

ORIGINAL

22-5175

Supreme Court, U.S.

FILED

JUN 04 2022

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Alisha Wheeler - Petitioner

Vs.

State Of West Virginia - Respondent(s)

ON PETITION FOR A WRIT OF CERTIORARI TO

West Virginia Supreme Court of Appeal

PETITION FOR WRIT OF CERTIORARI

Alisha Wheeler

950 West Cherry Lane

Romney, WV 26757

304-359-3109

Questions Presented:

1. Whether the West Virginia Supreme Court of Appeals abided by the Universal Declaration of Human Rights and the Sixth Amendment to the United States Constitution when they denied the petitioner's right to a trial which excluded the opportunity for evidence to be presented proving perjury committed by the GAL, Foster Mother, and others on the opposing side of the case along with evidence of Hampshire County Circuit Court transcripts being purposely edited and abuse of power of the Hampshire County Circuit Court judge Carter Williams, whom is currently facing abuse of power charges pertaining to other matters and under investigation for many issues of abuse of power.
2. Whether or not the West Virginia Supreme Court of Appeals abided by the Federal Adoption and Safe Families Act of 1997 by refusing to support family unity between the minor child and her biological family.
3. Whether or not the West Virginia Supreme Court of Appeals abided by the Federal Family First Prevention Services Act by refusing to consider the petitioner (Maternal Grandmother) and all other family biologically related to the minor child.
4. Whether or not the West Virginia Supreme Court of Appeals abided by the due Process Clause of the Fourteenth Amendment which protects a private realm of family life when they disallowed all family from being involved in the minor child's life preventing the minor child from acquiring a sense of family history, bond with biological family, grandparent-grandchild bond, sense of ethnic background, etc.
5. Whether or not the West Virginia Supreme Court of Appeals abided by Ed. 2d 551 (1972), the court maintains that family preservation is a priority and that the United States Constitution protects family integrity. Family Integrity was not protected due to the West Virginia Supreme Court of Appeals, GAL, Circuit Court Judge, and Hampshire County Department of Health and Human Services refusing to consider any and all family.
6. Whether the West Virginia Supreme Court of appeals and Hampshire County Circuit Court abided by Federal laws pertaining to perjury when they ignored perjury committed by the GAL, foster mother whom is attempting to adopt the minor child, and West Virginia Department of Health and Human Resources.

List of Parties

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

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

1. West Virginia Supreme Court of Appeals
2. Hampshire County Circuit Court, Judge Carter Williams
3. Joyce Stewart, Guardian Ad Litem
4. Hampshire County Department of Health and Human Resources

Opinions Below

The opinion of the highest state court to review the merits appears at:

<http://www.courts.wv.gov/supreme-court/opinions.html> dated 03/09/2022 In re P.H.

Jurisdiction

The date on which the highest state court decided my case was 03/09/2022 a copy of the decision is enclosed.

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

Constitutional And Statutory Provisions Involved

1. Universal Declaration of Human Rights.
2. The Sixth Amendment to the United States Constitution.
3. Federal Adoption and Safe Families Act of 1997.
4. Federal Family First Prevention Services Act.
5. Due Process Clause of the Fourteenth Amendment of the Constitution of The United States of America.

STATEMENT OF THE CASE

The minor child is in state's custody. The Hampshire County Circuit Court Judge Carter Williams granted temporary custody of the minor child to the Hampshire County Department of Health and Human Resources. The Hampshire County Department of Health and Human Resources was in clear contempt for 2 years by placing the minor child in custody of The Potomac Center Fostering agency and no Department of Health and Human Resources worker was assigned the case after placement with the Potomac Center adoption agency. The Hampshire County Circuit Court judge, Carter Williams, had the written transcripts from the court hearing edited to hide the contempt of placement and refuses to provide CD Transcripts.

The maternal grandmother, petitioner, has tried to obtain custody since the minor child's removal. Hampshire County Department of Health and Human Resources violated the Hampshire County Circuit Court order to consider family and refused to consider the petitioner and all biological family of the minor child for placement. The biological parents both expressed they desired placement with the petitioner, but the Hampshire County Department of Health and Human Resources falsely claim that the parents expressed they did not want placement with the petitioner.

The minor child was severely abuse in her original foster home. The Hampshire County Circuit Court judge, Carter Williams, refused to hear evidence of the abuse, screamed at the petitioner, and stated "nothing bad was ever allowed to be said in his courtroom about CPS and placement". Written transcripts were edited to exclude the judge's actions and the judge refuses to provide cd transcripts.

The minor child is currently placed in the Home of a Hampshire County department of Health and Human resources employee which is conflict of interest. Upon placement with the current foster family, the Department of health and Human Resources became bias towards the biological parents and petitioner in favor of their coworker whom is now attempting to adopt the minor child. The foster mother whom is attempting to adopted committed clear perjury in court hearings in the Hampshire County Circuit Court and judge Carter Williams laughed about the perjury.

The petitioner spoke with West Virginia Department of Health and Human services Bill Crouse's office and West Virginia Governor Jim Justice's office and both agreed that the case was not being handled properly or legally but neither did anything to asset the petitioner.

The Hampshire County Circuit Court order and West Virginia Supreme Court of appeals orders both include false evidence, false statements, and perjury committed by the

opposing parties which gives no legal credibility to the decision reached by the West Virginia Supreme Court of Appeals.

The Hampshire County Circuit Court, Hampshire County Department of Health and Human Resources, GAL, current foster family, and West Virginia Department of Health and Human resources has gravely violated the petitioner and minor child's Constitutional rights and Federal guidelines as listed in the questions section.

REASONS FOR GRANTING THE PETITION

1. The petitioner and minor child's constructional rights and Federal laws have been violated.
2. Perjury and submission of false evidence has been committed by West Virginia state officials which violates Federal Law..
3. The State of West Virginia has not acted in a fair, or legal way towards the petitioner and has not acted in the best interest of the child.
4. The Due Process Clause of the Fourteenth Amendment of the Constitution of The United States of America has been violated.
5. The Universal Declaration of Human Rights has been violated.
6. The petitioner's sixth amendment rights have been violated.
7. Editing of court Transcripts has been committed which violates Federal laws.
8. The Petitioner and minor child's realm of family as protected by the United states constitution has been violated. The minor child has a right to know and be raised by her biological family and has a right to family history, family bonding, and a sense of where she came from which has been prevented by the State of West Virginia.

Conclusion

The petition for a Writ of Certiorari should be granted.

Respectfully submitted,



(Signature)

Date: 6/4/22