

Supreme Court, U.S.  
FILED

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No. 22-153

In the Supreme Court of the United States

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Wanda Bowling,  
*Petitioner,*

vs.

Lester John Dahlheimer, Jr., Estate; Lester John Dahlheimer Sr., Estate; Paulette Mueller; Judge Piper McCraw, in her Official and Individual Capacity; Greg Willis, in his Official and Individual Capacity; Craig A. Penfold, in his Official and Individual Capacity; Judge David Evans, in his Official and Individual Capacity; Rhonda Childress-Herres, in her Official and Individual Capacity; Lisa Matz Clerk of the Court, 5th Dist. Court of Appeals  
AND

Texas Governor Greg Abbott in his official and  
Individual Capacity  
*Respondents*

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On Petition for Writ of Certiorari  
United States Court of Appeals for the Fifth  
Circuit and the United States Eastern District  
Court of Texas

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**PETITION FOR A WRIT OF CERTIORARI**

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## **QUESTIONS PRESENTED**

1. Did the Fifth Circuit Court error by issuing a boiler plate opinion omitting any language addressing Petitioner's caselaw nullifying immunity invocations of the Defendant(s) unconstitutional actions outside of their jurisdiction?
2. Whether Governor Greg Abbott can be held liable, for his actions executed outside of his jurisdiction, to control the Judiciary Branch promoting an autonomous lawless clan of untouchables who obey him, don't complete their anti-bribery oath, and dare not correct each other, further precipitating direct damages to Petitioner(and others) through lawless means?

## **PARTIES TO THE PROCEEDINGS AND \*RULE 29.6 STATEMENT**

1. Greg Willis, Defendant
2. Robert Davis, with MATTHEWS, SHEILS, KNOTT, EDEN, DAVIS & BEANLAND, Attorney for Greg Willis
3. Paulette Mueller, Defendant and self representing with UNDERWOOD PERKINS
4. Lester Dahlheimer Jr., Defendant
5. Eli Pierce, Attorney for Lester John Dahlheimer Jr. with UNDERWOOD PERKINS
6. Lester Dahlheimer Sr., Defendant
7. Robert M. Nicoud, Jr., Attorney for Lester Dahlheimer Sr. with NICOUD LAW
8. Rhonda Herres, Defendant
9. Patrick Sicotte, Attorney for Rhonda Herres with NESBIT, VASSAR, & MCCOWN
10. Craig Penfold, Defendant
11. Kelli Hinsin, Attorney for Craig Penfold with CARRINGTON, COLEMAN, SLOMAN & BLUMENTHAL
12. Texas District 469th Judge Piper McCraw, Defendant
13. Texas 5<sup>th</sup> District Appellate Judge David Evans, Defendant
14. Texas 5<sup>th</sup> District Court of Appeals Clerk, Lisa Matz
15. Scot MacDonal Graydon, with the OAG OF TEXAS, Attorney for McCraw, Evans, and Matz.

\*There are no corporations involved in the proceedings.

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## **DOCUMENTS FOR REVIEW**

Appellants Brief 20-40642

Appellants Reply Brief 20-40642

Fifth Circuit Memorandum 20-40642

Article XVI, Texas Constitution (Tex. Official)

Official Oath documents filed at the Sec of State

## **JURISDICTION**

The United States Supreme Court has jurisdiction over all controversies between the United States and a State; 28 U.S.C. § 1251. Section 1251(b)2.

Additionally, 28 USCS § 1254 provides that cases in the court of appeals may be reviewed by the Supreme Court. The Fifth Circuit Court of Appeals issued it's memorandum March 6<sup>th</sup>, 2022.

The court may grant Petitioners request for declaratory and injunctive relief under 28 U.S.C. §§ 2201 and 2202. The court may grant Petitioners request for damages and attorney's fees under 42 U.S.C. §§ 1983 and 1988.

## **CONSTITUTIONAL PROVISIONS INVOLVED**

*(Below provisions are sprinkled throughout Petitioner's Briefs)*

Title 42 United States Code § 1983 Civil Action for Deprivation of Rights. Specific matters are brought under 42 U.S. Code § 1985 Conspiracy to interfere with civil rights, 28 U.S. Code § 1336 -

Seizures not within admiralty and maritime jurisdiction, and 28 U.S. Code § 1367 - Supplemental jurisdiction at the discretion of this court.

Additionally, subject matters include US Constitution Amendment 4: Search and Seizure, Amendment 5-Protection of Rights to Life, Liberty and Property-Due Process clause, US Constitution Amendment 9-Life Liberty and Pursuit of Happiness, and US Constitution Amendment 14-Rights to Citizenship - Due Process required, 18 U.S Code § 242, and 11<sup>th</sup> Amendment state sovereignty, the Voting Rights Act 52 U.S.C. § 10301, and 18 U.S.C 241 and 242.

## **STATEMENT OF THE CASE**

This case arises from what began as a simple Divorce proceeding of a short ten(10) year marriage, no children, to an outbreak of racketeering and fraud.

Petitioner had discovered the former spouse, Dahlheimer Jr., had been stealing equity/funds among other things from Petitioner's premarital estate starting within a few months of their marriage in 2004. A Third Party Fraud suit was added to the Divorce litigation against the Dahlheimers as their estate was used as collateral to embezzle Petitioner's funds. The Dahlheimers used their wealth and politically position to oppress the Petitioner by inflicting fear and exhausted the courts with false allegations to deplete her resources. The simple case snowballed into a conspiracy of corruption. As newly Abbott appointed Republican Judges

made fools of themselves, the case was escalated into higher courts.

In conspiracy with the Trial court, Petitioner was invited into a court (without reason) and surprised with a criminal charge by Greg Willis with the intention to incarcerate. The charges were fraud and ancillary court participants fostered petitioner's freedom from the false allegations meant to threaten her freedom if she continued to escalate her case. As the case continued, fraudulent concealment and tampering with governmental records were added to the running list of offending constitutional violations.

At one point, defendants encroached on Petitioner's home with a locksmith threatening to force the door open. Two Plano cops, under law enforcer Greg Willis, invited themselves in and directly threatened Petitioner. When Petitioner screamed for them to leave, they exited laughing to the encroachers saying "Well, I guess we can all go to lunch now". Apparently, the cops didn't know cameras picked up video of the whole event.

These were the contributing factors that precipitated Petitioner seeking protection in a federal court. Petitioner is completely obstructed in the state court and has never been allowed to present her case to restore her premarital assets, reimbursables, or obtain 10 years worth of community.

In the journey of this obstruction and oppression Petitioner investigated the Judges and learned Greg Abbott has been inconspicuously appointing Republican judges under the radar, usurping Texas law that states the judiciary is to be voted in by the people. The unlawful "Republican" appointments are in the wealthy regions of Texas and the amounts of

appointments are climbing to almost half of the state judges in Texas. In addition, Petitioner discovered that, while her current judicial defendants properly signed their oath to office, they did not for their anti-bribery oath, both Oaths are mandated by the Texas Constitution.

### **FACTS AN PROCEDURAL HISTORY:**

1. 3/2015 Petitioner filed for Divorce and a Protection Order against Dahlheimer for the long history of domestic violence. The Honorable Judge Scott Becker presided over the case.
2. 9/2015 Petitioners Divorce case was abruptly transferred into Greg Abbott's newly appointed Republican Judge Piper McCraw.
3. By 10/2015 Dahlheimer had been caught stalking Bowling for 7 months in church, declined to produce financials, vandalized Bowling's property, making threats, and was finally arrested. Regardless, Dahlheimer continues.
4. Judge McCraw appeared to demonstrate aligning with the wealthy Dahlheimers than protect Bowling and her interests. McCraw's reputation on this case in becoming public and her frustration with opposing attorneys becomes apparent in her adverse and baseless rulings. She was accused of being reckless and lawless.
5. McCraw's favoritism for the wealthy Dahlheimer family protecting their son gave Dahlheimer Jr. a license to continue stalking, breaking in and vandalizing Bowling's home. Bowling was kept in alarm status.

6. 11/2015 A Motion to Recuse Piper McCraw was filed.
7. Subsequently, Bowling receives an unrelated letter inviting her to a hearing in another court. No real claim or cause was articulated in the letter except for the language of a “Glock” for which Bowling owned.
8. Not suspecting a threat, Bowling showed up in court with her brother. Upon the opening of the hearing the District Attorney Greg Willis, co-conspirator of McCraw, accused Bowling of stealing this particular gun from Dahlheimer and demanded incarceration. The evidence Willis provided was an intentional fabrication of facts, so clearly impossible. The Judge(unknown name) quickly discerned the wrongful accusation and frivolous effort to wrongfully incarcerate Bowling. The Judge allowed Bowling to go free to prove her ownership of the gun.
9. Bowling later demanded an explanation from Greg Willis for this fraudulent effort to incarcerate and further asked why he denied police protection from Dahlheimer's breakins/stalking/threats. His office finally responded after many requests and allowed an intake in their office. Explanations for Bowling's questions were promised by his[Willis] “people”, no response was ever received.
10. In regards to the Motion for Piper McCraw's Recusal, no due process occurred. There was no transfer of the case to an admin judge, no appointment of impartial judge, and no notice of hearing on the recusal. The Recusal was deemed tried and denied. Entries of the hearing showed up on the docket after it occurred.

11. 5/2016 Bowling's attorney wins over a Summary Judgment citing the current Plano, Texas residence is primarily owned by Bowling's separate property interests where Dahlheimer had \$2300.00 community interest. By this time Bowling had approximately \$135,000.00 of separate property invested including an \$88,000.00 down payment of premarital funds.
12. 5/2016 By this time, Bowling had discovered Dahlheimer's forgery, fraud, and the theft of Bowling's separate properties both Georgia and Texas and her business(amounting to \$310,000.00). Bowling's attorney filed a third party fraud case inviting Dahlheimer Sr.(estate trust fund used as collateral in several transactions).
13. 6/2016 McCraw obstructs(denies) any advanced discovery pleadings on the third party fraud, and denies compelling discovery on Dahlheimer's multiple criminal fraud on Bowling's property.
14. 7/2016 A second Motion to Recuse Piper McCraw was filed.
15. Repeating history, no due process occurred of properly transferring the recusal case to an admin judge, there was no appointment of impartial judge, and no notice of hearing on the recusal occurs. The Recusal was deemed tried and denied. Docket entry appeared after it's occurrence. Apparently, McCraw sanctioned Bowling \$5700.00 in her absence.
16. 7/2016 McCraw holds a Divorce trial without notifying Bowling, which in essence obstructed Bowling's attempt to litigate the criminal offenses of Dahlheimer and the recovery of her stolen assets. Some Business affidavits had been filed

into court and others from about 8 sources were filed right after this convenient mystery divorce trial. McCraw apparently notified Dahlheimer/Mueller of the hearing. There is no notice on the docket. The current docket entry as it stands today is not true to the occurrence of when the Trial took place.

17. In a default Divorce Decree McCraw awarded Dahlheimer half of Bowling's separate Real Estate property(already deemed hers in SJ), awarded Dahlheimer almost 100% of the community property, and awarded him some of Bowling's premarital tangible property. In the Divorce Decree, McCraw ordered Bowling to be kicked separate property Plano home and forced the property up for sale.
18. Bowling waved the white flag. Bowling complied with the Divorce Decree and vacated her home basically penniless.
19. 8/2016 Dahlheimer Jr. and his vexatious attorney, Paulette Mueller, filed a motion for enforcement citing a multitude of false allegations attempting to incarcerate Bowling. Apparently, Dahlheimer isn't finished punishing Bowling.
20. 10/2016 The Dahlheimers, Mueller, along with their Chicago Title family friend, Craig Penfold appointed Receiver, brutalized Bowling attempting to oppress her into submission to sign fraudulent sales paperwork on Bowling's property. Penfold attached a \$111,000.00 of fake expenses against the property's equity.
21. 10/2016 Bowling was forced to escalate her case to an Appellate Court to push off the threats and the racketeering scheme in the Trial Court.

22. 12/2016 With the assistance of the current Appellate Court regime and a good attorney Bowling was GRANTED a Motion to Stay Pending Appeal. The Stay neutralized any enforcement of the Divorce Decree, sale of property, etc. among other appealable judgments. Penfold, the Receiver, was dismissed. Bowling took back possession of her vacant property, however, very damaged.

23. 3/2017 Instead of complying with the Stay Pending Appeal, case now held in Appellate jurisdiction. There was an order by the Appellate court the property was be “preserved”. Regardless, and in violation of that order, McCraw reordered up enforcements of the Divorce Decree and appointed another Receiver, Rhonda Herres, order Bowling to vacate her property, and was attempting to force the sale of the property. Bowling did not vacate this time as the trial court had no jurisdiction. Bowling was threatened by corrupt law enforcement(on video: Plano Police Dept. with no probable cause), more home invasions occurred, theft, tampering with her car, and McCraw continued to order one unlawful threat after another. This all occurred during Appellate jurisdiction. Bowling's attorney, a previous Judge in the Collin County Court, stepped in and ceased McCraw's unlawful adjudication.

24. Bowling wrote a Complaint to the Texas Judicial Commission on Conduct where, at the time, there were 3 Greg Abbott newly appointed Republican Judges. No formal response or success.

25. 11/2017 The Appellate Court's newly appointed(by Greg Abbott), Republican Judge David Evans, issued an adverse Opinion.
26. Bowling, alarmed at the departure of the "facts" in the Opinion from what is plainly on the record, went to the Appellate courthouse and requested a copy of the record on appeal(in their possession). Bowling discovered the three(3) main trial clerk records designated from McCraw's court of 87 megabytes which supported her appeal, were missing in their entirety. Three(3) fake replacement records of nonsensical documents were present amounting to 4 megabytes.
27. The absconded records revealed the gouging of the Receivers, several fraud accounts of the Dahlheimers/Mueller, Willis's participation of intimidation, and the lawless actions of Judge McCraw.
28. Bowling motioned the Appellate court to correct their records for a Rehearing. Judge Evans DENIED and the Appellate clerk, Lisa Matz, never responded to Bowling's request to correct the records. (See #05-16-01196-cv Bowling's Motion for Rehearing to the Appellate Court). The tampering of the records now makes it clear that criminal conspiracy is no longer "conclusionary" at this point.
29. Bowling Petitioned the Texas Supreme Court (TSC) where there, at the time, were another three(3) new appointed Republican Judges by Gregg Abbott, to order the Appellate Court to correct the records and allow a rehearing. The petition was DENIED without an opinion or any identifiable Judge accountable for the decision. (See #18-0095 Bowling's Petition for Review)

30. Now Bowling was fully obstructed from litigating to recover her assets criminally swindled from her by the Defendants.
31. 8/2018 Because of the ongoing interference of police harassment and Dahlheimer's escalation of criminal behavior, Bowling filed a Federal lawsuit in the US Eastern District Court of Texas (4:18-CV-00610) against the Dahlheimers, attorney Paulette Mueller, Judge McCraw(Trial Court), Judge Evans(Appellate court), the COA Clerk Lisa Matz, Receivers Penfold and Herres, and Willis for violating her constitutional rights including Tampering with Government Records, Fraudulent Concealment, Conspiracy to Interfere with Civil Rights, and other constitutional violations.
32. McCraw continued to preside over post-divorce proceedings and refused to recuse herself, so Bowling filed a preliminary injunction in the Federal court to cease the trial court lawless aggression. McCraw finally recused herself.
33. Once again corrupt law enforcement(on camera again, same Plano Police) invited themselves inside Bowling's home, threatened her, and refused to leave when Bowling told them "get out".
34. The threats toward Bowling continued. Bowling amended her TRO to stop the ongoing violations of the Trial court. The TRO went unanswered.
35. On October 10<sup>th</sup>, 2018, paperwork was taped to her Bowling's front door. The paperwork was a new lawsuit filed by Dahlheimer/Mueller who filed, yet another, motion for enforcement, citing more false allegations with the intent to incarcerate Bowling. No ORDER was in place for

any kind of “enforcement”. This new lawsuit(about the sixth lawsuit of same) was initiated while the Federal lawsuit was in progress. These baseless suits appeared to be nothing but a threat.

36. The trial court hearing was scheduled in 5 days (inclusive of a weekend) in the Republican Judge John Roach’s court, same Divorce case, but “Re-opened”. Bowling was scheduled to leave for an out-of-town engagement (government reporting for her job: no way to cancel) and she could not get an attorney to represent her on such short notice. In an effort to remedy the due process issue Bowling filed into the court a request to STAY until the Federal Court ruled on the preliminary injunction against the State court (still waiting). Bowling also explained the scheduling conflict and the lack of due process.
37. Instead of acting judicially fair, Judge Roach held the trial without Bowling.
38. Because no order existed to support any motion of enforcement, Roach issued a bizarre “Order for Clarification”. Roach ordered Bowling to vacate her home within 3 hours of that same day as the hearing(impossible to comply) and awarded attorneys fees against Bowling of \$125,000.00 for the one hour hearing for which they lost(no enforcement supporting their motion). Roach also ordered Herres/Receiver to take possession of all of Bowling’s personal belongings present inside the home and secure them away from Bowling (including the home). This unlawful seizure, in essence, would leave Bowling with no home, belongings, and just the clothes in her suitcase upon arriving home.

39. Bowling arrived back to her home 2 days later to find Herres, who broke into Bowling's home, destroyed her door locks, destroyed the alarm system and camera system, and was changing the locks on Bowling's home to lock her out. Herres directly threatened Bowling. Bowling kicked her out.
40. The following day(3 days after the Order for Clarification was issued), and without a hearing, Roach issued to Bowling an Order to Appear for jail. Roach's order to appear held Bowling in "contempt" for not moving out of her 4000 sq ft home with all of her belongings in 3 hour's time while Bowling was serving 1800 miles away. Roach's ongoing violations escalated.
41. Thereafter, in order to stay out of jail, Bowling was forced to sign a false confession of guilt to all of the false allegations claimed in the "Motion for Enforcement" invented by Dahlheimer/Mueller.
42. Roach endeavored to work with the conspirators to take Bowling's residence and facilitate more gouging by the Herres and the Dahlheimers. Herres , self-proclaimed seller's agent, sold the property, then Roach actively concealed the financials of the sale.
43. Bowling attempted to remove her state case to the Federal Case currently in progress for Roach's ongoing constitutional violations with the same Defendants(4:19-cv-00022). Bowling requested it be consolidated with the pending case. Judge Christine Nowak from the Eastern District Court of Texas wrongly DENIED and remanded.
44. Bowling then filed an independent lawsuit against Roach for the ongoing violations of her constitutional rights and requested it be

consolidated to the same pending original case(4:19-cv-00144). Judge Christine Nowak from the Eastern District Court of Texas ignored the consolidation request.

45. Roach responded to the Federal Court with blatant perjury by claiming the remaining property in question “*was awarded to Dahlheimer*”. Roach is concealing the unlawful seizure of Bowling’s assets by fraud on the court.
46. In the meantime, Judge Christine Nowak of the Federal court deemed Bowling a vexatious litigant with a prefilng injunction suppressing Bowling’s ability to amend updating the court of the ongoing threats. Bowling filed an interlocutory appeal to the Fifth Circuit to review the Order. Being deemed a vexatious litigant conflict with every Circuit’s interpretation in the US Appellate courts and the US Supreme Court.
47. The 5the Circuit court dismissed the lawsuit against Roach, but clearly misapplied law, omitted law applied to Roach’s actions, and misarticulated/omitted facts.
48. Bowling appealed the dismissal, but the Fifth Circuit court affirmed the lower court’s ruling reiterating the same misapplications(19-41003).
49. Roach continued violating constitutional rights. He proceeded by holding two Zoom phone conference hearings(8/19/2020 and 9/21/2020). This is at a less restricted time of COVID-19 when the courthouse was open, and trials were face to face with distancing. Zoom meetings were for non-evidentiary hearings. The court never showed up for either phone hearing, yet apparently the hearings took place. It is unknown when.

50. Roach proceeded to give away Bowling's remaining assets of 187K, then without notice of a hearing, issued a Vexatious Litigant Order against Bowling to obstruct her appeal.
51. Bowling requested the court answer Findings of Facts and Conclusions of Law. Roach declined to answer.
52. Bowling attempted to appeal for remedy in the state court. However, Bowling's Notice of Appeal was DENIED by the trial clerk unless Bowling paid \$35,000.00.
53. Roach is extorting \$35,000.00 from Bowling as payment to Appeal his Vexatious Litigant order and the unlawful seizure of her remaining assets. Bowling is penniless and cannot pay the Trial Court this sum of money which prevents Bowling's constitutional rights to appeal. (Texas and US Constitution).
54. Bowling filed a letter to the Administrative Judge(Miskel, a Greg Abbott Republican Appointee) requesting permission to file an Appeal only to receive a returned filing from the clerk citing "*This does not appear to be a request to file new litigation*".
55. Roach's court reporter has received payment from Bowling for Transcripts for the two phone conferences, yet Bowling has never received the transcripts to file a Mandamus with the Texas Supreme Court.
56. Bowling filed the Petition for Writ of Mandamus in the Texas 5<sup>th</sup> Dist. COA objecting to the Vexatious Litigant Order and the obstruction to escalate Roach theft of her estate.. Petition was stayed until Miskel answered Bowling's request for permission to review the order. Miskel denied

permissions and the Texas 5<sup>th</sup> Dist. COA denied Bowling's Petition. Bowling then filed a Petition for Writ challenging Miskel's denial of permission. The Petition was denied. Bowling then Petitioned the Texas Supreme Court and they denied stating that they don't review Vex orders, only the Appellate courts do. No court reviewed the wrongly issued Vexatious Litigant order.

57. The US Supreme Court is the only remedy available.

*Items #34 - #56 are addressed in a companion Petition for Writ filed at the same time as this Petition. The Federal District court declined to consolidate which caused simultaneous processes.*

(NOTE: The court purposely “re-opened” the divorce case[it’s on record] 7 times, so they could misarticulate to the federal court that Petitioners case as ALL being within a divorce case invoking certain immunities. That is untrue. Most of the offenses were actions in post-divorce proceedings or appellate jurisdiction. There is no law or rule supporting the “re-opening” of a divorce case)

## REASONS TO GRANT THE PETITION

### I. Obstructions to remedy in the State courts.

Items obstructed from litigating in the Texas state courts:

1. Divorce: Bowling wasn't invited to her Divorce trial to sustain her separate property and claim community property.
2. Dahlheimer's theft of funds from Bowling's Georgia property.
3. Dahlheimers contract forgery of Bowling's Texas property.
4. Dahlheimer's continued stalking/vandalism and 7 lawsuits of false allegations with the intention to cause emotional distress, drain her savings, and threaten Bowling from escalating the offenses.
5. Mueller's Fraud on the Court: 6 years of offenses and her own participation in criminal theft. Tampering with evidence.
6. Penfold: Verbal threats(have recordings) to force Petitioner out of \$111,000.00. Damage to property and theft of insurance funds(30k).
7. Herres: Threats(on video) Breakins(on video), stalking the house while inhabited, Sale of property financial indiscretions. Damage to property.
8. Two Plano police who conspired with the corruption and threatened Bowling inside her home(on video for anyone to view)(multiple occasions)
9. McCraw cancelling Bowling's Protection Order issued by another judge after Dahlheimer was

arrested for stalking her 7 months, sitting behind her in church.

10. Greg Willis for bringing Bowling into court under no suspicion of threat(to deter attorney presence), then charging her with a crime(previously documented without notice) that was completely false, even impossible.
11. Three rulings by McCraw denying discovery requests and depositions of the Dahlheimer's third party fraud where McCraw refused to reduce her rulings in writing preventing Bowling's right to appeal(Texas law doesn't allow you to appeal unless the order is in writing). The effect of the verbal rulings was the same as if they were in writing.
12. McCraw's supervision of her own recusals outside of Texas law and outside her jurisdiction.
13. McCraw: Tampering with evidence
14. McCraw holding a Divorce trial without notifying Bowling. (No notice on record)
15. McCraw issuing a default judgment Divorce Decree with more sanctions in her absence, kicking Bowling out of her home, and forcing the sale giving half to Dahlheimer among other property belonging to Bowling.
16. McCraw violating a Stay Pending Appeal and an Appellate order to "preserve" the property, acts outside her jurisdiction(Appellate jurisdiction).
17. The Appellate Court tampering of records and Judge Evans and Lisa Matz refusing to correct the implicating records for an appeal.(btw, it cost Bowling \$1,100.00 just to transfer those 3 large trial records that disappeared). Confirmation of billing, transfer, and receipt of the records exist for viewing.

18. Roach holding a hearing with deficient notice, issuing an unlawful order of clarification for Bowling to vacate her property that day, ordered the Receiver to take all of Bowling's personal belongings, and issued attorney's fees of \$125,000.00 against Bowling for the 1 hour hearing for which Dahlheimer/Mueller officially lost because there was no support for their fake lawsuit of "Enforcement".
19. Roach issuing an order to appear for jail(twice actually) without a hearing citing contempt.
20. Roach forcing Bowling to sign a false affidavit of guilt. As a result, Bowling could stay out of jail.
21. Roach selling Bowling's house and actively concealing the financial records. Documentation obtained doesn't add up.
22. Roach keeping 187K belonging to Bowling away from her for 2 years.
23. Roach having two(2) Zoom hearings. One to give away all of the 187K to various people, then another to issue a Vexatious Litigant order to prevent Bowling from appealing to the higher courts of Texas(no notice for a vex hearing).
24. Jan Dugger, court reporter taking Bowling's money for transcripts of the two Zoom hearings, and then refusing to produce either transcript.
25. The Appellate Courts refusal to review the Vexatious Litigant order(no briefs were allowed) and the Texas Supreme Court's denial of allowing any filing of a Petition citing fake rules:

*"This document has been rejected. A prefiling order may be appealed only to a Court of Appeals, not to the Supreme Court. Texas Civil*

*Practice and Remedies Code Section 11.103 (d): A clerk of a court of appeals may file an appeal from a prefilng order entered under Section 11.101 designating a person a vexatious litigant or a timely filed writ of mandamus under Section 11.102.”*

The above is nonsensical. 11.103(d) states a prefilng order based on a Vexatious designation allows an appeal. No statute states an Appeal can be rejected for review AND no statute states the Supreme Court doesn't review such orders. As a matter of fact, there is caselaw that the Supreme Court does review these orders, but in the last several years they have twisted their practice resulting in complete obstruction to justice for innocent people abused by lawless judges.

A distinction must be made at this point of this Petition: Petitioner attempted to litigate part of the above listing in her Texas Appeal. However, if the implicating records reference in Petitioner's Appellate Brief conveniently disappeared(replaced with 3 small fake records), then the appeal should be deemed as null and void since the evidentiary proof was unavailable by the Appellate court's error or tampering.

**NOTE from Petitioner: If this court GRANTS a Writ of Certiorari, Petitioner can provide a purchased CD from the trial clerk of the master indexed implicating records that were transferred to the appellate court (costing \$1,100.00) and provide a CD obtained much later from the Appellate court after the opinion was issued that lacked those records**

**and had 3 fake replacement records for which no litigant designated to be transferred. The Trial and Appellate court dockets are telling on their face, but Petitioner also has certified documents, business affidavits filed into court, and court transcripts to show cause and prove up blatant obstruction.**

The overarching complaint is that obstruction to justice in this wealthy region of Abbott controlling Republican courts is increasing. The tampering (removal/absconding) of Petitioner's clerk records (87megabytes) which implicated the abuses of this region is a symptom. The tampering is a criminal offense (18 U.S.C 241 and 242). The act of openly refusing to correct the records is in conspiracy to that criminal action.

In the lower Federal District court, most of the Defendants never answered Bowling's Complaint with an admit or deny. The Defendants just motioned to dismiss and invoked immunities. Through errs and omissions (and some Abbott bias) the federal district court dismissed the entire complaint citing immunities. The Fifth Circuit Court's then issued on appeal a boiler plate answer covering immunities that never addressed the Bowling complaint of actions that were outside Defendants jurisdiction, did not address immunity exceptions, and did not address Bowling's arguments.

As stated in 21-588 "*State sovereign immunity, however, poses no bar to a challenge by the United States. See Alden v. Maine, 527 U.W. 706 755 (1999).*"

The U.S. Supreme Court is the only remedy to obtain relief, cease the threats, and impose correction to stop the oppression of Texas corrupt practices.

Items above 13-19 are filed in this court as a companion in another Petition for Writ of Certiorari in the US Supreme Court, filed at the same time.

Circumstances of more Texas obstruction conveniently caused the timing of the o Petitions. Make no mistake, this is all one case.

## **II. The Fifth Circuit Court's Judgement 20-40642 is deficient.**

Overall, it just appears the court didn't read or care about the depth of immunity doctrines, so they wrote a boiler plate response with boiler plate laws omitting any relationship to the facts(some misarticulated) and did not mention any legal authority written in Petitioner's brief which disqualifies immunities invoked.

### REVIEW OF THE FIFTH CIRCUIT'S ORDER

#### “Judicial bias” (p. 2 of the 5<sup>th</sup> Circuit’s order)

The Fifth Circuit court would have the reader believe that Bowling “claimed” Magistrate Judge Nowak was judicially bias because *she served on a commission with McCraw and “Nowak’s recommendations were unfavorable”*.

That is untrue. Written clearly in Bowling’s Brief (App.16a-18a) are summarized below.

1. Magistrate Nowak was appointed to her Federal Judge seat by Jill Willis, Defendant

Greg Willis's wife. Ms. Willis was on the small commission appointing Nowak to the Federal District court. Nowak owed the Defendant.

2. Magistrate Nowak's husband, Tom Nowak, was appointed by Greg Abbott.
3. Magistrate Nowak's husband, Tom Nowak, is a judge working alongside Defendant McCraw, Defendant Willis, and Emily Miskel.
4. Tom Nowak, Defendant McCraw, and over half of that same court were appointed by Greg Abbott as Republican judges(explanation further down). They are a protected partisan at all costs including justice.
5. Nowak misarticulated the facts(and misapprehended caselaw) in over 260 pages of reports and recommendations to manipulate the Senior Judge Mazzant to rule favorably for the Defendants. The volumes of misarticulations are identified in Bowling's objections for every single report she issued. It is not difficult to discern that the volume of misarticulations could not be errors.
6. Yes, and Nowak works alongside all of these judges in her husband's court in several commissions.

These were reasons Nowak should have recused herself.

**“Motions for Reconsideration” (page 3 of the 5<sup>th</sup> Circuit’s order)**

Bowling filed a Motion for Relief Rule 60. The Fifth Circuit Court misleads the reader to believe that the court's misapplication of Rule 54(b) to **Bowling's Motion for Relief Rule 60** was to be

“*more lenient*”. Nothing could be further from the truth. The district court ignored the Rule 60 application because Bowling’s application would bring a favorable outcome. The Motion is a Rule 60 Motion by Bowling. The court doesn’t have the discretion to apply a different rule, so they can mishandle the outcome. See Bowling’s Brief (App. 27a-29a)

**“Amendment of Complaint” (pages 3-4 of the 5<sup>th</sup> Circuit’s order)**

Nowak wrongly denied Bowling’s First Amended Complaint. The Fifth Circuit supported the misapplication of law by Nowak insisting that you only have 21 days after the first responder answers your complaint files. The law on page 4 of the order is almost silly. When you have nine(9) Defendants and they are responding at all timelines, even outside of the timeline(Dahlheimer Sr. and Penfold), Rule 15 allows you to amend in 21 days after a response, in this case, a Motion to Dismiss by Dahlheimer Sr. was outside of the timeline(months outside of the required timeline) and the court accepted his untimely Motion to Dismiss while rejecting Bowling’s First Amended Complaint filed within 21 days of that motion to dismiss.

Bowling articulated the legal authority disputing this misapplication by the district court, now by the Fifth Circuit Court in her Brief (App. 29a-36a)

Nowak also claimed Bowling didn’t ask for leave to file the amended complaint, but that is untrue and documented in the ROA 1145. The court just denied recognizing it.

To further support Bowling's concern that Nowak was biased was the fact that Nowak furiously omitted sending Bowling's First Amended Complaint to the Fifth Circuit Court for the record on appeal. Bowling requested to append this appellate record multiple times, but Nowak refused and finally put her denial to append in an answer 7 months later (Dkt# 171 4:18-CV-00610). Something is not right about that.

**"Dismissal under Rule 12(b)(1) and (6)" (pages 4-7 of the 5<sup>th</sup> Circuit's order)**

- **11<sup>th</sup> Amendment immunity argument:** After articulating boiler plate caselaw over Rule 12(b), the Fifth Circuit court begins to transcend to sovereign immunity. The Fifth Circuit misarticulated another untruth stating, "*Bowling's contention is that these defendants are not state actors*". That is false. See Appellants Brief (App. 37a-41a). For the record, Greg Willis works for Collin County and is not a state actor. Bowling's whole brief is based on exceptions to state actor immunities. Regardless, this court(USSC) can override the 11<sup>th</sup> Amendment's sovereign immunity. Consequently, there is no mention of the "stripping doctrine" "*which permits a state official who used his or her position to act illegally to be sued in his or her individual capacity. However, the government itself is still immune from being sued through respondeat superior. The courts have called this "stripping doctrine" a legal fiction. Therefore, a claimant may sue an official under this "stripping doctrine" and get around any sovereign immunity that that official might have held with his or her position*".

Additionally, the Fifth Circuit never mentioned Petitioner's argument of Ex Parte Young

- **Rooker Feldman:** The Fifth Circuit then invoked the Rooker-Feldman doctrine to excuse all defendants. Bowling's Complaint outlined Federal Constitutional violations which none was ever litigated in any state Court. Additionally, no judgments exists in the State court that mirror Bowling's identified violations in her complaint. Bowling's attempt to litigate some of the offenses in the Texas Appellate Court should be considered null and void because of the disappearance of the record and the court's refusal to correct. There has been no litigation in the state court for the violations of Bowling's federal rights and the reason for that is pure obstruction. See Brief(App.41a-43a, 82a) This court can authorize a review of the offenses.
- **Judicial Immunity:** The Fifth Circuit detail out boiler plate legal jargon of judicial and derived immunity, but omitted addressing Bowling's detailed facts tied to legal argument nullifying immunities regarding state actor's actions outside their jurisdiction and some deemed ministerial actions(non-judicial, no immunity). Bowling detailed the specific legal authority and each participants action that does not earn Judicial or Derived Immunity in Appellant's Brief App. 43a-68a. Some examples, not all, are below.
  - a) Judge McCraw lacks jurisdiction to cancel a protection order against the Defendant(Dahlheimer) when the case and hearing occurred in another court by

another Judge 8 months earlier. McCraw didn't hear arguments to cancel this protection order because there was no motion asserting that the subject matter was up for controversy. No hearing existed. It is not within her jurisdiction to act upon this protection unless there was a controversy over this protection before her court. However, what was before her court, was the fact that Dahlheimer violated the order, he was served with papers of contempt, and Dahlheimer's arrogant response to, again, show up in the dark behind Bowling stalking her in church the following week before court. Dahlheimer was finally arrested. This was before the court.

- b) Judge McCraw lacks jurisdiction to supervise her own recusal hearings, disregard transfer to admin judge, omit issuing notices of recusal hearings, and bring in a judge(both times) who served with her father. This is not within her jurisdiction and is an administrative task for which is not covered by judicial immunity. She should have been recused and orders should have been reversed.
- c) Judge McCraw lacks the jurisdiction to give away Bowling's separate property in the Divorce hearing(for which Bowling did not receive notice to attend). This property was not in controversy nor before the court anymore because it was deemed Bowling's property in a Summary Judgment hearing before McCraw's court 2 months earlier.

Mueller/Dahlheimer, after losing the Summary Judgement hearing(attempted theft of Bowling's property), "withdrew" their SJ after the loss which no law supports(what?? as though it didn't happen??). The documents and hearing are on record in the trial court. If the property has already been deemed Bowling's separate property, it is not in controversy before the court anymore. McCraw has no jurisdiction to give it away.

- d) McCraw was also in violation of an Order to Stay Pending Appeal when she re-ordered up enforcements, appointed a new receiver, kicked Bowling out of her house, forced the sale of the property, all which were STAYED from the Divorce Decree. Judge McCraw was outside her jurisdiction in her actions as the Appellate court had jurisdiction. Further, there was an additional Appellate Order to "preserve" the property. The intentional infliction of stress from the threatening lawless orders one after another, does not earn Judicial Immunity because the Stay Pending Appeal was violated and McCraw had no jurisdiction to act while the issues were in Appellate jurisdiction. At this time, McCraw should have recused herself.
- e) Did McCraw have discretion to deny notice to Bowling of her own Divorce Trial while notifying Dahlheimer/Mueller(or the recusal hearing)? If there is no discretion there is no judicial immunity. Notice can

be considered a ministerial task(no immunity)

- f) Judge Evans and Lisa Matz had no discretion in deciding if the records should be corrected or not. The Texas Rules of Civil procedure are identified in Appellants Brief(App.48a). No discretion means no judicial immunity for Evans or Lisa Matz. It's a ministerial act for which does not earn judicial immunity. Conspiracy to act in fostering the tampering of governmental records does not earn Judicial immunity.
- g) Both Receivers violated the courts orders, and both stole Bowling's equity and insurance proceeds(no immunity).

**Prosecutorial Immunity (page 6 of the 5<sup>th</sup> Circuit's order)**

The Fifth Circuit court declared in their Order:

*“Bowling’s assertions on appeal, she has not alleged or shown that Willis’s actions were investigatory in nature, and she has failed to allege personal involvement by Willis in a constitutional violation. See Buckley v. Fitzsimmons, 509 U.S. 259, 273–74 (1993).”*

This statement is untrue.

Bowling did allege Willis’s actions were investigatory in her Brief(App. 68a-71a). To summarize Bowling’s assertion that Willis does not

enjoy prosecutorial immunity, she declared that probable cause must be established to assert an act is related to “initiation and prosecution” in order to enjoy absolute immunity. Probable cause determinations are fact dependent and required *bu v. Creighton*, 483 U.S. At 94, 635, 641 (1987) and the *Fourth Amendment*. Willis had no probable cause.

Further decomposing the advocacy function, a prosecutor who suborns perjury at a criminal trial is absolutely immune, a prosecutor who manufactures false evidence does not enjoy absolute immunity. The former performs a prosecutorial function by presenting evidence, while the latter performs a police investigatory function by gathering evidence. *Buckley v. Fitzsimmons* 509 U.S. 259, 273 (1993). The false evidence was impossible. Bowling was not divorced, and no Order existed over an award of a gun.

If the prosecutor swears under oath to false statements of fact in the information, he becomes a complaining witness rather than a prosecutor and, like a complaining witness at common law, is not entitled to absolute immunity. *Kalina v. Fletcher* 522 U.S. 118 (1997).

Willis brought Bowling into court with documentation of charges already filed (without Bowling’s knowledge) assessing:

1. Bowling and Dahlheimer were Divorced
2. A divorce decree exists and Dahlheimer was “awarded this Glock”
3. Bowling stole the Glock from Dahlheimer.

The above claims were impossible.

1. This mystery hearing occurred in December of 2015. Bowling and Dahlheimer did not divorce until July of 2016. Therefore, Willis fabricated evidence.
2. Therefore, no Divorce Decree existed for Willis to claim a Glock was “awarded” to Dahlheimer. Another Willis fabrication.
3. Bowling owned a Glock, purchased in Georgia(many years earlier), and was tied to her CHL(Carry Handheld License). The gun is in her name and so was the purchased receipt.

Personal involvement: Further, Bowling did allege Willis had Personal Involvement in the unlawful action to incarcerate Bowing using intentionally fabricated evidence(App.71a-80a). Subsequent to the hearing, Bowling attempted to directly contact Willis to discover why he tried to prosecute Bowling without probably cause. Eventually, “his people” allowed Bowling to do an intake and promised Willis would answer my questions. Bowling never heard back from Willis. Willis should at least explain the inconspicuous letter to lure Bowling into a courtroom, the secret charges, the fabricated evidence, and the “Relief” sought to incarcerate Bowling.

The Fifth Circuit cannot discern Willis was personally involved without allowing Discovery to ensue first. Their judgement is premature.

Willis nullified his prosecutorial immunity when he brought Bowling into court, charged Bowling without probable cause which places him in an investigatory advocate, not initiation and prosecution. Further fabricating evidence diffused his immunity.

Regarding the Fifth Circuit's claim that Bowling is barred by the statute of limitations this is untrue. Please see the Brief (App.76a-77a). Willis tried to threatened Bowling in conspiracy to his associated McCraw with fabricated evidence 12/2015. The Statute of Limitations of prosecutorial misconduct is 1 year. Bowling immediately attempted to work with Willis's office to resolve his offenses, but took action before one year was up in the Appellate court 10/2016 complaining about Willis's misconduct. Starting 10/2016 the lengthy Appellate process and obstruction tolled the statute of limitations to 6/2018 when the Texas Supreme Court denied a petition for review to make the Appellate court correct their records. Bowling filed her federal complaint 8/2018 over Willis's actions. The tolling of statute of limitations is satisfied.

Qualified Immunity: The Fifth Circuit's assertion Willis earned Qualified Immunity is misguided. Willis unearned this immunity when he fabricated evidence and had no probable cause.

The Fifth Circuit Court also erred in determining that Bowling's claims against Willis is barred by sovereign immunity.

(p. 5 of the Fifth Cir. Judgement) "*The district court determined that the official-capacity claims against Judge McCraw, Judge Evans, the Clerk of Court, and Willis were barred by sovereign immunity....'*

Willis is not a state actor, so there is no 11<sup>th</sup> Amendment immunities as the Order adjudged.

There is no such thing as "Absolute" Prosecutorial Immunity as the Fifth Circuit Court has determined(See Fifth Cir. Judgment p. 6)

**“Res Judicata”** (see page 7 of the 5<sup>th</sup> Circuit’s order)

The Fifth Circuit court failed to apply law to the facts in every aspect, but the most offensive of the Fifth Circuit’s order is the claim that the Dahlheimers, Mueller, Penfold, Herres are immune through Res Judicata. Bowling was obstructed from litigating in the state court, so Res Judicata is impossible. If the Appellate court lost(tampered with) and absconded with all of Bowling’s implicating clerk records, refused to correct, denied review of Bowling’s petition to correct the records (TSC), then the appeal never really processed.

Even more obvious is the fact that Bowling’s lawsuit in the Federal court is for violations of her “Federal” constitutional rights which were never litigated anywhere. No Res Judicata exists.

This court(USSC) has the authority to review the Appellate court’s oversights and review Bowling’s state case with fresh eyes.

**Omission:**

**42 U.S.C. § 1983(completely omitted from the order, not addressed):** Bowling invoked several other statutes for which can hold McCraw, Evans, Lisa Matz, and Willis in their personal capacity. The main statute in Bowling’s complaint from the beginning was 42 U.S.C. § 1983 which authorizes claims against state officials allowing Injunctive relief if in their official capacity and allows compensatory and punitive damages in their individual capacity. This statute is declared 12 times in Bowling’s Brief (App.12,a,14a,37a,40a, 47a,63a,71a(3x),79a,80a,81a). The Fifth Circuit

Court completely omitted addressing this statute. It is not mentioned anywhere in their order.

**III Greg Abbott has taken control over the Texas independent Judiciary Branch severely disrupting its separation of power meant to promote a just and fair tribunal for the public**

This petition is bringing out another Texas practice of voter suppression. The federal district courts have jurisdiction over voter suppression, but this Petition is focused on Greg Abbotts actions that were outside of his jurisdiction and the State of Texas participants fostering the resulting constitutional violations toward Petitioner and others in Texas courts.

Petitioner was alarmed to experience the multiple actors, some state actors, working in concert with one another to thoroughly throw Petitioner under the bus, diabolically exhaust all of her resources by false means, take her property and assets, and press harshly down on the Petitioner through criminal means when she endeavored to escalate for higher court review.

Bowling embarked on an investigation at what appeared to be more of a theme of conspiracy rather than a circus of court errors.

A. *Greg Abbott usurped the people's vote for their judiciary.*

Greg Abbott has been inconspicuously appointing massive amounts of Judges behind the publics back.

The Texas Constitution Article V clearly states that all state judges must be voted in by general election.

Below is an enumeration of Judge's appointed by each Governor in the past.

Years	Governor	Years Served	# of Appointed Judges
1973-1979	Briscoe	4	0
1979-1983	Clements	4	2
1983-1987	White	4	0
1987-1991	Clements	4	3
1991-1995	Richards	4	1
1995-2000	Bush	4	0
2000-2015	Perry	16	113
2015-Apr2022	Abbott	7	160

One can see that the first 6 Governors appointed very few judges obeying the statutes and respecting the people's right to vote for their judges. Appointments are only allowed by Governors when there is A death or a premature retirement(during a term). Otherwise, the people vote for their Judges by general election. Texas Constitution Article V Sec 7 states "*..... Each district judge shall be elected by the qualified voters at a General Election.....*".

Today, as of the end of April 2022, Abbott has appointed 160 judges. (NOTE: Bowling has a detailed listing of the 160 Judges, when and what court). These appointees appear to be located in the wealthy

regions of Texas. The threads of Abbott's appointees stretch from the State District Courts to the Appellate courts, the Texas Supreme Court, and the ultimate oversight commission, the Texas Commission of Judicial Conduct.

100% of the Administrative Judges in Texas have been appointed by Greg Abbott. Five(5) of nine(9) Texas Supreme Court judges that have been appointed by Greg Abbott. The majority(almost all) of the Texas State Commission of Judicial Conduct judges were appointed by Abbott or the Abbott dominated Texas Supreme Court. Abbott has appointed directly and indirectly. The rest of Abbotts appointees flood the trial and appellate courts.

To worsen matters, each Judge is announced as a Republican Judge. Bowling has yet to identify in Statute where any Governor's appointment can assert a partisan identity(or should).

Abbotts judges have become autonomous to the law as they dare not correct one another. No one can touch them. They dominate the courts with Abbotts authority. Faith in our judiciary is lost. At the rate Abbott is appointing Republican Judges, he will have appointed approximately 200 State Judges at the end of his term(2022). It is unknown how many Greg Abbott appointees aggregate in total for other State Officials positions in the state of Texas because the page count on the governor's website of appointments is concealed.

According to current Texas practices, an applicant who wishes to apply for a judicial seat can also send in a blanket resignation with their application. This basically allows the appointer the

autonomy to giveth or taketh away(prematurely) if the appointed fail to benefit the campaign.

Another practice of Greg Abbott's Republican appointments is that when one of his judicial appointees loses their judicial seat to a Democrat in a subsequent campaign for a new term, Greg Abbott just re-appoints them in another Republican judiciary position.

It does not appear Abbott is allowing the people to vote for their judiciary. Abbott has gravely overstepped his Executive separate powers and now currently owns the Texas Judiciary Branch. This has promoted lawless autonomy, bribery, and has corrupted the judicial branch resulting in damages to families and the hardworking public.

*B. Texas Judge(s) known in Petitioners case did not properly take their anti-bribery Oath.*

While it is quite difficult to get detailed information on the campaign contributions to Greg Abbott, another disturbing set of facts surfaced.

Texas Constitution Article XVI(App. 141a) states every State Judge must sign take two Oaths. One Oath is to swear to faithfully execute the duties of the office. The other Oath is commonly called the "Anti-bribery" Oath(no explanation needed). Bowling made a disturbing discovery about the Judges in her case. Bowling requested multiple years of Oaths from the Secretary of State for Defendant Judge McCraw, Defendant Judge Evans, and Defendant Judge Roach(in companion case for ongoing violations). For every term for all three judges, each took their Oath to Office, notarized (witnessed). In all cases, none of these judges had

their anti-bribery Oath witnessed or notarized (App. 143a-148a).

Secondly, Bowling noticed, somehow in the years, the template for the Anti-bribery Oath was degraded to a “Statement” rather than the Oath for which is in the language of Article XVI. It seems that the Statute says both are Oaths, but the practice is to only regard one as an Oath. There is nothing in the statute that calls the anti-bribery Oath a “statement” nor is there language that it should be treated differently than an Oath.

This seems to be a dangerous practice as it gives a Judge the pathway to not be liable if caught taking a bribe and rallying for Abbott’s campaign funds in exchange for a favorable court outcome.

C. *The impact of a judiciary dominated by Greg Abbott unouchables.*

It is not understandable why Greg Abbott issued the Executive Order to ban abortions violating *Roe v. Wade*.

However, Abbott clearly did NOT leave it up to “public Texas citizens” to “enforce” his Order if they so choose by lawsuits in Texas state courts. **This is misguided.** Abbott knew he owned the Texas judiciary, and his appointees dominate the Texas courts. Abbotts Republican Judges would enforce his Executive Order in their courts regardless of legal rights of any citizen.

Texas Court practices are starting to depart from the Texas Constitution, and the U.S. Constitutional laws meant to promote a fair and just tribunal.

*D. The impact on those few Judges who are voted in by the people.*

It is no less than a threat if you don't comply with the Greg Abbott Republican scheme of the Judiciary.

Democratic Suzanne Wooten won by a landslide in the Collin County Courthouse over an allegedly corrupt Judge, Sandovol. Wooten is a straight shooter. Shortly after she took her seat, Wooten was swarmed with trumped up false charges, prosecuted, kicked her off the bench, had her law license removed, and state actors incarcerated her campaign managers. State actors back then were the Collin County DA, Roach Sr., and Greg Abbott. The Republican scheme had not been developed enough to hold those charges in a Texas appeal where Wooten was exonerated, yet destroyed, irreparable damage. Wooten sued in a federal court 4:18-cv-00380. One by one the state offenders were dismissed for their **immunity**. Wooten finally won some remedy against the county for its corrupt practices(same offices of Defendant Greg Willis). The good judiciary walk on eggshells because of such an example. Wooten is permanently damaged.

*E. The Executive Branch, Greg Abbott, has acted outside his jurisdiction.*

Petitioner is focused on Greg Abbott's actions to control the Judiciary Branch of Texas which has promoted a group of autonomous untouchable judges who protect each other to keep their seat and promote the campaign for Greg Abbott.

It is not Abbotts duty in the Executive Branch to appoint the Judiciary Branch which translates into a conflict of interest, a deprivation for the

people's vote and an interference to the separation of powers. Abbott is outside his jurisdiction as Governor in the action of his appointments. Abbott is accountable for his actions overstepping his boundaries, and he is directly accountable for the lawless appointees, specifically in Petitioner's case, Defendant McCraw, Defendant Evans, Emily Miskel, and Defendant Judge Roach. Petitioner has been severely damaged. Petitioner did appeal directly to Greg Abbott, but received a response steering Petitioner to appeal elsewhere.

Petitioner has earned well over a hardworking 3 million dollars, is now sixty years of age, and has nothing to support a retirement.

Greg Abbott should be held personally liable pursuant to Title 42 United States Code § 1983 Civil Action for Deprivation of Rights and 42 U.S. Code § 1985 Conspiracy to interfere with civil rights.

Texas judiciary practices are incompatible with the U.S. Constitution. Greg Abbott can directly be tied to the cause.

## **CONCLUSION:**

The Appellate court errored in their opinion and their omissions should be addressed. The habitual grant of immunity is only justified by the presence of alternative remedies. Petitioner's obstruction in the state court presents no remedy.

Secondly, Governor Abbott's overreaching action to appoint the judiciary is not his duty, makes him directly responsible for the appointee's lawless actions, and the destruction to Petitioner (and others). If Abbott continues his actions, oppression will increase with no remedy. This Texas scheme raises concerns of imperative public importance.

## **PRAYER**

Bowling prays for this court to GRANT a Writ of Certiorari to further decompose the statutory violations, offer the records/videos/business affidavits to prove cause, and further push back on Abbott's actions and his lawless appointees with the virtual statement that oppression will not be tolerated.

Bowling leaves it to the court to determine relief as deemed fair and just.

Respectfully submitted,

  
\_\_\_\_\_  
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