not listing all of the causes of action as indicated by the Petitioner's Complaint is practicing the Dred Scott Decision tacitly among its many other violations of Ms. Hartman's constitutional rights:

These are judges acting outside of their jurisdiction to form a unified wall to obstruction of justice and retaliate as well as continue of what appears to be a solid wall of solidarity to injustice in the state courts to what was a fraudulent foreclosure on her home as she was paying her mortgage and rent as she had tenants in her home after she was harassed by the neighbors in that area who apparently did not approve of her suing Mr. Milstein. She alleges a convicted felon known by the neighborhood and also by the 3rd District Police over which one of the Greenwich Walk Homeowner's Association Board Members had been Captain. The felon trashed her home and robbed her tenants resulting in an $8300 damages that caused her to miss her mortgage payment. She asked Bank of America and Countrywide to allow her to repair the debt as she had a pension and could pay, but the banks refused. She found out later that her true and original mortgage papers had been switched out to the predator banks by the city of Philadelphia or Greenwich Walk which was a corporation and the intent of the predator banks had been to defraud her of the home from the date of settlement unknown to her when she had spent a considerable amount of money in home improvement.

In the Case 1447, Hartman vs. Milstein where the Judge dropped the fraud charges and replaced them

with negligence and the housing inspector, Clark Holman who was a material witness for the case had his subpoena quashed. The Judges clearly prejudiced in favor of Mr. Milstein. The Judge presented the question to the jury of whether there had existed a latent and dangerous defect in the roof at the time of the sale of the condominium to the plaintiff – to which a unanimous jury answered "yes". Hartman alleges it was a fraud question.

Notes on Contract Law

Contract Clause

U.S. Constitution Annotated

ArtI.S10.C1.5 Contract Clause

Article I, Section 10, Clause 1:

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility

The Contract Clause provides that no state may pass a "Law impairing the Obligation of Contracts," and a "law" in this context may be a statute, constitutional provision, 1 municipal ordinance, or administrative regulation having the force and operation of a statute. . . .

Nevertheless, there are important exceptions to this rule that are set forth below.

The prevailing doctrine was stated by the U.S. Supreme Court: "It is the settled law of this court that the interdiction of statutes impairing the obligation of contracts does not prevent the State from exercising such powers as are vested in it for the promotion of the common weal, or are necessary for the general good of the public, though contracts previously entered into between individuals may thereby be affected. . . . In other words, that parties by

---

entering into contracts may not estop the legislature from enacting laws intended for the public good.". . . . Later cases have brought the police power in its more customary entered into between individuals may thereby be affected. . . . In other words, that parties by entering into contracts may not estop the legislature from enacting laws intended for the public good." So, in an early case, we find a state recording act upheld as applying to deeds dated before the passage of the act. Later cases have brought the police power in its more customary phases into contact with private as well as with public contracts. Chief Justice Hughes, speaking for the Court in Home Building & Loan Ass'n v. Blaisdell, remarked in 1934:

"It is manifest from this review of our decisions that there has been a growing appreciation of public needs and the necessity of finding ground for a rational compromise between individual rights and public welfare. The settlement and consequent contraction of the public domain, the pressure of a constantly increasing density of population, the interrelation of the activities of our people and the complexity of our economic interests, have inevitably led to an increased use of the organization of society in order to protect the very bases of individual opportunity.

Where, in earlier days, it was thought that only the concerns of individuals or of classes were involved, and that those of the State itself were touched only remotely, it has later been found that the fundamental interests of the State are directly affected; and that the question is no longer merely that of one party to a contract as against another, but of the use of reasonable means to safeguard the economic structure upon which the good of all depends.

. . . The principle of this development is . . . that the reservation of the reasonable exercise of that the reservation of the reasonable exercise of "It is manifest from this review of our decisions that there has been a growing appreciation of public needs and the necessity of finding ground for a rational compromise between individual rights and public welfare. The settlement and consequent contraction of the public domain, the . . . The principle of this development is . . . that the reservation of the reasonable exercise of the protective power of the States is read into all contracts . . . While the Contracts Clause "remains a part of our

written Constitution," not every state law affecting preexisting contracts violates the Constitution. Instead, the Court has applied a two-part test to determine whether a law unconstitutionally impairs a contractual obligation. First, the state law must operate as a "substantial impairment" of a contractual relationship. To determine whether a substantial impairment has occurred, the Court has considered the extent to which the law undermines the contractual bargain, interferes with a party's reasonable expectations, and prevents the party from safeguarding or reinstating his rights. Applying this standard, in two cases in the late 1970s, the Court struck down state legislation that impaired either the government's own contractual obligations or private contracts.

In United States Trust, the Court ruled that an impairment would be upheld only if it were "necessary" and "reasonable" to serve an important public purpose. But the two terms were given restrictive meanings. Necessity is shown only when the state's objectives could not have been achieved through less dramatic modifications of the contract; reasonableness is a function of the extent to which alteration of the contract was prompted by circumstances unforeseen at the time of its formation. The repeal of the covenant in issue was found to fail both prongs of the test. In Spannaus, the Court drew from its prior cases four standards: did the law deal with abroad generalized economic or social problem, did it operate in an area already subject to state regulation at the time the contractual obligations were entered into, did it effect the United States Congress and Courts participated in passing overbroad legislation that has presented collusion intentional or unintentional. . . .

These cases seemed to embody more active judicial review of economic regulatory activities, in contrast to the deference shown such legislation under the due process and equal protection clauses. Both cases contain language emphasizing the breadth of the police powers of government that may be used to further the public interest and admitting limited judicial scrutiny. Nevertheless, "[i]f the Contract Clause is to retain any meaning at all . . . it must be understood to impose some limits upon the power of a State to abridge existing contractual relationships, even in the exercise of its otherwise legitimate police power." . . .

N.C. GEN. STAT. § 75-1.1. Methods of competition, acts and practices regulated; legislative policy

(a) Unfair methods of competition in or affecting commerce, and unfair or deceptive acts or practices in or affecting commerce, are declared unlawful.

Uniform Commercial Code § 1. Contract Defined: A contract is a promise or a set of promises for the breach of which the law gives a remedy, or the performance of which the law in some way recognizes as a duty.§ 1-201(11) [Revised § 1-201(11)]: "Contract" means the total legal obligation which results from the parties' agreement as affected by this Act and any other applicable rules of law. . . . These three elements of a claim for breach of contract reflect the major topics of Contract Law The first element is called Formation.

The second element is called Performance and Breach. The third element is called Remedies.

Sometimes the contracts cases you study have been decided by a federal court. In those cases, it is helpful to ask how the court got jurisdiction. Frequently (but not always) the cases are in federal court because of diversity jurisdiction; that is, the federal court takes jurisdiction when the plaintiff and the defendant are citizens of different states. Diversity Jurisdiction exists because the plaintiff and the defendant are citizens in different states, are of different races, and different stature with the formation of the contract by a much greater entity § 188. § 6. Acceptance Accepting the terms of the offer. Consideration Under the doctrine of freedom of contract, people are free to bargain and contract as they wish.

Just because one party may think their offer or acceptance is unequal to the value of consideration they got in return does not void the contract. . . . 'For the party who has suffered a loss to be put in the position as if the contract's obligations had been performed.'

Reliance Damages Restore to before contract.

Repay any loss Restitution Damages Action off the contract. Party receives damages for the benefit they conferred on the other party, so as not to allow unjust enrichment. For the party who has suffered a loss to be put back in the position had the contract not been agreed at all – recovery of losses, as opposed to expectation damages, see above.

Reasons for Granting the Writ of Mandamus

Code writers and computer programmers do not require a formal education. Many specialty schools offer courses in computer programming and coding. Many thought Ms. Hartman's invention should be a computer program. It is not. She created it with the aid of abstract thoughts. Because abstract thoughts and her designs convert it into a structure that is used by everyone on the internet and has many practical applications, it is therefore patentable. Abstract thoughts shown below.

> A bit (short for binary digit) is the smallest unit of data in a computer. A bit has a single binary value, either 0 or 1 Although computers usually provide instructions that can test and manipulate bits, they generally are designed to store data and execute instructions in bit multiples called bytes. Just like rays of light can be streamed or transmitted so can bytes of data. A hologram is a three-dimensional image formed by the interference of light beams from a laser or other coherent light source. The hologram is not real but formed by the the light rays being broken into points of intersecting light forming the image. Computer bytes of data can also be streamed, intersected and broken into text and images – forming the images shown on a website displaying the shoes that you have selected to see with your click on the computer. Whereas the technology community including the Internet Service Providers built the networks with funding from the government,

> Hartman contributed the ideas of using Cyberspace which is latent in computers and virtual. Virtual meaning 'space that you cannot see nor is it tangible but it exists'. We know that the nine members of your baseball team inside of your video game are not real but virtual and can be created much like a hologram but in this case created by computer bytes.
>
> Note – The number of ball players in your game can always be increased from 9 to 99 or to 1000 or any other number because they are virtual. Websites can be virtual and the number of consumers or users logging into them can increase. Using this analogy it is easy to see why billions of customers can be online simultaneously.

Selling phones, computers, ads to billions of customers could produce a millionaire or billionaire if one sold $400 phones or $1000 computers or $100,000 cars to billions of people. However the billions of people come from Ms. Hartman's invention that uses her Process of Accessing Accessibility not the companies or agents coding their various genres and creating their various organizations. Their programs were not used by the government to power the global onset, Ms. Hartman's design of Accessing Accessibility was used but she remains discriminated against, abused, and unpaid. While the Process is potentially infinite it is limited by the availability of machinery as well as other factors –

it is not indefinite and additionally the Appeals Court is still ruling on the wrong claims.

"The Examiner bears the initial burden . . . of presenting a prima-facie case of unpatentability" In re Oetiker 977 F.2d 1443, 1445. 24 USPQ2d 1443, 1444 (Fed Cir.1992). If the record as a whole suggests that it is more likely than not that the claimed invention would be considered a practical application of an abstract idea, . . . natural phenomenon, or law of nature, the examiner should not reject the claim.

The Accessibility Process also forms a template from which licensing and bandwidth can be purchased. Then the code writers or computer programmers can then program it into whatever genre they are developing: search engines; social media, selling ads, making smartphones, small businesses, corporations, etc. It is not these other companies but Ms. Hartman's Internet that is used globally while she is disrespected, persecuted, and unpaid.

Petitioner alleges outrageous and abuse of Jurisprudence by the Federal Claims Court sabotaging her documents and court filings. The height of the Covid Pandemic was occurring when she initially brought her case to the CFC in 2020. Only under the most extreme of circumstances was she able to docket in court. Having to depend on outside clerical services to prepare and print certain documents, she was completely opened to the malicious interference of big telecom companies and internet agencies that had become her enemies since she had started blogging around 2007 and publishing that she was the 'true inventor of the internet'. The documentation once it reached the courts was a total mess. The Petitioner apologized to the Court and never again filed anything like that to the record. However after finding that the Petitioner was a serious litigant, the Petitioner alleges that the CFC adopted the posture of ruining most of her filings through its own mix-up and sabotage. Petitioner says that she is the same Pro Se litigant that participated in each of the related cases for the past 30+ years.

Although making mistakes that may be characteristic of most Pro Se filing, she did organize and submit entire filings in order.

The present Courts are the only ones that have been entirely abusive on sabotaging documents and destroying evidence. The Circuit Court of Appeals in both cases, Case No. 2021-1535 and Case No. 21-1955 in refusing to review its own errors that the Petitioner alleges were made in Case No. 2013-1070 that has for three times now failed to review its own mistakes, leaving a wrongly decided case with an an opinion that still stands today and has now been mandated 3 times in a gross miscarriage of Justice and failure of the courts to do their job. She alleges to protect judges whom they know violated the law in its original trial on the matter *In Re Dorothy M. Hartman Case No 2013-1070.* Her court filings most of which have gone into the rabbit hole by either not being reviewed at all or unprecedented opinions and actions that are unjust and obstructive. Some Judges may have committed impeachable offenses by deliberately violating Federal Rules of Evidence. The inventor should be paid damages according to law for what she deserves as inventor of a tool that is used around the world and supports the U.S. government and billions of people as well as governments around the world.

The opinion(s) of the United States Court of Appeals for the Federal Circuit Hartman vs. United States U.S. App. LEXIS 26666 (Fed. Cir. Sept. 3, 2021, (Case No. 2021-1535) and have issued a 3rd Mandate on

February 14, 2023 on what they have refused to review in Case No. 2022-1955. They placed the Petitioner's Appeal Brief for Case 22-1955 into another rabbit hole on 11/29/2022. At first as the court failed to allow the Brief and Appendix in using a bad and illegal Non-Compliant Brief form See Pet.Appxc.pdf and its usual obstruction before allowing it and affirming the Federal Claims Court at the same time. Next, the Appeals court dismissed both the Request for a Rehearing and Request for Rehearing Enbanc simultaneously feigning that it dismissed because the Pro Se litigant had issued subpoenas to those who had distributed bad and false information about her. Essentially the Petitioner was denied both a fair trial and an Appeal while the federal government did not answer the charges and the courts destroyed evidence. Please see Appendix Table of Contents for the instant Writ and Pet.Appxc.pdf

of all Exhibits submitted with Petition for Rehearing Enbanc.

"Deprivations of Liberty | U.S. Constitution Annotated | US Law | LII / Legal Information Institute

preserved from deprivation without due process included the right 'generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men.' . . . Among the historic liberties so protected was a right to be free from, and to obtain judicial relief for, unjustified intrusions on personal security.

The Court also appeared to have expanded the notion of "liberty" to include the right to be free of official stigmatization, and found that such threatened stigmatization could in and of itself require due process. Thus, in Wisconsin v. Constantineau, the Court invalidated a statutory scheme in which persons could be labeled "excessive drinkers," without any opportunity for a hearing and rebuttal, and could then be barred from places where alcohol was served. The Court, without discussing the source of the entitlement, noted that the governmental action impugned the individual's reputation, honor, and integrity.

But, in Paul v. Davis, 7 the Court appeared to retreat from recognizing damage to reputation alone

---

The Petitioner prays that this Court will intervene and issue the Writ of Mandamus asking

> that the already established law be enforced immediately and the Petitioner made whole in the following manner:

a) Immediate awarding of a Domestic Patent to U.S. Patent Application #11003123 that is patentable but has been deliberately prevented by the illegal and wrongfully decided case Appeals Ct. for Federal Circuit Case #2013-1070, *IN RE Dorothy M. Hartman*, March 8, 2013 See App 11.

b) That the United States immediately declare Eminent Domain from the time that it has illegally been taken in 1990 – adding to damages to be paid to Petitioner by the United States Government for its infractions including violations in its own Conflict of Interest laws and influencing others in state and local governments to participate in defamation and fraud schemes resulting in Hartman's loss of personal real estate property, reputation, and decline in health – breaching its contract with Ms. Hartman through the SBIR program.

c) That the government pay Retribution owed by law for the Doctrine of Unjust Enrichment created by the government – through its breach of contract with Ms. Hartman – giving its permissions in patents, licenses, stock market listings, and other economical advantages to computers programmers and code writers who have been able to use Ms. Hartman's intellectual property *royalty free*. And that built a

stockmarket, the Nasdaq that has become an investment haven for investors from around the world (*Bloomberg News*). The former presidential administrations have used it and it was signed off on by President Obama who declared the Internet a Utility in 2016 without granting Eminent Domain to Ms. Hartman. President Joseph Biden has sent trillions of dollars to foreign countries but has not found it within the country's obligations to right the huge injustice and pay the African-Inventor for the Internet that he and the rest of the country use everyday.

The Writ of Mandamus should be issued to prevent this kind of massive usurpation by judicial power again to remove wealth from one group of people to another or to remove an invention from its inventor and those involved in it should be held accountable even if it means impeachment or jail time as the law in the United States Conflict of Interest Laws implies as the overriding legal standard in this situation are United States Conflict of Interest Laws. President Barack Obama' s Administration concluded the illegal confiscation of her intellectual property by declaring the newly formed Internet (2) a public utility without declaring a Declaration for Eminent Domain in protection of Ms. Hartman's rights.

Conclusion

Therefore, the Petitioner asks the Supreme Court of the land in both its Appellate and Aid to Appellate Jurisdiction, 28 U.S.C. Code 1651(a) to issue the Writ of

Mandamus to the major participants: The United States; United States Court of Federal Claims; and United States Appeals Court for the Federal Circuit.

The United States is engaging in major corruption in its illegal takings of an inventor's rights and is still injuring her through enslavement, persecution, and degrading humiliation after 30+ years. She is asking for a minimum of $4,000,000,000 dollars as Petitioner alleges that she has been defamed, defrauded, enslaved, used *royalty free* by companies on the Internet, overworked, distressed, robbed of her hard earned earnings invested in her homes, and poisoned with bacterial infections when she was already ill. With all due respect to the Supreme Court, "They have literally tried to kill me, while getting rich and powerful on my invention". Having been forced to proceed on the defense of her own property as a Pro Se litigant – also set up to keep her from fighting back against the overwhelming evil – the Petitioner has done her best at due diligence and has no other means of relief. Instead of spending her life in her later years, living inside of her own home and pursuing her own goals and happiness which she feels that she earned instead she is being humiliated around the world, mocked and abused. "For helping the entire Country and helping people – only to be disenfranchised and dehumanized", alleges Petitioner.

How did British Guyana become a place where telecommunications was licensed? Please SEE Pet.Appxc.pdf Rehearing Enbanc and Appendices. The United States is liable and owes her the Duty of Care for its unjust assaults on her so that it would have complete

control of her personal property that it uses illegally through takings.

Perhaps a "liquidated damages" clause should be applied for a truly just resolution of the situation in order to discontinue the obstruction of Justice and pay the Petitioner the damages that are legally owed to her. There is a two part test that is typically used to determine whether to apply a liquidated damages clause. Hartman alleges that in this case Hartman vs. United States, the test is passed in both parts:

1. The agreed damages must be a reasonable forecast of just compensation for the harm that is caused by the breach.

2. The harm must be incapable of accurate estimation.

The reprehensible acts for which the government is liable occurred in 4 different locations and they are all relevant or related or part of the same premise(s) of this case and a cover-up of the issues is not acceptable. Not even Congress should be able to violate 4th Amendment rights. SEE Pet.Appxc.pdf in Other Sources of Information About This Case. Petitioner's documents have been scrambled into chaotic record(s) by the offending Courts. The Petitioner has no other means of relief.

Legal Note –

To render a mandamus a proper remedy, the officer to whom it is directed must be one to whom, on legal principles, such writ must be directed, and the person applying for it must be without any other specific remedy.

Respectfully submitted,

DOROTHY M. HARTMAN
254 So. 16th St. #2A
Philadelphia, Pa. 19102
610-924-4014
Petitioner Pro Se

May 5, 2023