

APPENDIX 1-a

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Cons. Amend. 1

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, ... or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

U.S. Const. Amend. V Due Process and the Equal protection component

“No person shall be ... deprived of life, liberty, or property, without due process of law;” U.S. Const. amend. V

U.S. Const. Amend. XIII § 1

“Neither slavery nor involuntary servitude ... shall exist within the United States, or any place subject to their jurisdiction.”

U.S. Const. amend. XIV, § 1, Due Process

“nor shall any State deprive any person of life, liberty, or property, without due process of law”

U.S. Const. amend. XIV § 1, Equal Protection component

“nor deny to any person within its jurisdiction the equal protection of the laws.”

RULES

Supreme Court Rule 23

Rule 23. Stays

- “1. A stay may be granted by a Justice as permitted by law.
2. A party to a judgment sought to be reviewed may present to a Justice an application to stay the enforcement of that judgment. See 28 U. S. C. § 2101(f).
3. An application for a stay shall set out with particularity why the relief sought is not available from any other court

or judge. Except in the most **extraordinary circumstances**, an application for a stay will not be entertained unless the relief requested was first sought in the appropriate court or courts below or from a judge or judges thereof. An application for a stay shall identify the judgment sought to be reviewed and have appended thereto a copy of the order and opinion, if any, and a copy of the order, if any, of the court or judge below denying the relief sought, and shall set out specific reasons why a stay is justified. The form and content of an application for a stay are governed by Rules 22 and 33.2.

4. A judge, court, or Justice granting an application for a stay pending review by this Court may condition the stay on the filing of a supersedeas bond having an approved surety or sureties. The bond will be conditioned on the satisfaction of the judgment in full, together with any costs, interest, and damages for delay that may be awarded. If a part of the judgment sought to be reviewed has already been satisfied, or is otherwise secured, the bond may be conditioned on the satisfaction of the part of the judgment not otherwise secured or satisfied, together with costs, interest, and damages.”

STATUTES

28 U.S.C. § 1254 (1)

“(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree.”

28 U. S. C. § 2101(e)

(e) An application to the Supreme Court for a writ of certiorari to review a case before judgment has been rendered in the court of appeals may be made at any time before judgment.

42 U.S.C. § 1983

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

42 U.S.C. § 1985 (2) Intimidating a party (2) Obstructing justice; intimidating party, witness, or juror

“If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws”

42 U.S.C. § 1985 (3) Depriving persons of rights or privileges

“If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in

this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

42 U.S.C. § 1988

(a) Applicability of statutory and common law

The jurisdiction in civil and criminal matters conferred on the district courts by the provisions of titles 13, 24, and 70 of the Revised Statutes for the protection of all persons in the United States in their civil rights, and for their vindication, shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where they are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offenses against law, the common law, as modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of such civil or criminal cause is held, so far as the same is not inconsistent with the Constitution and laws of the United States, shall be extended to and govern the said courts in the trial and disposition of the cause, and, if it is of a criminal nature, in the infliction of punishment on the party found guilty.

(b) Attorney's fees

In any action or proceeding to enforce a provision of sections 1981, 1981a, 1982, 1983, 1985, and 1986 of this title, title IX of Public Law 92-318 [20 U.S.C. 1681 et seq.], the Religious Freedom Restoration Act of 1993 [42 U.S.C. 2000bb et seq.], the Religious Land Use and Institutionalized Persons Act of 2000 [42 U.S.C. 2000cc et seq.], title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], or section 12361 of title 34, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity such officer shall not be held liable for any costs, including attorney's fees, unless such action was clearly in excess of such officer's jurisdiction.

(c) Expert fees

In awarding an attorney's fee under subsection (b) in any action or proceeding to enforce a provision of section 1981 or 1981a of this title, the court, in its discretion, may include expert fees as part of the attorney's fee.

42 U.S.C. § 1988

42 USCS § 2000bb

“(a) Findings. The Congress finds that—

- (1) the framers of the Constitution, recognizing free exercise of religion as an unalienable right, secured its protection in the First Amendment to the Constitution;
- (2) laws “neutral” toward religion may burden religious exercise as surely as laws intended to interfere with religious exercise;
- (3) governments should not substantially burden religious exercise without compelling justification;
- (4) in *Employment Division v. Smith*, 494 U.S. 872 (1990) the Supreme Court virtually eliminated the requirement that the government justify burdens on religious exercise imposed by laws neutral toward religion; and
- (5) the compelling interest test as set forth in prior Federal court rulings is a workable test for striking sensible balances between religious liberty and competing prior governmental interests.

(b) Purposes. The purposes of this Act are—

- (1) to restore the compelling interest test as set forth in *Sherbert v. Verner*, 374 U.S. 398 (1963) and *Wisconsin v. Yoder*, 406 U.S. 205 (1972) and to guarantee its application in all cases where free exercise of religion is substantially burdened; and
- (2) to provide a claim or defense to persons whose religious exercise is substantially burdened by government.”

42 USCS § 2000bb-1,

“(a) In general. Government shall not substantially burden a person’s exercise of religion even if the burden results from a rule of general applicability, except as provided in subsection (b).

(b) Exception. Government may substantially burden a person’s exercise of religion only if it demonstrates that application of the burden to the person—

- (1) is in furtherance of a compelling governmental interest; and
- (2) is the least restrictive means of furthering that compelling governmental interest.

(c) Judicial relief. A person whose religious exercise has been burdened in violation of this section may assert that violation as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. Standing to assert a claim or defense

under this section shall be governed by the general rules of standing under article III of the Constitution.”

42 USCS § 2000bb-2,

“As used in this Act—

- (1) the term “government” includes a branch, department, agency, instrumentality, and official (or other person acting under color of law) of the United States, or of a covered entity;
- (2) the term “covered entity” means the District of Columbia, the Commonwealth of Puerto Rico, and each territory and possession of the United States;
- (3) the term “demonstrates” means meets the burdens of going forward with the evidence and of persuasion; and
- (4) the term “exercise of religion” means religious exercise, as defined in section 8 of the Religious Land Use and Institutionalized Persons Act of 2000 [42 USCS § 2000cc-5].”

42 USCS § 2000bb-3,

(a) In general. This Act applies to all Federal law, and the implementation of that law, whether statutory or otherwise, and whether adopted before or after the enactment of this Act [enacted Nov. 16, 1993].

(b) Rule of construction. Federal statutory law adopted after the date of the enactment of this Act [enacted Nov. 16, 1993] is subject to this Act unless such law explicitly excludes such application by reference to this Act.

(c) Religious belief unaffected. Nothing in this Act shall be construed to authorize any government to burden any religious belief.”

42 USCS § 2000bb-4

“Nothing in this Act shall be construed to affect, interpret, or in any way address that portion of the First Amendment prohibiting laws respecting the establishment of religion (referred to in this section as the “Establishment Clause”). Granting government funding, benefits, or exemptions, to the extent permissible under the Establishment Clause, shall not constitute a violation of this Act. As used in this section, the term “granting”, used with respect to government funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.”

Executive Orders

Executive Orders by President Biden

Ex. Or. 14015, 86 Fed. Reg 10007, Feb. 14, 2021:

“Exec. Order No. 14015, 86 FR 10007, 2021 WL 616701(Pres.)
Executive Order 14015

Establishment of the White House Office of Faith-Based and Neighborhood Partnerships

February 14, 2021

“By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to better serve people in need through partnerships with civil society, while preserving our fundamental constitutional commitments, it is hereby ordered:

Section 1. Policy. Faith-based and other community-serving organizations are vital to our Nation’s ability to address the needs of, and lift up, low-income and other underserved persons and communities, notably including persons of color. The American people are key drivers of fundamental change in our country, and few institutions are closer to the people than our faith-based and other community organizations. It is important that the Federal Government strengthen the ability of such organizations and other nonprofit providers in our communities to deliver services effectively in partnership with Federal, State, and local governments and with other private organizations, while preserving our fundamental constitutional commitments guaranteeing the equal protection of the laws and the free exercise of religion and forbidding the establishment of religion. The Federal Government can preserve these fundamental commitments while empowering faith-based and secular organizations to assist in the delivery of vital services in our neighborhoods. These partnerships are also vital for the success and effectiveness of the United States’ diplomatic, international development, and humanitarian work around the world.

Sec. 2. Establishment. There is established a White House Office of Faith-Based and Neighborhood Partnerships (White House Partnerships Office) within the Executive Office of the President, supported by the Domestic Policy Council and the Office of Public Engagement, that will have lead responsibility in the executive branch for establishing policies, priorities, and objectives for the Federal Government’s comprehensive effort to enlist, equip, enable, empower, and expand the work of community-serving organizations, both faith-based and secular, to the extent permitted by law.

Sec. 3. Functions. The principal functions of the White House Partnerships Office are, to the extent permitted by law:

- (a) to assist in organizing more effective efforts to serve people in need across the country and around the world, in partnership with civil society, including faith-based and secular organizations;
- (b) to develop, lead, and coordinate the Administration’s policy agenda affecting faith-based and other community programs and initiatives and to optimize the role of such efforts in communities;
- (c) to ensure that policy decisions and programs throughout the Federal Government are

consistent with the policy set forth in section 1 of this order with respect to faith-based and other community initiatives;

(d) to bring concerns, ideas, and policy options to Administration leadership for assisting, strengthening, and replicating partnerships, whether financial or nonfinancial, with faith-based and other community organizations; and

(e) to promote awareness among diverse civil society leaders of opportunities to partner both financially and otherwise with the Federal Government to serve people in need and to build institutional capacity.

Sec. 4. Administration. (a) The White House Partnerships Office may make use of established or ad hoc committees, task forces, or interagency groups.

(b) The White House Partnerships Office shall be led by an Executive Director and a Deputy Director. The operations of the White House Partnerships Office shall begin within 30 days of the date of this order.

(c) The White House Partnerships Office shall coordinate with the liaison and point of contact designated by each executive department and agency (agency) with respect to this initiative.

(d) All agencies shall cooperate with the White House Partnerships Office and provide such information, support, and assistance to the White House Partnerships Office as it may request, to the extent permitted by law.

(e) In order to ensure that Federal programs and practices involving grants or contracts to faith-based organizations are consistent with applicable law, the Executive Director of the White House Partnerships Office, acting through the Counsel to the President, may seek the opinion of the Attorney General on any constitutional and statutory questions involving existing or prospective programs and practices.

Sec. 5. Amendments to Executive Orders. (a) Executive Order 13198 of January 29, 2001 (Agency Responsibilities With Respect to Faith-Based and Community Initiatives); Executive Order 13279 of December 12, 2002 (Equal Protection of the Laws for Faith-Based and Community Organizations), as amended by Executive Order 13559 of November 17, 2010 (Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations); Executive Order 13280 of December 12, 2002 (Responsibilities of the Department of Agriculture and the Agency for International Development With Respect to Faith-Based and Community Initiatives); Executive Order 13342 of June 1, 2004 (Responsibilities of the Departments of Commerce and Veterans Affairs and the Small Business Administration With Respect to Faith-Based and Community Initiatives); and Executive Order 13397 of March 7, 2006 (Responsibilities of the Department of Homeland Security With Respect to Faith-Based and Community Initiatives), are amended by:

(i) substituting “White House Office of Faith-Based and Neighborhood Partnerships” for “White House Office of Faith-Based and Community Initiatives” and “White House Faith and Opportunity Initiative” each time they appear in those orders;

(ii) substituting “White House Office of Faith-Based and Neighborhood Partnerships” for “White House OFBCI” each time it appears in those orders;

- (iii) substituting “Centers for Faith-Based and Neighborhood Partnerships” for “Centers for Faith-Based and Community Initiatives” and “Centers for Faith and Opportunity Initiatives” each time they appear in those orders; and
- (iv) substituting “Center for Faith-Based and Neighborhood Partnerships” for “Center for Faith-Based and Community Initiatives” and “Center for Faith and Opportunity Initiatives” each time they appear in those orders.

(b) Executive Order 13397, as amended, is further amended by substituting, in section 1(b), “the Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships (Executive Director)” for “the Director of the White House Office of Faith-Based and Community Initiatives (WHOFBCI Director)” and by substituting “Executive Director” for “WHOFBCI Director” each time it appears in the order.

Sec. 6. Revocation. Executive Order 13831 of May 3, 2018 (Establishment of a White House Faith and Opportunity Initiative), is revoked.

Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE, February 14, 2021.

Exec. Order No. 1401586 FR 100072021 WL 616701(Pres.)”

Executive Orders by President Trump

Ex. Or. No. 13798, 82 Fed. Reg. 21675, May 4, 2017

“By the authority vested in me as President by the Constitution and the laws of the United States of America, in order to guide the executive branch in formulating and implementing policies with implications for the religious liberty of persons and

organizations in America, and to further compliance with the Constitution and with applicable statutes and Presidential Directives, it is hereby ordered as follows:

Section 1. Policy. It shall be the policy of the executive branch to vigorously enforce Federal law's robust protections for religious freedom. The Founders envisioned a Nation in which religious voices and views were integral to a vibrant public square, and in which religious people and institutions were free to practice their faith without fear of discrimination or retaliation by the Federal Government. For that reason, the United States Constitution enshrines and protects the fundamental right to religious liberty as Americans' first freedom. Federal law protects the freedom of Americans and their organizations to exercise religion and participate fully in civic life without undue interference by the Federal Government. The executive branch will honor and enforce those protections.

Sec. 2. Respecting Religious and Political Speech. All executive departments and agencies (agencies) shall, to the greatest extent practicable and to the extent permitted by law, respect and protect the freedom of persons and organizations to engage in religious and political speech. In particular, the Secretary of the Treasury shall ensure, to the extent permitted by law, that the Department of the Treasury does not take any adverse action against any individual, house of worship, or other religious organization on the basis that such individual or organization speaks or has spoken about moral or political issues from a religious perspective, where speech of similar character has, consistent with law, not ordinarily been treated as participation or intervention in a political campaign on behalf of (or in opposition to) a candidate for public office by the Department of the Treasury. As used in this section, the term "adverse action" means the imposition of any tax or tax penalty; the delay or denial of tax-exempt status; the disallowance of tax deductions for contributions made to entities exempted from taxation under section 501(c)(3) of title 26, United States Code; or any other action that makes unavailable or denies any tax deduction, exemption, credit, or benefit.

Sec. 3. Conscience Protections with Respect to Preventive-Care Mandate. The Secretary of the Treasury, the Secretary of Labor, and the Secretary of Health and Human Services shall consider issuing amended regulations, consistent with applicable law, to address conscience-based objections to the preventive-care mandate promulgated under section 300gg-13(a)(4) of title 42, United States Code.

Sec. 4. Religious Liberty Guidance. In order to guide all agencies in complying with relevant Federal law, the Attorney General shall, as appropriate, issue guidance interpreting religious liberty protections in Federal law.

Sec. 5. Severability. If any provision of this order, or the application of any provision to any individual or circumstance, is held to be invalid, the remainder of this order and the application of its other provisions to any other individuals or circumstances shall not be affected thereby.

Sec. 6. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

/S/ Donald J. Trump

THE WHITE HOUSE,

May 4, 2017.

[FR Doc. 2017-09574 Filed 5-8-17; 11:15 am]

Billing code 3295-F7-P”

Ex Or. No. 13831, 83 Fed. Reg. 20715, May 3, 2018

“Exec. Order No. 13831, 83 FR 20715, 2018 WL 2100010(Pres.)
Executive Order 13831

Establishment of a White House Faith and Opportunity Initiative

May 3, 2018

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to assist faith-based and other organizations in their efforts to strengthen the institutions of civil society and American families and communities, it is hereby ordered as follows:

Section 1. Policy. Faith-based and community organizations have tremendous ability to serve individuals, families, and communities through means that are different from those of government and with capacity that often exceeds that of government. These organizations lift people up, keep families strong, and solve problems at the local level. The executive branch wants faith-based and community organizations, to the fullest opportunity permitted by law, to compete on a level playing field for grants, contracts, programs, and other Federal funding opportunities. The efforts of faith-based and community organizations are essential to revitalizing communities, and the Federal Government welcomes opportunities to partner with such organizations through innovative, measurable, and outcome-driven initiatives.

Sec. 2. Amendments to Executive Orders. (a) Executive Order 13198 of January 29, 2001

(Agency Responsibilities With Respect to Faith-Based and Community Initiatives), Executive Order 13279 of December 12, 2002 (Equal Protection of the Laws for Faith-Based and Community Organizations), as amended by Executive Order 13559 of November 17, 2010 (Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations), Executive Order 13280 of December 12, 2002 (Responsibilities of the Department of Agriculture and the Agency for International Development With Respect to Faith-Based and Community Initiatives), Executive Order 13342 of June 1, 2004 (Responsibilities of the Departments of Commerce and Veterans Affairs and the Small Business Administration with Respect to Faith-Based and Community Initiatives), and Executive Order 13397 of March 7, 2006 (Responsibilities of the Department of Homeland Security With Respect to Faith-Based and Community Initiatives), are hereby amended by:

- (i) substituting “White House Faith and Opportunity Initiative” for “White House Office of Faith-Based and Community Initiatives” each time it appears in those orders;
- (ii) substituting “White House Faith and Opportunity Initiative” for “White House OFBCI” each time it appears in those orders;
- (iii) substituting “Centers for Faith and Opportunity Initiatives” for “Centers for Faith-Based and Community Initiatives” each time it appears in those orders; and
- (iv) substituting “White House Faith and Opportunity Initiative” for “Office of Faith-Based and Neighborhood Partnerships” each time it appears in those orders.

(b) Executive Order 13279, as amended, is further amended by striking section 2(h) and redesignating sections 2(i) and 2(j) as sections 2(h) and 2(i), respectively.

Sec. 3. White House Faith and Opportunity Initiative. (a) There is established within the Executive Office of the President the White House Faith and Opportunity Initiative (Initiative).

- (i) The Initiative shall be headed by an Advisor to the White House Faith and Opportunity Initiative (Advisor). The Advisor shall be housed in the Office of Public Liaison and shall work with that office and the Domestic Policy Council, in consultation with the Centers for Faith-Based and Community Initiatives established by Executive Order 13198, Executive Order 13280, Executive Order 13342, and Executive Order 13397, to implement this order.
- (ii) The Initiative shall, from time to time and consistent with applicable law, consult with and seek information from experts and various faith and community leaders from outside the Federal Government, including those from State, local, and tribal governments, identified by the Office of Public Liaison, the Domestic Policy Council, and the Centers for Faith and Opportunity Initiatives. These experts and leaders shall be identified based on their expertise in a broad range of areas in which faith-based and community organizations operate, including poverty alleviation, religious liberty, strengthening

marriage and family, education, solutions for substance abuse and addiction, crime prevention and reduction, prisoner reentry, and health and humanitarian services.

(iii) The Advisor shall make recommendations to the President, through the Assistant to the President for Domestic Policy, regarding changes to policies, programs, and practices that affect the delivery of services by faith-based and community organizations.

(iv) Executive departments and agencies (agencies) that lack a Center for Faith and Opportunity Initiative shall designate a Liaison for Faith and Opportunity Initiatives as a point of contact to coordinate with the Advisor in carrying out this order.

(v) All agencies shall, to the extent permitted by law, provide such information, support, and assistance to the Initiative as it may request to develop public policy proposals.

(b) To the extent permitted by law, the Initiative shall:

(i) periodically convene meetings with the individuals described in section 3(a)(ii) of this order;

(ii) periodically convene meetings with representatives from the Centers for Faith and Opportunity Initiatives and other representatives from across agencies as the Advisor may designate;

(iii) provide recommendations regarding aspects of my Administration's policy agenda that affect faith-based and community programs and initiatives;

(iv) help integrate those aspects of my Administration's policy agenda that affect faith-based and other community organizations throughout the Federal Government;

(v) showcase innovative initiatives by faith-based and community organizations that serve and strengthen individuals, families, and communities throughout the United States;

(vi) notify the Attorney General, or his designee, of concerns raised by faith-based and community organizations about any failures of the executive branch to comply with protections of Federal law for religious liberty as outlined in the Attorney General's Memorandum of October 6, 2017 (Federal Law Protections for Religious Liberty), issued pursuant to Executive Order 13798 of May 4, 2017 (Promoting Free Speech and Religious Liberty); and

(vii) identify and propose means to reduce, in accordance with Executive Order 13798 and the Attorney General's Memorandum of October 6, 2017, burdens on the exercise of religious convictions and legislative, regulatory, and other barriers to the full and active engagement of faith-based and community organizations in Government-funded or Government-conducted activities and programs.

Sec. 4. Revocation of Executive Orders. Executive Order 13199 of January 29, 2001

(Establishment of White House Office of Faith-Based and Community Initiatives), and Executive Order 13498 of February 5, 2009 (Amendments to Executive Order 13199 and Establishment of the President's Advisory Council for Faith-Based and Neighborhood Partnerships), are hereby revoked.

Sec. 5. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE, May 3, 2018.

Exec. Order No. 1383183 FR 207152018 WL 2100010(Pres.)"

Executive Orders by President Obama

Ex. Or. No. 13559, 75 Fed. Reg. 71319, Nov. 17, 2010.

"Exec. Order No. 13559, 75 FR 71319, 2010 WL 4688680(Pres.)
Executive Order 13559

Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations

November 17, 2010

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to guide Federal agencies in formulating and developing policies with implications for faith-based and other neighborhood organizations, to promote compliance with constitutional and other applicable legal principles, and to strengthen the capacity of faith-based and other neighborhood organizations to deliver services effectively to those in need, it is hereby ordered:

Section 1. Amendments to Executive Order 13279. Executive Order 13279 of December 12, 2002 (Equal Protection of the Laws for Faith-Based and Community Organizations), as amended, is hereby further amended:

- (a) in section 1, by striking subsection (e), and inserting in lieu thereof the following:
"(e) 'Specified agency heads' means:

- (i) the Attorney General;
- (ii) the Secretary of Agriculture;
- (iii) the Secretary of Commerce;
- (iv) the Secretary of Labor;
- (v) the Secretary of Health and Human Services;
- (vi) the Secretary of Housing and Urban Development;
- (vii) the Secretary of Education;
- (viii) the Secretary of Veterans Affairs;
- (ix) the Secretary of Homeland Security;
- (x) the Administrator of the Environmental Protection Agency;
- (xi) the Administrator of the Small Business Administration;
- (xii) the Administrator of the United States Agency for International Development; and
- (xiii) the Chief Executive Officer of the Corporation for National and Community Service.”;

(b) by striking section 2, and inserting in lieu thereof the following:

“Sec. 2. Fundamental Principles. In formulating and implementing policies that have implications for faith-based and other neighborhood organizations, agencies that administer social service programs or that support (including through prime awards or sub-awards) social service programs with Federal financial assistance shall, to the extent permitted by law, be guided by the following fundamental principles:

- (a) Federal financial assistance for social service programs should be distributed in the most effective and efficient manner possible.
- (b) The Nation’s social service capacity will benefit if all eligible organizations, including faith-based and other neighborhood organizations, are able to compete on an equal footing for Federal financial assistance used to support social service programs.

The President

- (c) No organization should be discriminated against on the basis of religion or religious belief in the administration or distribution of Federal financial assistance under social service programs.
- (d) All organizations that receive Federal financial assistance under social service programs should be prohibited from discriminating against beneficiaries or prospective beneficiaries of the social service programs on the basis of religion or religious belief. Accordingly, organizations, in providing services supported in whole or in part with Federal financial assistance, and in their outreach activities related to such services, should not be allowed to discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.
- (e) The Federal Government must implement Federal programs in accordance with the Establishment Clause and the Free Exercise Clause of the First Amendment to the United States Constitution, as well as other applicable law, and must monitor and enforce standards regarding the relationship between religion and government in ways that avoid excessive entanglement between religious bodies and governmental entities.

(f) Organizations that engage in explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) must perform such activities and offer such services outside of programs that are supported with direct Federal financial assistance (including through prime awards or sub-awards), separately in time or location from any such programs or services supported with direct Federal financial assistance, and participation in any such explicitly religious activities must be voluntary for the beneficiaries of the social service program supported with such Federal financial assistance.

(g) Faith-based organizations should be eligible to compete for Federal financial assistance used to support social service programs and to participate fully in the social service programs supported with Federal financial assistance without impairing their independence, autonomy, expression outside the programs in question, or religious character. Accordingly, a faith-based organization that applies for, or participates in, a social service program supported with Federal financial assistance may retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use direct Federal financial assistance that it receives (including through a prime award or sub-award) to support or engage in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization), or in any other manner prohibited by law. Among other things, faith-based organizations that receive Federal financial assistance may use their facilities to provide social services supported with Federal financial assistance, without removing or altering religious art, icons, scriptures, or other symbols from these facilities. In addition, a faith-based organization that applies for, or participates in, a social service program supported with Federal financial assistance may retain religious terms in its name, select its board members on a religious basis, and include religious references in its organization's mission statements and other chartering or governing documents.

(h) Each agency responsible for administering or awarding Federal financial assistance for social service programs shall offer protections for beneficiaries of such programs pursuant to the following principles:

(i) **Referral to an Alternative Provider.** If a beneficiary or prospective beneficiary of a social service program supported by Federal financial assistance objects to the religious character of an organization that provides services under the program, that organization shall, within a reasonable time after the date of the objection, refer the beneficiary to an alternative provider.

(ii) **Agency Responsibilities.** Each agency responsible for administering a social service program or supporting a social service program with *71321 Federal financial assistance shall establish policies and procedures designed to ensure that (1) appropriate and timely referrals are made to an alternative provider; (2) all referrals are made in a manner consistent with all applicable privacy laws and regulations; (3) the organization subject to

subsection (h)(i) notifies the agency of any referral; (4) such organization has established a process for determining whether the beneficiary has contacted the alternative provider; and (5) each beneficiary of a social service program receives written notice of the protections set forth in this subsection prior to enrolling in or receiving services from such program.

(i) To promote transparency and accountability, agencies that provide Federal financial assistance for social service programs shall post online, in an easily accessible manner, regulations, guidance documents, and policies that reflect or elaborate upon the fundamental principles described in this section. Agencies shall also post online a list of entities that receive Federal financial assistance for provision of social service programs, consistent with law and pursuant to guidance set forth in paragraph (c) of section 3 of this order.

(j) Decisions about awards of Federal financial assistance must be free from political interference or even the appearance of such interference and must be made on the basis of merit, not on the basis of the religious affiliation of a recipient organization or lack thereof.”;

(c) by striking section 3, and inserting in lieu thereof the following:

“Sec. 3. Ensuring Uniform Implementation Across the Federal Government.

In order to promote uniformity in agencies’ policies that have implications for faith-based and other neighborhood organizations and in related guidance, and to ensure that those policies and guidance are consistent with the fundamental principles set forth in section 2 of this order, there is established an Interagency Working Group on Faith-Based and Other Neighborhood Partnerships (Working Group).

(a) **Mission and Function of the Working Group.** The Working Group shall meet periodically to review and evaluate existing agency regulations, guidance documents, and policies that have implications for faith-based and other neighborhood organizations. Where appropriate, specified agency heads shall, to the extent permitted by law, amend all such existing policies of their respective agencies to ensure that they are consistent with the fundamental principles set forth in section 2 of this order.

(b) **Uniform Agency Implementation.** Within 120 days of the date of this order, the Working Group shall submit a report to the President on amendments, changes, or additions that are necessary to ensure that regulations and guidance documents associated with the distribution of Federal financial assistance for social service programs are consistent with the fundamental principles set forth in section 2 of this order. The Working Group’s report should include, but not be limited to, a model set of regulations and guidance documents for agencies to adopt in the following areas:

(i) prohibited uses of direct Federal financial assistance and separation requirements; (ii) protections for religious identity; (iii) the distinction between “direct” and “indirect” Federal financial assistance; (iv) protections for beneficiaries of social service programs; (v) transparency requirements, consistent with and in furtherance of existing open

government initiatives; (vi) obligations of nongovernmental and governmental intermediaries; (vii) instructions for peer reviewers and those who recruit peer reviewers; and (viii) training on these matters for government employees and for Federal, State, and local governmental and nongovernmental organizations that receive Federal financial assistance under social service programs. In developing this report and in reviewing agency regulations and guidance for consistency with section 2 of this order, the Working Group shall consult the March 2010 report and recommendations prepared by the President's Advisory Council on Faith-Based and Neighborhood Partnerships on the topic of reforming the Office of Faith-Based and Neighborhood Partnerships.

(c) **Guidance.** The Director of the Office of Management and Budget (OMB), following receipt of a copy of the report of the Working Group, and in coordination with the Department of Justice, shall issue guidance to agencies on the implementation of this order, including in particular subsections 2(h)-(j).

(d) **Membership of the Working Group.** The Director of the Office of Faith-Based and Neighborhood Partnerships and a senior official from the OMB designated by the Director of the OMB shall serve as the Co-Chairs of the Working Group. The Co-Chairs shall convene regular meetings of the Working Group, determine its agenda, and direct its work. In addition to the Co-Chairs, the Working Group shall consist of a senior official with knowledge of policies that have implications for faith-based and other neighborhood organizations from the following agencies and offices:

- (i) the Department of State;
- (ii) the Department of Justice;
- (iii) the Department of the Interior;
- (iv) the Department of Agriculture;
- (v) the Department of Commerce;
- (vi) the Department of Labor;
- (vii) the Department of Health and Human Services;
- (viii) the Department of Housing and Urban Development;
- (ix) the Department of Education;
- (x) the Department of Veterans Affairs;
- (xi) the Department of Homeland Security;
- (xii) the Environmental Protection Agency;
- (xiii) the Small Business Administration;
- (xiv) the United States Agency for International Development;
- (xv) the Corporation for National and Community Service; and
- (xvi) other agencies and offices as the President, from time to time, may designate.

(e) **Administration of the Initiative.** The Department of Health and Human Services shall provide funding and administrative support for the Working Group to the extent permitted by law and within existing appropriations.”; and

(d) by striking in the title, preamble, and section 1(c), “community” and inserting in lieu thereof “other neighborhood”.

Sec. 2. General Provisions.

- (a) This order amends the requirements contained in Executive Order 13279. This order supplements, but does not supersede, the requirements contained in Executive Orders 13198 and 13199 of January 29, 2001, and Executive Order 13498 of February 5, 2009.
- (b) Nothing in this order shall be construed to impair or otherwise affect:
 - (i) authority granted by law to an executive department, agency, or the head thereof; or
 - (ii) functions of the Director of the OMB relating to budgetary, administrative, or legislative proposals.
- (c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

THE WHITE HOUSE ,November 17, 2010.

Exec. Order No. 1355975 FR 713192010 WL 4688680(Pres.)"

Executive Orders by President Bush, Junior

Ex. Or. No. 13198, 66 Fed. Reg. 8497, Jan. 29, 2001, as amended by Ex. Or. 14015, 86 Fed. Reg 10007, Feb. 14, 2021.

"66 FR 8497, Exec. Order No. 13198, 2001 WL 34773628(Pres.)
Executive Order 13198

Agency Responsibilities With Respect to Faith-Based and Community Initiatives

January 29, 2001

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America's communities, it is hereby ordered as follows:

Section 1. Establishment of Executive Department Centers for Faith-Based and Community Initiatives. (a) The Attorney General, the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, and the Secretary of Housing and Urban Development shall each establish within their respective departments a Center for Faith-Based and Community Initiatives (Center).

(b) Each executive department Center shall be supervised by a Director, appointed by the department head in consultation with the White House Office of Faith-Based and Community Initiatives (White House OFBCI).

(c) Each department shall provide its Center with appropriate staff, administrative support,

and other resources to meet its responsibilities under this order.

(d) Each department's Center shall begin operations no later than 45 days from the date of this order.

Sec. 2. Purpose of Executive Department Centers for Faith-Based and Community Initiatives. The purpose of the executive department Centers will be to coordinate department efforts to eliminate regulatory, contracting, and other programmatic obstacles to the participation of faith-based and other community organizations in the provision of social services.

Sec. 3. Responsibilities of Executive Department Centers for Faith-Based and Community Initiatives. Each Center shall, to the extent permitted by law:

- (a) conduct, in coordination with the White House OFBCI, a department-wide audit to identify all existing barriers to the participation of faith-based and other community organizations in the delivery of social services by the department, including but not limited to regulations, rules, orders, procurement, and other internal policies and practices, and outreach activities that either facially discriminate against or otherwise discourage or disadvantage the participation of faith-based and other community organizations in Federal programs;
- (b) coordinate a comprehensive departmental effort to incorporate faith-based and other community organizations in department programs and initiatives to the greatest extent possible;
- (c) propose initiatives to remove barriers identified pursuant to section 3(a) of this order, including but not limited to reform of regulations, procurement, and other internal policies and practices, and outreach activities;
- (d) propose the development of innovative pilot and demonstration programs to increase the participation of faith-based and other community organizations in Federal as well as State and local initiatives; and
- (e) develop and coordinate department outreach efforts to disseminate information more effectively to faith-based and other community organizations with respect to programming changes, contracting opportunities, and *8498 other department initiatives, including but not limited to Web and Internet resources.

Sec. 4. Additional Responsibilities of the Department of Health and Human Services and the Department of Labor Centers. In addition to those responsibilities described in section 3 of this order, the Department of Health and Human Services and the Department of Labor Centers shall, to the extent permitted by law:

- (a) conduct a comprehensive review of policies and practices affecting existing funding streams governed by so-called "Charitable Choice" legislation to assess the department's compliance with the requirements of Charitable Choice; and
- (b) promote and ensure compliance with existing Charitable Choice legislation by the department, as well as its partners in State and local government, and

their contractors.

Sec. 5. Reporting Requirements. (a) Report. Not later than 180 days after the date of this order and annually thereafter, each of the five executive department Centers described in section 1 of this order shall prepare and submit a report to the White House OFBCI.

(b) Contents. The report shall include a description of the department's efforts in carrying out its responsibilities under this order, including but not limited to:

(1) a comprehensive analysis of the barriers to the full participation of faith-based and other community organizations in the delivery of social services identified pursuant to section 3(a) of this order and the proposed strategies to eliminate those barriers; and

(2) a summary of the technical assistance and other information that will be available to faith-based and other community organizations regarding the program activities of the department and the preparation of applications or proposals for grants, cooperative agreements, contracts, and procurement.

(c) Performance Indicators. The first report, filed 180 days after the date of this order, shall include annual performance indicators and measurable objectives for department action. Each report filed thereafter shall measure the department's performance against the objectives set forth in the initial report.

Sec. 6. Responsibilities of All Executive Departments and Agencies. All executive departments and agencies (agencies) shall: (a) designate an agency employee to serve as the liaison and point of contact with the White House OFBCI; and

(b) cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

Sec. 7. Administration and Judicial Review. (a) The agencies' actions directed by this Executive Order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

(b) This order does not create any right or benefit, substantive or procedural, enforceable at law or equity against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

GEORGE W. BUSH

THE WHITE HOUSE, January 29, 2001."

Ex. Or. No. 13199, 66 FR 8497, Jan. 29, 2001, as revoked by Ex. Or No. 13831, 83 FR 20715, May 3, 2018.

Establishment of White House Office of Faith-Based and Community Initiatives

January 29, 2001

***8499** By the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America's communities, it is hereby ordered as follows:

Section 1. Policy. Faith-based and other community organizations are indispensable in meeting the needs of poor Americans and distressed neighborhoods. Government cannot be replaced by such organizations, but it can and should welcome them as partners. The paramount goal is compassionate results, and private and charitable community groups, including religious ones, should have the fullest opportunity permitted by law to compete on a level playing field, so long as they achieve valid public purposes, such as curbing crime, conquering addiction, strengthening families and neighborhoods, and overcoming poverty. This delivery of social services must be results oriented and should value the bedrock principles of pluralism, nondiscrimination, evenhandedness, and neutrality.

Sec. 2. Establishment. There is established a White House Office of Faith-Based and Community Initiatives (White House OFBCI) within the Executive Office of the President that will have lead responsibility in the executive branch to establish policies, priorities, and objectives for the Federal Government's comprehensive effort to enlist, equip, enable, empower, and expand the work of faith-based and other community organizations to the extent permitted by law.

Sec. 3. Functions. The principal functions of the White House OFBCI are, to the extent permitted by law: (a) to develop, lead, and coordinate the Administration's policy agenda affecting faith-based and other community programs and initiatives, expand the role of such efforts in communities, and increase their capacity through executive action, legislation, Federal and private funding, and regulatory relief;

(b) to ensure that Administration and Federal Government policy decisions and programs are consistent with the President's stated goals with respect to faith-based and other community initiatives;

(c) to help integrate the President's policy agenda affecting faith-based and other community organizations across the Federal Government;

(d) to coordinate public education activities designed to mobilize public support for faith-based and community nonprofit initiatives through volunteerism, special projects, demonstration pilots, and public-private partnerships;

(e) to encourage private charitable giving to support faith-based and community initiatives;

- (f) to bring concerns, ideas, and policy options to the President for assisting, strengthening, and replicating successful faith-based and other community programs;
- (g) to provide policy and legal education to State, local, and community policymakers and public officials seeking ways to empower faith-based and *8500 other community organizations and to improve the opportunities, capacity, and expertise of such groups;
- (h) to develop and implement strategic initiatives under the President's agenda to strengthen the institutions of civil society and America's families and communities;
- (i) to showcase and herald innovative grassroots nonprofit organizations and civic initiatives;
- (j) to eliminate unnecessary legislative, regulatory, and other bureaucratic barriers that impede effective faith-based and other community efforts to solve social problems;
- (k) to monitor implementation of the President's agenda affecting faith-based and other community organizations; and
- (l) to ensure that the efforts of faith-based and other community organizations meet high standards of excellence and accountability.

Sec. 4. Administration. (a) The White House OFBCI may function through established or ad hoc committees, task forces, or interagency groups.

(b) The White House OFBCI shall have a staff to be headed by the Assistant to the President for Faith-Based and Community Initiatives. The White House OFBCI shall have such staff and other assistance, to the extent permitted by law, as may be necessary to carry out the provisions of this order. The White House OFBCI operations shall begin no later than 30 days from the date of this order.

(c) The White House OFBCI shall coordinate with the liaison and point of contact designated by each executive department and agency with respect to this initiative.

(d) All executive departments and agencies (agencies) shall cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

(e) The agencies' actions directed by this Executive Order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

Sec. 5. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

GEORGE W. BUSH

THE WHITE HOUSE, January 29, 2001."

Ex. Or. No. 13279, 67 FR 77141, December 12, 2002, as amended by Exec. Or. No. 13559, 75 FR 71319, November 17, 2010.

67 FR 77141, Exec. Order No. 13279, 2002 WL 32817723(Pres.)
Executive Order 13279

Equal Protection of the Laws for Faith-Based and Community Organizations

December 12, 2002

***77141** By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 121(a) of title 40, United States Code, and section 301 of title 3, United States Code, and in order to guide Federal agencies in formulating and developing policies with implications for faith-based organizations and other community organizations, to ensure equal protection of the laws for faith-based and community organizations, to further the national effort to expand opportunities for, and strengthen the capacity of, faith-based and other community organizations so that they may better meet social needs in America's communities, and to ensure the economical and efficient administration and completion of Government contracts, it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:

(a) "Federal financial assistance" means assistance that non-Federal entities receive or administer in the form of grants, contracts, loans, loan guarantees, property, cooperative agreements, food commodities, direct appropriations, or other assistance, but does not include a tax credit, deduction, or exemption.

(b) "Social service program" means a program that is administered by the Federal Government, or by a State or local government using Federal financial assistance, and that provides services directed at reducing poverty, improving opportunities for low-income children, revitalizing low-income communities, empowering low-income families and low-income individuals to become self-sufficient, or otherwise helping people in need. Such programs include, but are not limited to, the following:

(i) child care services, protective services for children and adults, services for children and adults in foster care, adoption services, services related to the management and maintenance of the home, day care services for adults, and services to meet the special needs of children, older individuals, and individuals with disabilities (including physical, mental, or emotional disabilities);

(ii) transportation services;

- (iii) job training and related services, and employment services;
- (iv) information, referral, and counseling services;
- (v) the preparation and delivery of meals and services related to soup kitchens or food banks;
- (vi) health support services;
- (vii) literacy and mentoring programs;
- (viii) services for the prevention and treatment of juvenile delinquency and substance abuse, services for the prevention of crime and the provision of assistance to the victims and the families of criminal offenders, and services related to intervention in, and prevention of, domestic violence; and
- (ix) services related to the provision of assistance for housing under Federal law.

(c) “Policies that have implications for faith-based and community organizations” refers to all policies, programs, and regulations, including official *77142 guidance and internal agency procedures, that have significant effects on faith-based organizations participating in or seeking to participate in social service programs supported with Federal financial assistance.

(d) “Agency” means a department or agency in the executive branch.

(e) “Specified agency heads” mean the Attorney General, the Secretaries of Agriculture, Education, Health and Human Services, Housing and Urban Development, and Labor, and the Administrator of the Agency for International Development.

Sec. 2. Fundamental Principles and Policymaking Criteria .

In formulating and implementing policies that have implications for faith-based and community organizations, agencies that administer social service programs supported with Federal financial assistance shall, to the extent permitted by law, be guided by the following fundamental principles:

- (a) Federal financial assistance for social service programs should be distributed in the most effective and efficient manner possible;
- (b) The Nation’s social service capacity will benefit if all eligible organizations, including faith-based and other community organizations, are able to compete on an equal footing for Federal financial assistance used to support social service programs;
- (c) No organization should be discriminated against on the basis of religion or religious belief in the administration or distribution of Federal financial assistance under social service programs;
- (d) All organizations that receive Federal financial assistance under social services programs should be prohibited from discriminating against beneficiaries or potential beneficiaries of the

social services programs on the basis of religion or religious belief. Accordingly, organizations, in providing services supported in whole or in part with Federal financial assistance, and in their outreach activities related to such services, should not be allowed to discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice;

(e) The Federal Government must implement Federal programs in accordance with the Establishment Clause and the Free Exercise Clause of the First Amendment to the Constitution. Therefore, organizations that engage in inherently religious activities, such as worship, religious instruction, and proselytization, must offer those services separately in time or location from any programs or services supported with direct Federal financial assistance, and participation in any such inherently religious activities must be voluntary for the beneficiaries of the social service program supported with such Federal financial assistance; and

(f) Consistent with the Free Exercise Clause and the Free Speech Clause of the Constitution, faith-based organizations should be eligible to compete for Federal financial assistance used to support social service programs and to participate fully in the social service programs supported with Federal financial assistance without impairing their independence, autonomy, expression, or religious character. Accordingly, a faith-based organization that applies for or participates in a social service program supported with Federal financial assistance may retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use direct Federal financial assistance to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations that receive Federal financial assistance may use their facilities to provide social services supported with Federal financial assistance, without removing or altering religious art, icons, scriptures, or other symbols from these facilities. In addition, a faith-based organization that applies for or participates in a social service program supported with Federal financial assistance may retain religious terms in its organization's name, *77143 select its board members on a religious basis, and include religious references in its organization's mission statements and other chartering or governing documents.

Sec. 3. Agency Implementation.

(a) Specified agency heads shall, in coordination with the White House Office of Faith-Based and Community Initiatives (White House OFBCI), review and evaluate existing policies that have implications for faith-based and community organizations in order to assess the consistency of such policies with the fundamental principles and policymaking criteria articulated in section 2 of this order.

(b) Specified agency heads shall ensure that all policies that have implications for faith-based and community organizations are consistent with the fundamental principles and policymaking criteria articulated in section 2 of this order. Therefore, specified agency heads shall, to the extent permitted by law:

(i) amend all such existing policies of their respective agencies to ensure that they are consistent with the fundamental principles and policymaking criteria articulated in section 2 of this order;

- (ii) where appropriate, implement new policies for their respective agencies that are consistent with and necessary to further the fundamental principles and policymaking criteria set forth in section 2 of this order; and
- (iii) implement new policies that are necessary to ensure that their respective agencies collect data regarding the participation of faith-based and community organizations in social service programs that receive Federal financial assistance.

- (c) Within 90 days after the date of this order, each specified agency head shall report to the President, through the Director of the White House OFBCI, the actions it proposes to undertake to accomplish the activities set forth in sections 3(a) and (b) of this order.

Sec. 4. Amendment of Executive Order 11246.

Pursuant to section 121(a) of title 40, United States Code, and section 301 of title 3, United States Code, and in order to further the strong Federal interest in ensuring that the cost and progress of Federal procurement contracts are not adversely affected by an artificial restriction of the labor pool caused by the unwarranted exclusion of faith-based organizations from such contracts, section 204 of Executive Order 11246 of September 24, 1965, as amended, is hereby further amended to read as follows:

“SEC. 204 (a) The Secretary of Labor may, when the Secretary deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including any or all of the provisions of Section 202 of this Order in any specific contract, subcontract, or purchase order.

(b) The Secretary of Labor may, by rule or regulation, exempt certain classes of contracts, subcontracts, or purchase orders (1) whenever work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (2) for standard commercial supplies or raw materials; (3) involving less than specified amounts of money or specified numbers of workers; or (4) to the extent that they involve subcontracts below a specified tier.

(c) Section 202 of this Order shall not apply to a Government contractor or subcontractor that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such contractors and subcontractors are not exempted or excused from complying with the other requirements contained in this Order.

(d) The Secretary of Labor may also provide, by rule, regulation, or order, for the exemption of facilities of a contractor that are in all respects separate *77144 and distinct from activities of the contractor related to the performance of the contract: provided, that such an exemption will not interfere with or impede the effectuation of the purposes of this Order: and provided further, that

in the absence of such an exemption all facilities shall be covered by the provisions of this Order."

Sec. 5. General Provisions.

- (a) This order supplements but does not supersede the requirements contained in Executive Orders 13198 and 13199 of January 29, 2001.
- (b) The agencies shall coordinate with the White House OFBCI concerning the implementation of this order.
- (c) Nothing in this order shall be construed to require an agency to take any action that would impair the conduct of foreign affairs or the national security.

Sec. 6. Responsibilities of Executive Departments and Agencies. All executive departments and agencies (agencies) shall:

- (a) designate an agency employee to serve as the liaison and point of contact with the White House OFBCI; and
- (b) cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

Sec. 7. Judicial Review.

This order is intended only to improve the internal management of the executive branch, and it is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its agencies, or entities, its officers, employees or agents, or any person.

GEORGE W. BUSH"

APPENDIX A

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CCO-028

Nos. 21-3198 & 22-2079

MEGHAN M. KELLY,
Appellant

v.

DISCIPLINARY COUNSEL PATRICIA B. SWARTZ;
DISCIPLINARY COUNSEL KATHLEEN M. VAVALA; DAVID A. WHITE,
Chief Disciplinary Counsel; OFFICE DISCIPLINARY COUNSEL;
BOARD ON PROFESSIONAL RESPONSIBILITY OF THE
SUPREME COURT OF THE STATE OF DELAWARE;
PRELIMINARY INVESTIGATORY COMMITTEE; ATTORNEY GENERAL
DELAWARE

(D. Del. No. 1-21-cv-01490)

Present: PHIPPS, Circuit Judge

1. Motion by Appellant Meghan M. Kelly in 21-3198 and 22-2079 for Extension of Time to File Brief for 45 Days.
2. Motion by Appellant Meghan M. Kelly in 21-3198 and 22-2079 to Stay Appeals while Appellant Petitions the Supreme Court of the United States to Review the State-Court Disciplinary Decision and the Third Circuit's Reciprocal Disciplinary Decision

Respectfully,
Clerk/pdb

ORDER

The foregoing Motion by Appellant Meghan M. Kelly in 21-3198 and 22-2079 for Extension of Time to File Brief for 45 Days is granted. Beyond this extension, this order provides no other relief. The motion to stay these appeals is denied.

By the Court,

s/ Peter J. Phipps
Circuit Judge

Dated: January 6, 2023

PDB/cc: Meghan M. Kelly, Esq.

Caneel Radinson-Blasucci, Esq

Zi-Xiang Shen, Esq.

APPENDIX B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MEGHAN KELLY, :
: Plaintiff, :
: :
v. : Civ. No. 21-1490-CFC
: :
DISCIPLINARY COUNSEL PATRICIA :
B. SWARTZ, et al., :
: Defendants. :
:

MEMORANDUM ORDER

At Wilmington this Twenty-eighth day of December 2022, having considered Plaintiff's motions (D.I. 61, 62, 63, 65, 66, 69, 77, 80, 81, 82, 83, 85, 95, 96), IT IS
HEREBY ORDERED that:

1. *Pro se* Plaintiff Meghan Kelly is a Delaware attorney. This case concerns her license to practice law in the State of Delaware. Plaintiff sought an order "to enjoin proceedings brought by the Defendants to place [her] attorney license on inactive disabled" status in violation of her First and Fourteenth Amendment rights. (D.I. 2 ¶ 14) On November 2, 2021, the Court denied Plaintiff's motion to expedite and letter/motion for emergency relief, dismissed as moot motions for a temporary restraining order and preliminary injunction and to e-file and appear remotely, abstained under the Younger abstention doctrine, and dismissed the Complaint. (D.I. 16, 17) Plaintiff filed notices of appeal on November 14, 2021 (USCA Case No. 21-3198) (D.I. 25), January 3, 2022 (D.I. 32), and May 9, 2022 (USCA No. 22-2079) (D.I. 67). The appeals were joined by the United States Court of Appeals for the Third Circuit with appeal No. 21-3198 as the lead case.

2. Plaintiff was granted *in forma pauperis* status in this case on October 28, 2021. (D.I. 15) The Court takes judicial notice that at one time, Plaintiff had PACER rights as an attorney. Plaintiff's PACER rights were suspended when her license was placed on inactive disabled status.

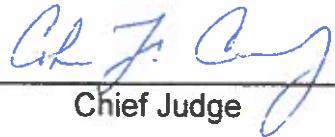
3. Plaintiff now seeks e-filing rights. (D.I. 83) That motion is **GRANTED**.

4. Plaintiff also requests a waiver of PACER fees associated with filing electronically in this Court (D.I. 62) and moves to amend that motion (D.I. 63). The motion to amend the request for waiver is **GRANTED**. (D.I. 63) The motion for a waiver of PACER fees is **GRANTED IN PART**. (D.I. 62) The United States Court of Appeals for the Third Circuit granted Plaintiff, as a non-attorney, a waiver of PACER fees. See Case No. 21-3198 at D.I. 30. In order for a waiver to be granted, a party must first have a PACER account. When a court grants a request to waive PACER fees, the Court must provide PACER with the account number to which the exemption applies and set a duration of time for the exemption. It may be that Plaintiff already has a PACER account. If she does not have a PACER account, she shall set one up. Either way, Plaintiff shall file a renewed motion for a PACER exemption in this Court, and in the motion she shall advise the Court of the PACER account number to which she wishes the exemption to apply along with a proposed duration of the exemption. Plaintiff shall file the renewed motion on or before January, 20, 2023.

5. Plaintiff's remaining motions are **DENIED** as they were filed subsequent to the first notice of appeal. (D.I. 61, 65, 66, 69, 77, 80, 81, 82, 85, 95, 96)

6. With the exception of a renewed motion for PACER exemption, Plaintiff is placed on notice that future filings in this Court during the pendency of Plaintiff's

appeals before the United States Court of Appeals for the Third Circuit will be docketed and not considered.


John F. Curran, Jr.

Chief Judge

APPENDIX C

UNITED STATES DISTRICT COURT IN THE DISTRICT OF DELAWARE

Meghan Kelly) No.: 1:21-cv-01490-CFC
Plaintiff,)
v.)
Disciplinary Counsel Patricia B.)
Swartz, et al.)
Defendants.)

Plaintiff's Motion to amend the complaint pursuant to FRCP 15(a)(1) and FRCP 15(a)(2) to include additional parties, eliminate a party, include additional facts and include additional requests for relief

Plaintiff Meghan Kelly, Pro se, January 24, 2022, brings this motion pursuant to FRCP 15(a)(1) and FRCP 15 (a)(2) to amend the complaint to include additional plaintiffs, Delaware Supreme Court, a.k.a., Supreme, Court State of Delaware, Justice Gary F. Traynor, in his official and individual capacity, pursuant to *Ex parte Young*, Justice Karen L. Valihura, in her official and individual capacity, Chief, Justice Collins J. Seitz, Jr., in his individual and official capacity, Justice James T. Vaughn, Jr., in his individual and official capacity, Justice Tamika R. Montgomery-Reeves, in her individual and official capacity, to eliminate a party, Preliminary Investigatory Committee, include additional facts, and include additional requests for relief.

1. The Supreme Court members participated in the subject of the petition of the

Board, *Kelly v Trump*, three of the justices rendered an order in that case, Justice Gary F.

Traynor, Justice James T. Vaughn, Jr., Justice Tamika R. Montgomery-Reeves.

2. The Defendants allege in the August 23, 2021 letter that the pleadings in that

Kelly v Trump are the source of Defendant's investigation.

3. I brought the petition to protect my free exercise of religious beliefs under RFRA to safeguard my life and liberty from government incited private and government sponsored persecution. I also brought two petitions for relief from attorney dues.

4. The source of De-Lapps attacks against me was my request for waiver of attorney dues addressed to Chief Justice Seitz and the Delaware Supreme Court. The second request was ignored by the Supreme Court, affording no opportunity to be heard.

5. The entire court may have reviewed the petitions relating to attorney dues.

6. Since, a proceeding before the Board begun, the Supreme Court conspired with defendants to deny me of a fair and impartial opportunity to defend my exercise of fundamental rights at a government compelled rushed secret hearing.

7. I was denied the opportunity to recover from not feeling well, compelled to attend a hearing with little sleep, and while ill, due to allergies. Defendants do not care about health, but care more about material gain at the cost of human health and life, my health and life and liberty.

8. I was denied the opportunity to call witnesses, gather evidence, research, use such evidence to present motions or to present a defense, and cross examine witnesses.

9. I was denied the opportunity to appeal decisions by the Court's conspiracy to collude with the Board, by signaling to the Board to render decisions to my motion in a non-appealable form. The Board made a determination via an informal unsigned email.

10. I was denied adequate notice of the hearing, 19 days as opposed to 20 days. I objected and reserved my objection.

11. The Delaware Supreme Court is partial to the state, and is incapable of providing a fair opportunity to be heard or a fair proceeding.

12. The Supreme Court made a decision on my defense prior to the hearing, denying me a fair opportunity to be heard, by deeming my request to research, gather evidence to prepare and present my case as frivolous, means the Court finds my defense of 1. lack of subject matter

due to illegality of proceeding, as applied to me, disparately brought to punish me for my religious beliefs and exercise of protected conduct, 2. Lack of subject matter jurisdiction due to the fact the Supreme Court is a partial forum.

13. The Supreme Court incited and contributed to the Defendants' attacks and the petition brought against me. The Supreme Court's members include necessary witnesses, specifically Chief Justice Seitz.

14. The Defendants knew I desired to subpoena Chief Justice Seitz back in October 26, 2021. (See Exhibit A.)

15. The Supreme Court agents or members are the apparent instigators of the petition brought to punish me for my religious beliefs, or poverty, and exercise of protected conduct.

16. The Defendants seek to further compel me to violate my religious beliefs, by examination. I object to examinations on religious grounds, and should not be forced to violate my faith, because Defendants attack my faith as a mental disability. Defendants do not meet strict scrutiny.

17. I am in immediate danger, and every day the threat of additional danger increases.

18. Sadly, it appears I cannot at this time remove David White or Kathleen Vavala as they appear to be participating in the unlawfully brought proceeding against me.

19. I am removing the Preliminary Investigatory Committee in the Amended Complaint. I am also including nominal damages, requesting declaratory relief, a writ of mandamus, additional counts, and more explicitly asking for damages relating to emotional distress.

20. Defendants compelled me to attend the hearing when I was too tired and not feeling well to perform well. Defendants do not care about health or liberty just power.

21. I am so tired. I am sorry I do not have time to tailor the complaint, due to the continuous, immediate irreparable additional injuries, I continue to face. I remain in danger. Please help me.

22. Attached, please find a blackline of the changes listed as Exhibit B, and the Amended Complaint listed as Exhibit C.

22. The Defendants are not prejudiced, since service has not even been brought for the original complaint, and no attorney has made their appearance yet.

23. The attorney has notice of the additional parties as I mentioned I sought to include them in my last two motions.

Wherefore, I pray the Court grants my motion as justice requires.

Dated: January 24, 2022

Respectfully Submitted,



/s/Meghan Kelly
Meghan Kelly, Esquire
34012 Shawnee Drive
Dagsboro, DE 19939
Pro se, not attorney
(Word Count 911)
meghankellyesq@yahoo.com
Bar Number 4968

I declare, affirm that the foregoing statement is true and correct under the penalty of perjury.

Dated: January 24, 2022

Meghan Kelly (printed)

C Meghan Kelly (signed)

APPENDIX D

APPENDIX D

U.S. COURT OF APPEALS, THIRD CIRCUIT

Meghan Kelly	)	Appellate Court
Plaintiff,	)	No.: 21-3198
v.	)	No. 22-2079
Disciplinary Counsel Patricia B.)	
Swartz, et al.	)	District Court
Defendants.	)	No.: 1:21-cv-01490-CFC

**Appellant Plaintiff Meghan Kelly's Opening Brief
moving the Third Circuit Court of Appeals to vacate the Delaware District Orders (DI. DI
16-17, 30-31, 59-60), and to remand the matter to the Delaware District Court for
consideration**

Dated October 22, 2022

Respectfully submitted,

/s/Meghan Kelly
Meghan Kelly, Pro se
Not acting as an Attorney
34012 Shawnee Drive
Dagsboro, DE 19939
meghankellyesq@yahoo.com
(302) 493-6693
Bar No. 4968 Inactive

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**IN THE THIRD CIRCUIT COURT OF APPEALS, APPEAL OF THE ORDERS
BELOW OF THE DELAWARE DISTRICT COURT**

Pursuant to 28 U.S.C. § 2106, Appellant Meghan Kelly respectfully prays this Court vacate the decisions by the Delaware District Court below (“District-Court”), (DI 16-17, 30-31, 59-60 (collectively, “District-Order”)), dismissing my Complaint under the Younger abstention, denying by not addressing my Motion to amend the complaint (DI 43), and denying subsequent rolling motion(s), motion for PACER access, motion for an exemption of PACER fees, motion to appear remotely, exemption of court costs due to costs causing a substantial burden upon my access to the courts due to poverty, and religious beliefs against poverty, motion for a stay, and all previously denied motions, except motions that may now be moot or not yet ripe for determination. (DI. 11, 12, 20, 21, 29, 33, 34, 35, 39, 41, 43, 52, 54, 58, incorporated herein by reference in its entirety). The motions that are moot for review are the motions for temporary or preliminary restraining orders and motions for expediting relief. (DI 6, 7, 8, 9, 10, 14, 18, 36, 40, 47, 48, 49, 51, 53). The Motions not yet ripe for determination were filed after the District Court’s Order, and must first be considered by the District-Court before this Court may review the District-Court’s determination. (61, 62, 63, 64, 65, 66, 69-75, 77, 80, 81, 82, 83, 85, 86, 88, 89, 90, 91, 95, 96, incorporated herein by reference).

The District Court’s decision must be set aside as clearly erroneous as a matter of law and as a matter of fact, creating manifest injustice against me. The District Court abused its discussion as to deny me the opportunity to be heard on Constitutional claims in the only forum with jurisdiction so as to render me without relief anywhere. The District Court refrained from examining the substance of my complaint and motion(s) to amend the complaints. The issue is whether the District Court has jurisdiction to hear my case. I argue Younger does not apply.

The District-Order must be vacated and this case must be remanded back to the District-Court to review the substance of my complaint, amended complaint(s), and motions.

JURISDICTION

The jurisdiction of this Court is invoked under 28 U. S. C. § 1333.

STANDARD OF REVIEW

The standard of review is de novo standard *PDX N., Inc. v. Comm'r N.J. Dep't of Labor & Workforce Dev.*, 978 F.3d 871, 882 n.11 (3d Cir. 2020).

STATEMENT OF CASE

This case arises from Defendants, the Delaware Courts and the arms of the Court interference in my RFRA law suit against former President Donald J. Trump in an attempt to intimidate me a to cause me to forgo my case based on the Defendants disdain for my religious-political beliefs contained in my speech, in my petitions, or poverty. (DI 2-4)

I initially 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. (DI 2-4).

I also sought claims for Defendants' selective prosecution in bringing a disciplinary action against me to demean my reputation by placing me on inactive disabled to conceal Defendants misconduct in collusion with the Delaware Supreme Court, and 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 Defendants 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. (DI 43, 58-60, 69-75, 77, 80-82, 85)

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. (DI-77,) I include, restate and incorporate by this reference my Objections to the Report, the exhibits referred therein, and the Memorandum of Law ("MOL,"), and all arguments and points made in each and every one of these documents, filed on May 21, 2022, are restated in this reply. (DI. 69-75) ("Objxn" and "-" or "-Ex-" for specific exhibits therein) (DI 69-72, 75).

Per the Court's Order dated October 18, 2022, my brief is due before October 26, 2022, should my extension be denied. (3D-94-97). This Court kindly held I may proceed on the

original record in this Court reducing the need to file a complete appendix. (3D-24) This Court also kindly held, “Appellant need not conform to structure of a formal brief and may submit one principal brief not to exceed 45 pages.” (3D-67) I thank this Court for its generosity.

On October 20, 2022, I called my Third Circuit case manager because I discovered the Brief was due in less than a week. (3DI-94) She recommended I file for an extension of time to draft the brief. I filed a motion for an extension to draft the brief that same day. (3DI-95)

Admittedly, I believed the case was stayed pending the Delaware District Court’s determination on my latest motion to amend the orders of the District Court and alter the facts under Rule 60, and a Second Motion for a stay I incorporate herein by reference. (DI 95-96)

Early morning on Friday, October 21, 2022, I called my case manager because I was concerned about typos in the Motion for an extension to file. I rushed in an attempt to file before closing time on Thursday, October 20, 2022. She indicated I need not amend the Motion.

Due to the emergency situation, and my reliance on my case manager’s suggestion to file a motion to extend for time, I called back around 3:00 PM. (3DI-96) I was concerned about relying on the extension. I sought a confirmation that I may file after October 25, 2022. She asked how much time I required. I indicated I asked for 30 days or an amount of time the Court deems just in my motion. My case manager indicated I could get back to the Court on Monday, October 24, 2022. Monday is the due date.

To my horror, I looked at the PDF of my motion. My request in the amount of 30 days is missing. So, I filed a corrected motion to eliminate typos and to ask for a specific amount of days, 30 days I mistakenly thought I included, but must have only indicated in the system. I incorporate herein by reference my Motion and corrected motion, letter and exhibits thereto,

herein. (3DI 95-96). The PACER system indicates “until/for A time this court deems just and fair. I can ask for 30 days, but I am going to start working on it now, in hopes to file it asap.” ECF. [21-3198, 22-2079] (MMK) [Entered: 10/20/2022 05:04 PM]

I do not want to risk eliminating my right to access to the courts to prevent irreparable injury in the form of the Defendants infringement upon my free exercise of religious-political belief, exercise, speech and association. Nor do I desire to lose my property interest in my Delaware license to practice law. A lawyer’s right, my right to pursue my profession constitutes a property protected by the due process clause of the Fourteenth 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 contained in speech in religious-political petitions. So, I write with haste. Rights imperfectly asserted under the duress of days to file, are better than waiving rights for failure to file.

I also preserve issues relating to the Third Circuit’s Orders and conduct, done to chill or punish my exercise of my right to petition in defense of my first amendment rights I preserve for appeal. I am concerned that my case manager may have misled me to my detriment to eliminate the case by encouraging me to file a motion for an extension of time only to deny it by failing to present it to the Clerk or the Court until the due date. On October 20, 2022, I pointed to the rule that allows 7 days to fix delinquencies in filing a brief to safeguard procedural due process by providing notice and opportunity to correct errors. See, 3d Cir. L.A.R. 107.2(b). I argue, 7 days is not enough to protect my meaningful opportunity to be heard and procedural due process rights under the 5th Amendment applicable to this Federal Court, under the facts of my case. My case manager indicated I could file a motion for additional time. I am not so sure the clerk would grant additional time in light of my last conversation. (3DI-96).

In my motion and corrected motion for an extension of time I indicate the importance of having people as opposed to automation to correct filing errors by the Court. I believe Court staff and judges will be reduced in number to be eliminated as schemed by participants in the World government summit and World economic forum by automation of standardized professions, including the practice of law. (3DI-95-96) I also pointed to other filing errors by other courts. Id. Errors are not the problem. Failure to correct them or retaliation against those who point them out or make them, is the problem. The Disciplinary case was brought in retaliation against me for asking the Court to correct government violations of my Constitutional right to freely exercise my religious-political beliefs, religious-political beliefs, speech, association, by exercising my right to petition to safeguard these rights from government infringement. On the record I point to retaliation by the courts, including yet not limited to the Delaware Supreme Court to correct its own or its agent or the government's agent as a problem. The retaliation discourages citizens, including me, from exercising their right to access to the courts to petition the courts to correct the Court's own errors or violations of law or errors by its arms or agents. This is one reason for this case. (DI. 2-4, 43, See, attached Dec 11, 2020 letter)

I also note, the Third Circuit Court chilled my meaningful access to the courts by discouraging me from contacting the Court more than once a day in an Order in retaliation for my motions to correct the Third Circuit's record to prevent irreparable prejudice against me. The Court also discouraged me from correcting motions, as other lawyers do in the common course of filing pleadings, especially in emergencies. The Third Circuit threatened me with sanctions which violate my religious beliefs in Jesus against debt. (3DI-90). During that time, my case manager was out on the civil rights case, and my case manager was out on the other case before the Third Circuit.

I note with prejudice that the Third Circuit's Order I sought reconsideration from is based on a false assumption, a misleading statement, that appears to be made in bad faith to cover up the Court's error that I filed an emergency motion when the record shows I mailed in the documents I sought to remove from the record. (3-DI 86-90). There is proof of postage. (3DI 87-10-11) I incorporate by reference my petitions to correct the filings, and related motions including but not limited to (3DI 87-88).

This is unacceptable. The courts are not above the Constitution. The Courts' goal is not to safeguard its mere appearance of justice by compromising actual justice which guarantees injustice. The Courts are not a business. Judges should not be concerned with their appearance or their self-serving desire to market their value or legitimacy, which eliminates impartiality by making the court's focus on fickle fads, and pleasing the mob, and doing what serves their seats instead of doing what is right, impartially under Constitutional law.

I desire to safeguard the integrity of the Courts by requiring they do not sacrifice people, and their individual exercise of their Constitutional rights, as the Defendants seek to sacrifice me for the exercise of my rights. I seek to preserve the integrity of the courts not destroy them. I do not seek to destroy this Court or the Delaware Chancery Court or the Delaware Supreme Court, but I do seek to hold them to the letter of the Constitutional law. If I am disparately treated in bad faith to fix the outcome or to throw out my case in various forums for the mere convenience of the court, or with malice and disdain towards me for my religious-political beliefs, speech, association or petitions, than others also may be unlawfully chilled by the Courts from exercising their right to access to the courts in defense of fundamental rights. (DI 2-4) Such precedent in my case creates a danger to the public to serve mere business greed, profit, power and position, not good by respecting all without disparate treatment based on income or belief. I object to

misleading statements noted on the Third Circuit's record made with intent to chill my exercise of the right to petition, even to petition to make corrections, in defense of my fundamental rights, or to prejudice my appeal. (3DI-77-90)

The Delaware Supreme Court placed my license on inactive, disabled on August 11, 2022, and denied my motion for rehearing on multiple issues.

The State proceeding has concluded. The District Court did not analyze any of the substance of my complaints or motions, and has abstained under Younger. So, this Court's review is limited as to whether Younger applies at this time, not the merits of my complaint and motions.

Younger does not require abstention to my case. There is no state case to abstain from. The state case has concluded. There is no bar. Even if there was a case: 1. Younger does not apply to my claims for damages. The Court erred by dismissing instead of staying the case 2. Younger does not apply to federal constitutional claims in the or ancillary claims I had no opportunity to assert on the state forum. For example, 42 U.S.C.A. §§ 1983, 1985, 1988 3. Bad faith, harassment, or extraordinary circumstances have arisen in my case that make abstention inappropriate 4. The Court erred in denying my motion to amend the complaint to include procedural and substantive due process violations, equal protections violations, and other conduct and claims that required I add the Delaware Supreme Court and the members to my complaint on January 24, 2022. (DI 43) I should be granted leave to amend the complaint, to correct any defects or arguments relating to a Younger dismissal to prevent manifest injustice that shocks the conscience in terms of loss of fundamental rights, and government punishment for the exercise of my rights, including the right to petition. 5. The new and additional facts and arguments contained in my motions and pleadings must be considered to prevent abuse of

discretion, clear error of law, clear error of fact and to prevent manifest injustice against me by denying me the opportunity to be heard to safeguard my exercise of First Amendment rights, creating loss of First Amendment rights and my interest in my ability to work in my profession

I respectfully request this Court vacate the District-Order, and remand the case back to the Delaware District Court for review.

I. THE COURT ERRED IN RULING THAT THE YOUNGER ABSTENTION REQUIRED DISMISSAL, BUT REGARDLESS THE CASE IN DELAWARE IS OVER, YOUNGER DOES NOT BAR MY CASE FROM PROCEEDING

The District Court erred in ruling that the Younger abstention required dismissal. Regardless of the error, the issue is moot because the state disciplinary proceeding has concluded.

The District Court need not abstain under Younger since the Delaware Supreme Court's case is over. The District Court should stay the case, pending my intended appeal to the US Supreme Court.

The Third Circuit explained, "Younger abstention ... applies when certain types of state proceedings are ongoing at the time a federal case is commenced" *PDX N., Inc. v. Comm'r N.J. Dep't of Labor & Workforce Dev.*, 978 F.3d 871, 882 (3d Cir. 2020). The case before the Delaware Supreme Court is not ongoing. The Delaware Supreme Court made this clear by ordering "the Clerk of the Court is directed to refuse any further filings from Kelly in this matter." *In re Kelly*, No. 58, at *3 (Del. Sep. 7, 2022)

Younger does not apply. The state proceeding is over. This case may continue and I request the Third Circuit to please remand the case to the Delaware District Court. I note, the District Court made no analysis on the facts or law beyond denying my case under Younger. I

pray the District Court grants a stay until the conclusion of my appeal to the US Supreme Court. So, I can focus on the appeal which may prevent duplication of work, narrowing of the issues, and possible elimination of claims to prevent needless waste of resources for the parties and the Court.

II THE COURT ERRED IN APPLYING YOUNGER BECAUSE I ASKED FOR DAMAGES AND RELIEF UNAVAILABLE IN THE STATE FORUM. THE COURT SHOULD HAVE STAYED, NOT DISMISSED THE CASE

The District Court erred as a matter of law by relying on the Younger abstention doctrine, and in dismissing my complaint and motions. The District Court based its decision on mistakes of fact. It would be an abuse of discretion, creating manifest injustice to dismiss my case.

This court's reliance on an abrogated case, *Middlesex* in its Orders is also misplaced. *Middlesex* merely related to procedural due process concerns relating to lapse of time, as distinguished from my case. *Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, (1982); *Abrogation Recognized by Harmon v. Department of Finance*, 3rd Cir.(Del.), April 27, 2020; *Citing, Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69,(2013), *Malhan v. Sec'y U.S. Dep't of State*, 938 F.3d 453, 462 (3d Cir. 2019).

In my case, I was denied a fair, impartial forum and a reasonable opportunity to be heard. The State's prosecution against me, as a party of one with individual-religious-political beliefs, for my exercise of genuinely held religious-beliefs, religious-political speech, religious-political-association, and the right to petition the courts when I believe there has been a grievance against me by a government agent, no matter my poverty, religious beliefs, or political orientation, violates my First Amendment rights and equal protections of the law.

The District-Court in its November 2, 2021 Memorandum, whether misleadingly or inadvertently, referred to Defendant's August 23, 2021 letter indicating my Chancery Court

religious-political pleadings in my active case as the reason Defendants brought the state proceeding. (DI 16, DI 3, District Court Exhibit 21) However, this court omitted the letter's reference to the Delaware Supreme Court pleadings as a reason. This omission is material to my argument the Delaware Supreme Court (hereinafter "Court" or collectively with Defendants in the case "State"), instigated the disciplinary proceeding against me. Therefore, the Court cannot present itself as impartial. (DI 9, Exhibit 5, DI 16-17). This Court also omitted my claim for damages in all of its orders, despite the fact I pointed to my claim for damages in pleadings. (DI 16-17, 30-31, 34-35, 59-60). I acknowledge the Court allegedly replaced the complaint at DI 2, as misfiled, with the page containing the claim for damages. I requested this be published to the public. The Court may have initially overlooked my claim for damages; however, I apprised the court of my claim for damages before I discovered the filing (DI 34-35, DI 61).

This Court also omitted my motions to amend the complaint to include additional counts, to include the Delaware Supreme Court justices in their personal capacity, and to include additional relief including declaratory, injunctive, damages and nominal relief. (DI 43, 58-60). Admittedly, I sought to withdraw my Motion to Amend the Complaint at DI 43, in order to motion the Court for permission to amend the complaint, after the appeal for the state proceeding is complete or the time for appeal lapsed, as new and additional evidence continuously arose, and will likely continue to arise during this time. (DI 69-75, 77, 80-82, 85).

This Court overlooked the fact I sought damages, not merely injunctive relief, in my original complaint, and other relief unavailable in the state courts. I sought relief, including but not limited, damages and equitable relief, under 42 USC §§ 1983, 1985 and 1988, for, *inter alias*, court members' and the State's interference in my Religious Freedom Restoration Act lawsuit ("RFRA") against former President Donald J. Trump ("Kelly v Trump"). The Court

ignored my claims for infliction of emotional distress, defamation, loss of employment opportunity and lost wages. The Court also failed to consider my arguments concerning the loss of my right to exercise First Amendment Constitutionally protected liberties, including the exercise of my religious-political petitions, religious-political beliefs, religious-political association, religious-political exercise, and religious-political petitions, and loss of my property interest in my license to practice law. (DI 2-4, 34-35-2, 61-62) Nor did this Court look at the Defendants' interference with Kelly v Trump to entice me to forgo my case. This case relates to the harm caused by the Defendants in both the disciplinary proceeding and Kelly v Trump.

In *Deakins v. Monaghan*, the Supreme Court held only that "the District Court has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding."¹ I made it clear to this Court, I pled defamation, Constitutional injury and

¹ Citing, *Deakins v. Monaghan*, 484 U.S. 193, 108 S. Ct. 523, 98 L. Ed. 2d 529 (1988) "Federal district court must stay rather than dismiss claims that are not cognizable in parallel state proceeding." *Deakins v. Monaghan*, 484 U.S. 193, 202, 108 S. Ct. 523, 529-30, 98 L. Ed. 2d 529 (1988) "In reversing the District Court's dismissal of the claims for damages and attorney's fees, the Court of Appeals applied the Third Circuit rule that requires a District Court to stay rather than dismiss claims that are not cognizable in the parallel state proceeding."); *See also, Brindley v. McCullen*, 61 F.3d 507 (6th Cir. 1995); *See also Quackenbush v. Allstate Ins. Co.*, 517 U.S. 706, 719 (1996) ("we have applied abstention principles to actions 'at law' only to permit a federal court to enter a stay order that postpones adjudication of the dispute, not to dismiss the federal suit altogether."); *Lewis v. Beddingfield*, 20 F.3d 123, 124 (5th Cir. 1994). (It was proper to stay rather than dismiss the federal suit because the damages could not be claimed in the criminal prosecution.); *Jones v. Prescott*, 702 Fed. Appx. 205, 209 (5th Cir. 2017) (Younger abstention does not apply to federal suits seeking only money damages) (citing *Alexander v. Ieyoub*, 62 F.3d 709, 713 (5th Cir. 1993)); *See also, Boyd v. Farrin*, 575 Fed. Appx. 517 (5th Cir. 2014); **Third Circuit: Abbott v. Mette**, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), aff'd, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021) (A court "has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding."); *Abbott v. Mette*, No. CV 20-131-RGA, 2021 WL 327375, at *3 (D. Del. Jan. 31, 2021), report and recommendation adopted, No. 20-CV-131-RGA, 2021 WL 1168958 (D. Del. Mar. 26, 2021), aff'd, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021) ("As a general matter, assuming that a federal court has jurisdiction over a case, the federal court's "obligation to hear and decide [the] case is virtually unflagging." *Sprint Commc'nns, Inc. v. Jacobs*, 571 U.S. 69, 77 (2013) (internal quotation marks and citation omitted); *Crane v. Fauver*,

emotional distress, by pleading damages, albeit unartfully in my original Complaint. (DI 2, 34-35). In addition, I showed my intent to seek nominal damages, damages, and equitable relief too. (D.I. 43, 58, 69-75, 77-79). My claims for damages were unavailable in state court.

A court “has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding.” *Citing, Abbott v. Mette*, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), aff’d, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec.

762 F.2d 325 (3d Cir. 1985) (“District court should have retained jurisdiction over correctional officers’ civil rights action arising out of their discharge, even if it properly declined to exercise jurisdiction over federal claims, and stayed action pending outcome of related state proceeding where officers were relegated for prudential reasons to state proceeding which could only afford them dismissal of charges and back pay, with attorney fees only to extent that back pay award was reduced by interim earnings, but officers sought constitutional damages and attorney fees, and new complaint upon termination of state proceedings may have been time-barred.”); *Williams v. Hepting*, 844 F.2d 138, 145 (3d Cir. 1988) (The Third Circuit held, “Accordingly, we hold that the district court should have stayed instead of dismissed without prejudice Williams’ failure-to-investigate and suggestive pretrial identification claims. Because these particular federal court claims for damages seek relief that is unavailable in Williams’ ongoing state proceedings, the allegations should be stayed pending the outcome of his state court appeal on the underlying conviction.”); *Nimer v. Lichfield Twp. Bd. of Trustees*, 707 F.3d 699 (6th Cir. 2013) (*Younger* abstention applies to § 1983 damages claims, but district court must stay rather than dismiss federal suit; in other words district court has no discretion to dismiss federal suit); *Carroll v. City of Mount Clemens*, 139 F.3d 1072 (6th Cir. 1998) (when federal suit seeks damages and *Younger* is invoked, federal suit should be stayed, not dismissed; this likely will be a formality, given probable preclusive effect of state court decision); *Watkins v. Ohio Dep’t of Educ.*, No. 2:21-CV-04482, 2022 WL 672565, at *8 (S.D. Ohio Mar. 7, 2022) (“Further, when a plaintiff seeks both equitable and legal relief, many courts in the Sixth Circuit stay the entire case rather than treat each form of requested relief differently.”); *Maraan v. Off. of Ohio Disciplinary Couns. for Supreme Ct. of Ohio*, No. 1:18CV645, 2021 WL 3173311, at *3 (S.D. Ohio July 27, 2021) (Court “stayed until the conclusion of the state disciplinary proceedings, rather than be dismissed.”), citing, *Kalniz*, 699 F. Supp. 2d at 975 (explaining that where a plaintiff is bringing constitutional civil rights claims in a federal court case in which *Younger* abstention was proper, the stay protects against the possibility that the statute of limitations could deprive the plaintiff of the opportunity to present the merits of her damages claims); see also *Meyers v. Franklin Cty. Court of Common Pleas*, 23 F. App’x 201, 206 (6th Cir. 2001) (and cases cited therein); *Yamaha Motor Corp. v. Stroud*, 179 F.3d 598 (8th Cir. 1999) (when damages are sought in § 1983 action subject to *Younger* abstention, and damages are not available in pending state proceeding, federal action should be stayed, not dismissed); *Night Clubs, Inc. v. City of Fort Smith*, 163 F.3d 475 (8th Cir. 1998) (when § 1983 complaint seeking damages is subject to *Younger* abstention, federal action should be stayed rather than dismissed).

14, 2021); *See, Watkins v. Ohio Dep't of Educ.*, No. 2:21-CV-04482, 2022 WL 672565, at *1 (S.D. Ohio Mar. 7, 2022).

Abstention is not appropriate, staying the action was required. *See, Meyers v. Franklin Cty. Court of Common Pleas*, 23 F. App'x 201, 206 (6th Cir. 2001); *Maraan v. Off. of Ohio Disciplinary Couns. for Supreme Ct. of Ohio*, No. 1:18CV645, 2021 WL 3173311, at *3 (S.D. Ohio July 27, 2021); *Watkins v. Ohio Dep't of Educ.*, No. 2:21-CV-04482, 2022 WL 672565, at *8 (S.D. Ohio Mar. 7, 2022); (“Further, when a plaintiff seeks both equitable and legal relief, many courts in the Sixth Circuit stay the entire case rather than treat each form of requested relief differently.”).

The Delaware District Court abused its discretion by dismissing as opposed to staying the proceeding and denying all motions as moot with its dismissal.

The Younger abstention does not apply to additional claims I included for money damages for First Amendment violations, loss of employment opportunity, emotional distress, and loss to reputation. (DI 2, 3, 4).

III. YOUNGER DOES NOT APPLY TO MY FEDERAL CONSTITUTIONAL CLAIMS OR ANCILLARY CLAIMS I HAD NO OPPORTUNITY TO RAISE IN THE STATE COURT

I had no adequate opportunity to raise my federal claims or ancillary claims for damages and nominal relief in state court. (DI 2 and DI 43). I asserted Constitutional defenses. Nevertheless, the state court precluded my meaningful opportunity to be heard on my defenses and motions, prevented discovery, denied me the opportunity to call witnesses, denied me access to the law library, sealed pleadings to conceal evidence, and fired two witnesses to prevent their testimony in my favor to prejudice the proceeding against me. (DI 55, 70-75, 77)

I moved the Court to amend the complaint to include the Delaware Supreme Court as a party, for additional relief, including but not limited to, additional equal protection violations, and additional procedural and due process claims. I also seek to void *Kelly v Trump* and the disciplinary matter. I also requested other equitable relief, and nominal damages. I also sought to amend the name of a Defendant, and other matters I include herein by reference to the docket item numbers.² (DI 43-44, 55-56, 58, 69-75, 81-82, 85).

The state court does not have subject matter jurisdiction or jurisdiction is voidable. The Younger abstention is not appropriate to enjoin a forum without subject matter jurisdiction. The Delaware Supreme Court is without jurisdiction for its violations of procedural and substantive due process. Its judgments must be deemed void. (*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.”). The state-court does not have subject matter jurisdiction or jurisdiction is voidable. The Younger abstention is not appropriate to enjoin a forum without subject matter jurisdiction. The Delaware Supreme Court is without jurisdiction to rule on its own alleged violations of procedural and substantive due process, violations of First Amendment rights, conspiracy and collusion under 1985, or whether it had subject matter jurisdiction. Its judgments in *Kelly v Trump* and in the disciplinary cases may only be deemed void by the Federal District Court, not the state court.

² *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.”); See Respondent’s Exhibits to the Hearing (“R-Ex”) Exhibits 35, 37 Part 2, 42, R 44

I had no adequate opportunity to raise my federal claims in state court. I asserted Constitutional defenses. Nevertheless, the state court precluded my meaningful opportunity to be heard on my defenses and motions, prevented discovery, denied me the opportunity to call witnesses, denied me access to the law library, sealed pleadings to conceal evidence, and fired two witnesses to prevent their testimony in my favor to prejudice the proceeding against me. (DI 55, 70-75, 77)

There was no opportunity to ask the Delaware Supreme Court to void its own decision in *Kelly v Trump* and the disciplinary matter or to seek equitable relief, money damages or nominal damages against itself and its agents and arms. I seek to sue the Delaware Supreme Court. They cannot decide the case against itself, because they are a defendant. The Delaware Supreme Court is partial to the state and itself. I am entitled to an impartial judge, in accordance with the 1st and 14th Amendment procedural and substantive Due Process protections.³

State procedural law barred presentation of my Constitutional claims.

I will face irreparable injury in terms of loss of First Amendment rights and my property interest in my license should this Court deny me of the opportunity to be heard.

A lawyer's right, my right to pursue my profession constitutes a property protected by the due process clause of the Fourteenth Amendment, and of which I cannot be deprived for any

³ US Const. Amend I, V. (See, *Schweiker v. McClure*, 456 U.S. 188 (1982) reversed on other grounds; *Gibson v. Berryhill*, 411 U.S. 564, 570 (1973); *Ward v Village of Monroeville*, 409 US 57 61-62 (1972) ("Petitioner is entitled to a neutral and detached judge in the first instance."); *In Re Murchinson*, 349 US 133, 136 (1955); *Tumey v State of Ohio*, 273 US 510 (1927); *Withrow v. Larkin*, 421 U.S. 35, 46 (1975); *McCool v. Gehret*, 657 A.2d 269, 277 and 280 (Del. 1995) ("excluding evidence [in my case emails] of efforts to influence a witness' testimony [to exclude evidence] constitutes reversible error."Opinion testimony by a judge creates the appearance of partiality on behalf of a litigant, is greatly prejudicial to the adverse party..."); *Inc. v. Lopez*, CIV. No. 14-1223 (PG) (D.P.R. Oct. 27, 2015); *United Church of the Medical Center v. Medical Center Comm'n*, 689 F.2d 693, 701 (7th Cir. 1982); *Utica Packing Co. v. Block*, 781 F.2d 71, 77 (6th Cir. 1986); *Hammond v. Baldwin*, 866 F.2d 172, 177 (6th Cir. 1989).

whimsical, capricious or unreasonable cause, including the state's disagreement with my religious-political beliefs, outlined in *Kelly v Trump*. The Defendants point to my religious beliefs and citations to the Bible in their petition at 7 which are relevant to my claims in *Kelly v Trump*, and my Religious Freedom Restoration Act, religious-political pleadings in their Aug. 23, 2021 letter, as the reason for the disciplinary proceeding against me. (DI 56, 56-1, 56-2)

In *Brindley v. McCullen*, 61 F.3d 507, 509, the Court held in a § 1983 action for damages, the Sixth Circuit ruled that when *Younger* abstention is invoked, stay rather than dismissal is the appropriate disposition. A stay "avoids the costs of refiling, allows the plaintiffs to retain their place on the court docket, and avoids placing plaintiffs in a sometimes-difficult position of refiling their case before the statute of limitations expires." Id. In my case the statute of limitations and costs given my poverty and religious beliefs against indebtedness, prejudice me by a dismissal under *Younger*. The statute of limitations also prejudices my case. I have claims relating to *Kelly v Trump*, and retaliation for my petitions for relief from bar dues, not merely claims for the Delaware Disciplinary case, which arose during that disciplinary proceeding which has concluded. I believe my claims relating to the petition for relief from bar dues were from January and February 2020, which approaches the statute of limitations in 3 or 4 months. In light of the multiple law suits and disciplinary proceedings which have arisen as a result of the disciplinary proceeding, dismissing my law suit under *Younger* would likely render me without relief for my bar dues petition which the Delaware Supreme Court appeared to address in its order, August 10, 2022, indicating the need for money over justice, making liberty for sale not free. Recall information contained in the bar dues petitions show the Delaware Supreme Court incited the disciplinary proceeding against me, though additional evidence of the court's collusion arose thereafter.

I still have claims for retaliation for my right to petition based on religious-political and poverty animus. I also have claims, including but not limited to 42 USC §§§ 1983, 1985 and 1988 claims, as well as defamation, emotional distress, violations of my first amendment right of speech, belief, exercise of belief, association, speech and petition etc, relating to petitions other than the disciplinary petition. It places me in a difficult position should this case not be considered by the only court with subject matter jurisdiction to consider my claims, the Delaware District Court.

IV. BAD FAITH, HARASSMENT OR EXTRAORDINARY CIRCUMSTANCES HAVE ARISEN IN MY CASE THAT MAKE ABSTENTION INAPPROPRIATE

Bad faith, harassment, or extraordinary circumstances have arisen in my case that make abstention inappropriate.

The Record shows evidence of collusion and fraud to fix the proceeding against me, including but not limited to the sealing of records material to my defense to prejudice my case, the Board and Court denying my motions to perform discovery and to call witnesses to conceal the fact they eliminated two key witnesses by terminating them from the court, denial of my procedural due process rights, compelling me to attend a hearing when I was ill getting over the shingles. (DI 58) The record is full of additional outrageous issues including denial of access to the law library, granting me permission to hand in physical pleadings only to refuse to upload them onto the electronic record to conceal the ignored motions. (D.I.). The Board rendered email orders to prevent my opportunity to be heard on appeal. DI 47. The Hearing was inaccurately transcribed to prejudice me in this sham proceeding. (DI 47) Patricia Swartz lied to me about receipt of answer, which prejudiced me on costs an emotional distress. (DI 29). The record shows bad faith denials by Defendants and the State Court in response to my motions for a fair and impartial opportunity to be heard on issues other similarly situated attorneys would be

heard on. (DI 23, 34-36, 39-44, 47-58, 66, 69-75, 77-89, 95-96) There are other procedural defects that shock the conscience, but there is neither time nor space to discuss. The procedural history alone was 33 pages in my objections, I incorporate herein and do not waive due to space and time limitations. Irreparable injury exception to abstention applies, in § 1983 actions.

Circumstances give rise to irreparable injury sufficient to warrant exception to Younger abstention are extraordinary in the sense of creating an extraordinarily pressing need for immediate federal equitable relief, not merely in the sense of presenting a highly unusual factual situation. If I am being persecuted for believing differently, than other professionals who think differently than the state or its government backed private or foreign partners are in danger of being labeled the derogatory term disabled to demean their word before the public, while making it difficult to buy and sell as a professional.

The State Courts, the Chancery and Delaware Supreme Courts are without jurisdiction to grant relief beyond enjoining the state case since their members or agents incited the retaliatory behavior against me in bad faith to fix the sham proceeding against me to protect the mere appearance of the Courts while committing grave injustice that shocks the conscience. They cannot void their own decisions by the dictates of their desires instead of my appeal or by a lawsuit in federal court voiding their decision or holding they did not have subject matter due to procedural due process or equal protections violations. I am not aware of any cases which make orders voidable on equal protections grounds, but I reserve this argument for appeal too. It is prudent to protect individual liberty of minorities and others who do not think or believe the same as the majority or by the dictates of money. It makes us smarter to encourage diverse thought, and free not controlled to conformed dreaded dumbed down standardization.

The Delaware Supreme Court and Board ("Defendants") clearly violated Equal Protections rights based on poverty-animus and political-religious animus, towards me as a party of one on disdain for my religious-political petitions, defending and safeguarding my religious-political beliefs, speech and association. beliefs, religious-political speech, religious-political association my substantive and procedural due process rights, and disparately treated me, by punishing me for my poverty, religious practice and religious speech pursuant to treatment that is not neutral or generally applicable. US Const Amend. I, IV. I argue the case is voidable not only for substantive and procedural due process violations including but not limited to denying me notice pursuant to the rules, an opportunity to be heard, meaningful opportunity to prepare and present my case before an impartial forum, an opportunity to call witnesses and to expect the Court before whom I present my case has not actively concealed evidence and witnesses to fix the proceeding against me, but also for the Court and the state's and Defendants Equal protection violations brought with poverty animus, and political-religious animus. Nevertheless, this is not ripe for consideration until heard below. I fight now for the mere opportunity to be heard, the opportunity for justice, not the guarantee.

I do not have an adequate opportunity to raise my federal claims in state Court, including these claims. The state courts favor the Defendants, and favor their own agents. The Court cannot make a determination for relief against itself as a party.

V. THE COURT ABUSED ITS DISCRETION BY DENYING LEAVE TO AMEND THE COMPLAINT, WHILE APPLYING THE YOUNGER ABSTENTION

On January 24, 2022, I filed a Motion to amend the complaint showing I must join the Delaware Supreme Court and request for relief, I did not know was needed until that time, showing bad faith, fraud or collusion. The State Forum had no ability to hear my claims and additional claims fairly. (DI 43). The District-Court denied by failing to address it when it

rendered its order on April 26, 2022. The District Court sat on it for four months which is an abuse of discretion, an error by failing to consider material facts, amending the facts to include the additional facts, which causes manifest injustice against me, in terms of the loss of my fundamental rights, emotional distress, loss of property interests in my licenses to practice law and other harm. (DI 43)

The District Court appeared to fail to consider facts and legal arguments or exhibits contained in my motions to amend and alter the complaint. I incorporate herein in the entirety by reference, or other papers I filed I incorporate herein by reference, which are material to claims. (DI 2, 3, 4, 7, the exhibits therein, 20, 21, 21 29, 35, 36, 39, 40, 41, 43, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58)

Since April 24, 2022, the new and additional evidence has arisen showing the Court colluded in fixing the proceedings, including terminating two witnesses to conceal their testimony and preventing me from calling witnesses and performing discovery to find out the bad faith participation of the Delaware Supreme Court in concealing favorable testimony. Yet, the District-Court was aware of this when it rendered its order. (DI 58)

After April 24, 2022, new and additional information, facts and legal claims and damages have arisen which have not yet been considered. The District-Court must have opportunity to consider the facts and arguments to prevent manifest injustice. (DI 62, 64, 65, especially note the sealed docket items, that have since been unsealed, 66, 69, 70, 71, 72, 74, 75, 77, 78, 80-85, 88, 89, 90, 91, 93, 95, 96).

I have since moved the court through rolling motions to amend the Complaint altogether once, at the conclusion of the appeal to the United States Supreme Court proceeding. Nevertheless, this is not yet ripe for review. The mere opportunity to be heard must be protected.

The Court has not issued an opinion on the facts of my case, or the additional facts after the order. I must be heard to prevent precedent that the Government is above the law, and there is no forum to be heard, and others will be punished like me for asking for relief from government incited substantial burdens upon my Constitutionally protected religious belief, religious exercise, religious speech, religious association and religious petitions concerning government incited grievances, and property interest in professional licenses. US Amends I, XIV

Leave to amend the complaint must be granted in the interest of justice since the District Court allowed the additional injuries to be had against my person in bad faith. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). If my motion to amend the complaint to include the Court had been permitted, the Court would not be permitted to find Younger abstained my case.

Because this District Court prevented service of the Complaint, I must be permitted fair opportunity to amend the Complaint after my appeal to the US Supreme Court to prevent manifest injustice against me, pursuant to Fed. R. Civ. P. 15 (a), and under other provisions of Fed. R. Civ. P. 15. I have a right to “amend without leave where no answer has been filed.”

Citing, De La Cruz-Saddul v. Wayne State University, E.D.Mich.1980, 482 F.Supp. 1388.

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Quattlebaum, D.D.C.2004, 219 F.R.D. 195 “Plaintiff enjoys absolute right to amend complaint once at any time prior to responsive pleading or granting of motion to dismiss.”)

“Leave to file an amended complaint is not required, since defendant had not yet answered,” and has not even been served yet. *Cunard Line Ltd. v. Abney*, S.D.N.Y.1982, 540 F.Supp. 657.

I think it prudent to serve an amended complaint as opposed to an original, and provide my intent to file an amended complaint at a later time, all at once at the conclusion of my appeal of the Delaware disciplinary matter to the US Supreme Court. (See, *Datastorm Technologies, Inc. v. Excalibur Communications, Inc.*, N.D.Cal.1995, 888 F.Supp. 112, “Complaint that has been amended pursuant to rule governing motions to amend suspends pleading it modifies, rendering original pleading void.”)

Defendants should reasonably expect, I would seek relief from this court for such irreparable injuries I suffer as a result of the Court failing to enjoin the disciplinary proceeding, and additional prospective relief to prevent new irreparable harm by amending my complaint to include the same. (DI 2-4, 7-10). I have no adequate opportunity to raise my federal claims in the state proceeding.

Defendants have notice, I will seek relief from this court for the irreparable harm I sought to prevent, including but not limited to, irreparable injury, as a loss to protections of my fundamental rights, harm towards my person, economic harm, by preventing me from seeking to rejoin my former law firm, my active license to practice law, my reputation, my health, the shingles, punishment for the exercise of my right to petition, in interference with my right to a fair trial in *Kelly v Trump*, interference with my right to a fair trial in the disciplinary matter which was unlawfully brought to punish me for the exercise of fundamental rights, my loss of and punishment

for the exercise of the right to a fair trial, to religious-political belief, religious-political association, religious-political speech, and the right to make religious-political petitions when I believe the government has committed a grievance against me, and procedural and substantive due process rights applicable to the Defendants pursuant to the 1st and 14th Amendments, Vindictive prosecution, selective prosecution and, or other claims.

On April 26, 2022, I filed a letter indicating my desire to amend the complaint again by stating. “With new and additional information commonly arising in my case, I have a running request to amend the complaint to conform with additional and new evidence, as they arise at the end of proceeding, to include additional or new claims or evidence.” (D.I. 58 at page 14)

On May 7, 2022, I filed *Plaintiff’s Addendum May 7, 2022, Critical documents unavailable to conceal court misconduct attached hereto to be included in DI-4; State Court sealing of documents in Kelly v Trump, correct and supplement the record at D.I. 4*, (“May 7th Motion”), wherein, I provided evidence the Delaware Supreme Court sealed my petitions, material to my defense in the disciplinary proceeding, without providing me notice or an opportunity to be heard to prejudice the case against me in the sham disciplinary proceeding. (D.I. 65, D.I. 65-2, D.I. 65-4).

I also alerted the court to my religious objection to swearing or affirming in the May 7th Motion. (D.I. 65, paragraphs 17-22.); (Also see, D.I. 77-2).

Since, it became clear my complaint, as filed, did not appear accurate to the public, I filed *Appellant Plaintiff Meghan Kelly’s Motion Directing the Delaware District Court to correct the Complaint to include the signature and listed damages for relief so as not to mislead the public, attorneys and appellate Courts*, to confirm my filing includes the claim for damages in the original complaint. (DI 61).

On May 24, 2022, I filed a more formal motion, *Plaintiff's Rolling Motion to conform complaint to the additional facts and legal arguments as they arise, as if already included in the Complaint.* (DI 69-75).

On June 7, 2022, I filed *Plaintiff's Motion to include pleadings filed on June 7, 2022, for the Court's consideration pursuant to her rolling motion to conform the complaint to additional facts alleged and arguments as they arise, as if already included in the complaint.* (D.I. 77)

There is a continuous need to amend the complaint, and I prefer to make a request leave be granted at the conclusion of my appeal to the US Supreme Court on the state disciplinary proceeding, as a matter of right, including appeals, or the time of appeal has lapsed. It appears additional facts, harm, and claims of relief will arise until the conclusion of the State proceeding, causing additional amendments to the complaint.

The Chancery Court revealed I cannot file for a mistrial, since the Court intentionally drafted a rule requiring, I violate my religious beliefs against swearing in order to prevent me from seeking a mistrial in *Kelly v Trump*, showing an unfair proceeding is guaranteed. (D.I. 77-2), See paragraph 36 above. This same rule prevents me from contesting the adjudication of disability by the Delaware Supreme Court before the Chancery Court. Id.

In the interest of justice, I must not be denied permission to file a motion to amend the complaint to include the Delaware Supreme Court in addition to each of the members as outlined in DI 43, as Defendants. I must petition this court to declare *Kelly v Trump* void, and seek to enjoin the justices and the courts from enforcing their decision, because of the Delaware Supreme court's participation in denying my procedural and substantive due process rights in violation of

the First Amendment to fix the outcome, not only in the disciplinary proceeding, but also in *Kelly v Trump*.⁴

A judgment may be void if a court "acted in a manner inconsistent with due process of law." *Constr. Drilling, Inc. v. Chusid*, 131 F. App'x 366, 372 (3d Cir. 2005); *citing*, 1 Charles Alan Wright, *Arthur R. Miller & Mary Kay Kane, Federal Practice and Procedure* § 2862.⁵ "While 60(b)(4) motions are ordinarily raised in the court that rendered the decision, they can be raised elsewhere." *Id.* Accordingly, I must be permitted the opportunity to plead to void *Kelly v Trump* based on absence of subject matter jurisdiction or voidable subject matter jurisdiction for the court's incitement and participation in prosecuting me for my religious beliefs and speech, contained in my petitions. In addition, I should not be denied the opportunity to request relief for the state's interference and attacks against me during my live religious-political RFRA case, *Kelly v Trump*, to cause me to forgo constitutional rights and to affect the outcome. *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.")

⁴ *Velasquez v. Litz*, No. CV 3:21-1659, 2021 WL 5298912, at *3 (M.D. Pa. Nov. 15, 2021); *See Fletcher-Harlee Corp. v. Pote Concrete Contractors, Inc.*, 482 F.3d 247, 253 (3d Cir. 2007); *Abbott v. Mette*, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), aff'd, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021); *Harris v. Raymond*, No. 3:20-CV-01119, 2020 WL 5267920, at *4 (M.D. Pa. Aug. 17, 2020), report and recommendation adopted, No. 3:20-CV-1119, 2020 WL 5260769 (M.D. Pa. Sept. 3, 2020)

⁵ *Bush v. Rauch*, 38 F.3d 842, 847 (6th Cir. 1994)(I argue the state's decisions are void, without jurisdiction exercised, outside of the scope of judicial function, in clear absence of all jurisdiction since the Delaware Supreme Court incited the state arms to attack me to fix the outcome in both *Kelly v Trump*, and the disciplinary matter.)

In *Lucero v. Ramirez*, No. 20-CV-2411-CAB-JLB, 2021 WL 1529932, at *1 (S.D. Cal. Apr. 16, 2021), the Court held, “An attorney charged with misconduct is entitled to receive reasonable notice, to conduct discovery, to have a reasonable opportunity to defend against the charge by the introduction of evidence, to be represented by counsel, and to examine and cross-examine witnesses.” I was denied these rights in the disciplinary proceeding too. The Delaware Supreme Court concealed the elimination of the witnesses, material pleadings, and colluded with the Defendants to obstruct my access to material witnesses in the disciplinary proceeding.

I have a “right to be tried by an unbiased and impartial judge without a direct personal interest in the outcome of the hearing [as prosecutor or witness].” *Ungar v. Sarafite*, 376 U.S. 575, 584, *Citing, Tumey v. Ohio*, 273 U.S. 510.

Per the US Supreme Court in *Peters v. Kiff*, 407 U.S. 493, 502 (1972), *Overruled in Gregg v. Georgia*, 428 U.S. 153, 169 (1976), on other grounds,

“[E]ven if there is no showing of actual bias in the tribunal, [the US Supreme Court] has held that due process is denied by circumstances that create the likelihood or the appearance of bias. This rule, too, was well established long before the right to jury trial was made applicable in state trials, and does not depend on it. Thus, it has been invoked in trials to a judge, e. g., *Tumey v. Ohio*, 273 U.S. 510 (1927); *In re Murchison*, 349 U.S. 133 (1955); *Mayberry v. Pennsylvania*, 400 U.S. 455 (1971)

The Delaware Supreme Court, would have correctly kicked the case out, in *Kelly v Trump*, for my failure to serve US Attorney General. They expressly did not. (DI 4, 79-3) Instead, the court stated my legal arguments against executive orders that permitted money be given to churches, under the deception of charity, to perform government business was lawful. In addition, the members of the Delaware Supreme Court incited the Supreme Court’s arms to attack me during proceeding, *Kelly v Trump*, to interfere with, and affect the outcome of my case.

I believe people go to hell for thinking business or money, convenience, avoidance of costs, or productivity is the law, making the law for sale, not protecting free people by elimination of

Constitutional freedoms of speech, belief, exercise of belief, association, and petition. It teaches that lawlessness, spoken of by Jesus, is the law, making money and material gain guide and God. Jesus teaches those who serve money as guide and God will not have eternal life, but will be cast in the fire. I believe courts have the ability to save eternal lives by taming the sin against the holy spirit, with just decrees, to prevent businesses from killing stealing and destroying for the bottom line.

The government ignores Constitutional liberties by enslaving its own people by making money the law. No government money should be granted to any private entity, regardless as to whether it is a not for profit, charity, another government, organization like CERN, business, or a religious institution. If the government funds it, it should run it, at no cost to the people, by coining money correctly, not through the federal reserve, and without debt and interest to care for the people. Otherwise, equal protections are violated and partiality is granted to entities who may perform government business at the least amount of cost, making those with more resources in a better position of gaining more government funding. This creates wealth, favoring those who are rich, while keeping the poor impoverished, not equal protections, but favoritism towards those with connections, power or material wealth.

VI. SOME NOT ALL OF NEW FACTS AND CLAIMS, WHICH MUST IN THE INTEREST OF JUSTICE BE REMANDED TO BE CONSIDERED BY THE DISTRICT COURT, ALONG WITH MY OTHER CLAIMS

The new and additional facts and arguments contained in my motions and pleadings must be considered to prevent abuse of discretion, clear error of law, clear error of fact and to prevent manifest injustice against me by denying me the opportunity to be heard to safeguard my exercise of First Amendment rights, creating loss of First Amendment rights and my interest in my ability to work in my profession.

The hearings and actions taken by Defendants against my professional license in retaliation for my exercise of Constitutional rights are in violation of the First Amendment, the Procedural and Substantive Due Process Clause and Equal Protection Clauses of the Fourteenth Amendment. 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 this disciplinary proceeding. The record shows clear and convincing evidence that the proceedings were brought, with religious-political animus, in retaliation against me for filing Kelly v Trump and for petitioning the court regarding bar dues to safeguard my liberties.

The state abused its discretion by 1. Vindictive prosecution, which constitutes a violation of due process, and by Selective prosecution, which constitutes a denial of equal protection.

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 their 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 by President Trump.

I uphold my oath by requesting government agents, judges, presidents and members of congress to adhere to rule of law by allowing me to exercise my Constitutional rights. The steps taken to orchestrate this proceeding circumvent due process protections and thereby manifest selective targeted unjust persecution.

The State Courts, the Chancery and Delaware Supreme Courts are without jurisdiction to grant relief since their members or agents incited the retaliatory behavior against me.

I did not have an adequate opportunity to raise my federal claims in state Court. The state courts favor the Defendants, and favor their own agents. The Court cannot make a determination for relief against itself as a party.

The Delaware Supreme Court and Board (also referred herein as “Defendants”) clearly violated Equal Protections rights based on poverty-animus and political-religious animus, towards me as a party of one on disdain for my religious-political petitions, defending and safeguarding my religious-political beliefs, speech and association. beliefs, religious-political speech, religious-political association my substantive and procedural due process rights, and disparately treated me, by punishing me for my poverty, religious practice and religious speech pursuant to treatment that is not neutral or generally applicable. US Const Amend. I, IV.

Nothing was normal during *Kelly v Trump*. Court staff appeared to seek to sabotage my case, based on my political-religious beliefs and/or indigency, by 1. misleading me to almost miss my deadline to appeal, 2. Appearing to disparage me based on religious-political beliefs or/and poverty, 3. instructing me to write off the Attorney General’s address, which impeded service, and 4. By writing on a praecipe, causing confusion, and needless pleadings.⁶

To worsen matters, the Delaware Supreme Court appeared to cause its arms to attack me to get me to forgo my lawsuit.⁷ DE-Lapp’s letter indicated the relief requested from the DE Supreme Court, relating to bar dues, as the source of its interference with my law suit. *Id.* (DI 77

⁶ (Objxn-B-D, K-internal-exhibits-2-7, 27-29, DI 62-72.

⁷ DI 62-72, Objxn-E-G, K-internal Ex-20-26-29.

Exhibit A, B, C) The Clerk of Court confirmed the entire court reviewed my petitions relating to attorney dues, evidencing the entire Court incited the interference in *Kelly v Trump*.

Further, Sussex Court of Common Pleas Judge Kenneth S. Clark, interrogated me at the arms of the court's request in public at BJ's, located in Millsboro. He demanded I come to his chambers for filing *Kelly v Trump* to obstruct, impede or cause me to forgo my lawsuit. Id.

Other parties are not threatened by Court agents wearing the cloak of government authority to obstruct, impede or cause claimants to forgo cases whose religious-political beliefs they disagree with. Minorities like myself, whose religious-political beliefs do not conform to the mainstream are still afforded Constitutional protections for exercise of fundamental rights relating to their diverse, tightly held religious-political beliefs, including speech defending such rights in petitions.⁸

I petitioned the Delaware Supreme Court concerning the disparate treatment. The Delaware supreme Court ruled my case was frivolous, and indicated my petitions relating to disparate treatment need not be addressed. The Court sealed these same petitions it indicated were not necessary to address to prejudice my case.

The Court's disagreement with my religious beliefs is an impermissible reason to deem me disabled. "Courts have no business addressing whether sincerely held religious beliefs asserted in a RFRA case, [including mine] are reasonable." *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 682. The government may not determine what is and what is not an acceptable

⁸ *Obergefell v. Hedges*, 576 U.S. 644

religious belief.⁹ My God is the arbiter of my life, regarding religious beliefs, not the government, even when the government deems my religious beliefs wrong or a disability.

The Court's misguided conclusion that my case is frivolous is not a permissible reason to deem me disabled. Other lawyers have their cases and their clients' cases kicked out as frivolous and they are not disciplined or deemed a danger to society. My religious-political beliefs are the ODC's admitted reason for their claim for disability and for disciplining me. (Exhibits E, F)

On August 23, 2021, the ODC sent me a threatening letter by email, interfering with my active case, but for my petitions, before I appealed the Delaware Supreme Court's decision to the United States Supreme Court, admitting my Delaware Supreme Court and Chancery Court religious-political pleadings, as the reason for their attack.¹⁰ (Exhibit E). The ODC's attack was "unconstitutional on its face and as applied." *Hill v. City of Scranton*, 411 F.3d 118, 122 (3d Cir. 2005). Should they have any legitimate concerns, which the record shows none, the ODC should not have interfered with my First Amendment exercise of petitioning the courts, to affect the outcome or pressure me to forgo the case, in violation of US Amend I and XIV. Id. at 125-126.

On October 25, 2021, I filed a lawsuit to enjoin the ODC for retaliating against me for exercising fundamental rights, and for damages for emotional relief.¹¹ On November 1, 2021 the US Supreme Court denied my writ of certiorari.¹²

⁹ *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872, 887, 110 S. Ct. 1595, 108 L. Ed. 2d 876 (1990). ("the First Amendment forbids civil courts from" interpreting "particular church doctrines" and determining "the importance of those doctrines to the religion.")

¹⁰ Objxn-K-Internal-Ex-5-7.

¹¹ Objxn-H

¹² Objn-K-Ex-1.

On or about November 4, 2021, the date the preliminary review committee conducted a hearing, the Delaware Supreme Court sealed my Delaware Supreme Court petitions in *Kelly v. Trump* relating to disparate treatment, without notice and an opportunity for me, a party to be heard, and without valid cause.

I did not have access to the sealed documents, through public record, nor did the ODC, the public, or the federal courts, which prejudiced me to the benefit of the State.¹³ Third Circuit Judge Bright's, concurring in part and dissenting in part in *U.S. v. Wecht*, 484 F.3d 194, 221, 226 (3d Cir. 2007) indicated sealing documents without notice or opportunity for a party to be heard without valid reason was enough to remove a judge from a case.

In my case the Delaware Supreme Court, *sua sponte*, sealed documents to assist the ODC's prosecution of me by concealing relevant material to my defense, evidencing the entire court's apparent bias against me and the Court's partiality to the state.

"When a court considers the imposition of a seal, it must make particularized findings on the record, giving notice on the docket of such consideration and rejecting alternatives to closure." *U.S. v. Wecht*, 484 F.3d 194, 224 (3d Cir. 2007); See *United States v. Criden*, 675 F.2d 550, 560 (3d Cir.1982).

¹³ (*N. Jersey Media Grp. Inc. v. United States*, 836 F.3d 421, 434 (3d Cir. 2016), "We have previously recognized a right of access to judicial proceedings and judicial records, and this right of access is beyond dispute." *Pansy v. Borough of Stroudsburg*, 23 F.3d 772, 780-81 (3d Cir. 1994) (internal quotation marks omitted); see also *Nixon v. Warner Commc'nns, Inc.*, 435 U.S. 589, 98 S.Ct. 1306, 55 L.Ed.2d 570 (1978) (recognizing that, in the context of criminal proceedings, the press has a historically-based, common law right of access to judicial records and documents). That right is rooted in common law and predates the Constitution. *Bank of Am. Nat'l Tr. & Sav. Ass'n v. Hotel Rittenhouse Assocs.*, 800 F.2d 339, 343 (3d Cir. 1986).

In my case, the Delaware Supreme Court did not make any such findings, and clearly sealed the four docket items in *Kelly v Trump*, Delaware Supreme Court No 119, 2021, DI 16, 21, 40, 41, to benefit the government to my detriment, showing clear prejudice against me, in violation of the procedural and substantive due process clause applicable to the state pursuant to the First and Fourteenth Amendments.

Nothing was normal in *Kelly v Trump*. The State and ODC attacked and retaliated against me for my religious-political speech contained in my petitions, reflecting my religious-political beliefs.¹⁴ The State has a history of ignoring my religious-political petitions, disparately treating me based on religious view point. ¹⁵

This is not the first time, the State through its arm has retaliated against me for its own lawless lusts, convenience, at the exchange of sacrificing Constitutional liberties, including the right to petition. Objxn-D, H, at paragraphs 277-299. I lost more than two million dollars in expected income, but for, the retaliation by the arms of the Court, for petitioning the State through its arms or the Court regarding concerns while taking the Delaware Bar. Id.

Nothing was normal in my disciplinary case either. I was not treated like other lawyers or other plaintiffs. I was disparately treated based on my poverty, and personal-religious-political beliefs, as a party of one, and was selectively punished for exercise of Constitutional liberties. ¹⁶

¹⁴ . Objxn-Ex B-H2, K

¹⁵ MOL Objxn-Ex-H, Objxn-Ex-N-internal-exhibits 1, 2to Exhibit 6, 3 to exhibit 6, 4 to exhibit 6, 5 to exhibit 6, 6 to exhibit 6, 8 to exhibit 6, Exhibit 7-9.

¹⁶ Objxn-K- 8-9, FF, GG, D.I. 55-56.

The State in bad faith prevented and obstructed discovery, to conceal witnesses were removed from the Chancery Court to impede their testimony from aiding in my defense, and to conceal relevant records were sealed by the Court to favor the ODC.¹⁷ The United States Supreme Court held, "the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment." *Moran v. Burbine*, 475 U.S. 412, 466 (1986). Concealing the fact two witnesses were removed from the Chancery Court to prevent their favorable testimony in my defense, and government concealing of petitions favorable to my defense, violates my Due Process rights to a fair proceeding, by bias towards the State.

The Board's findings of fact are not supported by substantial evidence and should not be adopted. The record shows substantial evidence the Board was objectively biased towards the ODC, not fair, and prejudiced against me. The Board denied me of basic Equal protection, procedural and substantive due process rights afforded to similarly situated respondents based on disdain for my religious-political-exercise of fundamental rights and poverty. US Amend I and XIV. I was denied an opportunity to be heard, to prepare and present my case, denied adequate time to perform discovery, denied adequate notice which I at no time waived.¹⁸ 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. *Id.* The Board denied me of an opportunity to subpoena and cross examine witnesses with first-hand knowledge, to conceal the fact the State eliminated two potential witnesses from the court. *Id.*

¹⁷ *Brady v. Maryland*, 373 U.S. 83, 87 (1963); *United States v. Bagley*, 473 U.S. 667 (1985); *United States v. Agurs*, 427 U.S. 97 (1976); *Moore v. Illinois*, 408 U.S. 786 (1972)." *Moran v. Burbine*, 475 U.S. 412, 467 n.59 (1986)

¹⁸ Objxn, Ex-M-P-Q-R-R-1-S-T-U-U2-V-W-X-AA-BB-CC-DD-EE-FF-GG-HH, DI 55-56

The state rushed the proceeding and intentionally caused foreseeable emotional distress, in hopes to make me physically ill to use it against me, like heartless monsters. *Id.*

I at no time sat on my rights, but fought for my life and liberty to worship God through the practice of law, and as a citizen without government persecution but for my exercise of fundamental rights. *Id.*

The state denied my 1st and 6th Amendment rights, applicable to the state via the 14th Amendment, to represent myself at the inception, causing me to file pleadings.¹⁹ The Board ignored, and did not address my motions objecting to insufficient notice, by its failure to provide at least 20 days-notice of the hearing, as required by the rules of Disciplinary procedure, Rule 9, which prejudiced my case, motivated by their animosity towards my religious-political beliefs and exercise. Objxn-Ex-M,N, W. I filed objections to the appointment of Counsel, moved for opportunity to perform discovery and postpone the hearing until fair reasonable due process was granted in a motion dated, December 18, 2022. That was ignored. Objxn-Ex-N-M-N-O-P. On December 29, 2021, I filed a letter with the Court requesting relief since the hearing was two weeks away, and I had not even been granted 6th Amendment permission to represent myself to perform discovery or prepare, at the time. Objxn-Ex-P.

It was not until December 30, 2022, the Court granted me the right to self-represent, less than 13 full days before the hearing, with no opportunity to prepare my defense of religious-political petitions, speech, association, beliefs against state persecution, but for my belief in Jesus. Ex-P-2.

¹⁹ Obxn-Ex-N. Mark 13:11 “Whenever you are arrested and brought to trial, do not prepare beforehand about what to say. Just say whatever is given you at the time, for it is not you speaking, but the Holy Spirit.”

I was so physically and emotionally exhausted that I fell ill with the shingles. After the reprieve, the small battle of self-representation won, I noticed my rash, pain, lethargy and weakness. Yet, I filed a motion the next day, that was ignored by the Board dated December 31, 2021, to prevent medical and mental examinations, dated December 31, 2021, Ex-Q, and another one dated on or about January 31, 2022, incorporated herein, Ex-X. Physical and mental examinations are against my religious beliefs, and the Court must not maliciously violate my religious beliefs in bad faith.

I followed up with the Board numerous times on the status of my motion to perform discovery, objection to insufficient notice, and postpone the hearing so as not to prejudice me, and at no time sat on my rights. Ex-K-L-M-N-O-P-Q-R-R-1,R-2-S-T-U-U2-V-W-X. I filed additional motions to postpone the hearing so as not to deny me a fair reasonable opportunity to prepare and present my case, perform discovery, cross examine witnesses. Id. I was denied basic due process rights, and substantive due process rights, based on my religious-political exercise of fundamental rights, in violation of the First and Fourteenth Amendment, motivated by the state's disdain towards my personal religious-political beliefs, exercise, speech and petitions demonstrating my faith in Jesus. Id.

I appealed to the Delaware Supreme Court and was denied procedural and substantive due process rights, based on the fact the Court appeared to render a verdict before granting me an opportunity to be heard, motivated by disdain to discriminate me based on my religious beliefs by disparate treatment, unusual to those of other claimants before the court. Ex-R, Ex-R-1, Ex-S, Ex-T, Ex-U, Ex-U-2, Ex-V.

The State ignored and denied me an opportunity to be heard on various motions and appeals, including but not limited to pleadings dated December 18, 2021, December 31, 2022,

January 13, 2022, January 15, 2022, objecting to due process violations, moving to postpone the hearing, to call witnesses, and objecting to the insufficient notice sent out notice 18 days prior to the scheduled hearing. Ex-P-Q-R-R-2-S-T-U-U-2-V-W. I had no time to subpoena witnesses, or even to discover the fact the state eliminated witnesses through terminating their employment in the Chancery Court, and I moved the Board and the Court to grant me time, specifically mentioning Arline Simmons as witness. I at no time waived my insufficient notice argument.

Defendant Kathleen Vavala (“Kathleen”), did not participate in the proceeding until after the hearing took place. Her recital of the DRPC rules to mislead the court is in vain. I was not afforded the protections of the rules, and at no times waived my Constitutional rights to a fair proceeding. The voluminous exhibits the Board ignored, deeming them as irrelevant, are relevant to show in fact the Board denied me an opportunity to be heard on the assertions and pleas contained therein, in defense of my exercise of fundamental rights. The exhibits show I did not sit on my rights or waive them.

Contrary to Kathleen’s assertion, having only been granted the right to represent myself 13 days before the hearing date, I was not afforded with ample time to provide a list of witnesses to call 10 days in advance of the hearing, as required under DLRDC (12)(h) as I faced other complications including but not limited to the lack of a phone, computer malfunctioning, the shingles, and vulture destruction of property. See D.I. 55-56. I did not even discover Arline Simmons, a witness I motioned to call, could not be served at the Chancery Court until after the hearing. Objxn-Ex-U. I had insufficient time to effectuate discovery, as I fought to represent myself so as not to violate my religious beliefs. The Board ignored and indirectly denied my requests for time for an opportunity, while rendering an informal, unappealable order in email form. Obxn-M-U2.

The hearing was postponed for 8 days, for a reason I did not assert, my illness, which did not afford me enough time to prepare, research, perform discovery, fully recover, or to subpoena witnesses to notice opposing counsel 10 days in advance. DLRDP (12)(h). Objxn-Ex-R-1. The Board ignored and rendered no orders on other motions, and rendered an E-mail determination, to obstruct formal appeal on January 18, 2022, in the fixed proceeding against me. Objxn-Ex-U-2.

I attempted to require the Board cancel the hearing, in advance, to prevent incurring costs as I was still not feeling well. I was so sick and exhausted and emailed the Board to cancel the hearing. I had no time to prepare, could not sleep, and truly felt sick, but was concerned the State may think I had the plague, Covid-19. Objxn-Ex-EE. I attended the hearing without being afforded an opportunity to prepare, and present my case, call witnesses, perform discovery or even to be human to care for my recovery because I did not want to be held in contempt. I made a special appearance preserving my objections to improper notice, lack of subject matter jurisdiction due to the Delaware Supreme Court's apparent participation in inciting the case, and to object on substantive and procedural Due process and Equal Protections grounds for the disparate treatment against me during the proceeding, and in inciting the proceeding. Objxn.-MOL.

The State knew I was exhausted, recovering from the shingles, lacking of sleep, without being afforded a fair opportunity to prepare and present my case. They did not care about me, or my personal health or my lack of a fair opportunity to present my case for my sake. They appeared to hope I would get sick to use it against me.

I attended the hearing by phone since I had no working computer. Objxn-Ex-GG, D.I. 55-56. Upon receipt of the transcript, I objected, and I object again as the transcript does not

accurately reflect my testimony. The reporter placed words that I did not say in my mouth. Objxn-Ex-AA, BB, CC. It appeared the state set me up. I filed corrections, which in no way make the transcript completely accurate. Id.

Kathleen, did not participate in this action until after the hearing. She relies on the inaccurate transcript I object to, and demeans me for my lack of a working computer and poverty, as evidence of disability. I am so poor I did not have a phone until sometime in January 2022. My computer did not work at the time of the hearing, and my backup computer also malfunctioned. My confusion as to why the computer was not working was absolutely genuine, and not evidence of a disability.

Kathleen's bad faith, or at best ignorant, attacks display her cold heartless indifference towards the substantial burden poverty has placed upon my defense of exercise of fundamental rights in this case.²⁰ “[A]t all stages of the proceedings the Due Process and Equal Protection Clauses protect [indigent persons] from invidious discriminations” *Lewis v. Casey*, 518 U.S. 343, 370 (1996) “Because this case implicates the [Constitutionally protected] right of access to the courts,” and other fundamental rights, the government’s disparate treatment towards me, based on poverty, is still unconstitutional under a strict scrutiny basis test. Citing, *Tennessee v. Lane*, 541 U.S. 509, 533 n.20 (2004).²¹

The Record shows the Court denied me an opportunity to be heard, until it was too late, until violations of my First Amendment rights already occurred. Objxn-Ex-R2, V. The Delaware Supreme Court also indicated it made a determination on my defenses before affording me an opportunity to be heard by deeming my claims for an opportunity to prepare and present a

²⁰ *Abdul-Akbar v. McKelvie*, 239 F.3d 307, 317 (3d Cir. 2001)

²¹ *Lewis v. Casey*, 518 U.S. 343, 370 (1996); *Murray v. Giarratano*, 492 U.S. 1, 18 (1989)

case, perform discovery and call witnesses, as frivolous before their assertion, preventing a fair and impartial opportunity to be heard at the hearing, preventing discovery, colluding with the state in the fixed proceeding against me. Objxn-Ex-V It is notable that both the Board and the court waited until two or three days prior to the hearing to address any matter while ignoring motions, leaving them unanswered.

I must be permitted to argue the Disciplinary proceeding be voided by the District Court. The Board and the Court both violated my substantive and procedural due process rights in the Board proceeding in bad faith, with objective partiality towards the government, and prejudice against me.

The Third Circuit held, "A judgment may also be void if a court "acted in a manner inconsistent with due process of law."²²

I must be permitted to argue the Delaware Supreme Court lacks subject matter jurisdiction or subject matter is voidable for apparently inciting the prosecution, and concealing beneficial evidence in bad faith to prejudice me with partiality to the government to fix the proceeding against me in violation of the Procedural and Substantive Due Process Clause pursuant to the State under the First and Fourteenth Amendments.

The record shows the Delaware Supreme Court through its agents participated in inciting the proceedings against me, acting as witness, prosecutor and judge, and by concealing evidence by 1. inciting the Court's arms to attack me in *Kelly v Trump*, and the present disciplinary proceeding, 2. collaborating with the Chancery Court and directing Delaware Supreme Court

²² *Constr. Drilling, Inc. V. Chusid*, No. 03-3786, 2005 WL 1111760, at *3 (3d Cir. May 11, 2005). See Respondent's Exhibits to the Hearing ("R-Ex") Exhibits 35, 37 Part 2, 42, R 44

employee Mrs. Robinson to sign off on the departure information of one or two of the former Chancery Court staff workers with information material to my state case, who appeared to lose their jobs, while preventing my opportunity to perform discovery or subpoena the two concealed witnesses, and 3, by eliminating some of the petitions for which the Defendants allege to bring the State action against me, placing them under seal, without notice to me a party, and without lawful reason, such as sensitive information relating to social security or bank accounts, to cover up the Court's and State's lawless acts, with knowledge these petitions are relevant to my defense and the federal proceeding.

Eliminating truth or evidence guarantees injustice. It is my religious belief courts exists to correct and guide those misguided by business greed, profit, position, and power, who sacrifice the lives, health and liberty of others for material gain, essentially selling souls to gain the world, only to lose their own eternal soul by the sin against the holy spirit, hardness of hearts from caring to think, to know, to love others unless it affects them.

Eliminating evidence hides the truth, or diverse views, allowing only the government-backed private partners' and public views to be protected under the Constitution.

The State seek to eliminate me, just as they cover up wrong doing by eliminating witnesses, forcing them to lose their jobs, under the deception of looking after them, only to look after the mere appearance of justice, not actual justice, and by concealing and sealing my pleadings. The Delaware Supreme Court justices do not care to uphold the fundamental rights of those in my class of one, of a person with unique religious-political beliefs which do not conform to the majority's, the individuals within the ODC and/or the judges on the Delaware Supreme Court.

Eliminating people who petition the Court, as “mentally disabled” for thinking the Court would care to help someone who is poor, or who believes in Jesus Christ or diverse political-religious views in that I seek to care for humanity not control them through money, is disparate treatment based on protected view point, in violation of the Equal Protections Clause applicable to the State pursuant to the First and Fourteenth Amendment. US Amend I, and XIV.

The Delaware Supreme Court incited the State’s petition, and concealed my religious-political petitions in bad faith with partiality towards the ODC. Joann and the Clerk of Court at the Delaware Supreme Court admitted that the Court sealed two motions, and Exhibits A-4, and A-5, in *Kelly v Trump*, relating to the Court and its agents’ disparate treatment towards me. None of the sealed documents contained sensitive information.²³ (**Exhibits F, G**) This was not for my protection or the protection of the parties, but was to cover up Court misconduct, just as the state seeks to eliminate me to conceal government misconduct by labeling me disabled, disparaging my reputation, to deem me not credible.²⁴

The Delaware Supreme Court participated in eliminating potential material witnesses by having an agent sign off on the departure forms for two Chancery Court employees, Arline Simmons and Katrina Kruger. The Court colluded to conceal two people with first hand-knowledge of the facts of this case, despite my motion to subpoena one.²⁵

I want the court to stop eliminating documents and witnesses, and do not want the court to eliminate the clerk who raised her voice at me on June 2, 2022, while confirming there was no

²³ DI 62-72

²⁴ . Objxn-K-Ex-31 See letters of recommendation on my behalf concerning my reputation.

²⁵ Objxn-Ex-T-U-U-2-V.

motion to seal petitions. The court staff who yelled at me in the Chancery Court are gone, no longer employed with the Court, and that breaks my heart.

Covering up mistakes by eliminating those who make them is not correction but concealment, allowing it to be ignored not lovingly corrected. The State seeks to eliminate me to conceal its own wrongs instead of learning from them.²⁶

The State's elimination of four sealed and concealed docket items and the elimination of two material witnesses from availability through process by service to the Chancery Court is relevant to my defense of retaliation, discriminatory motive, discriminatory purpose, with a discriminatory outcome made to chill my religious-political speech by demeaning my character as disabled, and threatening my bar licensure's status for exercising political-religious speech, contained in petitions, or outside the petitions, which the government disagrees with, based on religious-political viewpoint.

The Delaware Supreme Court lacks subject matter jurisdiction by its 1st and 14th Amendment substantive and procedural Due Process violations based on its prejudicial treatment in inciting the petition, and disparate treatment during the proceeding.

The Court disregarded my religious beliefs against appointment of counsel, requiring I file multiple pleadings to fight against government compelled violations against my religious beliefs. The Court disregarded my motion concerning the ODC's fraud, committed in bad faith by lying, seeking to commit fraud, concerning receipt of my answers. The Record shows the Court denied me an opportunity to be heard, until it was too late, until violations of my First Amendment rights already occurred. The Delaware Supreme Court also indicated it made a

²⁶ Objxn-MOL

determination on my defenses before affording me an opportunity to be heard by deeming my claims for an opportunity to prepare and present a case, perform discovery and call witnesses, as frivolous before their assertion, preventing a fair and impartial opportunity to be heard at the hearing, preventing discovery, colluding with the state in the fixed proceeding against me. It is notable that both the Board and the court waited until two days prior to the hearing to address any matter while ignoring motions, leaving them unanswered. I must be permitted these claims as well as other claims before the Delaware District Court to prevent manifest injustice that shocks the conscience by the elimination of any forum to hear my claims, not defenses, for violations of my exercise of fundamental rights and other claims.

VII. CONCLUSION

This appeal to vacate the orders below and remand to the District Court must be granted. I must be afforded an opportunity to be heard upon the substance of my complaint, and motions to safeguard my fundamental rights and other injuries relating upon my exercise of Constitutional liberties, without disparate treatment based on religious-political animus, or poverty animus. US Amend I, V, XIV.

Dated: October 22, 2022

Respectfully submitted,
/s/Meghan Kelly
Meghan Kelly, Pro se
Not acting as an Attorney, Bar No. 4968 Inactive
34012 Shawnee Drive
Dagsboro, DE 19939
meghankellyesq@yahoo.com
(302) 493-6693

Under Religious objection I declare, affirm that the foregoing statement is true and correct under the penalty of perjury.

Dated: 10/22/22

Megh. Kelli (printed)

CK u (signed)

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**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:21-cv-01490-CFC**

Kelly v. Disciplinary Counsel Patricia B. Swartz et al
Assigned to: Judge Colm F. Connolly
Case in other court: Third Circuit, 21-03198
Third Circuit, 22-02079
Cause: 42:1983 Civil Rights Act

Date Filed: 10/25/2021
Date Terminated: 11/02/2021
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Meghan Kelly

represented by **Meghan Kelly**
34012 Shawnee Drive
Dagsboro, DE 19939
PRO SE

Meghan M. Kelly
34012 Shawnee Drive
Dagsboro, DE 19939
302-493-6693
Email: meghankellyesq@yahoo.com
TERMINATED: 08/11/2022
LEAD ATTORNEY

V.

Defendant

Disciplinary Counsel Patricia B. Swartz

Defendant

Disciplinary Counsel Kathleen M. Vavala

Defendant

**Chief Disciplinary Counsel David A.
White**

Defendant

Office of Disciplinary Counsel

Defendant

**Board of Professional Responsibility for
the Supreme Court of Delaware**

Defendant

**The Preliminary Investigatory
Committee**

ODC EXHIBIT 3

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Defendant

Kathleen Jennings
*in her capacity as Delaware Attorney
 General*

Date Filed	#	Docket Text
10/25/2021	<u>1</u>	MOTION for Leave to Proceed in forma pauperis - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(srs) (Entered: 10/25/2021)
10/25/2021	<u>2</u>	COMPLAINT filed Pro Se against Board of Professional Responsibility for the Supreme Court of Delaware, Chief Disciplinary Counsel David A. White, Disciplinary Counsel Kathleen M. Vavala, Disciplinary Counsel Patricia B. Swartz, Kathleen Jennings, Office of Disciplinary Counsel, The Preliminary Investigatory Committee - filed by Meghan Kelly. (Attachments: # <u>1</u> Verification, # <u>2</u> Text of Proposed Order, # <u>3</u> Civil Cover Sheet, # <u>4</u> Address Provided) (srs). (Main Document 2 replaced on 10/27/2021) (srs). (Entered: 10/25/2021)
10/25/2021	<u>3</u>	EXHIBITS to <u>2</u> Complaint (Pro Se), by Meghan Kelly. (Attachments: # <u>1</u> Exhibit 1-10, # <u>2</u> Exhibit 11-18, # <u>3</u> Exhibit 20-25)(srs) (Entered: 10/25/2021)
10/25/2021		NOTICE of filing the following Non-Paper material(s) in multi media format: CD of Exhibit 19 to <u>2</u> Complaint. Original Non-paper material(s) to be filed with the Clerk's Office. (srs) (Entered: 10/25/2021)
10/25/2021	<u>4</u>	EXHIBITS and APPENDICES filed into Delaware Supreme Court submitted as Exhibits to <u>2</u> Complaint (Pro Se)- filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit 1-10, # <u>2</u> Exhibit 10 (Additional), # <u>3</u> Exhibit 11-20, # <u>4</u> Exhibit 21-30, # <u>5</u> Exhibit 31-40, # <u>6</u> Exhibit 41-50, # <u>7</u> Exhibit 51-55, # <u>8</u> Exhibit 56-66, # <u>9</u> Appendix A-H) (srs). (Entered: 10/25/2021)
10/25/2021	<u>5</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (srs) (Entered: 10/25/2021)
10/25/2021	<u>6</u>	MOTION to Expedite - filed by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order)(srs) (Entered: 10/25/2021)
10/25/2021	<u>7</u>	MOTION for Temporary Restraining Order and Exemption of Bond - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit 1-10, # <u>2</u> Text of Proposed Order)(srs) (Entered: 10/26/2021)
10/25/2021	<u>8</u>	MEMORANDUM in Support re <u>7</u> MOTION for Temporary Restraining Order and Exemption from Bond - filed by Meghan Kelly. Answering Brief/Response due date per Local Rules is 11/8/2021. (srs) (Entered: 10/26/2021)
10/25/2021	<u>9</u>	MOTION for Preliminary Injunction and Exemption from Bond - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit 1-10, # <u>2</u> Text of Proposed Order)(srs) (Entered: 10/26/2021)
10/25/2021	<u>10</u>	MEMORANDUM in Support re <u>9</u> MOTION for Preliminary Injunction and Exemption from Bond - filed by Meghan Kelly. Answering Brief/Response due date per Local Rules is 11/8/2021. (srs) (Entered: 10/26/2021)
10/25/2021	<u>11</u>	MOTION for Permission to E-File, Exemption of Pacer Fees, and Waver of the Additional Paper Copy Requirement - filed by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order)(srs) (Entered: 10/26/2021)
10/25/2021	<u>12</u>	MOTION for Remote Proceedings or to Appear Remotely - filed by Meghan Kelly. (srs)

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		(Entered: 10/26/2021)
10/25/2021	<u>13</u>	PRAECIPE by Meghan Kelly requesting Clerk to issue Summons, Complaint, Exhibits, and related Motions on the Defendants. (srs) (Entered: 10/26/2021)
10/25/2021		Remark: Summons sent to case jacket. (srs) (Entered: 10/26/2021)
10/26/2021		MULTI MEDIA DOCUMENT filed by Meghan Kelly in the form of a USB Drive. Filing related to <u>1</u> , <u>2</u> , <u>3</u> , <u>4</u> , <u>6</u> , <u>7</u> , <u>8</u> , <u>9</u> , <u>10</u> , <u>11</u> , <u>12</u> , and <u>13</u> . (Media on file in Clerk's Office). (srs) (Entered: 10/26/2021)
10/27/2021		Case Assigned to Judge Colm F. Connolly. Please include the initials of the Judge (CFC) after the case number on all documents filed. (rjb) (Entered: 10/27/2021)
10/27/2021	<u>14</u>	Letter MOTION for Emergency Relief with regards to D.I. <u>7</u> MOTION for Temporary Restraining Order - filed by Meghan Kelly. (mal) (Entered: 10/27/2021)
10/28/2021	<u>15</u>	ORDER granting (D.I. <u>1</u>) Motion for Leave to Proceed in forma pauperis. Signed by Judge Colm F. Connolly on 10/28/2021. (twk) (Entered: 10/28/2021)
11/02/2021	<u>16</u>	MEMORANDUM. Signed by Judge Colm F. Connolly on 11/2/2021. (nmg) (Entered: 11/02/2021)
11/02/2021	<u>17</u>	ORDER, Plaintiff's motion to expedite is DENIED. (D.I. <u>6</u>). Plaintiff's motions for temporary restraining order, preliminary injunction, and exemption from bond, motion to e-file, and motion to appear remotely are DISMISSED as moot. (D.I. <u>7</u> , <u>9</u> , <u>11</u> , <u>12</u>). Plaintiff's letter/motion for emergency relief is DENIED. (D.I. <u>14</u>). The Court abstains under the Younger abstention doctrine and the Complaint is DISMISSED. The Clerk of Court is directed to CLOSE the case. (CASE CLOSED). Signed by Judge Colm F. Connolly on 11/2/2021. (nmg) (Entered: 11/02/2021)
11/03/2021	<u>18</u>	Letter to Honorable Chief Justice Colm F. Connolly from Meghan M. Kelly regarding Request for Emergency Relief. (twk) (Entered: 11/03/2021)
11/03/2021	<u>19</u>	Letter to Honorable Chief Justice Colm F. Connolly from Meghan M. Kelly regarding Requested Order. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(twk) (Entered: 11/03/2021)
11/08/2021	<u>20</u>	MOTION for Reargument re <u>17</u> Order - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibits)(mal) (Entered: 11/08/2021)
11/09/2021	<u>21</u>	MOTION to Amend Plaintiff's Motion for Reargument re <u>20</u> MOTION - filed by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibits, # <u>3</u> Certificate of Service) (myr) (Entered: 11/09/2021)
11/10/2021	<u>22</u>	CERTIFICATE OF SERVICE of D.I. <u>20</u> Motion for Reargument by Meghan Kelly (Attachments: # <u>1</u> Exhibit Postal Receipts, # <u>2</u> Text of Proposed Order)(apk) (Entered: 11/12/2021)
11/18/2021	<u>23</u>	MOTION to Amend Exhibit G to Complaint - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Text of Proposed Order, # <u>6</u> Certificate of Service)(apk) (Entered: 11/19/2021)
11/19/2021	<u>24</u>	Letter to Honorable Colm F. Connolly from Meghan Kelly regarding Plaintiff's Motion to Amend Exhibit G to complaint to add missing page - re <u>23</u> MOTION to Amend Exhibit G to Complaint. (srs) (Entered: 11/22/2021)
11/22/2021		Remark: two copies of DI <u>23</u> Motion received, placed in case jacket. (smg) (Entered: 11/22/2021)
11/24/2021	<u>25</u>	NOTICE OF APPEAL to the Third Circuit. Appeal filed by Meghan Kelly. (Attachments: # <u>1</u> Notice of Appeal)(smg) (Entered: 11/24/2021)

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		# <u>1</u> Proof of Mailing, # <u>2</u> Certificate of Service) (No Fee Paid, No IFP).(twk) (Entered: 11/24/2021)
11/30/2021	<u>26</u>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>25</u> Notice of Appeal to the Third Circuit filed by Meghan Kelly. USCA Case Number 21-3198. USCA Case Manager: Pamela Batts (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (pb,) (Entered: 11/30/2021)
11/30/2021	<u>27</u>	ORDER of USCA Staying Case. Decision of USCA: Case Stayed. (pb,) (Entered: 11/30/2021)
12/06/2021	<u>28</u>	TRANSCRIPT REQUEST by Meghan Kelly TRANSCRIPT NOT NEEDED (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Certificate of Service)(smg) (Entered: 12/07/2021)
12/06/2021	<u>29</u>	Letter to Chief Justice Colm F. Connolly from Meghan Kelly regarding new evidence to be considered. (Attachments: # <u>1</u> Exhibit- New evidence, # <u>2</u> Certificate of Service)(smg) (Entered: 12/07/2021)
12/22/2021	<u>30</u>	MEMORANDUM Signed by Judge Colm F. Connolly on 12/22/2021. (nmf) (Entered: 12/22/2021)
12/22/2021	<u>31</u>	ORDER denying <u>20</u> Motion for Reargument; granting <u>21</u> Motion to Amend the Motion for Reargument; denying as moot <u>23</u> Motion to Amend Exhibit G of the Complaint. Signed by Judge Colm F. Connolly on 12/22/2021. (nmf) (Entered: 12/22/2021)
01/03/2022	<u>32</u>	NOTICE OF APPEAL to the Third Circuit of <u>31</u> Order on Motion for Reargument, Order on Motion to Amend/Correct, <u>30</u> Memorandum and Order. Appeal filed by Meghan Kelly (No Fee Paid, No IFP). (TPO mailed). (nmg) (Entered: 01/03/2022)
01/11/2022	<u>33</u>	MOTION in Forma Pauperis Pursuant to 28 U.S.C. 1915(a) to waive PACER costs, and waive cost due to utter poverty, and due to foreseeable cost creating a substantial burden upon Plaintiff's access to the Courts and forced violation of her religious beliefs by threat of indebtedness. - filed by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service, # <u>3</u> Certificate of Compliance)(mal) (Entered: 01/12/2022)
01/11/2022	<u>34</u>	MOTION to Amend Findings of Facts and Alter D.I. <u>31</u> Order - filed by Meghan Kelly. (Attachments: # <u>1</u> Certificate of Compliance, # <u>2</u> Certificate of Service, # <u>3</u> Text of Proposed Order)(apk) (Entered: 01/12/2022)
01/11/2022	<u>35</u>	EXHIBITS to D.I. <u>34</u> MOTION to Amend Findings of Facts and Alter D.I. <u>31</u> Order by Meghan Kelly. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit B2, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K)(apk) (Entered: 01/12/2022)
01/19/2022	<u>36</u>	EMERGENCY MOTION to Alter and Amend Judgment, D.I. <u>31</u> - filed by Meghan Kelly. (Attachments: # <u>1</u> Word Count, # <u>2</u> Exhibit A-F)(smg) (Entered: 01/19/2022)
01/19/2022	<u>37</u>	Emergency MOTION to Expedite Previous motion D.I. <u>36</u> - filed by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order)(smg) (Entered: 01/19/2022)
01/19/2022	<u>38</u>	CERTIFICATE OF SERVICE for <u>36</u> MOTION to Alter Judgment, and <u>37</u> MOTION to Expedite by Meghan Kelly (smg) (Entered: 01/19/2022)
01/19/2022	<u>39</u>	MOTION to Amend Findings of Facts and Alter the Order, dated December 22, 2021, Based on New Findings of Fact, to Prevent, Clear Error of Facts, Clear Error of Law, and to Prevent Manifest Injustice - filed by Meghan Kelly. (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Exhibit 1st A, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Certificate of Service, # <u>11</u> Word Count)(smg) (Entered: 01/19/2022)

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01/20/2022	40	Letter to Chief Justice Colm from Meghan Kelly regarding Emergency letter - re <u>36</u> MOTION to Alter Judgment, <u>39</u> MOTION to Alter Judgment, <u>38</u> Certificate of Service, <u>37</u> MOTION to Expedite, <u>34</u> MOTION to Amend Findings of Facts and Alter D.I. <u>31</u> Order, <u>35</u> Exhibit to a Document,. (Attachments: # <u>1</u> Exhibit two emails cancel hearing, # <u>2</u> Certificate of Service)(Kelly, Meghan) (Entered: 01/20/2022)
01/21/2022	41	Third Emergency MOTION to Alter and Amend Judgement re (DI <u>31</u>) Order on Motion for Reargument, Order on Motion to Amend/Correct, - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Certificate of Compliance, # <u>8</u> Certificate of Service, # <u>9</u> Text of Proposed Order)(twk) (Entered: 01/21/2022)
01/21/2022	42	Emergency MOTION to Review Motion re (DI <u>36</u>) MOTION to Alter Judgment - filed by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order)(twk) (Entered: 01/21/2022)
01/24/2022	43	First AMENDED COMPLAINT by <i>Plaintiff Meghan M. Kelly</i> against All Defendants - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Email showing intent to cross examine judge, dated Oct. 25, 2021, # <u>2</u> Exhibit Blackline of changes to complaint, # <u>3</u> Exhibit Amended Complaint without signature page, # <u>4</u> Exhibit Amended Complaint Signature and declaration pages, # <u>5</u> Certificate of Compliance Certificate of Word Count, # <u>6</u> Certificate of Service of the motion to Amend Complaint and the amended Coomplaint, # <u>7</u> Text of Proposed Order Proposed Order)(Kelly, Meghan) (Entered: 01/24/2022)
01/25/2022	44	Letter to Chief Justice Colm from Meghan Kelly regarding Second copy of motion to Amend Complaint sent to Defendant - re <u>43</u> Amended Complaint,, <u>7</u> MOTION for Temporary Restraining Order, <u>8</u> MEMORANDUM in Support. (Attachments: # <u>1</u> Certificate of Service Cert of service of letter and second copy of pleadings, # <u>2</u> Exhibit postal receipt)(Kelly, Meghan) (Entered: 01/25/2022)
02/05/2022	45	TRANSCRIPT REQUEST by <i>Plaintiff Meghan M. Kelly</i> by Meghan Kelly for proceedings held on Not applicable/form is required to show it is not required before Judge Chief Justice Colm. (Attachments: # <u>1</u> Certificate of Service of Transcript not required, the signature of the Clerk appears to be required)(Kelly, Meghan) (Entered: 02/05/2022)
02/07/2022	46	TRANSCRIPT REQUEST by Meghan Kelly TRANSCRIPT NOT NEEDED. (twk) (Entered: 02/08/2022)
02/14/2022	47	Second MOTION for Preliminary Injunction by <i>Plaintiff Meghan M. Kelly</i> - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Exhibit A, Jan 18, 2022 request for an order in an appealable form, instead of an order in form evading opportunity for review, # <u>2</u> Exhibit Exhibit B, Jan. 11, 2022 request for a copy of the docket, the record to the person acting as clerk or administrator to the Board. My request was ignored, # <u>3</u> Exhibit Exhibit C, Jan. 31, 2022, Email to the Board and Patricia Swartz requesting she please send the state's exhibits Patricia and the Board required due Jan. 31, overruling my objection to refer to the record, # <u>4</u> Exhibit Exhibit D, Jan 31, 2022, email requesting Exhibit names, and forwarded E-mail espousing facts and religious beliefs, # <u>5</u> Exhibit Exhibit E, Jan.31, 2022 email asking for exhibits in attachment form with names, # <u>6</u> Exhibit Exhibit F, Jan. 25, 2022, Respondent's Motion for Dismiss for lack of notice in the state forum, # <u>7</u> Exhibit Exhibit G, Jan. 31, 2022, RESPONDENTS MEGHAN KELLYS MOTION FOR A PROTECTIVE ORDER PREVENTING MENTAL EXAMINATION OF RESPONDENT AS A GOVERNMENT COMPELLED VIOLATIONS OF HER RELIGIOUS BELIEF IN JESUS CHRIST, # <u>8</u> Exhibit Exhibit H, Email concerning immediately noticed errors in transcript emailed to me on Jan 31, 2022, # <u>9</u> Exhibit Exhibit I, Email to Board and Patricia regarding serious errors of court reporter, space for faith, I got cancer for I got the answer, and other errors, # <u>10</u> Exhibit Exhibit J, Email to Board and Patricia regarding court reporting errors regarding hegemonic state, Not head demonic state, # <u>11</u> Exhibit Exhibit K, my filed corrections of the transcript via Letter and attachment of corrections,

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with reserve to file additional corrections, # 12 Exhibit Exhibit L, Resubmitted second petition to the Delaware Supreme Court regarding license filing dues, dated Feb 5, 2021, resubmitted Feb. 1, 2022, # 13 Exhibit Exhibit M, Feb. 1, 2022, Third request relating to attorney dues, # 14 Exhibit Exhibit N, order granting third request relating to lawyer dues, # 15 Text of Proposed Order Proposed order on Plaintiffs Motion for an urgent emergency preliminary restraining order to be applied immediately, with a waiver of bond, to prevent immediate irreparable injury compelled violations of my religious beliefs, but for my exercise of religious beliefs, # 16 Certificate of Service Certificate of service of Plaintiffs Motion for an urgent emergency preliminary restraining order to be applied immediately, with a waiver of bond, to prevent immediate irreparable injury compelled violations of my religious beliefs, but for my exercise of religious beliefs, Plaintiff's Memorandum of Law in Support of her Motion, and Motion to Expedite)(Kelly, Meghan) (Entered: 02/14/2022)

02/14/2022	<u>48</u>	Emergency MOTION to Expedite by Plaintiff Meghan M. Kelly - filed by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order on Motion to Expedite, # <u>2</u> Certificate of Service Certificate of Service on Motion to Expedite, PLAINTIFFS MOTION FOR AN URGENT EMERGENCY PRELIMINARY RESTRAINING ORDER TO BE APPLIED IMMEDIATELY, WITH A WAIVER OF BOND, TO PREVENT IMMEDIATE AND IRREPARABLE INJURY BY COMPELLED VIOLATIONS OF MY RELIGIOUS BELIEFS, BUT FOR MY EXERCISE OF RELIGIOUS BELIEFS, and Plaintiff's Memorandum of Law in Support of her Motions)(Kelly, Meghan) (Entered: 02/14/2022)
02/14/2022	<u>49</u>	PRETRIAL MEMORANDUM by Meghan Kelly. (Attachments: # <u>1</u> Text of Proposed Order proposed Order on Plaintiff's Motion for an urgent emergency preliminary restraining order to be applied immediately, with a waiver of bond, to prevent immediate irreparable injury compelled violations of my religious beliefs, but for my exercise of religious beliefs Memorandum of Law in Support of Plaintiff's, # <u>2</u> Certificate of Service Certificate of Service on Motion to Expedite, Plaintiff's Motion for an urgent emergency preliminary restraining order to be applied immediately, with a waiver of bond, to prevent immediate irreparable injury compelled violations of my religious beliefs, but for my exercise of religious beliefs, and Plaintiff's Memorandum of Law in Support of her Motions)(Kelly, Meghan) (Entered: 02/14/2022)
02/23/2022	<u>50</u>	Letter to Chief Justice Colm from Meghan Kelly regarding Patricia Swartz taken off case. (Attachments: # <u>1</u> Certificate of Service Letter Patricia Swartz in professional capacity only/I think she is retiring)(Kelly, Meghan) (Entered: 02/23/2022)
03/10/2022	<u>51</u>	Letter to Chief Justice Colm from Meghan Kelly regarding Status update and status on Emergency Preliminary injunction filed March 15, 2022 - re <u>49</u> Pretrial Memorandum,,, <u>48</u> Emergency MOTION to Expedite by Plaintiff Meghan M. Kelly. (Attachments: # <u>1</u> Exhibit Exhibit A Board questioning loyalty to the law, country and Constitution because I sued President Trump regarding Constitutional violations, # <u>2</u> Exhibit Exhibit B Order by DE Sup Ct indicating they deny opportunity to be heard until after it is too late, # <u>3</u> Exhibit Exhibit C Order by DE Sup Ct making a decision on my defenses before allowing me to present a defense, # <u>4</u> Exhibit Exhibit D Board's non-appealable email decision dated Jan. 10 on motion dated Dec 18., # <u>5</u> Exhibit Exhibit E Board's non-appealable decision, # <u>6</u> Certificate of Service Cert of Service of March 10, 2022 letter with exhibits)(Kelly, Meghan) (Entered: 03/10/2022)
03/29/2022	<u>52</u>	Letter Letter to Chief Justice Colm from Meghan Kelly regarding Waiving Pacer Fees, The Third Circuit granted me a waiver and directed me to contact you, to follow up on my two motions to waive fees, including Pacer fees - re <u>33</u> MOTION, <u>1</u> MOTION for Leave to Proceed in forma pauperis, <u>11</u> MOTION Permission to E-File, Exemption o Pacer Fees, and A waiver of the Additional Paper Copy Requirement. (Attachments: # <u>1</u> Exhibit Order by the Third Circuit granting Pacer exemption, directing me to contact the Delaware

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		District Court for an exemption of pacer costs with the District Court, # 2 Certificate of Service Certificate of Service of Status update letter on waiving Pacer fees and other costs, but Pacer fees is more pressing)(Kelly, Meghan) (Entered: 03/29/2022)
03/29/2022	<u>53</u>	Letter Letter to Chief Justice Colm from Meghan Kelly regarding Feb 14, 2022 Motion for TRO, Preliminary Injunction and Emergency Motion, Meg is in immediate danger of loss of additional Constitutional liberties now, please help me - re <u>49</u> Pretrial Memorandum,,, <u>47</u> Second MOTION for Preliminary Injunction by Plaintiff Meghan M. Kelly, <u>48</u> Emergency MOTION to Expedite by Plaintiff Meghan M. Kelly, <u>51</u> Letter,,, (Attachments: # <u>1</u> Exhibit Exhibit A table of contents of exhibits not docketed electronically, # <u>2</u> Exhibit Exhibit B showing 30 pages of procedural history in the state proceeding, # <u>3</u> Exhibit Exhibit C emails to clerk and opposing counsel Kathleen Vavala in state court, # <u>4</u> Certificate of Service Cert of service via email and US mail)(Kelly, Meghan) (Entered: 03/30/2022)
04/04/2022	<u>54</u>	Second MOTION exemption from in person appearances, permission to appear remotely re <u>33</u> MOTION, <u>1</u> MOTION for Leave to Proceed in forma pauperis, <u>12</u> MOTION for Remote Proceedings for reasons not mentioned in the first motion - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Exhibit A Plaintiff's motion for remote proceedings or to appear remotely, dated Oct 21, 2022, relating to prevention of sickness and death in a global pandemic, # <u>2</u> Exhibit Exhibit B evidence I have been thinking of turning in my car tags because of unaffordable expense, # <u>3</u> Exhibit Exhibit C Excerpts of the 4th Ind Rev to show making it too expensive to drive is part of the goal to intentionally crash the economy to replace the fiat dollar to something that tracks and places humanity on a debt system down the line, # <u>4</u> Exhibit Exhibit D Covid 19 The Great Reset excerpts, # <u>5</u> Exhibit Exhibit E photos, # <u>6</u> Exhibit Exhibit F Excerpts from the world economic forum founder's latest book released in 2022, showing the 91 banks who scheme to control governments no longer free to govern independently with lawless reign unrestrained by their desire for profit on debt interest and debt control rewarding killing, stealing and destroying to serve its entities existence, # <u>7</u> Text of Proposed Order Proposed Order on Plaintiffs different motion for exemption to appear in person in Court, for remote proceedings, or to appear remotely due to foreseeable costs relating to transportation creating a substantial burden upon my access to the Courts and forced violation of my religious beliefs by threat of indebtedness, dated April 4, 2022, # <u>8</u> Certificate of Service Cert of Serv of Plaintiffs different motion for exemption to appear in person in Court, for remote proceedings, or to appear remotely due to foreseeable costs relating to transportation creating a substantial burden upon my access to the Courts and forced violation of my religious beliefs by threat of indebtedness, dated April 4, 2022)(Kelly, Meghan) (Entered: 04/04/2022)
04/13/2022	<u>55</u>	Letter to Chief Justice Colm F. Connelly from Meghan Kelly regarding Exhibits allegedly will be uploaded - re <u>53</u> Letter,,, (Attachments: # <u>1</u> Exhibit Exhibit A, Court changing its mind indicating physically filed exhibits would not be uploaded, # <u>2</u> Exhibit Exhibit B, procedural history in the state proceeding, # <u>3</u> Exhibit Exhibit C, email on opposing counsel's position should I file a motion to compel the court to include electronic versions of exhibits, # <u>4</u> Exhibit Exhibit D court changed its position, # <u>5</u> Exhibit Exhibit E, rejection at DelTech, # <u>6</u> Exhibit Exhibit F, disparate treatment at Del Tech, # <u>7</u> Exhibit Exhibit G, proof scanned in exhibits and emailed them to the court for ease to upload, # <u>8</u> Exhibit Exhibit H, request for bar card, # <u>9</u> Exhibit Exhibit I, Library card and bar card, # <u>10</u> Exhibit Exhibit J Report From Iron Mountain, on the possibility & Desirability of Peace, allegedly by Leonard C. Lewin, # <u>11</u> Exhibit Exhibit K The Creature From Jekyll Island, # <u>12</u> Exhibit Exhibit L Klaus Schwab, Thierry Malleret - The Great Narrative (The Great Reset Book 2), # <u>13</u> Certificate of Service Cert of service by mail)(Kelly, Meghan) (Entered: 04/13/2022)

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04/21/2022	56	Letter to Chief Justice Colm F. Connolly from Meghan Kelly regarding Religious beliefs of activity leading to hell, injustice. (Attachments: # <u>1</u> Exhibit Exhibit A petition based on biblical political beliefs an impermissible purpose to persecute and punish, # <u>2</u> Exhibit Exhibit B August 23 ODC letter bringing suit based on supreme court and chancery court religious political petitions, # <u>3</u> Exhibit Exhibit C DE-Lapp interfering, and threatening letter based on separate petition lawyer fees, # <u>4</u> Exhibit Exhibit D Meg pointing out lawyer bad behavior uncorrectable because professional Board's look after businesses, the professions, not the customers, # <u>5</u> Exhibit Exhibit E email to the federal judiciary committee how to prevent the planned crash, # <u>6</u> Exhibit Exhibit F Greenpass developed before pandemic, the pandemic manufactured for the need to implement the wicked economy which eliminates freedom for control, order and equality, equality is not freedom free choice not forced choice is, # <u>7</u> Exhibit Exhibit G Clearpass pass ports alluded to in books by founder developed for manufactured use prepandemic, # <u>8</u> Exhibit Exhibit H entity information on Clearpass, # <u>9</u> Exhibit Exhibit I October 19 2020 letter referencing planned economic crash to Chancery Ct, # <u>10</u> Exhibit Exhibit J July 21, 2021 Letter to DE Sup Ct with the two books I gave you regarding the economic crash, noting I gave the same to Police Chief Officer Flood in Dagsboro, # <u>11</u> Exhibit Exhibit K an example Bible verses may be used as authority accepted by US Supreme ct, # <u>12</u> Exhibit Exhibit L apprising Patricia religious beliefs against false charity and the global schemed crash, # <u>13</u> Exhibit Cert of Service)(Kelly, Meghan) (Entered: 04/21/2022)
04/21/2022	57	Letter to Chief Justice Colm F. Connolly from Meghan Kelly regarding Postal Receipt Email receipt - re <u>56</u> Letter,..... (Attachments: # <u>1</u> Certificate of Service Email with April 21, 2022 letter and attachments sent to opposing counsel, # <u>2</u> Certificate of Service Part 2 Email with April 21, 2022 letter and exhibits sent to opposing counsel)(Kelly, Meghan) (Entered: 04/21/2022)
04/26/2022	58	Letter to Chief Justice Colm F. Connolly from Meghan Kelly regarding Running motion to allow complaint to be amended to reflect the facts, witnesses eliminated by state, concealed the fact they retired during proceeding, did not allow me to gather discovery from them to hide this fact. (Attachments: # <u>1</u> Exhibit Table of Contents of Exhibits and electronic data, # <u>2</u> Exhibit Exhibit A doctored up praecipe Oct 5 2020 I did not know she wrote on it, # <u>3</u> Exhibit Exhibit B ltr to DE Supreme Court, July 12, 2021 regarding staff told me to cross off, # <u>4</u> Exhibit Exhibit C Praecipe with address crossed off, # <u>5</u> Exhibit Exhibit D Praecipe with switched address sheets, # <u>6</u> Exhibit Exhibit E Letter to Master Patricia Griffin regarding I am not an attorney advocate in the case, # <u>7</u> Exhibit Exhibit F Letter to Assigned Vice Chancellor, # <u>8</u> Exhibit Exhibit G Ltrr October 30, 2020, regarding removal, immunity remove, # <u>9</u> Exhibit Exhibit H Letters to Courts requesting waiver of notary requirements, President Trump has covid 19, # <u>10</u> Exhibit exhibit I Letter from the Court notary requirements, # <u>11</u> Exhibit Exhibit J Letter to Master regarding disparate treatment by court based on religion, political association and poverty, # <u>12</u> Exhibit Exhibit K Letter to Master regarding Chancery Court staff misled me to almost miss the appeal deadline., # <u>13</u> Exhibit Exhibit L Email to David Weiss and opposing counsel regarding Dr. Bunting, Judge Smalls potentially relating to my pe, # <u>14</u> Exhibit Exhibit M Email to opponents, with page 39 of the Fourth Industrial Revolution, relating to the elimination of lawy, # <u>15</u> Exhibit Exhibit N My pleading before arbitrator, Defendant David White, # <u>16</u> Exhibit Exhibit O ODC letters and Complaint Justice Kavanaugh, # <u>17</u> Certificate of Service To Court and Defendants electronic data too, # <u>18</u> Certificate of Service Post Office Receipt, # <u>19</u> Certificate of Service Email part 1 to Defendants through opposing counsel, # <u>20</u> Certificate of Service Email part 2 to Defendants through opposing counsel, # <u>21</u> Certificate of Service Email part 3 to Defendants through opposing counsel)(Kelly, Meghan) (Entered: 04/26/2022)
04/26/2022	59	MEMORANDUM OPINION. Signed by Judge Colm F. Connolly on 04/26/2022. (apk) (Entered: 04/26/2022)

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04/26/2022	<u>60</u>	ORDER, Plaintiff's pending motions (D.I. <u>33</u> , <u>34</u> , <u>36</u> , <u>37</u> , <u>39</u> , <u>41</u> , <u>42</u> , <u>47</u> , <u>48</u> , <u>54</u>) are DENIED. Signed by Judge Colm F. Connolly on 04/26/2022. (apk) (Entered: 04/26/2022)
04/27/2022		NOTICE of filing the following Non-Paper material(s) in multi media format: Videos and Images referenced in D.I. <u>58</u> on a thumb drive. Original Non-paper material(s) to be filed with the Clerk's Office. Notice filed by Meghan M. Kelly. (nmg) (Entered: 04/27/2022)
05/03/2022	<u>61</u>	MOTION for Publication of <i>Corrected Original Complaint</i> - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Original filed Signature and verification page, # <u>2</u> Exhibit Original filed complaint, # <u>3</u> Verification Declaration to the motion, # <u>4</u> Text of Proposed Order Proposed Order, # <u>5</u> Certificate of Service Certificate of Service, # <u>6</u> Certificate of Service Email receipt)(Kelly, Meghan) (Entered: 05/03/2022)
05/03/2022	<u>62</u>	MOTION for Leave to Proceed in forma pauperis <i>Discrepancy in docs request one copy before access to PACER granted</i> - filed by Meghan Kelly. (Attachments: # <u>1</u> Verification Declaration, # <u>2</u> Exhibit Pages Defendant gave me, # <u>3</u> Exhibit Two pages available to the public that require updating, # <u>4</u> Text of Proposed Order Proposed order on Appellant Plaintiff Meghan Kellys Motion, without waiving her prior Motions for exemptions for costs, to access to a free copy of all filed copies, without the 14 day limit for all documents relating to this case from October 25, 2021, to on or about January 20, 2022 on PACER, # <u>5</u> Certificate of Service Cert of serv of Appellant Plaintiff Meghan Kellys Motion, without waiving her prior Motions for exemptions for costs, to access to a free copy of all filed copies, without the 14 day limit for all documents relating to this case from October 25, 2021, to on or about January 20, 2022 on PACER)(Kelly, Meghan) (Entered: 05/03/2022)
05/03/2022	<u>63</u>	MOTION to Amend/Correct <u>62</u> MOTION for Leave to Proceed in forma pauperis <i>Discrepancy in docs request one copy before access to PACER granted</i> - filed by Meghan Kelly. (Attachments: # <u>1</u> Affidavit Corrected Exhibit DI-62-3, # <u>2</u> Certificate of Service Correction)(Kelly, Meghan) (Entered: 05/03/2022)
05/07/2022	<u>64</u>	AFFIDAVIT of Meghan M Kelly re <u>62</u> MOTION for Leave to Proceed in forma pauperis <i>Discrepancy in docs request one copy before access to PACER granted</i> , <u>61</u> MOTION for Publication of <i>Corrected Original Complaint</i> , <u>63</u> MOTION to Amend/Correct <u>62</u> MOTION for Leave to Proceed in forma pauperis <i>Discrepancy in docs request one copy before access to PACER granted</i> filed by Meghan Kelly. (Attachments: # <u>1</u> Certificate of Service Postage receipt)(Kelly, Meghan) (Entered: 05/07/2022)
05/07/2022	<u>65</u>	MOTION to Amend/Correct <u>62</u> MOTION for Leave to Proceed in forma pauperis <i>Discrepancy in docs request one copy before access to PACER granted</i> , <u>4</u> Exhibit to a Document, <u>61</u> MOTION for Publication of <i>Corrected Original Complaint</i> - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Old marked up differences docket 119, 21, # <u>2</u> Exhibit Newer Lexis missing petitions regarding court disparate treatment, # <u>3</u> Exhibit Clean docket Chancery Court, # <u>4</u> Exhibit Clean docket DE Supreme Court Docket, # <u>5</u> Exhibit add Appendix E. Brief to Supreme Court on appeal, # <u>6</u> Exhibit add Appendix F part 1 Brief to Chancery Exceptions to Masters Final Report, # <u>7</u> Exhibit add Appendix F part 2 Brief to the Chancery Exceptions to Masters Final Report, # <u>8</u> Exhibit add Exhibit A part 1 of 2 to Appendix F Complaint Kelly v Trump, # <u>9</u> Exhibit add Exhibit A part 2 of 2 to Appendix F Complaint, # <u>10</u> Exhibit add Exhibit A 4 to Appendix E Petitioner's Motion to Reign in the courts arms and exhibits thereto filed in the DE Supreme Court, # <u>11</u> Exhibit add Exhibit A 5 to A E Motion to recuse Justice Seitz, # <u>12</u> Text of Proposed Order Proposed Order, # <u>13</u> Certificate of Service Cert of service add missing docs to DI 4, # <u>14</u> Certificate of Service postage receipt)(Kelly, Meghan) (Entered: 05/07/2022)
05/07/2022	<u>66</u>	MOTION to Amend/Correct <u>4</u> Exhibit to a Document, <i>D.I. 4 missing documents filed Oct. 25</i> - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Marked up Old Docket for 119 DE Supreme Court Kelly v Trump, # <u>2</u> Exhibit Lexis's Court link missing vital documents, # <u>3</u> Exhibit Chancery Court Docket 0809, # <u>4</u> Exhibit Clean DE Supreme Court docket, # <u>5</u>

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		Exhibit missing DI 4 Appendix E. Brief to Supreme Court on appeal.pdf, # <u>6</u> Exhibit missing Appendix F part 1 Brief to Chancery Exceptions to Masters Final Report, # <u>7</u> Exhibit Appendix F part 2 Brief to the Chancery Exceptions to Masters Final Report, # <u>8</u> Exhibit Exhibit A part 1 of 2 to Appendix F Complaint, # <u>9</u> Exhibit Exhibit A part 2 of 2 to Appendix F Complaint, # <u>10</u> Exhibit Exhibit A 4 to Appendix E Petitioner's Motion to Reign in the courts arms and exhibits thereto filed in the DE Supreme Court, # <u>11</u> Exhibit Motion recusal, # <u>12</u> Text of Proposed Order Proposed Order, # <u>13</u> Certificate of Service Missing documents D.I. 4)(Kelly, Meghan) (Entered: 05/07/2022)
05/09/2022	<u>67</u>	NOTICE OF APPEAL of <u>60</u> Order, Terminate Motions . Appeal filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Order appealing, # <u>2</u> Certificate of Service Certificate of mailing to Defendants through their counsel)(Kelly, Meghan) (Entered: 05/09/2022)
05/09/2022	<u>68</u>	TRANSCRIPT REQUEST <i>Nor Needed</i> by Meghan Kelly for proceedings held on None, not needed before Judge Chief Justice Colm F Connolly. (Attachments: # <u>1</u> Certificate of Service Certificate of mailing of transcript not needed)(Kelly, Meghan) (Entered: 05/09/2022)
05/24/2022	<u>69</u>	Motion to Conform Complaint - filed by Meghan Kelly. (Attachments: # <u>1</u> Verification Declaration to Plaintiffs Rolling Motion to conform complaint to the additional facts and legal arguments as they arise, as if already included in the Complaint, # <u>2</u> Exhibit A Motion for an extension of time due to blackouts, loved ones sickness and deaths, and Wildlife police investigating me due to the federal agents' effigy, # <u>3</u> Exhibit B First order for an extension granted by Court, # <u>4</u> Exhibit D a motion for a copy of the record, # <u>5</u> Exhibit E Motion for an extention of time plus Exhibits A and B C separate, # <u>6</u> Exhibit F Order #76 58, 2022, # <u>7</u> Certificate of Service Cert of Service of rolling motion, # <u>8</u> Certificate of Service Post office receipt for rolling motion)(Kelly, Meghan) Modified on 5/25/2022 (kmd). (Entered: 05/24/2022)
05/24/2022	<u>70</u>	EXHIBIT re <u>69</u> Amended Complaint,,, by Meghan Kelly. (Attachments: # <u>1</u> Exhibit 2, C, continued throughout exhibits, Signature page to Objection, # <u>2</u> Exhibit 3, C Memorandum in Support of Objections, # <u>3</u> Exhibit 4, C Table of Exhibits to objections, # <u>4</u> Exhibit 1 Exhibit A to objections and Memorandum, # <u>5</u> Exhibit 2 Exhibit B through J to objections and memorandum, # <u>6</u> Exhibit 3Exhibit K Answers without exhibits to objections and memorandum, # <u>7</u> Exhibit 4Exhibit K table of contents Ex 1-10, # <u>8</u> Exhibit 5Exhibit K Exhibits 11-15)(Kelly, Meghan) (Entered: 05/24/2022)
05/24/2022	<u>71</u>	EXHIBIT re <u>69</u> Amended Complaint,,, <u>70</u> Exhibit to a Document,, by Meghan Kelly. (Attachments: # <u>1</u> Exhibit C documents continued, Exhibit N part 1, # <u>2</u> Exhibit K Internal Ex 17, # <u>3</u> Exhibit N, part 2 internal Exhibit 6 with internal exhibits 2-5, # <u>4</u> Exhibit N, part 3continued with internal exhibits to N, through exhibits to Exhibit O, # <u>5</u> Exhibit P) (Kelly, Meghan) (Entered: 05/24/2022)
05/24/2022	<u>72</u>	EXHIBIT re <u>69</u> Amended Complaint,,, <u>71</u> Exhibit to a Document, <u>70</u> Exhibit to a Document,, by Meghan Kelly. (Attachments: # <u>1</u> Exhibit C continued, Exhibits P2 Q, # <u>2</u> Exhibit R, R1, R2 of C, exhibits to objections and memorandum of law, # <u>3</u> Exhibit S of C, exhibits to objections and memorandum of law, # <u>4</u> Exhibit T to Y of C,exhibits to objections and memorandum of law, # <u>5</u> Exhibit AA to FF of C exhibits to objections and memorandum of law, # <u>6</u> Exhibit GG, of C exhibits to objections and memorandum of law)(Kelly, Meghan) (Entered: 05/24/2022)
05/24/2022	<u>73</u>	PROPOSED ORDER Rule 15(a)(2), Plaintiffs Rolling Motion to conform complaint to the additional facts and legal arguments as they arise, as if already included in the Complaint re <u>69</u> Amended Complaint,,, <u>70</u> Exhibit to a Document,, <u>71</u> Exhibit to a Document, <u>72</u> Exhibit to a Document,, by Meghan Kelly. (Kelly, Meghan) (Entered: 05/24/2022)
05/25/2022	<u>74</u>	Letter to Clerk of Court from Meghan Kelly regarding Correcting filing category DI 69

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		from Amended Complaint to Motion - re <u>69</u> Amended Complaint,, <u>73</u> Proposed Order, <u>70</u> Exhibit to a Document,, <u>71</u> Exhibit to a Document, <u>72</u> Exhibit to a Document,, (Attachments: # <u>1</u> Certificate of Service of Letter correcting filing entry, DI 69, from Amended Complaint to Motion)(Kelly, Meghan) (Entered: 05/25/2022)
06/03/2022	<u>75</u>	EXHIBIT re <u>69</u> , <u>71</u> Exhibit to a Document, by Meghan Kelly. (Attachments: # <u>1</u> Exhibit Exhibit L to M, of Exhibit C, to Motion contained in DI 69, at <u>71</u> , # <u>2</u> Certificate of Service Certificate of service of letter regarded inadvertent omission of Exhibit L-M to Exhibit C Addendum to Motion contained in DI 69, at <u>71</u>)(Kelly, Meghan) (Entered: 06/03/2022)
06/07/2022	<u>76</u>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>67</u> Notice of Appeal (Third Circuit) filed by Meghan Kelly. USCA Case Number 22-2079. USCA Case Manager: Pamela (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (pb,) (Entered: 06/07/2022)
06/07/2022	<u>77</u>	<i>MOTION re <u>69</u> Motion to include Pleadings filed on June 7, 2022, for the Courts consideration pursuant to her Rolling Motion to conform complaint to the additional facts and legal arguments as they arise, as if already included in the Complaint, upon contingent precedent this case remains alive - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit A Respondents Meghan Kellys Motion to exceed the page limits in my Reply to ODCs Corrected Response to Respondents Objections to the Report and Recommendation of the Board on Professional Responsibility, # <u>2</u> Exhibit B Respondents Meghan Kellys Motion to be excused from the notary and affirming requirements in Delaware Court pleadings, # <u>3</u> Exhibit C Part 1 My Reply to the ODC's response to her objections, # <u>4</u> Exhibit C Part 2 My Reply to the ODC's response to her objections, # <u>5</u> Exhibit to C-Exhibit A De-Lapp Letter, # <u>6</u> Exhibit to C-Exhibit B Feb 2021 Bar dues relief request, # <u>7</u> Exhibit to C-Exhibit C Jan 2021 Bar dues relief request, # <u>8</u> Exhibit to C-Exhibit D Aug 23 ltr admitting religious petitions as reason for concern, # <u>9</u> Exhibit to C-Exhibit E 7 of petition religious beliefs as source of petition, # <u>10</u> Exhibit to C-Exhibit F sealed motion 1, # <u>11</u> Exhibit to C-Exhibit G sealed motion 2, # <u>12</u> Exhibit to C-Exhibit H Order in Kelly v Trump, # <u>13</u> Exhibit D D Rough notes conerning the court is my hope of a hero, # <u>14</u> Certificate of Service Postal Receipt, # <u>15</u> Certificate of Service Motion to include Pleadings filed on June 7, 2022, for the Courts consideration pursuant to her Rolling Motion to conform complaint to the additional facts and legal arguments as they arise, as if already included in the Complaint)(Kelly, Meghan) (Entered: 06/07/2022)</i>
07/06/2022	<u>78</u>	Letter to Chief Judge Colm F Connelly from Meghan regarding status of case/ case law issues you may be wiser in resolving to save life tenure of federal judges/no longer driving/ way lose food benefits. (Attachments: # <u>1</u> Exhibit Receipt turned in my license plate and suspended insurance, # <u>2</u> Exhibit Letter compelled servitude may be required to have welfare, # <u>3</u> Exhibit Email relating to keeping federal courts impartial, # <u>4</u> Certificate of Service Certificate of service regarding letter updating the court and other concerns which may affect the case)(Kelly, Meghan) (Entered: 07/06/2022)
07/09/2022	<u>79</u>	Letter to Chief Judge Colm F Connelly from Meghan regarding update, Motion to stay 3rd Cir/potential witness/ Supreme Court as an additional defendant because additional injunctive and declaratory additional relief is required/New petition in another forum regarding Food stamps. (Attachments: # <u>1</u> Verification Declaration of letter, # <u>2</u> Exhibit A email, Dr. James Davies, DSM-5, Diagnostic and Statistical Manual of Mental Disorders, # <u>3</u> Exhibit B Order by DE Sup CT Kelly v Trump, # <u>4</u> Exhibit C Petition against volunteering food stamps, # <u>5</u> Certificate of Service Cert of serv, # <u>6</u> Certificate of Service envelope)(Kelly, Meghan) (Entered: 07/09/2022)
07/13/2022	<u>80</u>	MOTION to Stay the proceeding pending a determination in the state proceeding including appeals to the US Supreme Court, or the time for appeal lapses - filed by

10/17/22, 9:55 AM

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		Meghan Kelly. (Attachments: # <u>1</u> Verification Declaration, # <u>2</u> Text of Proposed Order Plaintiff Meghan Kellys Motion pursuant to FRCP R. 62 and in the interest of justice, to stay the proceeding pending a determination in the state proceeding including appeals to the US Supreme Court, or the time for appeal lapses, # <u>3</u> Certificate of Service to Defendants)(Kelly, Meghan) (Entered: 07/13/2022)
07/17/2022	<u>81</u>	MOTION to Withdraw <u>43</u> Amended Complaint., <i>Plaintiff Meghan Kellys Motion to Withdraw Plaintiffs Motion to amend the complaint pursuant to FRCP 15(a)(1) and FRCP 15(a)(2) to include additional parties, eliminate a party, include additional facts and include additional requests for relief, dated January 24, 2022, Docket Item 43 and intent to request leave be granted to amend the complaint, as a matter of right, after the state proceeding is complete, including appeals to the US Supreme Court, or the time of appeal has expired, and to serve such Amended Complaint, with an amended praecipe, with corrections, as opposed to the original complaint through the US Marshal - filed by Meghan Kelly. (Attachments: # <u>1</u> Verification Motion to withdraw DI 43, Motion to amend complaint, # <u>2</u> Text of Proposed Order Withdraw of DI 43 Plaintiff Meghan Kellys Motion to Withdraw Plaintiffs Motion to amend the complaint pursuant to FRCP 15(a)(1) and FRCP 15(a)(2) to include additional parties, eliminate a party, include additional facts and include additional requests for relief, dated January 24, 2022, Docket Item 43 and intent to request leave be granted to amend the complaint, as a matter of right, after the state proceeding is complete, including appeals to the US Supreme Court, or the time of appeal has expired, and to serve such Amended Complaint, with an amended praecipe, with corrections, as opposed to the original complaint through the US Marshal, # <u>3</u> Certificate of Service Plaintiff Meghan Kellys Motion to Withdraw Plaintiffs Motion to amend the complaint pursuant to FRCP 15(a)(1) and FRCP 15(a)(2) to include additional parties, eliminate a party, include additional facts and include additional requests for relief, dated January 24, 2022, Docket Item 43 and intent to request leave be granted to amend the complaint, as a matter of right, after the state proceeding is complete, including appeals to the US Supreme Court, or the time of appeal has expired, and to serve such Amended Complaint, with an amended praecipe, with corrections, as opposed to the original complaint through the US Marshal)(Kelly, Meghan) (Entered: 07/17/2022)</i>
07/24/2022	<u>82</u>	MOTION to Amend/Correct <u>69</u> , <u>43</u> Amended Complaint., <u>2</u> Complaint (Pro Se), <u>77</u> MOTION re <u>69</u> Motion to include Pleadings filed on June 7, 2022, for the Courts consideration pursuant to her Rolling Motion to conform complaint to the additional facts and legal arguments as they arise, as if already included in the Compl DI 2, and DI 69 - filed by Meghan Kelly. (Attachments: # <u>1</u> Verification, # <u>2</u> Exhibit A Article about Judge Smalls retirement, # <u>3</u> Exhibit B Notice Judge Slights is replaced by Vice Chancellor Cook, # <u>4</u> Exhibit C State motion of reconsideration of appointment of counsel despite my 6th Amend assertion to self represent and religious objection to counsel, # <u>5</u> Text of Proposed Order, # <u>6</u> Certificate of Service)(Kelly, Meghan) (Entered: 07/24/2022)
08/17/2022	<u>83</u>	MOTION for E-filing Rights - filed by Meghan M. Kelly, Meghan Kelly. (Attachments: # <u>1</u> Exhibit Delaware Supreme Court Order, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(apk) (Entered: 08/18/2022)
08/22/2022	<u>84</u>	Letter to The Clerk of Court, from Meghan Kelly, regarding intentions of appealing to U.S. Supreme Court. (Attachments: # <u>1</u> Exhibit)(apk) (Entered: 08/25/2022)
08/25/2022	<u>85</u>	MOTION to include addition information in her rolling motion to amend the complaint - re D.I. <u>43</u> First Amended Complaint - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit Order from United States Court of Appeals, # <u>12</u> Text of Proposed Order, # <u>13</u> Certificate of Service, # <u>14</u> Envelope)(srs) (Entered: 08/26/2022)

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08/25/2022	<u>86</u>	[SEALED] Medical Exhibit (Page from Exhibit J) - re <u>85</u> MOTION (srs) (Entered: 08/26/2022)
08/25/2022	<u>87</u>	Copy of Page 9 of D.I. <u>85</u> Motion received. (srs) (Entered: 08/26/2022)
08/25/2022	<u>88</u>	Letter to Clerk of Court, from Meghan Kelly, regarding Motions for Extension of Time. (Attachments: # <u>1</u> Motion for Extension of Time Filed at DE Supreme Court, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H)(srs) (Entered: 08/29/2022)
08/25/2022		Remark: Additional Copies of exhibits 1, 2, and 3 of D.I. <u>88</u> sent to case jacket 22-mc-340. (srs) (Entered: 08/29/2022)
08/25/2022	<u>89</u>	Letter to Clerk of Court, from Meghan Kelly, regarding Four Outstanding Motions in DE 22-58. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(srs) (Entered: 08/29/2022)
08/25/2022	<u>90</u>	Letter to Clerk of Court, from Meghan Kelly, regarding Documents from Delaware Matter 22-58. (Attachments: # <u>1</u> Copy of DE Supreme Court Filing: Reply to ODC's Corrected Response to Objections, # <u>2</u> Copy of DE Supreme Court Filing: Objections to Report and Recommendation on Petition to Transfer to Disability Inactive Status., # <u>3</u> Copy of DE Supreme Court Filing: Memorandum of Law in Support of Objections to the Report and Recommendation, # <u>4</u> Table of Exhibits to Objections, # <u>5</u> Exhibits to Objections, # <u>6</u> Exhibits for Answer, Defenses, and Objections to ODC's Petition)(srs) (Entered: 08/30/2022)
08/25/2022	<u>91</u>	Letter to Clerk of Court, from Meghan Kelly, regarding Documents from Delaware Matter 22-58. (Attachments: # <u>1</u> Exhibit 16, # <u>2</u> Exhibit 17, # <u>3</u> Exhibit L, # <u>4</u> Exhibit M, # <u>5</u> Exhibit N, # <u>6</u> Exhibit 2-5, # <u>7</u> Exhibit 6-10, # <u>8</u> Exhibit P, # <u>9</u> Exhibit P-2, # <u>10</u> Exhibit Q, # <u>11</u> Exhibit R, # <u>12</u> Exhibit S, # <u>13</u> Exhibit T, # <u>14</u> Exhibit U, # <u>15</u> Exhibit V, # <u>16</u> Exhibit W, # <u>17</u> Exhibit X, # <u>18</u> Exhibit Y, # <u>19</u> Exhibit AA - FF, # <u>20</u> Exhibit GG-JJ)(srs) (Entered: 08/30/2022)
08/30/2022	<u>92</u>	Letter to Judge Colm Connolly, from Meghan Kelly, regarding being put on speaker phone. (apk) (Entered: 08/31/2022)
08/30/2022	<u>93</u>	Letter to Judge Colm Connolly, from Meghan Kelly, regarding three reciprocal orders. (Attachments: # <u>1</u> Exhibit)(apk) (Entered: 08/31/2022)
08/30/2022	<u>94</u>	CERTIFICATE OF SERVICE of D.I. <u>92</u> Letter by Meghan Kelly (Attachments: # <u>1</u> Exhibit D.I. <u>92</u> Letter)(apk) (Entered: 08/31/2022)
10/11/2022	<u>95</u>	MOTION to alter and amend Orders D.I. <u>31</u> D.I. <u>17</u> and D.I. <u>60</u> . Motion to Stay the Proceeding until the State Proceeding is concluded, including appeals to the US Supreme Court or the time the appeal has concluded - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service, # <u>6</u> Envelope)(mpb) (Entered: 10/13/2022)
10/11/2022	<u>96</u>	SECOND MOTION to Stay the Proceeding until the conclusion of Respondent's originating disciplinary proceeding until a final non-appealable determination is made or the time of appeal has lapsed. MOTION to Amend D.I. <u>43</u> Amended Complaint 30 days after the stay is lifted. - filed by Meghan Kelly. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit B-1, # <u>4</u> Exhibit D-1 Internal Exhibit for B-1, # <u>5</u> Exhibit F-1 Internal Exhibit for B-1, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F, # <u>10</u> Exhibit G, # <u>11</u> Exhibit H, # <u>12</u> Text of Proposed Order, # <u>13</u> Certificate of Service, # <u>14</u> Envelope)(mpb) (Entered: 10/13/2022)

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MEGHAN MARIE KELLY, ESQUIRE

34012 Shawnee Drive
Dagsboro, DE 19939

December 11, 2020

Register in Chancery
Court of Chancery Courthouse
34 The Circle
Georgetown, DE 19947

RE: Meghan Kelly v. Donald J. Trump, et. al, Case No. 2020-
Master PWG

Thank you/New Supreme Court Order

Dear Honorable Master Patricia Griffin:

Thank you for your letter. I thought I was going to get into trouble with you. Instead, you bestowed me kindness and mercy.

It made me teary eyed with unexpected joy by your kind act.

Usually, when I ask for help, I get into trouble from those I ask.

When I was in law school, I had rats in my apartment during my final exams and bar exams. I asked the Christian law school I leased the apartment from, Duquesne, for help. They did not help me. Instead, they increased my rent. The newspapers helped me, and the tv station helped me.

Did I get rescued out of the situation? No. But they remain my heroes because they did the right thing. That is more important than winning or losing. See attached under Exhibit A.

REGISTERED CHANCERY
GEORGETOWN, DE, USA
20 DEC 1 2020
PWG

During my Delaware Bar Exam studies at Weidner Law School, my dorm ceiling leaked water all over my bar materials. I asked for help from Weidner and reached out to the Board of Bar examiners. I got scolded by the administrator of the bar in a private room instead.

When I ran for office as a democrat, the democrats did not help me, and appeared to sabotage my run, per my complaint which is an exhibit to the brief.

You know who did help me? The press. They allowed me to share my ideas on paper, impartially, just as they allowed the other side to do the same.

That is why the press is my hero. I lost, but they gave me, the voiceless a voice.

You are my hero too. Winning or losing is not most important, doing the right thing is. Allowing all people, regardless of wealth, poverty, political party, religion, race or place of origin an opportunity to seek justice, which is never guaranteed, is the right thing.

Thank you for doing the right thing for a peon like me, by affording me the opportunity to sue the most powerful man in the world. It is not me I have faith in. It is you (God too), the court system, democracy, and the pursuit of justice. Our system of government recognizes how imperfect man

is, by instilling checks and balances which limits the three imperfect branches. So, none would proudly assert imperfect dominion. Each branch remains humbled at the prospect of potential correction, your potential edification. No branch, nor any human is perfect. None are God but God.

I am sorry if I let the Court, democracy and God down in this case. If I should fail to plead sufficiently, I will just get right back up and try to do the right thing again differently with humility.

I am kind of getting used to falling down now, but I am not used to those in authority helping me up, as you have done by your letter, and as the Delaware Supreme Court has done by allowing for pleasings to be filed by email too, per Order Number 6. Exhibit B.

I emailed Brenda McKinnon, in the upper Delaware Chancery Court my brief and the exhibits attached thereto on Monday December 7, 2020 completed at 10:20 AM. I mailed the Court everything on Monday December 7, 2020, and the post office indicated it was received on December 8, 2020 at 8:17 am. Exhibit C.

But she has not been able to confirm receipt yet. So, I may have to file again in your office.

I forwarded the E-mailed filed documents to Katrina Krugar, and asked for her to please hang onto them and standby in case upper Delaware continues to have trouble receiving the documents.

For your convenience, I am also dropping off a set of the filed documents to possibly ease in filing in case upper Delaware needs help. If not, in case I succeed, it would be good for you to have a copy too.

If the Upper Delaware Court needs help filing, would you please help them and me by filing it on the December 7, 2020 date, 10:20 AM, with only one court stamp confirmation on the Brief to alleviate the burden on the Court. The Court need not stamp every document.

Should my case remain alive, the Delaware US Attorney General will likely seek to remove my case to the federal court since he knows my concerns about driving and mailing.

I do not regret putting my foot into my own mouth. I believe that your Court will save not only America, but the World. You do not need me for this Court to do so.

I think whichever Court hears my case, they will have power to save the world too, just not as much power as you, and the Delaware Chancery Court.

I believe the Courts will be our heroes in history. I believe their words are more powerful than weapons. The impartial rule of law is more powerful than reign by those with money, power and connections without restraint called enforceable laws.

We are not a nation of sword fights, gun duels and fist fights. We are a nation of laws that limits all people, with more limits on those with power in the government, to make the common man, even a peon like me, somehow more equal to the most powerful person in America, the President.

The limits on our Constitutional freedoms in the form of laws, makes us all more free.

The fact Americans must respect (to an extent) the freedoms of others, and, in turn, others must do the same by honoring such limits, makes us all more free.

Lawlessness is not freedom. Deregulation is not freedom. It is anarchy.

Thank you,


Meghan Kelly, Esquire
Pro Se, Bar # 4968
34012 Shawnee Drive
Dagsboro, DE 19939
(Word Count 988)

CC. Attorney General William Barr, Esq.

**EXHIBIT
A**



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Lawrence Walsh: Rat is unwelcome study partner

Wednesday, June 29, 2005

By Lawrence Walsh, Post-Gazette Staff Writer

A pregnant rat running between your legs in your bedroom isn't conducive to studying for final exams.

That's what Meghan Kelly said happened to her in early May in her 10th-floor apartment in Brottier Hall at Duquesne University. The 20-story building was formerly known as Citeline Towers and the Cricklewood Hill Apartments.

"I haven't been able to get a good night's sleep since it happened," said Kelly, a law school graduate now studying for the bar exam next month.

She said the rat ran under a bed and into a hole beside the heating and air-conditioning unit in a bedroom.

Kelly notified the university. The university sent an exterminating company to inspect her room. It found no evidence the rat had taken up residence in the apartment, but it put out traps to capture any transient rodents.

Then Kelly found a baby rat in a trap. She again called the university. The exterminator returned for another inspection, but found no signs that mama rat had made herself at home. They again set out traps.

After successfully passing her law school exams last month, Kelly began studying for the bar exam. Law school graduates must pass the two-day test to obtain a license to practice law in Pennsylvania.

Unnerved by her encounter with the pregnant rat, Kelly said she tried to

<http://www.post-gazette.com/pg/05180/530005.stm>

10/15/2006

sleep as best she could. She initially thought a tapping sound she heard next to the head of her bed came from a heating and cooling unit. Then she thought it might be a rat trying to get out.

She called the Allegheny County Health Department. She also contacted the Pittsburgh Post-Gazette.

Dennis Lauria, a county environmental health specialist, inspected her apartment last Tuesday. He ordered the university to place rat glue traps under the heating and cooling units in each room. The traps are designed to trap rodents by attracting them to the sticky surfaces that prevent them from moving after they step on them.

Luria also ordered the university to repair a hole in the ceiling of a hallway closet in Kelly's apartment. Although he found no evidence of rodents in her unit, he found some on the ground level of the building.

He found "rodent droppings, carcasses, rub marks, chewed areas or burrows" in the garage. He also noticed that rodents could crawl under the closed garage doors. He ordered the university to "rodent-proof the garage doors" and to "remove food sources, harborage areas and eliminate entries."

Luria also said the garbage storage area had garbage on the floor. He ordered that it be cleaned up and that bait stations be placed in the garbage storage and receiving areas. He found rat ground burrows about 20 feet from the two garage doors, one of which is open during the day to provide egress and ingress for employees and workers renovating the building.

At Kelly's invitation, I accompanied Lauria on a reinspection of her apartment yesterday. He found mouse droppings and mouse hair on a glue trap under one of her heating and cooling units. "I'll add that to my report," he said.

During a reinspection of the ground level of the building, Lauria said building employees had done a lot of clean-up work since his first visit. There was no garbage on the floor of the garbage receiving and storage areas. But at least one rat had entered the garage. Visible evidence of its presence was near a trap that had been sprung.

Although Lauria gave the university until July 12 to comply with the orders he issued last week, he said employees already had corrected most of them.

He was impressed with the steel strips attached to the bottom of one of the garage doors to keep out four-legged trespassers.

"We take this matter very seriously," said Bridget Fare, a university spokeswoman. "We started addressing it the day after [Kelly] notified

us. We are working with the health department to address it and we will continue to monitor it."

I'll keep you posted.

Post Your Problems appears Tuesday through Friday, addressing questions and problems from readers. Yvonne Zanos from KDKA-TV looks into consumer-related issues, including difficulties with products and services. Post-Gazette Staff Writer Lawrence Walsh helps sort through bureaucratic problems.

(Lawrence Walsh can be reached at 412-263-1895. His e-mail address is lawrence.walsh@pg.com.)

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U.S. COURT OF APPEALS, THIRD CIRCUIT

Meghan Kelly)	Appellate Court
Plaintiff,)	No.: 21-3198
v.	)	No. 22-2079
Disciplinary Counsel Patricia B.)	
Swartz, et al.	)	District Court
Defendants.	)	No.: 1:21-cv-01490-CFC

**Appellant Plaintiff Meghan Kelly's Opening Brief
moving the Third Circuit Court of Appeals to vacate the Delaware
District Orders (DI. DI 16-17, 30-31, 59-60), and to remand the matter
to the Delaware District Court for consideration**

I, Meghan M. Kelly, Esquire, hereby certify that on 10/22/22, I
had a true and correct copy of the above referenced document sent to all
Defendants through their attorney,

Zi-Xiang Shen
Delaware Department of Justice
Carvel State Building 820 N. French St. 6th Floor
Wilmington, DE 19801, served via E-filing:

Dated October 21, 2022 *MK*
Oct. 22, 2022

Respectfully submitted,
/s/Meghan Kelly
Meghan Kelly, Esquire
DE Bar Number 4968
34012 Shawnee Drive
Dagsboro, DE 19939
(302) 493-6693
meghankellyesq@yahoo.com
Acting as unrepresented indigent
party, unrepresented by counsel

Under Religious objection I declare, affirm that the foregoing statement is true and correct under the penalty of perjury.

Dated: 10/22/22

Meghan Kelly (printed)

Meghan Kelly (signed)

APPENDIX E

U.S. COURT OF APPEALS, THIRD CIRCUIT

Meghan Kelly	)	Appellate Court
Appellant, Plaintiff,	)	No.: 21-3198
v.	)	No. 22-2079
Disciplinary Counsel Patricia B.)	
Swartz, et al.	)	District Court
	)	No.: 1:21-cv-01490-CFC
Appellees, Defendants.)	

Appellant Plaintiff Meghan Kelly's Motion to recuse the Honorable Thomas Hardiman and the Honorable Tamika Montgomery-Reeves from participating in this Case to preserve my Due process Rights under the 5th

I Meghan Kelly, pursuant to my 5th Amendment right to a fair trial to defend the exercise of my 1st Amendment rights of petitioning, speech, religious belief, exercise, and association, 28 U.S. Code §§ 144 and 455, 29 CFR § 2200.68, or other applicable law move for the recusal and to prevent the participation of two judges on the Third Circuit in this matter and related matters, the Honorable Thomas Hardiman and the Honorable Montgomery-Reeves who is scheduled to be inducted in February 2023.

1. In law school, I did a non-paid clerkship through Duquesne with the Honorable Thomas Hardiman in his District Court.

2. I have the highest regards for the Honorable Thomas Hardiman.

Although I disagree with his dissent in NAACP v City of Philadelphia, Case Number 15-1002 for the same reason I disagree with some recent US Supreme Court cases.

3. First Amendment Freedoms must be safeguarded, not sold, sacrificed or diminished for business interests in making money or jobs. Honorable Hardiman's analysis substantially burdens liberties in exchange for businesses seeking money and material interests. A legitimate government interests must not be supported in contravention of the Constitutional limits on government. US Amend I.. It is wrong to sacrifice people or their liberty, including political speech, for money or material gain. Human sacrifice or compelled slavery in a fixed government backed forced market is always wrong no matter the riches exploiting government backed private or foreign entities in the community gain.

4. Governments should govern entities, not collude by partnering with them, making partners essentially above the law.

5. Regardless of my concern of his one dissent, the Honorable Justice Thomas Hardiman is brilliant, fair and kind, but it would be weird and uncomfortable to allow someone I know personally to judge me.

6. I am acting as a party, a person with a background life, not a mere attorney performing professional business. I care about him as a human in real life. I might be at a loss of something more than a case should someone I esteem beyond the court rule against me.

7. I confess I used to send his office Christmas cards for years. Though I no longer celebrate Christmas as it violates the teachings in the Bible. I did not realize I sinned against God by sending cards. I am sorry.

8. In *Jeremiah* 10 of the Bible God teaches us not to cut down trees to decorate them. Jesus teaches us not to celebrate the traditions of men which violates God's law under the guise of serving God as hypocrites. Citing *Matthew* 15: 3 "Jesus replied, "And why do you break the command of God for the sake of your tradition." I love God and love others. I do not desire to disobey God while misleading others to worship in a way that misleads them to potentially be damned to hell. In the Old testament a ruler celebrated similar pagan holiday festivities. Scripture teaches, "He did evil in the eyes of God." Then, boom he died. I believe he will go to hell on judgment day losing eternal life for partying and misleading the people into believing lusts is love.

9. Celebrating societal compelled traditions misleads people to believe the lie peer pressured gifting is love, when it is not unconditional love. It is societally forced gifting. I believe the lie drives out love from the hearts of men, replaced with the mark of the beast, conditionally caring, with no God in man.

10. On an aside, I do not celebrate birth dates either because I believe celebrating birth anniversaries like holidays also misleads people to thinking leading to damnation in hell.

11. In *Isaiah* 14, scripture teaches Satan wanted to be his own God. We celebrate ourselves like we are God on birth dates. Birth dates arose in pagan cultures. In Rome, rulers declared themselves born as a god when they took the throne. They celebrated with food and cakes. The common folk, even women and children began to celebrate their birth date as if they became a god too. I do not desire to sin against God. So, I repent of this, by turning away, sinning no more. In addition, I believe it is sin to classify people based on physical traits such as age. Per the attached newspaper, when asked my age for the paper, I replied "I am ageless." Exhibit A.

12. Allowing Honorable Judge Thomas Hardiman to judge me creates the appearance of impartiality. In DI 101-5, Exhibit C, you will find a picture of the Honorable Thomas Hardiman and I when I had the privilege of clerking with him through Duquesne. I attach a fresh copy as Exhibit B, and incorporate herein by reference.

13. On January 3, 2022, I received an E-mail indicating the Honorable Judge Tamika Montgomery-Reeves was appointed to the Third Circuit as judge, I attach hereto and incorporate herein by reference as Exhibit C.

14. On January 24, 2022, I filed a motion to amend my complaint as a matter of right and included Honorable Tamika Montgomery-Reeves, as a Defendant in this case. DI 43.

15. It is impermissible to allow a judge to participate in a matter where they may be called as a party.

16. I request she be screened from discussions in this case please. It would prejudice my ability to have a fair trial when a potential Defendant is a judge. It prejudices me as she is a participant in the facts arising in this case where I allege the Delaware Supreme Court members including Honorable Tamika Montgomery-Reeves violated my substantive and procedural due process rights, and equal protection rights by denying me a meaningful opportunity to be heard, selectively disparately treating me based on disdain for my religious-political beliefs, preventing discovery, concealing evidence in my favor, appointing counsel despite my religious First and Sixth Amendment objections and other violations I outlined in my initial brief and below on the record. See DI 18, 21-24, 29, 34-44, 47-51, 53-58, 61 through 77, I incorporate herein by reference.

17. On an aside, I am not intending to seek to be in the government. Do not worry. I believe government has reduced freedoms in order to safeguard the freedoms of those they serve by potentially being diminished even by their religious voice. I let that go of government and was no longer silent about my faith in Jesus when the government persecuted me by inciting unrest against me and others who did not conform to political pressured worship in Trump or government belief.

18. While I seek to preserve our government by eliminating corruption, I am aware that there is an agenda to dismantle it. I hope to have the opportunity to warn the courts about it to safeguard not destroy the courts.

19. Upholding the Constitutional law by all three branches preserves the people's faith in a fair system, even by upholding the rights of minorities like me, who believe differently as a party of one.

20. I am scared. Please do not throw me away to the wolves. Please protect me. When I ran for office in 2018, shipped in out of staters had a healthcare agenda I strongly disagreed with. It was as if they knew of the agenda for a pandemic. They also knew of the attacks on the vote as if it was in an agenda.

21. In Kelly v Democrats you will see how I averred those within the party asked me not to run. Both democrats and republicans who seek to buy puppets in office see me as a threat to demean as disabled or eliminate.

22. My faith in Jesus Christ is made of sound mind, no matter how repugnant others find my unique private religious beliefs.

Wherefore, I pray this Court grants this motion

January 3, 2023

Respectfully submitted,

/s/Meghan Kelly

Meghan Kelly, Esquire

34012 Shawnee Drive
Dagsboro, DE 19939
meghankellyesq@yahoo.com
(302) 493-6693
Not acting as a lawyer

Under Religious objection I declare, affirm that the foregoing statement is true and correct under the penalty of perjury.

Dated: 1/3/23

Meghan Kelly (printed)

Meghan Kelly (signed)

Exhibit A

Meet the candidates

20th Rep. District

Republican incumbent Rep. Steve Smyk, R-Milton, is being challenged by Democrat John Buccchioni and Libertarian Harry Smouse.

DEMOCRAT

John Buccchioni

Age: 67

Hometown:

Milton

Family: Married, three children and five grandchildren

Education: Bachelor's degree and master's degree

Relevant experience: Public school teacher in North Philadelphia; adjunct university professor; businessman; CEO for various mid-sized international consumer product corporations; elected national president of the National Association of Fundraising Companies; recurring panel member on the Global Consulting Practicum, The Wharton School, University of Pennsylvania.

Member of Milton Lions Club, Lewes American Legion Post 17, Sussex County League of Women Voters and The Beau Biden Foundation Committee.

Top reason for running: Our local future requires reforming the current political will. We need representation for all citizens of Harbeson, Lewes, and Milton, not a privileged few.



John Buccchioni

Guard; member, Delaware Mobile Surf Fishermen; charter member, Midway Lions Club; former youth coach, Henlopen Soccer Club, Milton Little League baseball and softball; member, American Legion Post 17; immediate past president, Delaware State Troopers Association; past board member, National Troopers Coalition; member, Endeavor Lodge, Milton.

Top reason for running: Public service is an opportunity to advance the common good. I will continue to effect positive change on behalf of the residents of our district.

LIBERTARIAN

Harry R. Smouse Jr.

Age: 54

Hometown:

Milton

Family: girlfriend; two daughters

Education: Some college

Relevant experience: Environmental technician with Dry-Tek Environmental in Salisbury, Md.; previously worked at Mr. Go-Glass for 17 years

Top reason for running: I'm a dissatisfied voter who would like to see change in Dover.



Harry Smouse

REPUBLICAN

Stephen Smyk

Age: 53

Hometown:

Harbeson

Family: Wonderful wife of 29 years, Judy; daughters, Leah and Sydney, and son Gabe

Education:

Sussex Central H.S.; associate's degree in business administration, Delaware Technical Community College; U.S. Army technical and leadership schools, Warrant Officer Course, Fort Rucker; federal and state law enforcement training courses in leadership, traffic, criminal and counter-terrorism investigations.

Relevant experience: Incumbent representative 2012-2018, Delaware House of Representatives 20th District; retired trooper, Delaware State Police; veteran, Delaware National



Stephen Smyk

DEMOCRAT

Donald M. Allan Jr.

Age: 37

Hometown:

Milton

Family: Wife, Carrie and daughter, Josie, 4

Education:

Rising Sun

H.S., Cecil

County School

of Technology;

Delaware Technical Community College

Relevant experience: Working in construction industry in Sussex County since 2003, installing kitchen cabinets and managing projects. I will bring a blue collar work ethic and mentality to our state Legislature.

Top reason for running: Focus on fixing water quality issues plaguing Sussex County, strive for equitable funding for public schools, and ease the tax burden of middle- and working-class Delawareans.



Donald Allan

REPUBLICAN

Bryan Shupe

Age: 34

Hometown:

Milford

Family: Wife, Sherry and daughter, Evelyn, 2

Education: Bachelor's degree in Political Science, University of Delaware

Relevant experience: Two-term mayor of Milford; owner of two small businesses in 36th District, Fur-Baby Pet Store and milfordlive.com

Top reason for running: My experiences as a public servant and small business owner have given me unique opportunities to help improve our local economy, infrastructure and water quality.



Bryan Shupe

38th Rep. District

Republican incumbent Rep. Ron Gray, R-Selbyville, is being challenged by Democrat Meghan Kelly.

REPUBLICAN

Ron Gray

Age: 62

Hometown:

Selbyville

Family: Wife, Candice; sons, Zachary and MacLean; daughter, Jacqueline and son-in-law, John Mumper

Education: Bachelor's



Ron Gray

Education: Indian River High School, bachelor's degree in civil engineering from University of Delaware, master's in business administration from Indiana University.

Relevant experience: First elected in 2012 as state representative for the 38th District; operates several family businesses in his district.

Top reason for running: To work as a business advocate to preserve existing jobs and promote new opportunities for our children. To support more efficient and cost-effective government.

DEMOCRAT

Meghan M. Kelly

Age: Not applicable. I am ageless.

Hometown: Dagsboro

Family: Father, Pat Kelly;

mother, Mary Batten Kelly;

sister, Amanda Kelly Gordines.

brother, Andy Kelly

Education:

Lord Baltimore Elementary, Selbyville Middle, Indian River H.S., bachelor's degree, University of Delaware

Relevant experience: Licensed to practice law, licensed to teach. While in law school, interned with the Honorable Justice Thomas Hardiman, nominee for U.S. Supreme Court and current justice Third Circuit Court of Appeals. I've reviewed and commented on proposed laws for over 10 years, and discovered I had a passion to revise them to better serve people I grew up with and love.

Top reason for running: To protect personal liberties, keep taxes low, reduce regulations, encourage job creation, defend the Second Amendment and to make the American dream accessible to everyone.



Meghan Kelly

degree in music education, University of Delaware

Relevant experience: Elected to the Delaware House of Representatives in 2014; farmed for over 40 years and currently operates a small farm in the 41st district; licensed insurance agent for 38 years and owned Access Insurance until March 2017; legislative liaison to the General Assembly for 13 years for a nonprofit organization; have served on many government committees and task forces

Top reason for running: To protect personal liberties, keep taxes low, reduce regulations, encourage job creation, defend the Second Amendment and to make the American dream accessible to everyone.

DEMOCRAT

Bradley S. Connor

Age: 57

Hometown:

Bethany Beach

Family: Married, 36 years to wife, Penny. Two children

Education: Graduate, Indian River H.S., associate's degree, Salisbury State College

Relevant experience: Sussex County Association of Towns, Delaware League of Local Government; mayor of Dagsboro, Lions Club, Southern Sussex Rotary, Dagsboro Planning and Zoning.

Top reason for running: My government experience has afforded me many useful partnerships within the state and its agencies. Those partnerships will be used to benefit District 41.



Bradley Connor

Survey Says

600 Cape Gazette readers responded to a recent poll in Cape Gazette print edition and at capegazette.com.

Q: Are state officials sufficiently monitoring water quality in Sussex County?



Exhibit B



Exhibit C

Re: 21-3198 Fw: [DSBA] On behalf of the Judicial Nominating Committee - Notice of Vacancy - Supreme Court of Delaware

From: Meg Kelly (meghankellyesq@yahoo.com)
To: zi-xiang.shen@delaware.gov; caneel.radinson-blasucci@delaware.gov
Cc: meghankellyesq@yahoo.com; david.weiss@usdoj.gov
Date: Tuesday, January 3, 2023 at 07:32 PM EST

Good evening,

What is your position on a motion to recuse Justice Hardiman and Justice Reeves?

Thank you,
Meg

On Tuesday, January 3, 2023 at 06:02:49 PM EST, Meg Kelly <meghankellyesq@yahoo.com> wrote:

Good evening.

With two members of the DE Supreme Court retiring or moving to the Third Circuit, this poses a concern for me.

Thank you,
Meg

----- Forwarded Message -----

From: Administrator@dsba.org <administrator@dsba.org>
To: dsba@delawlist.org <dsba@delawlist.org>
Sent: Tuesday, January 3, 2023 at 05:42:19 PM EST
Subject: [DSBA] On behalf of the Judicial Nominating Committee - Notice of Vacancy - Supreme Court of Delaware

NOTICE

The Judicial Nominating Commission gives public notice that it has received notification from the Governor that the following office may be filled by the appointment of the Governor with the concurrence of the Senate:

Justice of the Supreme Court of the State of Delaware

(Due to the appointment of Justice Montgomery-Reeves to the
United States Court of Appeals for the Third Circuit)

The appointee shall be admitted to the practice of law before the Supreme Court of the State of Delaware. Per Article IV, §2 of the Delaware Constitution, the appointee must: (i) be a citizen of the State of Delaware; and (ii) learned in the law. The position of Justice of the Supreme Court provides a current annual salary of \$212,315.

Persons who meet the legal qualifications of the office described above are invited to file with the Commission a completed copy of the "Questionnaire for Nominees for Judicial Office." The Questionnaire is available online at <http://courts.delaware.gov/career/> under the heading "Judicial

Officer Postings."

Any person who wishes to suggest candidates may write to the Commission.

Completed Questionnaires must be received no later than **12:00 pm (noon) on Tuesday, January 31, 2023** at the address listed below. Applicants must also email a copy of all application materials no later than **12:00 pm (noon) on Tuesday, January 31, 2023** to JNC@delaware.gov. **Submissions that do not satisfy both requirements will not be accepted.** The Commission will schedule interviews of candidates promptly thereafter.

Arthur G. Connolly, III, Esq., Chairman

Judicial Nominating Commission

Connolly Gallagher LLP

1201 North Market Street

Wilmington, DE 19801

(302) 757-7300

Dated: January 3, 2023



www.dsba.org

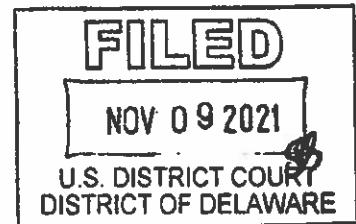
Sent via the Delaware State Bar Association's DSBA mailing list
DSBA@barlist.delawlist.org
[https://www.dsba.org](http://www.dsba.org)

APPENDIX F

UNITED STATES DISTRICT COURT IN THE DISTRICT OF DELAWARE

Meghan Kelly)
Plaintiff,)
v.)
Disciplinary Counsel Patricia B.)
Swartz, et al.)
Defendants.)

No. 1:21-cv-01490-CFC



Plaintiff's Motion to Amend Plaintiff's Motion for reargument

Plaintiff Meghan Kelly, pro se, brings this motion to amend her motion for reargument pursuant to Pursuant to FRCP 15.

Pursuant to FRCP 15 (a)(1) (1) "A party may amend its pleading once as a matter of course within 21 days after serving." On Saturday November 6, 2021, I mailed a motion for reargument by certified mail, sent to both the Court and Defendant's counsel. On November 6, 2021, by separate US Mail, I sent the proposed order to the court and defendant's counsel. This is within 21 days.

My computer is broken and is in repairs. (Exhibit 1, proof of mailing.) I alerted Defendants through their counsel of my repairs, with attached pictures. (Exhibit 2 Email to counsel. Typing is not my strong point. My apologies.) Today, I was informed my computer is not fixed. (Exhibit 3, Email from insurance provider).

I am in immediate danger, and was required to send the Motion for reargument, on Saturday before noon to alert the court in hopes to prevent immediate irreparable injury to me and the public, on arguments I am likely to win under 42 USC Sections 1983, 1985(2), 1988 and the First Amendment applicable to Defendants pursuant to the Fourteenth, with no harm to Defendants, where Defendants' interests do not meet strict scrutiny, allowing them to persecute

me based on my beliefs in Jesus Christ. I had to send it regardless of typos, without opportunity to correct to prevent immediate, irreparable injury to me, and continuous irreparable injury to me.

I care more about my ability to exercise my religion freely, and openly without threat of government persecution than I care about my license, and ability to work at my old law firm performing real estate settlements down the line, as I do not enjoy litigation. So, I looked at registration to see whether I could deactivate my license to practice law. Even though I have not practiced law in 6 years, it indicated I could not deactivate my license due to the ODC filing on November 3, 2021. (Exhibit 4)

I came before the Court to protect my First Amendment rights, and subordinately prevent punishment for my faith in Jesus by Defendants who seek to place my active license on inactive disabled. It is insulting to me. My faith in Jesus is not a disability. My poverty is not a disability.

On Friday, November 6, 2021, I was served papers by Defendants seeking an order against me which would violate my faith in God by allowing them to examine me by a mental health expert. I should not be required to violate my faith in God risking losing my eternal life to maintain my license to practice law. Lawyers should not sell their souls for potential monetary gain, to lose their eternal life in the hopes to pursue justice. (Matthew 23:23, Amos 5:15, Matthew 16:26 “What good will it be for someone to gain the whole world, yet forfeit their soul? Or what can anyone give in exchange for their soul?,” Matthew 6: 24 “No one can serve two masters. Either you will hate the one and love the other, or you will be devoted to the one and despise the other. You cannot serve both God and money.” I choose God).

I was so shaken up, my heart hurt so badly, and I was trembling as I rushed to the post office to prevent irreparable injury, that the post office official, April, called the police to check up on me as I indicated I was not safe from government sponsored threats motivated to suppress my speech, petitions, association and exercise of religious faith in Jesus Christ, based on their disagreement in my faith in Jesus. I said, "they are going after me for my faith in Jesus. (Exhibit 5, police report) I am permitted to worship or not according to the dictates of my conscience, not the dictates of the government."

Defendants seek to declare my faith in Jesus a mental disability through official proceedings. What is next will they lock me up because my religious beliefs do not conform to their expectations.

I was under great distress, and remain under great reasonable distress. My heart is hurting.

A state trooper made a wellness check November 6, 2021. I was humiliated and embarrassed to share my religious beliefs, persecution, and poverty with the kind State Trooper. I told the trooper that a stranger talked about shooting me in Dagsboro because of my stickers. He asked, "Why didn't you call the police." I responded I thought I did. I went to the state police, Millsboro, Dagsboro and Bethany police department to retrieve the report too. I did not realize until November 7, 2021, after I thought about it, that the fully uniformed officer I told, who inspected my car at World Gym in Millsboro, was probably acting a fellow kind gym mate, acting off duty or outside of his jurisdiction. (Exhibit 6, car with substance thrown at it for my speech).

Per my Complaint at paragraphs 42, 48, 89, 98, 112, 149, 156, 201, 268-290, 292-294, 306-308, 365-480, D.I. 2, D.I. 3, D.I. 4, with focus on US Ex 43 relating to healthcare, US Ex 2 the law suit against the Democrats regarding healthcare concerns, Exhibits 21-25 my emails providing notice for Defendants to desist based on religious objections to examinations District Court, Us Exhibit the outline of my religious objections in my writ of certiorari, the outline of my rejections to mental healthcare in my motion to the Delaware Supreme Court, and Exhibit A-4, my motion to the Delaware Supreme Court to reign in its arms through its agents from unlawfully pressuring me to forgo or impede my case to protect my free exercise of religion by relief it deems just, where I declare my objections to psychology and mental health..

I was under great distress, and remain under great reasonable distress should you find my beliefs are genuine.

A state trooper, Officer Partyka, made a wellness check November 6, 2021. I was humiliated and embarrassed to share my religious beliefs, persecution, and poverty with the kind state trooper.

I told Officer Partyka that a stranger talked about shooting me in Dagsboro because of my stickers. He asked, "Why didn't you call the police." I responded I thought I did. I went to the state police, and the Millsboro, Dagsboro and Bethany police department to retrieve the report. I did not realize until November 7, 2021, the fully uniformed officer I told, who inspected my car at World Gym in Millsboro after someone threw substance all over it but for my stickers, "No one is above the law, No one is below the law," "Impeach," "Serve your country not your seat," was probably a fellow kind gym mate, acting off duty or outside of his jurisdiction. (Exhibit 6, a picture of substance on my car). That is why I could not retrieve the report I looked for. D.I. 2, 3, 4.

Defendants also threatened to file a motion on November 8, 2021, to have an attorney appointed for me. I objected on religious grounds, which also shook me up. Per my Motion and Memorandum for a preliminary injunction and complaint, going into debt is against my religious beliefs. D.I. 6, 7,8, 9,10.

I objected to appointed counsel on religious grounds. 1. Going into debt violates my religious beliefs 1. as outlined in the preliminary motion and memorandum, and 2. I believe God is my advocate in the disciplinary proceeding.

In John 14:26, Jesus taught, “the Advocate, the Holy Spirit, whom the Father will send in My name, will teach you all things and will remind you of everything I have told you.”

In Mark 13:11, Jesus taught, “Whenever you are arrested and brought to trial, do not worry beforehand about what to say. Just say whatever is given you at the time, for it is not you speaking, but the Holy Spirit.”

It is against my religion to allow an attorney advocate to defend my religious beliefs in the disciplinary proceeding. An attorney advocate is not in the position to stand up for my beliefs in the disciplinary proceeding.

As to the case before you, I am not so sure. I need to pray about it. The cases relate to my religious beliefs. My beliefs are at issue.

With regards to exams and alleged mental health, I believe people lose eternal life for relying, performing, recommending and allowing the conduct of mere man to examine the will of another by examinations relating to alleged mental health, psychology or behavioral theory. I believe the mental healthcare industry teaches the way to hell guaranteed by tempting man to bend their will to their own desires or the will of the world, conditioning them to live

conditionally, instead of laying down their will to love God unconditionally, and subordinately to love others, unconditionally, unearned, as yourself.

I believe lost people seek happiness. Children of God seek holiness. The happiest people have hardness of heart. Since they are either ignorant of the evils of the world, or they do not care to love those who inconvenience them, which is not violating Jesus's commands by organized charity or fundraising which leads to hell. It is not referring people to government resources either. Love is sacrificing from self in secret to care for another at a worldly lose for a Godly gain. (Matthew 6:1-5.)

My belief in Jesus Christ, what he says, is not popular. Jesus commands us to call no one our teacher but God. I believe churches will go to hell as they mislead many there for asking other people for money to give to others, instead of merely asking for their own needs, or giving from self in secret to care for others with no worldly reward, not taking from others to give to those in alleged need, in direct violation of Jesus Christ's commands in Matthew 6:1-5. This same religious violation, Matthew 6:1-5, is why I sued the democrats to run for office without violating my faith as asking for signatures or donations would compromise my beliefs, wrote the US Supreme Court concerning running for President, and is a major concern in the lawsuit I filed against President Trump, and hoped to file against president Biden by substitution. D.I. 4, Ex 2, Ex 50, Ex 51. I believe the rise in religious persecution against me and others in the country relate to the executive orders I mentioned in my complaint, creating a bought or bartered for union of government-religion, that is based on business not freedom, making my God a product to buy and sell. Per John 2:16, those who worship by business are not welcome I church or in heaven per Jesus.

Jesus teaches “blessed are those who mourn,” meaning mourn at sin, our own and the world’s, not blessed are the happy. (Matthew 5:4, Hebrews 12:14, “Be holy, without holiness no one will see the Lord.”) Rather they are in danger of damnation, without repentance for seeking their own happiness above God’s will. Even children go to hell per Ezekiel chapter 9 for their unconcern.

Children are trained to give into temptations young to make deceiving businesses money, learning to go to hell young by conditionally caring based on date for holidays and birthdays by societal conformed pressure which is not unconditional love. Jesus teaches us do not adhere to the traditions of men at the cost of violating God’s law of truth in love. Mark 7:8, “Do not be conformed to the world.” I should not be conformed to the world in order to exist in the world. Romans 12:2. See, 1 John 5:19, “We know that we are children of God, and that the whole world is under the control of the evil one.” My different beliefs do not make me a threat, nor do they make me disabled. The fact I care more for God, and subordinately for humanity than money, material gain and merriment makes me a Christian.

Per my pleadings, I am a licensed teacher too. Most teachers learned psychology and behavioral theories predominantly B. F. Skinner. Skinner taught there was no such thing as unconditional love, that people live based on conditional relationships (including societal peer pressure), reward and avoidance of harm. My God teaches me this is the mark of the beast, also called children of the devil, the whore, adultery with God, the lost, the unsaved, those not yet adopted by God. Christians are known by their love. Love is unconditional, not merely living conditionally by conformed behavior, relationships, reward and avoidance of harm.

Children are taught in schools that listening is love. Through conditional operant theory children learn the lie love must be earned conditionally. Accordingly, they examine whether

someone earned an ear. They are discouraged from listening, learning and become dumb and blind adults, who are less likely will be saved from hell, by seeking truth in all things, rather than ignoring it. (See, Hosea 4:6, "my people are destroyed from lack of knowledge.") Throughout the bible, we learn not knowing is guilt that damns people to hell. Christians are called to shed light to expose the temptations leading to harm and hell, not cover it up with more darkness by ignoring it. Ignorance is guilt to God. (See, Ephesians 5:11, "Have nothing to do with the fruitless deeds of darkness, but rather expose them.")

I believe our healthcare harms lives and guarantees damnation in hell, by eliminating people's ability to use their brain, diminishing their faculties. They feel better by feeling nothing. I believe people must use their brain, their mind, to consciously choose to do God's will to love God and one another, not seeking happiness but holiness. I believe forced comas and drugs that inhibit people's faculties prevent them from going to heaven, and guarantee their damnation in hell, and the damnation in hell for the unconcern of by standers. I believe the last day of people's lives seals their eternity.

I took a course at UD on healthcare, and studied healthcare law and healthcare finance at law school, due to my own personal bad healthcare experience. per US Exhibit 43. I drafted a newspaper article outlining how to amend the laws to care for patients, as opposed to sinning by exploiting patients to serve profit. I also proposed a way to transition into universal care. Healthcare brings in more money than any other industry in the world, wrongly exploiting desperate conditions to get as much as they can for as little as they can, at the cost of loss to health, life and eternal lives. D.I. 3, District Court Ex 6, See, <https://www.worldometers.info/>. The second most lucrative industry is healthcare marketing under the guise of education, per worldometer. D.I. 4.

Our laws reward profit and do not protect true treasures, people. Laws may be revised by legislative pen or by case law to care for humanity and improve healthcare for our elderly, the sick, and the common population without increasing monetary costs or throwing money at it, wrongly teaching money is God. Jesus teaches you cannot serve God and money. I believe those who focus on money as savior are not saved from hell regardless as to whether they are churches, businesses or not for profits practicing charity in violation of Matthew 6:1-5, which I believe leads to the sin of deception, hardness of hearts misleading many to lose eternal life to be thrown into the fire the last day.

Defendants threaten me with the fires of hell.

Defendants also threatened to file a motion on November 8, 2021, to have an attorney appointed for me. I objected on religious grounds, which also shook me up. Per my Motion and Memorandum for a preliminary injunction and complaint, going into debt is against my religious beliefs.

I objected to counsel on a second religious ground as I believe God is my advocate in the disciplinary proceeding. In John 14:26, Jesus taught, “the Advocate, the Holy Spirit, whom the Father will send in My name, will teach you all things and will remind you of everything I have told you.” In Mark 13:11, Jesus taught, “Whenever you are arrested and brought to trial, do not worry beforehand about what to say. Just say whatever is given you at the time, for it is not you speaking, but the Holy Spirit.”

It is against my religion to allow an attorney advocate to defend my religious beliefs in the disciplinary proceeding. An attorney advocate is not in the position to stand up for my beliefs in the disciplinary proceeding.