

22-5861

Application No. 21A623

Article III de jure

Supreme Court for United States of America

brent evan webster dba BRENT EVAN WEBSTER – Petitioner

Supreme Court, U.S.
FILED

MAY 23 2022

OFFICE OF THE CLERK

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OREGON DIVISION OF CHILD SUPPORT – RESPONDENTS

October Term 2021

Writ for a Bill of Certiorari De Novo Review from the Ninth and District Courts

by way of US Bankruptcy Court Portland, Oregon

8701 Southeast Cottrell Road

Boring, Oregon. Republic, usA

NON-DOMESTIC

Phone - 503-933-2000

brent evan webster dba BENT EVAN WEBSTER 10-9-2022

brent evan webster dba: BRENT EVAN WEBSTER

sui juris

pro per

Questions Presented

1. Did the United States Bankruptcy Court Portland Division error, by dismissing webster's bankruptcy, primarily Judge Peter McKittrick for ignoring webster's counter-claims against Carolyn Wade and the **Division of Child Support** under the presumed power of the Department of Justice who have been acting without law where his children have been kidnaped, on multiple occasions without ever charging him or the Mother with a crime of abuse or neglect, but have in fact have been trafficing him, and his children for all of their lives, for financial gain, causing the destruction of his family under the color of law and against the peace and dignity of the united states of America, primarily brent evan webster?
2. Isn't it true, the courts errored by dismissing webster's lawfully filed bankruptcy case without discharge, or dispute of webster's affidavit and **Motion for Summary Judgement**, requiring full-discharge by force majeure on April 15, 2020 due to **COVID 19** and it's devastating effects to the economies, the supply chains, causing major disruptions with the effects of sever hyper-inflation all around the world, preventing normal commerce and life as we knew it?

List of Parties

Oregon Department of Child Support

Oregon Department of Justice

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ASSOCIATED CASES

19-34090-pcm13 **Webster Original Bankruptcy Case**

Derivative Cases

20-03026	Adversary DCS BK Court	Parallel with BK Court
320-cv-00802-MO	Webster v DCS	BK to District Court
320-cv-00877-MO	Webster v DCS	BK to District Court
320-cv-00881-MO	Webster v DCS	BK to District Court
20-35785	Webster v DCS	District Court to 9th Circuit
20-35788	Webster v DCS	District Court to 9th Circuit
20-35800	Webster v DCS	District Court to 9th Circuit

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[X] All from federal courts:

2 Opinions from United States Bankruptcy Court for District of Oregon

#19-34090-pcm13 – July 6, 2020 – Order of Dismissal and Administratively Closing Case

#20-03026 Adversary Case – May 8, 2020 – Order of Dismissal Adversary DOJ, DCS with prejudice

<u>Copies Appear at Appendix – A</u>	<u>8-10</u>
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3 Opinions from United States District Court District of Oregon & Panel

#320-cv-00802-MO – August 6, 2020 – Order does not have jurisdiction DISMISSED with prejudice

#320-cv-00877-MO – August 6, 2020 – Order does not have jurisdiction DISMISSED with prejudice

#320-cv-00881-MO – August 6, 2020 – Order does not have jurisdiction DISMISSED with prejudice

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

3 Decisions from United States Court of Appeals for the Ninth Circuit Court:

#20-35785 – September 16, 2021 – Memorandum Dismissing Appeal from BK Court denying any relief sought “objections to no evidence hearing April 30, 2020” in Adversary proceeding against DCS

#20-35788 – September 16, 2021 – Memorandum Dismissing Appeal from BK Court Order overruling Objections to proof of claims filed by Oregon Division of Child Support we have jurisdiction we affirm

#20-35800 – September 16, 2021 – Memorandum Dismissing Appeal from BK Court Order overruling Objections to proof of claims filed by Oregon Division of Child Support we have jurisdiction we affirm

<u>Copies Appear at Appendix – C</u>	<u>14-19</u>
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3 Timely Petitions for Rehearing were Denied on the following dates:

#20-35785 – December 23, 2022 – Order deny panel rehearing en banc no further filings entertained webster’s motion for extention of time to file a petition for rehearing is denied as unnecessary

#20-35788 – December 23, 2021 – Order deny petition for panel rehearing en banc publication denied

#20-35800 – December 23, 2021 – Order deny petition for panel rehearing en banc publication denied

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

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V Amendment to the USC – no one shall be deprived of life, liberty or property without due process of law.	6-7
XIII Amendment to the USC - Neither slavery nor involuntary servitude	6-7
USC Article VI, Clause 2 – Supremacy Clause - USC the supreme law of the land	6-7
18 U.S. Code § 241 – Conspiracy against rights	6-7
18 U.S. Code § 242 – Deprivation of rights under color of law	6-7
18 U.S.C. § 371 – Conspiracy to Defraud the United States of America	6-7
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STATEMENT OF THE CASE

Webster request, the rightful de jure court to proceed full de novo so to be brief.

The record reflects all the details, a special appearance concerning jurisdiction-venue.

1. This **controversy**, most recently occurred when Carolyn Wade from the Oregon Division of Child Support filed 4 claims, December 6, 2019 related to two of webster's adult children, one was **repeated kidnaped by the same agency**, which is a **conflict** and now **claiming** to be a **creditor** for webster with no evidence of an entry for "Order for Relief". There is no **PROOF OF CLAIM** filing, of an **actual court order** determining that this **debtor** is **subject to the control** of the **bankruptcy court**, but only **two different case numbers** out of **Clackamas County Oregon** called a "Summary of Orders" all the way back to 2001 and 2011 without any signatures of a **Judge**, in a proper court of constitutional due process. APPENDIX A

Webster has attempted to have these claims discharged per his filing for fraud in his "**NOTICE OF AN ADVERSARY COMPLAINT**", on **FEB26 2020** along with other filings. APPENDIX B

2. On **April 15, 2020** webster filed **Circumstances requiring "Force Majeure"** by stating the **effects of a world-wide emergency**, declared by nearly all the worlds governments, therefore webster, with **status of national** or "one of the people" is entitled to relief. APPENDIX C

On **July 1, 2020** webster filed **MOTION FOR SUMMERY JUDGEMENT** and the **AFFIDAVIT OF** brent evan webster documenting fraud in a further attempt to cause a full discharge. APPENDIX D

REASON FOR GRANTING THE WRIT

The reason this application for petition for writ of certiorari *de novo* should be granted is to **correct the errors** of the lower courts primarily **UNITED STATES BANKRUPTCY COURT PORTLAND DISTRICT OF OREGON** where Peter McKittrick was practicing law from the bench by **ignoring** webster's filings and assisting claimants to dismiss webster's case, when there were legitimate questions as to the claims filed by Carolyn Wade for the DOJ & DCS agencies.

CONCLUSION

Based on false claims and the fraudulent use of the legal system, Carolyn Wade, DOJ and DCS, are performing legal malpractice, this court is now responsible for the enforcement of U.S. Code Title 18 sec. 152(4) ...shall be fined..., imprisoned..., or both.

By using fruit from the poisonous tree, the DCS-DOJ under the guidance of Carolyn Wade have manufactured false claims designed to blame webster and to have him pay for something that he never asked for or deserved, since the TRUE NATURE of these attacks have been that the unconstitutional Children and Family Courts have been fabricating cases for over 38 years based on no evidence of a crime, but only hearsay allegations based on lies, and then steal his children to collect matching funds as incentive to continue in these fraudulent ways, which is totally contrary to the rule of law and the constitution of the united states of america, as was designed to protect the people from Color of Law as a revenue generator.

This petitioner requests the honor to have this court of justice please correct the injuries, webster has sustained in the US BANKRUPTCY COURT, PORTLAND, for a fresh start.

Petitioner activated the Common Law in all of his documents, so as to remain in control of his case relating to this Forced Bankruptcy, and grants this this court permission to entertain a limited jurisdiction posture and substantiate the facts, as webster presented.

Respectfully submitted,

brent evan webster dba BRENT EVAN WEBSTER October 9, 2022

brent evan webster dba BRENT EVAN WEBSTER

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