



No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Meghan M. Kelly, Petitioner

v.

Third Circuit Court of Appeals

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

Third Circuit, Case Number Case Number 22-8037

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QUESTIONS PRESENTED

1. Whether the Third Circuit's rule R.A.D.E. 16 violates **Equal protections** as applied to me as a party of one, as an attorney with religious political beliefs the Delaware Supreme Court labeled are a disability, and as applied to the group labeled disabled, by affording me and the group for which I am labeled with fewer Constitutional protections than attorneys disciplined by disbarment and suspension under R.A.D.E. 6, without a necessary or compelling reason somehow more important than foreclosing me and a class of attorneys the 5th Amendment fundamental right for the opportunity to be heard on Constitutional defects on the disciplinary order reciprocating cases are based.

II. Whether the Third Circuit Rule R.A.D.E 16 violates **procedural due process or substantive due process** by denying me the opportunity to be heard, as a party of one as an attorney with unique religious-political beliefs, and the class of attorneys labeled disabled the opportunity to be heard in defense of Constitutional liberties relating to the underlying Order the Third Circuit Reciprocal disciplinary proceedings are based, to safeguard property interests in the Third Circuit license(s) to practice law, reputation and related interests. US Amend I, right to petition

A. Whether this issue is capable of repetition. Yet, evading review.

III. Whether the Federal disciplinary proceeding violates case or controversy requirements under Article III, Section 2, Clause 1, since there is no opposing counsel or underlying case. The Court acts as prosecutor and judge. Alternatively, whether my Due Process rights are violated under the facts by allowing the judge to be the prosecutor as applied.

IV. Whether it is unconstitutional for lawyers to be regulated by the Courts other than during a case, 1. a law suit in which they represent a party or 2. where the lawyer is a party.

V. Whether it is un-Constitutional for federal judges to be self-regulated or regulated by Third Parties, by congressional rule or elimination of life time tenures, in violation of my religious belief as a party of one whose unique religious political beliefs requires she safeguards the impartiality of the courts as a religious exercise of her belief in Jesus. *Matthew 23:23, Amos 5:15*

VI. Whether the Third Circuit violated my invoked right against self-incrimination by using information submitted to in Kelly v Swartz, Case Number 21-3198 to file a reciprocal proceeding, despite my invocation of the 5th Amendment, given I immediately moved to strike the information from the record. The information was removed.

A. If not, whether the rule under R.A.D.E. V violates the 5th Amendment right against self-incrimination, and is capable of repetition yet evading review.

LIST OF PARTIES

I, Meghan Kelly, Appellant, Respondent am the only real party. There is no opposing party or opposing counsel. The Third Circuit Court of Appeals is the Court, and may be named as a party in name only, as Appellee.

CASES DIRECTLY RELATING TO THIS CASE

Kelly v Swartz, et al, Delaware District Court No. 21-1490, and Third Circuit Court of Appeals Matter No 21-3198. The Original disciplinary case in Delaware Supreme Court matter No. 22-58. Reciprocal disciplinary cases Eastern District of PA matter No 22-45, Third Circuit Court of Appeals No. 22-3372, Delaware District Court No. 22-341, PA Supreme Court No 2913, DD3. DC and the US Supreme Court have refrained from discipline, DC based on jurisdiction. *Kelly v Trump* Chancery Court No. 2020-0809, Delaware Supreme Court No. 119-2021, US Supreme Court No. 22-5522, *Kelly v Democrats* Chancery Court No 2020-0157.

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Appendix AA Healthcare record, healthcare and mental healthcare concerns about care that harms patients, proposals to improve healthcare on the state and federal level, and college transcripts with courses related to healthcare and psychology.

Appendix BB Facebook present sense impression when people talked about shooting me for religious-political speech or perceived affiliation or beliefs

Appendix CC Email requesting the record on my case, in a separate matter which prejudices my case and denies me the opportunity to be heard on appeal to the US Supreme Court and below, since not all pleadings are on 22-58, despite previous denial by the DE Supreme Court.

Appendix DD Newspaper article I drafted regarding title companies practicing law without a license, messing up on the chain of title, costing DE many by untaxed professional work

Appendix EE Complaint Kelly v Democrats

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IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

The opinion of the Third Circuit Court of Appeals to review the merits appears at Appendix (“App.”) A, dated August 30, 2022. There is a previous Order by the Third Circuit, dated August 17, 2022 App.-B. There is no opinion to publish. There is no lower Court opinion.

JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254 or in the alternative under 28 U.S.C. § 1253.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Pertinent statutory provisions are reprinted in the appendix to this brief, App 1a.

STATEMENT OF THE CASE

I. Background of the DE-Disciplinary Matter and DE Civil rights Case

A Delaware Lawyer Disciplinary Order placed my license to practice law on inactive/disabled, but for my religious-political beliefs and poverty and exercise of the fundamental right to petition the Courts to alleviate a substantial burden upon my religious exercise, First Amendment rights to private-religious-political speech, private-religious beliefs, private-religious association and private exercise of religious belief, and to petition the Court relating to bar dues, and procedural Due Process violations, without disparate treatment unlike attorneys similarly situation in violation of the Equal Protections Clause. App F-S. US Amend I, XIV.

I filed a Religious Freedom Restoration Act lawsuit ("RFRA") law suit against former President Donald Trump to alleviate a substantial burden upon my religious exercise, but for the establishment of government religious belief by a course of conduct, including the passage of executive orders granting churches government money as agents of the state to perform government work, and granting churches the legal authority to use other people's money, the parishioner's, to back candidates and parties. App H-K This government money and government backing and buying of churches incited violence against my person. Id.

During *Kelly v Trump*, Chancery Court staff prevented service of the complaint to local counsel Attorney General David Weiss. App. N-O. A Delaware arm, DE-Lapp sent a threatening letter based on petitions regarding bar dues, Judge Kenneth Clark of the Court of Common Pleas attempted to bully me into forfeiting my right to access to the Courts and the Delaware Office of Disciplinary counsel sent threatening letters in an attempt to cause me to forgo my law suit against former Donald J. Trump. Id.

My writ of certiorari to this Court under No 21-5522 I incorporate herein by reference was denied on or about November 1, 2021. Looking back, I should have argued the case was voidable based on procedural and substantive due process defects. (See, *May v. Anderson*, 345 U.S. 528, 537 (1953) "It is void ... if it denies due process of law."); (*Pease v. Rathbun-Jones Eng. Co.*, 243 U.S. 273, 276 (1917) Judgments " are void for lack of due process of law, or should be set aside for error."); (See, *Constr. Drilling, Inc. V. Chusid*, No. 03-3786, 2005 WL 1111760, at *3 (3d Cir. May 11, 2005) (The Third Circuit held, "A judgment may also be void if a court "acted in a manner inconsistent with due process of law)).

I drafted motions in *Kelly v Trump* alerting the Court concerning actions by state government agents to apparently impede and obstruct my access to the courts in that proceeding,

I attach here and incorporate herein by reference. App N-O. I objected to such interference. Id.

The First Amendment prohibits state officials, employees and agents from retaliating against claimants, such as myself, for exercising the right of access to the Courts in defense of the exercise of my First Amendment religious belief, religious-speech contained in the petitions, religious association, and religious exercise. Id.

"[T]he Supreme Court . . . consistently recognized 'that retaliation' by public officials against the exercise of First Amendment rights is itself a violation of the First Amendment." *Uniontown Newspapers, Inc. v. Roberts*, 576 Pa. 231, 253 (Pa. 2003) (Internal citations omitted)

I argued the state and its agents were not entitled to immunity under the US Supreme Court's 2-part test under *Saucier v. Katz*, 533 U.S. 194, 201, (2001). Citing, *Werkheiser v. Pocono Twp.*, 780 F.3d 172, 176 (3d Cir. 2015); *but see, Pearson v. Callahan*, 555 U.S. 223, 227 (2009) ("We now hold that the Saucier procedure should not be regarded as an inflexible requirement and that petitioners are entitled to qualified immunity on the ground that it was not clearly established at the time of the search that their conduct was unconstitutional.")(This case is distinguished from the present case since 1st Amendment free exercise of religious beliefs, speech, association, exercise of religious beliefs, and the right to petition are clearly established Constitutional rights that should be known by the Court and its agents at the time of their misconduct in violations of those rights and federal laws.).

I brought a law suit in the Delaware District Court prior to the institution of the Delaware Disciplinary Proceeding and prior to the conclusion of *Kelly v Trump* to *inter alias* seek relief for procedural due process violations, ongoing interference in *Kelly v Trump* and retaliation for the exercise of my fundamental rights, by the Delaware Disciplinary Counsel ("DE-ODC").

The Delaware Courts have a long history of denying and ignoring my religious exercise by compelled violations. See for example App P. Affirming and swearing is against my religious beliefs in Jesus. I was required to swear into the Delaware Bar despite my previous request to affirm. At the time, I did not understand affirming was sin too. My request for an exemption under new rules implemented by a Delaware Court were denied without a necessary reason somehow more important than my fundamental right to religious exercise and belief by compelled violation in exchange to access to the courts. App P. See also App. I, and exhibits thereto too voluminous to attach in the appendix. US Amend I, XIV, V.

I brought *Kelly v Swartz*, et al, on or about October 25, 2021, for equitable relief, and damages caused by the Delaware disciplinary counsels', court members' and the State's interference in my Religious Freedom Restoration Act lawsuit ("RFRA") against former President Donald J. Trump (referred to as "Kelly v Trump"), in violation of 42 USC §§§ 1983, 1985, 1988. I sought claims for emotional distress, First Amendment violations, loss of employment opportunities, or other economic harm, and harm to my reputation. (Docket Item in the Third Circuit (hereinafter referred to as "DI") 9, App. H-P).

I also sought claims for Delaware's selective prosecution in bringing a disciplinary action against me to demean my reputation by placing my license on inactive disabled 1. to conceal Defendants misconduct in collusion with the Delaware Supreme Court, and 2. to punish me for exercising the right to access the courts and First Amendment rights, based on Defendants disdain for my religious-political beliefs contained in the speech in the Religious Freedom Restoration Act petitions and other petitions. *Id.*

I later amended the Complaint to include additional facts showing the Delaware Supreme Court instigated the disciplinary proceeding against me, colluded with the Board and DE-ODC to

prejudice my case, concealed evidence and witnesses, while denying by ignoring my motions to perform discovery. I also included additional claims procedural due process violations, denial to access to the law library and other disparate treatment by the Delaware Courts made in bad faith, which occurred during the Delaware Disciplinary proceeding as distinguished from *Kelly v Trump*. I sought nominal damages, damages and additional equitable relief, including but not limited to voiding the Delaware Disciplinary proceeding and *Kelly v Trump* due to procedural due process violations which shock the conscience. I moved to add the Delaware Supreme Court as a party, and each of its members in their individual and professional capacity.

I include and restate and incorporate by reference Respondent's reply to ODC's Corrected Response to Respondent's Objections my to the Report and Recommendation of the Board on Professional Responsibility, dated June 7, 2022, and all documents referred therein and incorporated thereto, although they appear only on the record below, and not contained in the appendix as too voluminous. (App. H-R, DI 9)

The Delaware Disciplinary proceeding was brought around or about November 3, 2021, after I filed the law suit in the DE District Court, and after my writ of cert was rejected by this court. As the DE Disciplinary case proceeded the state of Delaware through the DE-ODC, Board and Court violated my 1st and 14th Amendment rights at the inception by sending out notice to no one on the date the Board averred to send out notice of a hearing. Three days after issuing the notice to no one, the DE Supreme Court appointed counsel despite my previously stated objections on First Amendment religious beliefs and 6th Amendment religious beliefs, providing notice which did not conform to its own rules. The Board gave me 18 days, when the DLRDP Rule 9(d)(3) required, they provide me with notice "at least 20 days in advance of the hearing date," which prejudiced me. "It is well established that it is a denial of due process for

any government agency to fail to follow its own regulations providing for procedural safeguards [in my case 20 days prior notice] to persons involved in adjudicative processes before it.”

Government of Canal Zone v. Brooks, 427 F.2d 346, 347 (5th Cir.1970). See, *Bridges v. Wixon*, 326 U.S. 135, 152, (1945) (“The rules are designed to protect the interests of the alien and to afford him due process of law.”); see, David H. Armistead, *Substantive Due Process Limits on Public Officials' Power to Terminate State-Created Property Interests*.

The Court and the Board ignored and never addressed my motions I filed immediately rejecting appointment of counsel and firing the attorney, objecting to defective notice, and requesting time to perform discovery in order not to deny me meaningful opportunity to be heard in defense of my exercise of fundamental rights in violation of US Amend I and XIV.

When I received notice I could self-represent, I had fewer than 14 days until the hearing and fell ill with the shingles, at the time the Court issued. (App Z) I received the notice before a three-day holiday. I filed motions swiftly, objecting to notice, requiring additional time to prepare, call witnesses, perform discovery and research. I required for meaningful access to the courts. My petitions were denied. I was granted an 8-day extension, due to a reason I did not allege in my motions, the shingles. This was not enough time to be heard on my ignored motions or to prepare. The DE Supreme Court rendered an order without granting me the opportunity to be heard with an appealable order. The Board gave a non-appealable email order. I was denied access to discovery, meaningful opportunity to prepare in the fixed proceeding against me. I filed additional motions you may see on the table of contents that were not addressed. App. J-K (DI 9)

On January 24, 2021, I moved the Delaware District Court to amend my complaint as a matter of right to include Delaware Supreme Court Justice Reeves and Vaughn, wherein I discussed the procedural defects and Equal Protections violations they participated in in *Kelly v*

Trump and the Disciplinary matter. The Clerk confirmed the entire court not merely Chief Justice reviewed the bar dues requests which was the admitted reason DE-Lapp attacked me. The Motion was not addressed by Chief Justice Colm F. Connelly.

It was not until January 2023, I discovered Justice Vaughn and Justice Reeves both resigned from the Delaware Supreme Court to evade the law. App. T. President Biden appointed Justice Reeves to the Third Circuit, knowing I desired to substitute him in *Kelly v Trump*, after he signed an order giving foreign churches government money under the guise of performing government business. President Biden worsened the establishment of government religion the past 4 presidents created through government agents and partnerships with foreign and private religious partners.

After the Board hearing, I discovered the DE Supreme Court prevented discovery to conceal the termination of two Court staff with material information necessary to my case to prejudice the fixed outcome against me. The DE Supreme Court's agent, Attorney Robinson signed off on their departure forms.

After the hearing, I also discovered the Court sealed my petitions regarding Due process violations and the Court's member's participation in inciting these violations, which prejudiced my defense in the disciplinary matter. App N-O. I thought they were sealed during the preliminary hearing, but they were sealed during *Kelly v Trump* to also prevent this Court from reviewing an accurate record, to fix the planned disciplinary proceeding against me, to prejudice me in the federal civil rights case or reciprocal cases, and to demean my credibility and reputation based on the Court's disdain of my private-religious-political beliefs contained in the speech in my petitions. *See, Kennedy v. Bremerton Sch. Dist.*, 142 S. Ct. 2407 (2022) ("The Free Exercise and Free Speech Clauses of the First Amendment work in tandem: where the Free

Exercise Clause protects religious exercises, whether communicative or not, the Free Speech Clause provides overlapping protection for expressive religious activities.”)

The Disciplinary hearing was flawed. The reporter did not transcribe my testimony accurately and colluded to fix the shame proceeding against me. I objected even after I filed objections to the inaccuracy of the transcript. The Reporter placed weird statements in my mouth I did not say. Reliance on the inaccurate sham transcript of the hearing and the accusations against me based on my poverty and lack to access to resources shocks the conscience in denial of my procedural and substantive Due Process rights. I was required to attend, without necessary time to prepare while ill in order to prevent a contempt Order.

None of this was normal, firing material witnesses to conceal their testimony, denying me the right to self-represent, to call witnesses, to prepare, to perform discovery, removing my pleadings without notice or an opportunity to be heard and resigning from the court to evade the law are not normal. Nor is it normal to require I violate my religious beliefs in exchange to access to the courts. The Delaware Supreme Court, Board and DE-ODC violated my procedural due process rights and I have colorful Constitutional claims to contest the proceeding.

The DE Supreme Court denied my requests relating to my request for a copy of the documents in the In the matter of Meghan Kelly No 541, appointing counsel and granting me the ability to self-represent despite my written request for the papers against my person, and any transcript relating thereto. App Z, App. CC.

Despite having sound reasons to contest the Reciprocal Order by the Third Circuit, my attempts to preserve the right to file a for cause motion were denied by the Third Circuit. App. A-B.

III. Background basis of Third Circuit Disciplinary Case violated US Amend V

On August 16, 2022, I drafted a letter to the Third Circuit for the reciprocating matter invoking the 5th Amendment right against self-incrimination as required by its R.A.D.E. R. 5. App U.

I filed the DE Supreme Court Order of Discipline in the separate Third Circuit civil rights case *Kelly v Swartz*, to maintain electronic filing under the mistaken belief the state reported the Order. App U.

I moved to strike self-incrimination information from the record. App U-Y.

On August 17, 2022, the Case manager on the Disciplinary Case entered an Order that the DE Order may be used in a reciprocal case in violation of my US Amend. V. App. C

The self-incriminating reporting Order was given to a federal judge or a panel of federal judges who prosecuted me, the attorney by reciprocal deactivation of license that same day. App.A-C.

In *In re Gi Yeong Nam*, 245 B.R. 216 (Bankr. E.D. Pa. 2000), the Court held:

“Once a witness voluntarily reveals an incriminating fact, Fifth Amendment privilege against self-incrimination cannot be invoked to avoid disclosing the details of that fact unless the witness' answer to the particular question posed would subject him or her to a “real danger” of further incrimination.” U.S.C.A. Const. Amend. 5.

In my case, volunteering information by reporting orders against my license subjects me to automatic government prosecution. The fact I appeal orders on public record before appellate

courts, does not remove the “real danger of further [government prosecution] in proceedings likened to be both criminal and civil in nature.” *Id.*

This Court in *Spevack v. Klein*, 385 U.S. 511, (1967) held:

“Within rule that Fourteenth Amendment secures against state invasion the same privilege that Fifth Amendment guarantees against federal infringement, that is, right of person to remain silent unless he chooses to speak in unfettered exercise of his own will, without suffering penalty for such silence, “penalty” is not restricted to fine or imprisonment but means imposition of any sanction which makes assertion of Fifth Amendment privilege costly.”

This Court further held, “Self-incrimination clause of Fifth Amendment as absorbed in Fourteenth Amendment extends its protection to lawyers and should not be watered down by imposing dishonor of disbarment and deprivation of livelihood as price for asserting it” *Id.*

The Court acted as the prosecutor, the judge and witness too, without a case or controversy requirement. The Third Circuit compelled me and other attorneys to provide testimony against my person at the threat of certain prosecution and increased penalties for failing to report in violation of my right not to self-incriminate.

Self-reciprocal Disciplinary reporting requirements by disciplinary command under R.A.D.E. R. 5. run afoul of the Constitution by compelling professionals to waive Constitutional rights under the threat of additional punishments. The self-reporting requirements relating to lawyer disciplinary proceedings should be deemed unconstitutional as applied and per se.

Even if this Court may find I waived my 5th, this issue is capable of repetition, yet evading review. *Wisconsin Dept. of Industry v. Gould Inc.*, 475 U.S. 282, 286 n.3 (1986). This issue must be considered to preserve the Constitutional limits on government which makes us freer.

IV. Federal Courts may not be regulated and controlled by self-regulation or third party regulation

I am a Christian. The Delaware Supreme Court finds my religious beliefs a disability. I believe differently. I believe a lot of things people think are no big deal are a matter of eternal life and damnation in hell, the second death. Every moment, every little thing, every second of my life matters, and it is not for sale for money or material gain. I gave it to God.

Protecting freedom under the Constitution means not selling your people under the lie slavery to money to pay government compelled private or foreign debt is freedom. People should be able to choose to work by free not government forced choice. Otherwise, there is no freedom, just bondage in a forced not free economy in violation of US Amend XIII.

Government collusion with private and foreign partners to fix a forced not free economy creates subpar products and services by stifling innovation by freedom of thought through standardization, based on bought or bartered for partnerships, not freedom. I desire the Courts exercise more authority by judging the experts, professionals and standards to prevent businesses from being above the law, above correction, above government and government's guidance to prevent oppression, killing, stealing and destroying life and liberty for material gain. I wish defamation laws would be ruled unconstitutional as they chill free speech would improve products and services by Godly criticism. Instead these unjust laws stifle improvement by threat of losing money by entities who buy guaranteed injustice by burying the common man in legal fees for a fighting chance to do what is right, exposing evil to transform it to good.

Eliminating the right to work in the field of my choice based on my religious beliefs allows exploiters to oppress people, including me, by substandard wages because of the

government created desperate conditions. This is government backed slavery in violation of my 13th Amendment right against involuntary servitude and religious beliefs against indebtedness.

The Delaware Supreme Court participated in inciting the disciplinary proceeding, terminated witnesses, prevented their discovery, and denied me meaningful opportunity to be heard by conduct which shocks the conscience. App. H-P.

This has caused additional courts to place my license on inactive disabled, causing multiple reciprocating law suits in jurisdictions where I am licensed or retired to practice law in, including the Third Circuit Court of appeals. App A-C

The Third Circuit placed my license on inactive/disability without affording me Constitutional protections afforded to similarly situated attorneys placed on suspension or disbarred, arguably in violation of the Equal Protections Clause applicable to me as an attorney with unique religious-political beliefs, and to the class of lawyers adjudicated disabled. Id.

The most recent order relates to documents I filed including but not limited to Motions filed with the Delaware Supreme Court containing Constitutional arguments against lawyer self-regulation and third-party regulation. App B, Q, R, DI 9.

I seek this Court's consideration of my Constitutional arguments to be extended to the Federal judiciary. Id. I argue standing as an attorney seeking to uphold the impartiality of the Courts as a religious exercise. I move this Court to rule that federal judges may not be regulated through self-regulation or third-party regulation beyond the procedures of the Court, even if this Court denies my other arguments.

Such regulations of the federal judiciary create injustice, making us less free, by tempting federal judges to render orders based on their collective interests or based on the interest of third parties who regulate their seats as opposed to the impartial rule of law.

I believe judges may only be disciplined under Constitutional Law by impeachment or by law suit, not by third party or self-regulation. Congress's proposals to the contrary, and their use of societal peer pressure as well as the pens, law making authority is repugnant. Albeit, they may outline internal rules regarding impeachment. Congress is acting above the law, and above the Constitution in an attempt to make judges puppets to the partial interests that serve their seats.

I also oppose eliminating life time tenures as that will tempt federal judges to be partial towards the interests of those who maintain their seats as opposed to maintaining impartiality necessary to safeguard the rule of law.

I strongly oppose, as an attorney, in inactive status, term limits or Congressional control over the US Supreme Court. I also oppose self-regulation. Impeachment and law suits are the two means to correct judges. No judge should be controlled by business professionals, including professional boards, or by Congress, outside of written rules they may draft relating to impeachment. The judges will be tempted down the line by automation's ease, to potentially have their position as judges eliminated through automation.

Automation has no power to render justice with mercy like judges. Judges have the ability to critically think beyond the standards, to see clearly the unique case before it, to render true justice based on truth, not conformity or sameness. Judges have a duty to protect people's freedom who think differently than they do, even if they believe those beliefs harm business's

bottom line. What is more important money or freedoms under our constitution? I argue the Constitutional laws protecting individual liberty and individuals supersedes professions and entities who desire to sacrifice individual liberties or individuals for the entities or associations bottom line

As a Christian I believe “justice in the courts” is a command by God. *Citing Amos, 5:15*, Jesus Christ teaches justice, mercy and faithfulness are more important laws than laws relating to money and material gain. *Matthew 23:23*.

I believe the other two branches are not free, but are controlled by partisan collective interests to be enslaved by entities who entice their interest, not free to do what is right.

The other two branches give us a Republic, by granting us alleged majority representation. The judicial branch gives us freedom and a Democracy in our Democratic-Republic by preventing the mob reign of lusts by majority by restraining the desires of the many with the impartial rule of law.

The judicial branch protects individuals and Constitutional individual liberties from being sacrificed for entities and the majorities dictates through the vote or government partnerships. Individual Judges are more powerful than entities or groups or the other two branches because they may down their individual and collective desires to care to think in order to unconditionally uphold Constitutional rights for individuals who do not conform to the majorities’ religious or political beliefs. Entities, parties and the other two branches act conditionally, and are not free to unconditionally due what is right by collective control by those who entice their conformed interests through temptations.

People on the bench are special in that I believe they may reflect the image of God by unconditional love and respect, even for those whose religious beliefs they find insulting and repugnant, like me. The other branches may do not good by unconditional love, since they act upon conditional collaborative collective interests.

Individuals are more powerful than collective groups since they may lay down the collective groups' desires, to think, to care to know truth, in order to do what is right, not what is self-serving for the alleged many by sacrificing the few under the guise of the common good.

There is an attack of people judges. I gave opposing counsel in the civil rights case excerpts from a book, the Fourth Industrial Revolution, and video clips showing the World Government Summit and World Economic Forum are talking about eliminating people judges and people lawyers.

I also filed an article in the civil rights case concerning judgeless courts in China. The temptations to entice judges to create the appearance of partiality is meant for the court's destruction down the line to eliminate individual liberties that exceed the standardized algorithms of automation.

This Court may stifle the plans to eliminate the courts by preventing standardization by self-regulation or third-party regulation which prevents courts from protecting the exercise of Constitutional rights by those who do not conform to the standards of the many, like me.

This Court does not waive its right to eliminate partiality to self-interests or third-party interests at the cost of making those interests more important than the Constitutional preempting law. The Contract Clause may not bind the courts where there is no meeting of the minds, nor has any waiver occurred.

I believe a holding that the Court may not be compelled by partiality towards third party interests who regulate them or self-interests is a step towards eliminating people judges.

Without people judges, none are free, but are for sale by barter or exchange to serve the collective interests of entities.

I am aware of the societal peer pressured attacks against judges on the news, by congress and on social media. Please be strong, remain impartial, due not give into temptation by societal peer pressures to create the appearance of partiality. You must use the rule of law to overcome lawless selfish lusts to place position first in order to protect your position.

I ran for Delaware local office in 2018, because my esteemed colleague, Dick Goll, Esq. was taken advantage of by out of state foreign title companies practicing Delaware law without a Delaware license. App D I discovered this misbehavior was rampant throughout Delaware by talking with other real estate attorneys who saw the chain of title on deeds were messed up with no attorney to call to remedy mistakes. I drafted the attached article in hopes to alleviate the situation. I called the Office of Disciplinary Counsel to remedy the situation. It is not until now that I realized no Office of Disciplinary Counsel has legal authority to prevent the practice of law by non-attorneys through entities using automation.

Upon information and belief, there really is a plan to not only dismantle and create a new economic model, that will be changed to a far worse model down the line, but there is also a plan to eliminate the institutions of our government that make us freer. There is a planned attack against the courts. Please use this case to prevent the elimination of people judges by standardization through regulating federal judges. This is a step to prevent automating the rule of law which

prevents justice and constitutional protections from being eliminated to those who do not fall into the standards in algorithms.

V. The system of reciprocity violates Case and Controversy Requirements

Federal reciprocity of the Delaware Order requires the Third Circuit Court to be the prosecutor, the judge and witness too, not an outside adverse party, violating the case or controversy requirements of U.S.C.A. Const. Art. 3, § 2, cl. 1.

In federal reciprocity cases, and in this case, I do not serve an opposing counsel as reciprocal discipline is conducted against me. I am defending myself against required Court prosecution where I, the accused, am required to bear the burden of clear and convincing evidence as to why the Court must not prosecute me, in potential violation of my Fifth Amendment rights, or as in this case, I am deemed worthy of fewer rights to contest proceedings in violation of the Equal Protections Clause, procedural and due process clause as applied to me as a party of one, and to the class of attorneys labeled disabled. US Amend I, V. (App. Q-R)

The Third Circuit held,

“The existence of a case or controversy requires: (1) a legal controversy that is real and not hypothetical; (2) a legal controversy that affects an individual in a concrete manner so as to provide the factual predicate for reasoned adjudication; and (3) a legal controversy with sufficiently adverse parties so as to sharpen the issues for judicial resolution. *Rendell v. Rumsfeld*, 484 F.3d 236 (3d Cir. 2007)

The Third element is not met in all cases before federal disciplinary hearings. There is no adversarial party when the entity prosecuting is judge and jury, including mine. This system of automatic as opposed to discretionary discipline must be overturned to preserve the Constitutional liberties of the accused. This issue is capable of repetition, yet evading review,

and should be, in the interest of justice be considered by an impartial judicial forum. A federal court will not admit it violates the Constitution by blindly adhering to its internal procedures. Id.

This Court must, in the interest of justice, consider these important issues.

VI The case and controversy requirements are not met in my case.

There arguably is no controversy in my case, just a cover up of court misconduct, elimination of witnesses, the wrongful removal of four public documents material to my defense from public records, and government persecution towards me, but for my First Amendment exercise of or assertion of my protected Constitutional rights. Id. The record shows, I do not intend to practice law before the courts should the restriction on my license be lifted. I intend to seek to rejoin my former law firm where I would perform real estate settlements. Id.

There is no harm to the state of Delaware or the Third Circuit Court of Appeals showing a case or controversy. In the DE case, there are mere complaints about my lack of resources due to poverty, run on sentences, typos, and citations to the sham fixed transcript. "I maintain my objection to, where the reporter misrepresented what I said to intentionally collude to fix the outcome or because she could not hear me." Id.

The record also shows the State reciprocal court laments I discuss the bible as a source of my religious belief relating to petitions where I assert and defend my religious exercise. Id. App F-N. My religious beliefs and compelled violation of those beliefs and exercise of my religious beliefs are in issue as the protected liberty interest I sought to protect in *Kelly v Trump*, and one of the liberties I seek to defend in this present case, and the original reciprocating appeal I must draft and file. It is unconstitutional for the Court to persecute me, because I invoke my First Amendment right of belief, religious-political-belief, religious-political exercise, religious-

political-association, religious-political-speech, and my right to petition the Court to uphold these religious-political fundamental rights, despite the State's disagreement with my beliefs, typos, or inconvenience that my poverty, or religious-political genuine beliefs creates to the court.

My association as a Christian who believes business greed is the mark of lawless lusts misleading many to lose eternal life by making money and professional pride above the law does not warrant discipline based on the state's disagreement of my religious beliefs.

This Honorable US Supreme Court held, in *Schwartz v. Board of Bar Examiners*, 353 U.S. 232, 233 (1957) "The use of aliases, the arrests, and former membership in the Communist Party do not in combination warrant exclusion of petitioner from the practice of law"

Since the association as a communist does not warrant disbarment, my association as a Christian should not similarly not eliminate my interest in my license to practice law based on my exercise of fundamental rights, including the right of association and belief and exercise of religious belief in Jesus, God the father and the holy spirit as Word of God.

The State Court is aware of my circumstance. Due to lack of resources, working computers, printers, paper and other luxuries, I had typos and run on sentences in some of my pleadings. I did not have the luxury of time or resources to proof read or correct documents. I typed desperately wherever I could use computers or print documents, including at libraries, with limited time at the computer. I was required to file timely or waive my rights. I do not regret imperfectly standing up for my religious belief from government persecution.

I would regret doing nothing. If I am unable to exercise the most basic First Amendment rights, speech, belief, association, exercise of belief and petition, then I may logically assume

others are not free. Standing up for myself, now, no matter how imperfectly, may create precedent to stand up for the rights of others, well past my fleeting, soon to be forgotten life here.

In App. R I, No. 35-36 stated,

“The State Court grasps at straws by holding there is evidence of either a physical or mental disability. The state appears to be claiming my belief in Jesus is a disability, or there is a physical disability alluding to a possible physical disability as a harm to the state, with unclean hands, as the State has notice of my limitations. The state rushed the proceeding in violation of my right for an opportunity to be heard, notice, an opportunity to prepare and defend perform discovery, call witnesses, having motions ignored, left unaddressed, in the forum below, or above, and intentionally caused foreseeable emotional distress, **in hopes to make me physically ill to use it against me, like heartless monsters.**

I dispute the allegation of physical disabilities as an “or” source for the State Court’s holding. The record excludes sufficient evidence to make such a finding. Even if on appeal, the Court finds physical limitations, such as the shingles temporarily caused in my case or otherwise, such limitations would not limit my ability to practice law. **And if such limitations are found, I invoke the protections of ADA protecting me from state discrimination, either by denial of meaningful access to the courts based on alleged disability, or denial of First amendment rights based on such disability, or my license to practice law based on any such alleged disability, without accommodation by the state.** I reserve this for appeal.”

I in fact due have a physical limitation that requires I rest, drink water and exercise in order not to jeopardize my life and health, the Delaware Supreme Court and all lower courts were apprised of. App AA.

Despite this my health has been jeopardized. I do not feel now, and fear worsening to my health and even death if I am not afforded **time** to rest, drink obscene amounts of water and exercise which I have been denied by multiple courts. It is most urgent to file this appeal more immediately, even as I have work in other matters. None are free if the Courts are eliminated by automation. Please excuse errors as I write in haste and fear.

Whether Constitutional protections are violated by the reciprocity system is a more important issue than mere appearance, and productivity, in terms of material gain for professions or businesses, at the cost of sacrificing freedoms.

The Courts, as government servants, work for justice, not money. If government judges, law makers and presidents care more about money and draft, enforce, and uphold rules that violate the more important Constitutional laws, than none of us are free. If money is the law, then the people are slaves to the government by artificially indebtedness, under the guise of freedom.

I have a duty to uphold the Constitutional laws that protect something more precious than all the money in the world, individual liberty from government incited private or public economic, physical or social burdens upon, but for the exercise of such Constitutional rights.

This Court's duty to uphold the same is even more stringent. The Constitution protects me from the Government, including the Courts from persecuting me for the exercise of my fundamental rights. Sameness is not fairness. Respecting people's individual liberty to believe, think, associate, live, exercise belief, and rights by the dictates of their conscience, no matter if it does not conform to the majority is a Constitutional duty of this court by its oath.

Even though, I oppose oaths on religious grounds, because of 13th Amend compelled slavery and other reasons, I assert current law under religious objections. App. P

In order to safeguard freedom, the government must let go of control. Allowing lawful disorder by the exercise of liberties and freedom creates in a world where not everyone is the same or chooses to believe the same or live the same is required. Otherwise, none are free. All are slaves to the conformed will of those with authority in private or public.

The government's duty is to care for people, while protecting the people's freedom, not control and exploit the people for material gain and productivity, under the guise of order and improving the man-made-unnatural economy.

The issues relating to government compelled self-incrimination by the reporting requirements and the case and controversy issues are capable of repetition, yet, evading review. This Court must in the interest of justice consider these Constitutional issues. Otherwise, no other Court may and violations of freedom for the convenience of the government backed private business partners will continue into infinity, sacrificing humans for business greed, not good.

VII. Self-Regulation

Self-regulation takes government out of the hands of the government and makes business above the law, by making business, and professionals desire for money, the law.

This biased self-regulation enslaves professionals to business greed, not good, not based on freedom in a fixed bad business economy.

Allowing Professionals to self-regulate, corrupts justice by tempting professionals to look after their own, at the cost of exploiting others, untamed by the just rule of law to prevent killing, stealing or destroying human life for what I argue is the mark of the beast, business greed. Professionals have a tendency to conceal their own misconduct to prevent harming their mere appearance, and reputation of their colleagues.

Self-regulation by deferring to professional standards causes injustice, by preventing courts from correcting professional standards that harm people.

As a child of God, I believe people sin by teaching man to blindly trust science, professionals, experts, research or innovation. I believe people are misled to harm by blindly trusting in man, the creature, the created and his creation, his scientific work, research, products and services as god and guide. Science is the mere study of things. When scientific speculation aka hypothesis are wrong and harm and kill people, such as bad medicine, the courts must have

the power to correct experts. Should the courts defer to experts, they wrongly make non-government businesses or entities through their experts the real ruling power. Entities may act unrestrained by the law to govern and guide it for the protection of citizens and individual liberties. This allows human sacrifice and slavery which is repugnant to my religious beliefs. US Const. Amend. XIII.

Perfection is not the standard, even for judges. Where there is humility, there is grace, improving the world here and in eternity. Where Government and government backed partners teach loyalty to profession, pride in profession, or position above loyalty to the Constitution, or where business is the law, there is lawlessness, by sacrificing people, and individual liberty for material gain.

This lawlessness, and corruption within government creates a threat of economic, physical or social persecution against my person and the public.

Partial forums, including this Courts, as applied against me as a party of one, and against the class of lawyers labeled disabled, and the professional Boards, focus on professions, guarantee lawless injustice by focus on money instead of caring for people and their individual liberty above money, productivity, costs and convenience.

The practice of law is not a mere business. The practice of law protects freedoms that are not for sale, by barter or exchange. Money is not the law. Selling a free people as subjects and slaves to gain money, material gain or to sacrifice to alleged Mother Earth for the lie of the common good, is not upholding the Constitutional laws that prevent slavery by upholding free exercise of liberties.

The practice of law requires independent, impartial, critically thinking judges who uphold people's Constitutionally protected freedoms to think, live, believe, exercise belief, associate by the dictates of their independent, individual conscience, not the dictates of money or professionals.

Injustice is guaranteed when a judicial determination is for sale, a matter of barter or exchange as opposed to truth under the law. This affords those without anything to exchange, except their souls to slavery in violation of the 13th Amendment, at a disadvantage, in violation of the Equal Protections Clause's protection of the poor, and common person's fundamental right to access to the courts. US Amend I, V, XIV The Courts must be more concerned with actual justice than the mere appearance of justice to serve their positions.

Self-regulation of attorneys, other Professions and judges is unconstitutional, making business above the law, by making the dictates of professionals, or bureaucrats within agencies, as opposed to laws enacted by congress people, checked by the vote of the people, the law

VIII Equal protections, due process and substantial due process claims as applied to me as a party of one and as applied to attorneys labeled disabled.

Per App H-P, I have good cause to contest the Third Circuit's reciprocating order. Nevertheless, the Third Circuit's rules deny me and other attorneys labeled disabled the Constitutional protections afforded to other disciplined attorneys to argue such cause. See R.A.D.E. Rules 6, 8 and 16.

On or about August 17, 2022, the Third Circuit filed an Order automatically transferring me to disabled inactive, without an opportunity to be heard on procedural defects. App B

The Third Circuit Court in Matter No. 22-8037 held “When she believes she should be reinstated, or if she desires to contest this transfer, formal reinstatement proceedings can be instituted. See R.A.D.E. Rules 16.3, 16.5.”

Under R.A.D.E. Rules 6 and 8, suspended and disbarred attorneys, in reciprocal and *ab initio* or other disciplinary proceedings are afforded more Constitutional protections than those adjudicated disabled/inactive.

I, individually, as a class of one, an attorney with unique religious-political beliefs, and as an attorney in the class of attorneys labeled disabled/inactive, receive fewer Constitutional protections in violation of the 5th Amendment’s Equal Protections component applicable to the Federal Courts, in the defense of my exercise of Fundamental First Amendment rights. US Amend I, V.

All other attorneys are afforded 30 days from the date of the Order to plead why the reciprocal discipline should not be adopted by its court, including procedural defects. R.A.D.E. Rules 6 and 8.

In my case, I have many arguments relating to substantive and procedural due process violations, lack of subject matter, and other arguments. (DI 9, App F-P)

I desired to argue the following, among other arguments:

“The imposition of discipline is unwarranted in this case. The record shows the procedure was so lacking in notice and opportunity to be heard as to constitute a deprivation of due process. There was such an infirmity of proof establishing the alleged misconduct as to give rise to the clear conviction that this Court could not, consistent with its duty, accept as final the conclusion on that subject. The imposition discipline by this Court would result in grave injustice.”

“The hearings and actions taken against my professional license in retaliation for my exercise of Constitutional rights, violate my 1st and 14th Amendment free exercise of religious beliefs, religious-political-speech, petition and association , the Procedural and Substantive Due Process Clause and Equal Protection Clauses Protections under the 1st of the 14th Amendments. They must be rejected as by “rule of law” rather than personal

vendetta for my personal religious-political speech contained in the petitions. (US Amend I, XIV)”

“The State denied me of substantive and procedural due process rights in the Delaware disciplinary proceeding, denying me meaningful access to the courts, preventing discovery, eliminating witnesses, sealing my petitions to the advantage of the state, and denying me the right to perform discovery to conceal Court misconduct in hiding material evidence in my favor.”

“The record shows clear and convincing evidence that the proceedings were brought, with religious-political animus, and poverty animus, in retaliation against me for filing *Kelly v Trump* and for petitioning the court regarding bar dues to safeguard my liberties.”

“The state courts are also without subject matter jurisdiction due to their conduct and interference with *Kelly v Trump*, to fix the outcome of that case and the Delaware Supreme Court’s participation in fixing the sham trial against me in the disciplinary action by violating my procedural and substantive due process rights rendering both the action voidable.”

“I have a right to petition the courts when I believe a transgression has been committed against me by the establishment of government religion. The secret proceeding against me reveals great injustice and shows the government seeks to be above the law, untamed by the just rule of law in my case.” Citing, App. Y, Numbers 8-13.

I am not able to make any of those arguments in a Motion in the Third Circuit. I, and the class of attorneys labeled disabled are denied the fundamental right to the opportunity to be heard on Constitutional defects of originating disciplinary orders in violation of the First and Fifth Amendment Due process and substantive due process components.

The Third Circuit Court prevented me from discussing procedural defects under R.A.D.E. Rule 16. I believe my claims warrant review, but the Court affords none in my case, nor any to the class of attorneys labeled disabled. R.A.D.E. Rule 16 violates the Equal Protections Clause by denying fundamental rights of the opportunity to be heard on Constitutional defects of the originating disciplinary order to a class of lawyers labeled disabled and to me as a class of one.

The Third Circuit Court cut off my electronic filing access for the reciprocal automatic matter 22-8037.

Additionally, the Third Circuit Court, in a separate order, indicated it would not consider any document I mailed in, unrelating to the Petitions it cited under R.A.D.E 16. App B

I admit R.A.D.E 16 (3) permits me to contest the Order, but requires it be contested concerning the material rulings without affording me Constitutional protections.

I, unlike suspended and disbarred lawyers, am not allowed to argue Constitutional and procedural defects. Id.

R.A.D.E. 13(3) further states “by bringing such a proceeding, the [disabled] attorney waives the doctor-patient privilege (and other similar privileges) regarding the disability.” This requires additional potentially embarrassing requirements, to the class of people adjudicated disabled.

I have religious objections to healthcare and mental healthcare. So, this increases a burden upon me uniquely, by potentially requiring I violate my First Amendment right to religious belief to regain my active license, to buy and sell as an attorney, in reciprocal punishment for the exercise of my First Amendment rights of speech, belief, exercise of belief, association and petition. US Amend I.

Under R.A.D.E. 16.5, the Court permits me to argue “that the disability has been removed and the attorney is fit to resume the practice of law.”

However, I am not disabled, and was wrongly labeled disabled as punishment for the exercise of fundamental rights and to cover up the Delaware Supreme Court and its agents’ misconduct. There never was a disability to remove.

The protections under R.A.D.E. R. 6 must be extended to attorneys adjudicated disabled inactive. The discriminatory elimination of Constitutional rights to a class of people labeled disabled, potentially a more vulnerable class is unfair.

The elimination of the Constitutional right to petition to contest reciprocating orders based on constitutional defects under R.A.D.E. R. 16 is unconstitutional as applied to me, and as applied to lawyers labeled disabled. Since, they unlike other lawyers are selectively denied procedural due process regarding Constitutional and procedural defects.

“Even in applying permissible standards, officers of the State cannot exclude an applicant when there is no basis for their finding that he fails to meet these standards, or when their action is invidiously discriminatory, ”by denial of fundamental rights, including the opportunity to be heard. *Schwartz v. Board of Bar Examiners*, 353 U.S. 232 (1957)

This Court held, “A State cannot exclude a person from the practice of law or from any other occupation in a manner or for reasons that contravene the Due Process Clause of the Fourteenth Amendment. ” *Schwartz v. Board of Bar Examiners*, 353 U.S. 232 (1957)

The Federal Court cannot similarly exclude me or the class of attorneys labeled a disabled for reasons that contravene the First and Fifth Amendment component of procedural and substantive due process.

I argue R.A.D.E. R. 16 contravenes the First and Fifth Amendment component of procedural and substantive due process as applied to the Third Circuit, as applied and per se.

The Order below must be overturned, and Rule 16 must be deemed unconstitutional by denying a class of attorneys Constitutional rights afforded to other attorneys, based on the invidious label of disability.

This issue is capable of repetition, yet evading review. *Wisconsin Dept. of Industry v. Gould Inc.*, 475 U.S. 282, 286 n.3 (1986).

The form of loss of First Amendment rights and my property interest in my license without an opportunity to contest a sham proceeding is unconstitutional.

A lawyer's right, my right to pursue the profession of my choice constitutes a property protected by the due process clause of the Fifth Amendment, and of which I cannot be deprived for any whimsical, capricious or unreasonable cause, including the state's disagreement with my religious-political beliefs. I and the class of attorneys labeled as disabled should not be denied the right to petition and the opportunity to be heard afforded to other attorneys disbarred and suspended without a compelling interest necessary and more important than elimination of the First and Fifth Amendment fundamental right to petition.

It is the opportunity to be heard I seek to protect, not the guarantee. If only certain people are protected by the courts there is partiality towards those deemed worthy of justice while the least of these are guaranteed injustice.

IX. Urgency, threat of death or harm to health

My life is in danger. Courts failure to grant accommodations in the form of time to sustain my health due to my unique physical needs have needlessly created a government compelled threat to my physical health. App AA. In two forums I filed pleadings relating to the fact I collapsed and could not stand at the post office because I am not afforded an accommodation in the form of time to care for my health. I certainly do not want to die because judges heartlessly do not desire to be inconvenienced with my defense of Jesus Christ. I plead the right to live on religious grounds as a religious exercise.

My life is in danger. People threw things on my car. App BB. People talked about shooting me as I noted in the attached Facebook post, admissible under present sense impression should anything worse happen to me. Id. DI 9

Both democrats and republican lobbyists who control the other two branches are not pleased with me. App EE. I proposed five articles of impeachment to use for President Trump. Additionally, I filed a lawsuit against the democrats to run for office without violating my religious beliefs by collecting signatures and money to pay the election office's fee. Id. I do not want to be controlled by those who give signatures and money, no longer free to do what is right by unconditionally loving and serving all, not merely those who seek to enslave me. Id. App FF.

Your branch is the only free, impartial not bought branch. by donations, signatures or otherwise. Without preserving your freedom from bias towards regulators, none are free. Even if I am eliminated, please use this case to prevent the elimination of the Courts. Please save these United States, even if you do not choose to save me. I file this in haste, imperfectly to preserve my rights, and to preserve the courts.

CONCLUSION

Wherefore, I pray this Court grants this petition, vacates the order below under and grants any relief this court deems just.

Dated: 1/12/2023

Respectfully Submitted,

/s/Meghan Kelly
Meghan Kelly, Esquire
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302-493-6693

US Supreme Court Number 283696

Under religious protest as declaring and swearing violates God's teachings
in the Bible, I declare, affirm that the foregoing statement is true and correct
under the penalty of perjury.

Dated: 1/12/23
Meghan Kelly (printed)
Meghan Kelly (signed)