

22-6123

No.22-_____

In The
Supreme Court Of The United States

BRIAN DAVID HILL,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent,

On Petition for a Writ of Certiorari to
the United States Court of Appeals for
the Fourth Circuit

**EMERGENCY APPLICATION TO CHIEF JUSTICE
JOHN ROBERTS TO RECUSE HIMSELF FROM ALL
PROCEEDINGS INVOLVED IN CERTIORARI PETITION
CASE**

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ORIGINAL

**EMERGENCY APPLICATION TO CHIEF JUSTICE
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PETITION CASE**

To the Honorable John G. Roberts, Jr., Chief Justice of the Supreme Court of the United States and Circuit Justice for the Fourth Circuit:

Pursuant to Rule 22 of the Rules of this Court, the All Writs Act under 28 U.S. Code § 1651, and 28 U.S. Code § 455, applicant and Petitioner Brian David Hill respectfully requests that Chief Justice John Roberts recuse himself from participation at all stages of the proceedings from Petitioner's accompanying Petition for Writ of Certiorari, the foregoing case. This application accompanies the Petition for Writ of Certiorari as for good reason stated in the Certiorari Petition.

This Court already has jurisdiction for Petitioner's petition for Writ of Certiorari under 28 U.S.C. § 1254(1). In support of this accompanying Application, Petitioner states as follows:

1. The Petition for the Writ of Certiorari is over a final judgment/order of the U.S. Court of Appeals for the Fourth Circuit. This application is only to address an issue of significant emergency important for Chief Justice Roberts, and must be addressed before any proceedings even began in

Petitioner's petition for Writ of Certiorari. The Clerk needs to read the entire APPLICATION to understand why the Chief Justice is legally authorized to act on this APPLICATION and that it rather be a Application than a motion due to issues which personally affect John Roberts and this case and his name over issues of blackmail as alleged by Attorney Lin Wood in his tweets in the case.

2. John Roberts is given the Circuit Assignment of the Fourth Circuit for the U.S. Court of Appeals. That satisfies Rule 22.3 requirement. John Roberts already has the authority for this application since it is an application over an issue which must be addressed before the Petition for the Writ of Certiorari is considered by this Court.
3. The U.S. Supreme Court is under the authority of 28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge. Congress created this law specifically to recuse or disqualify a justice, judge, or magistrate judge under specific circumstances. Says in section "(a) **Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.**"

4. 28 U.S. Code § 455 also says under the law that “(b) **He shall also disqualify himself in the following circumstances: (1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding...**”.
5. The All Writs Act under 28 U.S. Code § 1651 allows applications or writs to be issued by any Court including the Supreme Court. This application is not a separate case from the Petition for Writ of Certiorari. It is a request specifically to a single justice over legal and constitutional issues dealing with a single justice which those issues need to be dealt with before the Petition for Writ of Certiorari starts up its proceedings.
6. If a single Justice in a case has a CONFLICT OF INTEREST, prejudice, or has a bias he must disqualify himself.
7. The following appealed consolidated cases being appealed by the accompanied Petition for Writ of Certiorari concern the denied Motion requesting a Special Master and denied Motion for Reconsideration of the ordering denying the Motion requesting a Special Master. Those motions exist because of written statements by Attorney L. Lin Wood who allegedly claimed that “judges” and “officials” were involved

as targets of a blackmail scheme of being videotaped committing acts of child rape and murder.

8. Attorney L. Lin Wood said in writing to the same effect that he mentioned the name CHIEF JUSTICE JOHN ROBERTS as an allegation as alleged by this attorney. He mentioned John Roberts in some of his tweets, and his published photograph of a letter directed to Lin Wood also mentioned Roberts by saying “The first goal is to get Roberts to resign or recuse, and Pence to make the right choice on Jan 6.” So that letter had mentioned about asking Lin Wood to get John Roberts to resign over the alleged blackmail recordings or recuse himself over whatever cases to recuse over, Petitioner does not know, but Lin Wood may know. See APPENDIX (“App.” is page number marker referring to the exact page of attached Appendix to this application) pages numbered App. 3, App. 5, App. 6, App. 8, App. 14, App. 16-18, App. 24 (photograph of John Roberts and Barack Obama under Attorney Lin Wood tweet), App. 30, App. 34-35, App. 46-47, and App. 52.

9. Read all of the Appendix index pages attached to this APPLICATION directed to Chief Justice John Roberts, also a circuit assignment to the Fourth Circuit of the U.S. Court

of Appeals. Just the very justice Petitioner wanted to file an application to directly kindly asking that he recuse himself from this entire newly filed Certiorari case. He does not need to be involved with or associated with any decisions, or any work dealing with the foregoing Certiorari case because this recusal is necessary even though the main focus was requesting a Special Master to deal with possibly blackmailed federal judges. That was due to the source or sources of Attorney L. Lin Wood who made public statements about all of this on Twitter last year (App. 26, App. 28, App. 30), and such blackmail videos could prove which federal judges are being blackmailed with child rape and murder, it is a CONFLICT OF INTEREST and unethical for Chief Justice John Roberts to be involved with this Certiorari case since he was named by Attorney L. Lin Wood. John Roberts is the only federal jurist or federal justice directly named as an accused by Attorney L. Lin Wood in this alleged Lizard Squad hacking group obtaining videos of the alleged blackmail scheme. This makes this Chief Justice more inclined to sabotage the Certiorari petition and its entire case, to prevent the Petition from being filed or moving forward, or may pull some other stunt which negatively

affects the lives of Petitioner and Attorney L. Lin Wood. The risk of retaliation by Chief Justice John Roberts is TOO HIGH if he does not automatically recuse himself from proceeding in the foregoing Petition for Writ of Certiorari case.

10. Petitioner thought filing an application would be more appropriate and better than filing a Motion to every justice about questioning John Robert's partiality and bias and ethics issues over the Certiorari case as the motion would go in front of all justices with the evidence of statements by Attorney L. Lin Wood regarding John Roberts which caused Petitioner to reiterate the blackmail allegations alleged claims by Attorney L. Lin Wood in referencing "John Roberts" in his faxed letter to Attorney Lin Wood (App. 6) and referencing Attorney Lin Wood's statements regarding "John Roberts" in various case file documents at issue with the Petition for the Writ of Certiorari case. Petitioner asks the Clerk to allow this Application rather than demand a motion, as it may air out the possibly dirty-laundry about the John Roberts issues alleged by Attorney L. Lin Wood claiming that he believes that John Roberts was being blackmailed. Petitioner wishes to file only an application to

the respect of Chief Justice John Roberts to allow him to voluntarily recuse himself pursuant to 28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge.

11. The Chief Justice and this application has jurisdiction not just under Rule 22 of the U.S. Supreme Court rules but under 28 U.S. Code § 455. If the Petitioner files evidence in an accompanying application to his Petition for a Writ of Certiorari with fears that John Roberts needs to recuse himself or it creates issues of partiality, bias, and conflict of interest, then this application should be appropriate under both Rule 22 and 28 U.S. Code § 455 or under the All Writs Act or whatever law or rule should be interpreted here.

12. Again, 28 U.S. Code § 455 makes it clear: (a) **Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.**

13. 28 U.S. Code § 455 also makes it clear: (“(b) **He shall also disqualify himself in the following circumstances: (1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding**”).

14. It is clear that because Attorney Lin Wood said on Tweets about the issues surrounding “John Roberts” and alleged “blackmail scheme” which are permanently part of the records of the case of Brian David Hill v. United States of America and in references of the Appeal briefs and Petition for Rehearing, that “John Roberts” is part of “personal knowledge of disputed evidentiary facts concerning the proceeding”. Whether or not John Roberts wishes to admit to what Attorney Lin Wood had accused him of in January, 2021, John Roberts is an American citizen protected under the U.S. Constitution like every other American. He is entitled to the Fifth Amendment where he does not have to be a witness against himself and he does not have to incriminate himself on anything. Regardless of whether Attorney Lin Wood can or cannot actually prove John Roberts was being blackmailed with a heinous sex crime of child rape and then child murder, John Roberts is still entitled to the **presumption of innocence** until ever being charged and ever proven guilty beyond a reasonable doubt in a fair trial. Under that circumstance, this issue would be non-existent and he would not be serving as a justice, but Chief Roberts has not been charged or convicted over

anything alleged by Attorney Lin Wood unless fully proven in a court of law. Until that happens, these issues of bias or partiality come into play here for this Certiorari case.

15. However, Attorney Lin Wood has freedom of speech under the First Amendment of the U.S. Constitution as long as he is truthful and is not purposefully being defamatory or slandering. He has not ever been disbarred over those claims involving "John Roberts", as far as Petitioner is aware of since the date of filing his Petition for Writ of Certiorari. Petitioner is not even aware of whether Attorney Lin Wood was even ever disbarred at all as far as the public record. If John Roberts feels that Attorney Lin Wood is lying or making false remarks, he is free to challenge those claims against Lin Wood and have a civil lawsuit defamation trial and allow both sides to present evidence, arguments, and witnesses. If John Roberts does not wish to pursue any lawsuits against Attorney Lin Wood, that is his right to do whatever he legally wishes. He can freely choose to sue Lin Wood or not, and face whatever consequences come as a result of that whether the alleged blackmail evidence exists or does not. If it does then John Roberts has another separate issue to worry about such as possibly criminal charges. However, this APPLICATION

still brings this issue and rather ask John Roberts directly in APPLICATION directly to Chief Justice Roberts to recuse himself and the attached evidence has no need to be filed in a motion before all justices with the very same alleged claims and evidence of Tweets by Attorney Lin Wood, archived for the entire country of the United States of America and for the entire world to see.

16. In accordance with Supreme Court Rule 13.1, the foregoing case of the accompanying Petition for Writ of Certiorari was timely filed and this Application requesting recusal of John Roberts is submitted in good faith to ensure that the disqualified justice John Roberts does the right thing under federal law, under 28 U.S. Code § 455. Regardless of John Robert's guilt or innocence to Attorney Lin Wood's alleged claims, John Roberts still must recuse himself from the foregoing Petition for Writ of Certiorari case. A disputed fact at issue, the involvement, it requires recusal on its face.

17. Indeed, the requested recusal in this APPLICATION with the Petition for Writ of Certiorari is made because of the vital importance associated with the issues at hand – the right to a fair and reliable trial and hearings under Due Process of Law, as well as ensuring that no federal judges are

blackmailed or compromised in any cases such as a criminal case or Habeas Corpus 2255 civil case with significant implications if the blackmail allegations are not investigated, and video recordings reviewed by a Special Master to ensure no conflicts of interest and to ensure no ethics issues. It is respectfully submitted that Petitioner's duty to present all authorized claims of constitutional error with care and consider them with equal importance. Thus, it is key that Chief Justice John Roberts recuse himself and have no further involvement with any proceedings or any issues of Mr. Brian D. Hill's petition with the care demanded of such cases.

18. Petitioner is sure that Chief Justice John Roberts would not wish for Petitioner to refile this APPLICATION as a MOTION which Petitioner promises to file such a motion to protect his Certiorari Petition from any possible retaliation if the Clerk cannot accept this APPLICATION for distribution to Chief Justice John Roberts over the recusal issues. Therefore, this APPLICATION hopefully is the appropriate vehicle and remedy for the issues which John Roberts would not like his associate justices be required to hear or review over the recusal issues over the issues of a

simple recusal of one single justice. Petitioner does not wish to air the dirty laundry to every justice in the court of what Attorney Lin Wood allegedly claims. That is not the primary issue of the Petition for the Writ of Certiorari, but to ensure that the federal judges in the U.S. District Court level are not being blackmailed but if they are blackmailed then they are constitutionally disqualified from participating in Brian David Hill's child pornography case and 2255 cases ever since the case first began in November 25, 2013. It would create a major constitutional dilemma requiring the entire case to be considered null and void. So, John Roberts is not the primary focus of the Petition for the Writ of Certiorari but his handling of the case would require that he not be involved in those proceedings at all. **HE MUST RECUSE HIMSELF.** Theoretically, he could retaliate or sabotage the Certiorari case or ask the Clerks to sabotage or block filings, anything illegal such as the clerk may just disappear filings and get away with it, or anything unethical could happen by not requiring this recusal for the sake of the best interests of justice. He must recuse himself, at all costs.

19. Therefore, in light of Petitioner's current obligations and the importance of the constitutional issues that will be presented

in this case, Petitioner submit that an application directed to Chief Justice Roberts for recusal of himself is necessary and appropriate in order to effectively prosecute this Certiorari case and receive fair impartial treatment in the petition for writ of certiorari of Mr. Brian D. Hill's.

20. If the Clerk still wishes to force Petitioner to rewrite this APPLICATION as a motion if not interpreting this as a motion and just request more copies of this APPLICATION, Petitioner will do so to comply with the Clerk, but Chief Justice John Roberts may not want this APPLICATION rejected by the Clerk demanding that it be treated as a motion will have every justice of this Court looking through the Lin Wood tweets and letter from Petitioner to Lin Wood barely mentioning John Roberts but all of the references to John Roberts being accused of an alleged blackmail crime require the utmost delicate handling in how many justices actually need to look at the facts presented in this application when only asking for the recusal of John Roberts. I am sure the Clerk of the Supreme Court would most likely ask John Roberts if he would rather a motion be filed to all justices with these allegations directed only at John Roberts in

simply asking for a recusal. Petitioner wants to be fair with John Roberts.

21. Petitioner wants to be fair with John Roberts in this direct APPLICATION in asking him for recusal. Petitioner knows what it is like being falsely accused of a sex crime such as child pornography for example, then falsely pleads guilty for a crime he is innocent of, not allowed to review over all discovery materials prior to pleading guilty, then later finding out how fraudulent the child pornography prosecution truly was. Petitioner was not given a fair trial, not given due process. Petitioner suspects he had been set up, then the set up got solidified as if Petitioner was now being blackmailed by and controlled by a set up which such fraud coerced a false guilty plea of an actually innocent man. Brian Hill knows what it is like being accused of a sex crime he is innocent of, as a virgin who has never had sex. Brian rather not bring the Lin Wood allegations of the facts presented in this APPLICATION to every single justice if he does not have to. Hopefully the Clerk understands the significant legal importance of why this APPLICATION should only be directed to John Roberts and give him a chance to recuse himself. See family provided links:

<https://wearechange.org/case-brian-d-hill/> and

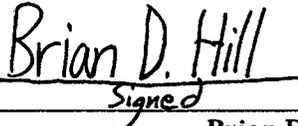
<https://www.activistpost.com/2019/06/can-of-worms-infowars-targeted-by-child-porn-and-msm-not-the-first-time-alternative-journalists-set-up.html> Petitioner

understands that regardless of whether John Roberts is guilty or not guilty of Lin Wood's alleged claims, that John Roberts should have a right to quietly recuse himself from the foregoing Certiorari case. Petitioner only wants true justice and equity. He does not wish to ruffle up feathers and stir up hornets' nests if he does not have to. Petitioner only wants justice, due process, his guaranteed constitutional rights, and his liberty.

Wherefore, in the best interest of justice and for good cause shown, Petitioner Brian David Hill respectfully request that Chief Justice John Roberts of this Court recuse himself from all proceedings in the Petition for Writ of Certiorari case, the foregoing case. God Bless You. Where We Go One We Go All.

DATED this 7th day of November, 2022.

Respectfully submitted,


Signed
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