

Exhibit 4

No. 22-6783
Application No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Meghan M. Kelly, Petitioner

v.

Disciplinary Counsel Patricia B. Swartz, Disciplinary Counsel Kathleen M. Vavala; David A.
White, Chief Disciplinary Counsel, Office of Disciplinary Counsel, Board on Professional
Responsibility of the Supreme Court of the State of Delaware, Preliminary Investigatory
Committee, Attorney General Delaware

Appellant Plaintiff Meghan Kelly's **Different Emergency** Application to Justice Alit pursuant to
28 U.S.C. § 2101 (f) to grant **an interim** stay of Third Circuit case Kelly v Swartz et al, No 21-
3198 and 22-2079 for **different additional reasons**, pending this courts determination on her
petition of writ of certiorari before judgment

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QUESTIONS PRESENTED

1. Whether an interim stay should be granted to prevent the bad faith expedition of the Third Circuit case from making petitioner's writ of certiorari before judgment moot, denying her of her First Amendment right to petition and her 5th Amendment opportunity to be heard before this United States Supreme Court on her writ of certiorari before judgment, to prevent irreparable injury to me in terms of loss of a fair opportunity to be heard, and denying her access to other courts causing her to forgo the right to petition.

2. Whether a court may knowingly or in reckless disregard deprive a claimant, me, of the right to petition in other courts in violation of due process by expediting its case to cause me to forgo the First Amendment opportunity to petition in other cases due to my unique circumstances, health, poverty, religious objections to debt, and defense of religious beliefs as it appears to be a novel issue of first impression this Court must address to protect the exercise of fundamental rights including the right to petition.

3. Whether there is a "reasonable probability" that four Justices will grant certiorari, or agree to review the merits of the case, given the irreparable implications upon eliminating the rights of others to maintain their license to buy and sell without compelled violations of their religious beliefs or beliefs of conscience; 2. there is a "fair prospect" that a majority of the Court will conclude upon review that the decision below on the merits was erroneous; given it in bad faith prevents an opportunity for this Court to hear my petition before judgment by wrongly expediting my case to obstruct my right to petition this Court 3. that irreparable harm will result from the denial of the interim stay in terms of certain loss of First Amendment right to petition in other courts and loss of First Amendment rights and harm to life; 4. finally, should this be a close

case, whether the balance the equities, by exploring the relative harms to the applicant and respondent, as well as the interests of the public require a stay so as not to eliminate all freedoms in exchange for making everything business by barter or exchange, even at the exchange of the souls of people who are not for sale for mere convenience or avoidance of costs, but should be free.

LIST OF PARTIES

The parties are listed on the caption.

CASES DIRECTLY RELATING TO THIS CASE

Kelly v Swartz, et al, Delaware District Court No. 21-1490, and Third Circuit Court of Appeals Matter No 21-3198. The Original disciplinary case in Delaware Supreme Court matter No. 22-58. Reciprocal disciplinary cases Eastern District of PA matter No 22-45, Third Circuit Court of Appeals No. 22-3372, Delaware District Court No. 22-341, PA Supreme Court No 2913, DD3. DC and the US Supreme Court have refrained from discipline, DC based on jurisdiction. *Kelly v Trump* Chancery Court No. 2020-0809, Delaware Supreme Court No. 119-2021, US Supreme Court No. 21-5522, *Kelly v Democrats* Chancery Court No 2020-0157, **US Supreme Court No. 22-6584.**

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IN THE SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner pursuant to 28 U.S.C. § 2101 (f) respectfully prays that an interim stay pursuant to be granted in the Third Circuit, Case Number Case Numbers 22-8037 and 22-2079, pending this Court's decision on a Writ of Certiorari before judgment pursuant to 28 U.S.C. § 2101 (e) in Kelly v Swartz No. 22-6783

OPINIONS BELOW

The order by Judge Phipps of the Third Circuit Court of Appeals denying an interim stay is attached hereto as **Appendix A**, dated 2/9/2023. There is no opinion to publish.

JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254 and 28 U.S.C. § 2101(f).

STATEMENT OF THE CASE

I. BACKGROUND OF THIS CASE ELIMINATION OF FIRST AMENDMENT RIGHTS IN EXCHANGE FOR LICENSE TO BUY AND SELL AS AN ATTORNEY, AND THE DELAWARE SUPREME COURT CASE SHOULD NOT BE DENIED FIRST AMENDMENT RIGHT TO PETITION BY THIRD CIRCUIT'S OBSTRUCTION TO MY MEANINGFUL ACCESS TO OTHER COURTS UNDER THE CIRCUMSTANCES

1. This case relates to a petition I brought against former-President Donald J. Trump under the Religious Freedom Restoration Act to protect my exercise of belief in Jesus Christ without government sponsored persecution. I attach the Complaint herein in its entirety and incorporate it herein by reference as **Exhibit A**.

2. This case represents an example of persecution based on my exercise of religious beliefs, contained in my speech in my petitions to the Delaware Courts.

3. This civil rights case arises but for the Defendants persecution and punishment of me by placing my license to practice law on disabled inactive in retaliation for the exercise of my

private First amendment right to petition the Courts to defend my private religious-political beliefs, private-religious exercise of beliefs, right to association as a lawyer-Catholic-Christian-Democrat with private rights to believe, private religious speech contained in my private petitions with the Delaware Courts, and my private right to petition the Courts to safeguard my right to belief in Jesus no matter how repugnant or illogical the Defendants deem my private beliefs. US Amend I, XIV.

4. Defendants admit they brought a law suit against me for my religious beliefs contained in one petition my Religious Freedom Restoration Act petition against former President Donald J. Trump to alleviate a substantial burden upon my exercise of religious beliefs, attached hereto as Exhibit A and incorporated herein. In the August 23, 2021 letter attached hereto as **Exhibit B**, Defendant Disciplinary Counsel indicated my religious beliefs contained in my speech contained in my private-religious petitions is the source of their concern of my mental fitness to practice law. In the State's petition at 7, the Disciplinary Counsel points to my references to the bible, as evidence of a disability, incorporated herein by reference as **Exhibit C**.

5. I have not exchanged the elimination of my private first amendment rights to petition, to religious belief, private speech reflecting those private religious beliefs, private exercise of beliefs or private exercise of the right to petition in exchange for my Delaware license to practice law and other licenses.

6. I must be afforded a fair opportunity to be heard to defend my licenses and my fundamental rights without being denied access to this court and other courts by the Third Circuit Court's bad faith expedition of its case below, which may render my petition with this Court moot if this interim stay is denied, to protect not only me, but others beyond me from professional government backed persecution based on exercise of fundamental rights.

7. A professional's private exercise of First Amendment exercise of speech, association, religious belief, religious exercise, and the right to petition to defend the exercise of Constitutional freedom in their private capacity must not be eliminated in exchange for a mere license.

8. I must not be compelled to violate my religious belief by compelled religious violations of my belief in order to regain my license, nor should I be foreclosed the opportunity to defend my licenses by the third Circuit Court's thwarting my appeal by expedition of its case so as to deny me an opportunity to be heard in other courts, this Court as well as other as in other cases.

9. Nor should I be punished for my exercise of the right to access to the courts to defend my religious beliefs because the Court finds my citations to the Bible and religious beliefs contained in my speech in my private petitions illogical. ¹

¹ See, *Brief of the Southern Baptist Theological Seminary, the Ethics & Religious Liberty Commission, the International Mission Board, and Dr. R. Albert Mohler, Jr. as amici curiae in Support of Petitions before the US Supreme Court by the Little Sisters of the Poor Home for the aged, Denver Colorado, et.al, Petitioners v. Sylvia Matthews Burwell, Secretary of Health and Human Serviced, et. al*, No.15-105, 2015 WL 5013734 (US).(This Court allowed references to the bible in other RFRA petitions); See, *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 682. ("Courts have no business addressing whether sincerely held religious beliefs asserted in a RFRA case are reasonable.") Also see, *Africa v. Pennsylvania*, 662 F.2d 1025, 1025 (3d Cir.), cert. denied, 456 U.S. 908 (1982); ("Judges are not oracles of theological verity, and the founders did not intend for them to be declarants of religious orthodoxy."); *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872, 887, ("Repeatedly and in many different contexts, we have warned that courts must not presume to determine the place of a particular belief in a religion or the plausibility of a religious claim."); *Cantwell v. State of Connecticut*, 310 U.S. 296, 60 S. Ct. 900, 84 L. Ed. 1213 (1940); *Remmers v. Brewer*, 361 F. Supp. 537, 540 (S.D.Iowa 1973) (court must give "religion" wide latitude to ensure that state approval never becomes prerequisite to practice of faith); *Presbyterian Church in U. S. v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U. S. 440, 450, (1969) (holding that "the First Amendment forbids civil courts from" interpreting "particular church doctrines" and determining "the importance of those doctrines to the religion."); *Ben-Levi v. Brown*, 136 S. Ct. 930, 934; See, *Holt v. Hobbs*, 574 U.S. 352; *In re Eternal Word Television Network, Inc.*, 818

10. “To be sure, a state may not condition the grant of a privilege, [a license,] or benefit upon the surrender of a constitutional right.” *Minn. Ass’n, Health Care v. Minn. Dept.*, P.W, 742 F.2d 442, 446 (8th Cir. 1984); Citing, *Western Southern Life Insurance Co. v. State Board of Equalization*, 451 U.S. 648, 657-58, 664-65 (1981); *Sherbert v. Verner*, 374 U.S. 398, 404-05, (1963).

11. “The doctrine that a government, state or federal, may not grant a benefit or privilege, a license of the First Amendment opportunity to petition in other courts, on conditions requiring the recipient to relinquish his constitutional rights is now well established.” Citing, *Jones v. Board of Education*, 397 U.S. 31, 34 (1970); E.g., *Cafeteria Workers v. McElroy*, 367 U.S. 886, 894; *Sherbert v. Verner*, 374 U.S. 398, 404; *Speiser v. Randall*, 357 U.S. 513, 519-520; *Garrity v. New Jersey*, 385 U.S. 493, 499-500; *Kwong Hai Chew v. Colding*, 344 U.S. 590, 597-598; *Frost Trucking Co. v. Railroad Comm’n*, 271 U.S. 583, 593-594; see *Van Alstyne, The Demise of the Right-Privilege Distinction in Constitutional Law*, 81 Harv. L. Rev. 1439, 1445-1454 (1968); *Comment, Another Look at Unconstitutional Conditions*, 117 U. Pa. L. Rev. 144 (1968). As stated in *Homer v. Richmond*, 292 F.2d 719, 722: (“One may not have a constitutional right to go to Baghdad, but the Government may not prohibit one from going there unless by means consonant with due process of law.”)

12. “Neither the state in general, nor the state university in particular, is free to prohibit any kind of expression because it does not like what is being said.” *Jones v. Board of Education*, 397 U.S. 31, 35-36 (1970)

F.3d 1122, 1140 (11th Cir. 2016)(“The Supreme Court cautioned that “federal courts have no business addressing” such questions of religion and moral philosophy.” (Internal citation omitted)); *Thomas v. Review Board*, 450 U.S. 707, 714 (1981), “religious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection.”).

13. This Court in *Kennedy v. Bremerton School Dist.*, No. 21-418, at *15 (June 27, 2022) held, “Where the Free Exercise Clause protects religious exercises, whether communicative or not, the Free Speech Clause provides overlapping protection for expressive religious activities.”

14. In that case, the Court granted a professional coach the right to exercise private religious belief and speech, indicating the state’s punishment violated the Coach’s first Amendment right applicable to the state pursuant to the 14th Amendment, despite his association as a government employee or agent.

15. I must be afforded a fair opportunity to argue this by a grant of an interim stay to prevent the state’s punishment of me, but for the exercise of my exercise of my religious belief, as outlined in my speech in my petitions, no matter how repugnant or illogical my religious beliefs appear to the state.

16. Freedoms are not for sale, in exchange for professional licenses. When the courts make business the law, by making professionals the law, by self-regulating, money, not freedom, or the people, is protected. Individuals and individual liberty are instead sacrificed under the lie money grants freedom when it creates slavery by how it is coined.

II. AN INTERIM STAY IS REQUIRED TO PREVENT FORECLOSING THE FIRST AMENDMENT RIGHT TO PETITION AND FIFTH AND FOUTEENTH AMENDMENT OPPORTUNITY TO BE HEARD IN OTHER FORUMS TO PREVENT IRREPARABLE INJURY IN TERMS OF LOSS OF FUNDAMENTAL RIGHTS, LICENSES, AND HARM TO LIFE

17. An interim stay is required since on February 16 2023, the Third Circuit Court expedited its proceeding to evade review by making the petition of writ of certiorari before judgement moot. This Court will not likely hear my petition before judgment until it is too late, and my petition is dismissed as moot. If an interim stay is not granted the Third Circuit’s bad

faith expedition of this case would deny me due process opportunity to be heard in this case, increasing the likelihood of denial of the right to petition in other courts including one new Pennsylvania Court ruling, on February 28, 2023 and other disciplinary appeals which have different Constitutional arguments.

18. Albeit a stay would decrease duplicity of judgments on similar issues, conserve resources by preventing potentially needless costs for the courts, and parties. A stay would also help to prevent the denial of a fair opportunity to be heard in other forums by encouraging other courts to grant me time needed for a meaningful opportunity to petition to prevent the loss of irreparable injury to me.

19. Sadly, the reciprocal disciplinary cases have new and additional Constitutional issues to address. Nevertheless, some issues are the same. If I could just get time to proof read and research, and to care for my health, I would be afforded a fairer opportunity in other courts. I have not even had time to shower or change my clothes the past couple of days. I am prejudiced by being compelled to assert my rights in a subpar manner in order not to waive them. I am asserting my rights imperfectly, without opportunity to proof read or adequately research because government compelled threat not by free will, but forced will.

20. The Third Circuit is aware that I have reciprocal disciplinary matters that require assertions in order not to waive rights. I have updated both the Delaware District Court and Third Circuit Court of appeals since the other proceedings go to damages and material issues in the case below.

21. Whether a court may knowingly or in reckless disregard deprive a claimant, me of the right to petition in other courts in violation of 5th Amendment due process by expediting its case to cause me to forgo the First Amendment opportunity to petition in other cases due to my

unique circumstances, health, poverty, religious objections to debt, and defense of religious beliefs against servitude to Satan by making money God, in violation of the 13th Amendment appears to be a novel issue of first impression this Court must address to protect the exercise of fundamental rights including the right to petition. (US Amend I, V, XIII, XIV)

22. I cannot assert my rights in all cases, and require time because I do not have the capacity to defend all cases simultaneously. A denial of a stay would certainly deny me of the right to petition by required time and resources in other forums.

23. I do not have the ability to print, research or even proof-read documents to defend my life, liberty, licenses and eternal life in all courts. I am prejudiced by denial of an interim stay in that I face likely irreparable injury in terms of loss of the fundamental right to petition and loss of my right to exercise First amendment rights as well as harm to life and health. I have already developed the shingles in the Delaware disciplinary case, and collapsed at the post office due to lack of time I asserted I need to live, as well as to defend my fundamental rights. I asserted my right to life below too. I do not have the capacity to fight all cases simultaneously and should not be foreclosed the opportunity by the Third Circuit Court's bad faith expedition of this case.

24. I should not be denied the 5th and 14th amendment opportunity to be heard or be denied the First Amendment right to petition in other forums for the partial pleasures of the Third Circuit Court's mere convenience at the sacrifice of loss of my exercise of First Amendment rights, health and my licenses.

III NEW COURT ACTION IN BAD FAITH TO DENY MEG THE FIRST AMENDMENT RIGHT TO PETITION AND OPPORTUNITY TO BE HEARD ON APPEAL TO THIS COURT

25. On or about February 6, 2023, I filed a Petition for Writ of Certiorari before judgment pursuant to 28 U.S.C. § 2101 (e) to the United States Court of Appeals for the Third Circuit, Case Numbers 22-8037 and 22-2079 to vacate a denial of a stay pending this Honorable Court's determination or denial of writ of certiorari of both the Third Circuit Reciprocal Disciplinary Case US Supreme Court Number 22-6584 and the Delaware Disciplinary case. US Supreme Court No. 22-6783.

26. On February 7, 2023, I filed Appellant Plaintiff Meghan M Kelly's Motion for an interim stay of the Proceeding until the conclusion of the appeal of this Court's Order at Third Circuit Docket Item Number (hereinafter "3DI") 3DI 131 denying a stay. (3D-138)

27. On February 9, 2023, Judge Phipps of the Third Circuit denied my motion for an interim stay. (3DI-141). Pursuant to Supreme Court 23 (3) "the relief sought [an interim stay] is not available from any other court or judge," since Justice Phipps denied it.

28. On or about February 9, 2023, I submitted an interim application for a stay to prevent irreparable injury to my life, liberty, licenses and eternal life that this Honor denied, I incorporate herein by reference. Your Honor denied my application for an interim stay on or about February 22, 2023.

29. I filed a variety of motions with the Third Circuit since I filed a petition for writ of certiorari, including but not limited to a renewed motion to recuse Justice Montgomery Reeves, since I sought to place the former Delaware Supreme Court justice as a Defendant in this action in her personal and professional capacity which shocks the conscience. (3DI-145).

30. Justice Montgomery-Reeves appeared to collude in inciting the witness intimidation against me in *Kelly v Trump* to cause me to forgo my appeal in this Court, by

terminating two Court staff by forced retirement to conceal material evidence in *Kelly v Trump* and the Delaware Disciplinary matter, for sealing my pleadings, denying me access to papers in a case against my person where I am the party, deprivations of procedural due process, First Amendment violations, 6th Amendment right to self-represent, intentional or reckless infliction of emotional duress damages and other claims I seek in the case below. (3DI-145)

31. My Motion to amend the Complaint as a matter of right at Delaware District Docket Item (hereinafter “DI”) DI 43, dated January 24, 2021, to include her, was not denied or granted, but was simply ignored by Chief Judge Colm F. Connelly of the Delaware District Court. (3DI-154-11, motion to amend, 3DI-154-12 Order by Delaware District Court Judge Chief Colm F. Connelly not addressing my motion, DI 60)

32. It would not be fair to have the Third Circuit judge, Justice Tamika Montgomery Reeves as a judge in his case. She ruled against me in two orders in *Kelly v Trump* I seek void due to procedural due process violations she appeared to cause. (D.I. 4, orders by former Delaware Supreme Court Justice Tamika Montgomery Reeves, also see, **A-4**, and **A-5** attached, incorporated herein) She will not likely void two orders she signed or supported.

33. On or about February 15, 2023, I alerted my case manager and opposing counsel that the United States Supreme Court docketed my appeals of this Court’s Orders denying my motion for a stay to slow down the matter to prevent irreparable injury to me in the form of loss of fundamental rights, loss of the opportunity to be heard and to petition, harm to health, life and other injuries. I incorporate herein by reference Third Circuit Docket Items (hereinafter “3DI” 3DI-131, 3DI-141, also see and incorporated herein 3DI-119, 3DI-126, 3DI-129, 3DI-130, 3DI-138, regarding harm and 3DI-133 regarding to appeal to the US Supreme Court where the Third Circuit is a party, No. 22-6584).

34. On February 16, 2023, I filed Appellant Meghan Kelly's Motion for this Court to waive costs for preparation and transmittal of the record to the US Supreme Court, should the Court require the record and other costs, fees, expenses, taxes or charges at 3DI- 146 incorporated herein by reference. I argued therein at paragraph 38:

"I respectfully request this Court render on Order on my motion to exempt any charges, fees, taxes, and costs (1). in order not to compel me to violate my religious beliefs in exchange for access to the courts or (2). suffer an economic substantial burden so great as to deny me access to the courts in defense of my First Amendment liberties, license and related interests and (3). to prevent government compelled involuntary servitude to sin by making money savior in place of God, prior to scheduling a new hearing date. 3DI-137."

35. Later that day, February 16, 2023 the Court expedited scheduling, and filed the attached letter, **Exhibit D**, indicating this case is "tentatively listed on the merits on Tuesday, April 11, 2023 in Philadelphia, PA." (3DI-147)

36. Despite my two appeals requesting a stay to this Court to prevent irreparable injury harm to health and life, reputation, licenses and loss of fundamental rights as well as other injury, in bad faith the Third Circuit filed a notice of a hearing unusually before briefing was complete, and before rendering orders on outstanding motions with the intent to eliminate my right to petition and opportunity to be heard at the US Supreme Court in utter disregard for the irreparable injury to me.

37. This was scheduled prior to the completion of briefing. The due date for my reply brief was not yet due.

38. The court knew I am seeking to slow down the case to prevent irreparable injury to me. As a response the Court retaliated by expediting the case, in hopes to evade review by the United States Supreme Court by rendering the issue of a stay moot. (3DI 131, 3DI 141)

39. Later the same day, February 16, 2023, the Court entered a docket entry a 3DI-138 “NOTICE from U.S. Supreme Court. Petition for Writ of Certiorari filed by Meghan M. Kelly on 02/06/2023 and placed on the docket 02/15/2023. Supreme Court Case No. 22-6783.”

40. I immediately filed a motion with the Third Circuit on the same day, February 16, 2023 to move the Court to postpone scheduling the hearing so I may be afforded access to other courts including but not limited to this United States Supreme Court should this Court accept my appeal on 22-6584 to prevent irreparable injury in terms of loss of fundamental rights and other irreparable harm. (3DI-149)

41. On March 3, 2023, I talked with my case manager and indicated it had been about 4 days or so since the time for opposing counsel had lapsed to address my motion objecting to the hearing date and other outstanding motions relating to recusals since Judge Phipps was in charge to the best of my knowledge. I did not understand why my motion to postpone the hearing so as not to deprive me of an opportunity to petition and be heard and other harm was not referred to a panel. She did not have an answer other stating it was pending or being reviewed. She noted on other motions “referred to a panel,” after the time for opposing counsel to respond had lapsed. No such notation was on the docket for the outstanding motions on the docket despite it being past time for opposing counsel to respond, unlike other motions.

42. It appears the hearing at 3DI-147 was scheduled in bad faith to cause me to forgo my access to other courts, to harm my health and to pressure me into forgoing my right to petition the courts in violation of the 5th Amendment’s Equal Protections component as applied to me based on my genuine religious beliefs for which Defendants appeared to discipline me for too.

43. On February 16, 2023, my case manager indicated the scheduler was charged with scheduling, not her.

44. I called the scheduler on February 16, 2023. He directed me to talk with my case manager to discern who requests the scheduler to schedule. He mentioned in passing case managers at time contact him to schedule, but could not answer my question as to who directed him to schedule the hearing in bad faith, knowing I face irreparable injury for the expedition of this matter.

45. I have multiple law suits against my person due to the Defendants' bad faith disciplinary case against me. I face irreparable injury, the foreclosure to access to other courts by wrongful expedition of the Third Circuit case, loss of fundamental rights, and harm to health. My case manager knows I seek to eliminate the threat of compelled debt, and compelled violations of religious belief against debt before it is too late and a compelled violation occurs denying me of the opportunity to petition against it. US Amend 1, V.

46. And yet, I do not have an answer of how this scheduling occurred.

47. The scheduler indicated Third Circuit Linda Blank usually sends out a letter to pro se and attorneys on cases to pick a good week for hearing. I did not get a letter. The scheduler could not pull a letter for me, but Linda Blank may have sent opposing counsel a letter January 25, 2023.

48. On February 16, 2023, I requested to speak with Linda Blank. My request was denied.

49. I note for good cause I have moved to recuse Justice Phipps, Hardiman and Montgomery Reese I incorporate herein by reference at 3DI-128, 3DI-132, 3DI-142, 3DI-143.

50. No judge has been assigned my case in place of Justice Phipps. So it was likely my case manager who expedited the case.

51. Instead of discerning why and by whom the matter was scheduled in bad faith, I seek for good cause to stay the Third Circuit case in **the interim** in order for this Court to prevent irreparable injury, not to deny me the opportunity to be heard on appeal and in other courts, harm health, lose fundamental liberties, or to cause me to violate my religious belief in exchange for the opportunity to exercise my right to be heard in defense of my assertion of my right to property interests, liberties, damages, nominal relief and equitable relief to be compensated by harm done against me.

52. As previously noted, I filed a motion with the Third Circuit, a motion to exempt costs. My case manager did not submit this motion to the panel, despite the time for opposing counsel having lapsed.

IV. POVERTY CREATING AN OBSTACLE SO GREAT AS TO DENY ME ACCESS TO THE COURTS, RELIGIOUS OBJECTIONS TO DEBT, ASSERTION OF THE 13TH AMENDMENT RIGHT AGAINST INVOLUNTARY SERVITUDE TO MONEY TO PAY DEBT, WHICH I SEE AS SERVITUDE TO SATAN SINCE JESUS TEACHES YOU CANNOT MAKE BOTH MONEY AND GOD YOUR MASTER *MATTHEW 6:24*

53. Defendants' state proceeding against me creates a government incited economic substantial burden upon me, and prejudices me by forcing me into a maintained state of poverty by preventing me from seeking to get my former position back at my old law firm as an attorney, or any work as a law firm, and harms my reputation to make me less attractive to employers should I alert my former firm or other firms of this proceeding against me, harming my prospects of employment by the libelous accusations against me.

54. The potential needless costs in denying an interim stay create a substantial burden and obstacle to my access to the Courts in contravention to my First Amendment right to access

to the Courts applicable to the Federal Courts via the Equal Protection component of the 5th Amendment, for me, a member of class of one due to religious beliefs against incurring debt combined and due to utter poverty. *See, Abdul-Akbar v. McKelvie*, 239 F.3d 307, 317 (3d Cir. 2001) (“This requires us first to determine whether Appellant is a member of a suspect class or whether a fundamental right is implicated. Neither prisoners nor indigents are suspect classes.”) *Harris v. McRae*, 448 U.S. 297, 323, (1980) (noting that poverty is not a suspect classification).” (But see, *Lewis v. Casey*, 518 U.S. 343, 370 (1996) “[A]t all stages of the proceedings the Due Process and Equal Protection Clauses protect [indigent persons] from invidious discriminations.”).

55. Should I be afforded an opportunity to petition this Court the original disciplinary proceeding or other proceedings with the same or similar issues, by granting an interim stay, then costs would be reduced decreasing, albeit possibly not eliminating the likelihood they become so great as to deny me access to the courts given my poverty, religious objection to debt, and assertion of the 13th Amendment involuntary servitude to making money to pay off debt God, I believe potentially leading to damnation in hell.

56. While, poverty is not a suspect class, my right to meaningful access to the courts, despite the inherent burden of poverty, and my religious beliefs and strongly held religious exercise relating to my religious belief against indebtedness is protected. I believe that you cannot serve God and Money, and object to debt by being compelled to serve Satan by making money savior to eliminate slavery to masters other than God. *Matthew* 6:24. My religious beliefs against debt are genuine. I also have religious beliefs against organized charity, fundraising and volunteering as misleading people to exploit need to serve greed leading to damnation in hell. *Matthew* 6:1-4. The government need not adopt my religion as government religion but must

protect my religious beliefs under the First Amendment. (3DI 146). See, *Tennessee v. Lane*, 541 U.S. 509, 533 n.20 (2004). (“Because this case implicates the right of access to the courts,” the government’s disparate treatment towards me, based on poverty, is still unconstitutional under a strict scrutiny basis test.)

57. The expedition of this case by the Third Circuit creates needless costs and duplicity of judgements for multiple courts so as to deprive me fair access to other courts, and its own to safeguard my fundamental rights.

58. “Because this case implicates the [Constitutionally protected] right of access to the courts,” 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).

59. The Supreme Court noted, “There can be no equal justice where the kind of trial a man gets depends on the amount of money he has.” *Lewis v. Casey*, 518 U.S. 343, 370 (1996); (internal citations omitted).

60. Justice Stevens, with whom Justice Brennan, Justice Marshall, and Justice Blackmun joined, in dissenting of US Supreme Court in *Murray v. Giarratano*, 492 U.S. 1, 18 (1989) recognized,

“When an indigent is forced to run this gantlet of a preliminary showing of merit, the right to appeal does not comport with fair procedure. . . . [T]he discrimination is not between ‘possibly good and obviously bad cases,’ but between cases where the rich man can require the court to listen to argument of counsel before deciding on the merits, but a poor man cannot. . . . The indigent, where the record is unclear or the errors are hidden, has only the right to a meaningless ritual, while the rich man has a meaningful appeal.” Douglas, 372 U.S., at 357-358

61. I expected to rejoin my old law firm after standing up for something more important than money in *Kelly v Trump*, my free exercise of religion, exercise of religious and political belief, exercise of religious and political speech, and association as a party, attorney, democrat, Catholic, inactive-lawyer and Christian without government incited persecution, but for my exercise of fundamental rights.

62. The Third Circuit's Order by Circuit Judges Smith, Krause, and Restrepo at Third Circuit Docket Item (herein referred to as "3DI") 90 threatening me with sanctions, in known violation of my religious beliefs against debt shows their utter disregard for the First Amendment exercise of my religious belief, as applied to me, in favor of selling the souls of the people by eliminating freedom in exchange for convenience. US Amend I, V, XIII. The threat of costs and sanctions to compel me not to exercise my right to access to the Courts to defend my exercise of First Amendment rights, Fifth and Fourteenth property interests in my licenses, my life, eternal life and health, arguably may violate the Equal Clause component applicable to the Federal Courts pursuant to the 5th Amendment and the First Amendment based on religious association, exercise and belief.

63. In addition, fundamental rights are implicated. Defendants violated my procedural and substantive due process opportunity to be heard, to prepare and present evidence, to subpoena witnesses, to cross examine my accuser, and Defendants persecute me and seek to defame my character and take away my property interest in my license to practice law but for my exercise of Constitutionally protected conduct, in violation of my freedom to petition concerning my religious-political speech, religious-political exercise, religious-political belief, religious-political association, and association as a party, attorney, Democrat and Christian when I believe there has been a grievance committed against me.

64. So, the Third Circuit Court must have a compelling reason to expedite my cause, needlessly increasing costs, harm to health and likelihood of loss of the right to petition in other courts, causing loss of First Amendment rights, licenses, harm to reputation and other irreparable injury.

65. The Third Circuit Court does not have a compelling reason but may have a malicious reason to intentionally deny me the opportunity to be heard by the US Supreme Court, loss of my fundamental rights and other irreparable harm towards me. For evidence please note in my motion to postpone the scheduled date at 3DI at 13 149, I averred:

I assert my right to be heard, in other courts. US Amend I, V. I assert my right to life, health, and the exercise of fundamental rights without a government compelled exchange for the mere opportunity to be heard.

14. At 3DI-146 I complained about the Third Circuit's threat of compelled violations of my religious belief, threat of involuntary servitude in violation of US Amend XIII, and government compelled violation of religious beliefs in exchange with the fundamental right to the right to petition based on disdain, indifference or animus in my religious belief in God as God, not money as God, and against debt, and stated at paragraphs 9-13:"

9. There appears to be a risk of government compelled violation of my religious belief against debt, involuntary servitude in violation of US Amend XIII, and a government compelled obstacle due to the threat of debt creating an obstacle so great as to deny me access to the Courts. I do not want to go to hell by servitude to Satan by making money God to pay off the threat of debt in exchange with my exercise of the right to access to the Courts applicable to this Federal Court pursuant to US Amend I, V."

10. I have religious belief against debt as leading those who create it and many enslaved to it to damnation in hell. A Court compelling a party not to assert her rights to access to the Courts, or the right to petition, which is similarly afforded to other parties and attorneys is different than threatening a lawyer since the Court acts as an advocate against a party.

11. My petitions are different than others because I am different by my exercise of individual private petitions, based on my First Amendment private religious belief, Private First Amendment exercise of belief, private First Amendment speech reflecting my private beliefs, and my private exercise of association.

12. It is rather peculiar being in a position as a party and have Court agents attempt to threaten me a witness and a party to cause me to forgo my case for example in *Kelly v Trump*.

13. I am concerned about setting precedent that pro se claimants may be treated as unworthy of Equal Protections under the law because the Court may eliminate all freedom by requiring only those who [have the means to] buy it are free. It appears the common people without money, materials or power have nothing to barter but their own souls, making them slaves as they seek to assert their freedom.” US Amend XIII.

66. Nor is any justification narrowly tailored to meet any compelling reason.

67. However I face an undue burden should this court deny my request for an interim stay including loss of my First Amendment rights, property interest in my license, loss to my reputation, other damages, loss of employment opportunities and a substantial burden to my access to the courts.

68. I also note my concern this expedited Third Circuit hearing scheduled before my Reply brief was due, despite my appeal to assert a stay, may be done in retaliation for my complaints that my case manager misstated the facts in another docket number where the Court accused me of sending a pleading by emergency email when it was sent by US mail as shown on the bottom of the pleading. (3DI-87-10, showing the pleading was mailed the Court when the order in bad faith alleged it was sent by emergency email, while threatening me with sanctions for use of emergency email).

V. NOT PERMITTED TO RESUBMIT JUSTICE ALITO’S DENIED APPLICATION FOR AN INTERIM STAY WITH NEW INFORMATION EXACERBATING AND WORSENING MY INJURIES REQUIRING IMMEDIATE RELIEF, THUS A NEW MOTION WAS REQUIRED

69. On Friday, March 3, 2023, I filed [Appellant Meghan Kelly’s] Emergency Application to the Honorable Justice Samuel A. Alito, Junior to expedite this Court’s decision in Kelly v Swartz Case Number 22-6783, due to the Third Circuit’s bad faith scheduling of the Third Circuit’s conference prior to this Court’s conference to evade review, so as not to deprive me of my 5th Amendment opportunity to be heard and irreparable injury in terms of loss of right

to exercise fundamental rights, my 5th and 14th Amend property interests in my licenses and loss to harm to health and life.

70. I called my case manager and the efilng staff at the US Supreme Court because I did not know how to upload it as an application to this case number 22-6783. Efilng kindly directed me to call Robert Meek, the emergency clerk. They indicated that Daniel Bickle filled in for Robert Meek when he was not available.

71. I was not able to reach Robert Meek. So, I called Daniel Bickle. He kindly and promptly answered. It appears I efiled it wrong. I am sorry. He said the Court will consider it a motion as opposed to an application. Thus, I must file this with ten copies as a Motion because I still do not know how to file an application to Justice Alito with this case number.

72. Daniel Bickle said I was not allowed to resubmit the new information exacerbating harm, the unaddressed motions, the bad faith expedition or the new reciprocal disciplinary order against me in another state, PA, which exacerbates and worsens and increases injury to me, should I resubmit the same previously filed application for an interim stay with the new information worsening irreparable injury. (3DI-161, 3DI 162, 3DI 163, 3DI-164). So, I am required to submit a different motion containing the new reasons an interim stay is required because the bad faith expedition of the Third Circuit's case will render this appeal moot if relief herein is not granted.

73. This Court will not likely decide the merits of my petition by or before April 11, 2023. With horror, I realized even if this court expedites my case, it may be too late and irreparable injury may result if an interim stay is not granted.

74. I move this Court to prevent additional irreparable harm, by granting an interim stay. Irreparable injury can never be fully healed.

75. I am communicating with opposing counsel and requested her stance albeit it may be under the impression of resubmitting the motion to another justice. She has not responded.

76. There is a reasonable probability that four Justices will grant certiorari, or agree to review the merits of the case since this case relates to affording me an opportunity to buy and sell but for m religious beliefs that will affect other professionals. I admit there is a risk that this Court may find my religious beliefs so repugnant that it may not deem me worthy of fundamental rights. I am not in government and lost an election in 2018. I do not force my religious beliefs by threat of government authority. If I was in government, I would protect people's freedom to say my ideas suck. Why? Because I would be charged with caring for them, not controlling them by alleviating burdens upon their back. Plus, I believe people must use their own brain to go to heaven, not the force-fed thoughts of leaders or professionals. I love people and do not want them to be harmed or go to hell. So, I encourage people to use their own brains.

77. There is a fair prospect that a majority of the Court will conclude upon review that the decision below on the merits was erroneous, under the facts of this case

VI. IRREPARABLE HARM INLCUDES HARM TO HEALTH, IN ADDITION TO LOSS OF FUNDAMENTAL FIRST AMENDMENT RIGHTS, REPUTATION, LICENCES TO WORK IN THE PROFESSION OF MY CHOICE AND OTHER HARM, NOTE RELIGIOUS OBJECTIONS TO HEALTHCARE AND MENTAL HEALTHCARE

78. Irreparable harm will result from the denial of an interim stay, time could prevent grave harm to my health, in addition to loss of fundamental rights.

79. I note that Religious objections to healthcare and mental healthcare may be an issue for Judges related to healthcare professionals they love, including family. But I assert my

right to live not harm my health, die or be damned to hell in violation of my First Amendment religious belief as reasons for the interim stay.

80. I do not feel so well. I am very dehydrated. I require rest to sustain my health, but the Third Circuit twice denied my requests for a stay. I asserted my right to live, not die for the vanity of the Court as a religious exercise to live for God, not man or money. (DI-11, 3DI-141)

81. The Third Circuit is aware of this. (3DI-131, 3DI-141). Attached hereto and incorporated herein please find my healthcare record, and information regarding my proposals to improve our harmful healthcare. (Exhibit E)

82. I have religious objections to both healthcare and mental healthcare. I believe people go to hell for blindly adopting the beliefs of psychologists, behavioralists and other scientists affiliated with the mental and healthcare industries. I am not forcing my religious beliefs upon the government. I am asserting my right to live and not be harmed, or die to be damned to hell for the vanity of men whose studies they claim control my will, as opposed to God's will. US Amend I, V.

83. Government compelling private individuals to believe as the government endorsed private doctors or healthcare workers require makes imperfect men, whose imperfect work guide and master of the souls of men. This eliminates free will by government backed private forced will of private experts, scientists, professionals. These professionals or experts in turn are often rendered to be above the letter of the law, or the letter of the law because the courts often defer to the standards professional practice or the opinions of experts. This partiality by the courts towards paid professionals or those who have a conflict of interest in terms of prestige, power or position creates injustice by stagnating improving or preventing standardized harmful

healthcare and mental healthcare. The Courts partiality towards professionals, instead of the consumers they harm or who may not desire to be compelled to pay for services and products they do not freely choose, creates unfair bias towards business not freedom. This bias arguably in violations of the Equal Protections Component of the 5th Amendment towards sacrificing life and liberty to serve what I believe is the mark of the beast in the Bible, business greed, prevents Courts from correcting harmful businesses practices from oppressing, harming, destroying or even killing human life and liberty for the bottom line. US Amend I, V.

84. The danger is increased by the temptation for experts, scientists, professionals, and specifically healthcare and mental healthcare workers to gain or sustain profit, position, or power which arguably gives them incentive to render harmful business practices to maintain need to serve business greed while sacrificing the common man's liberty or health while requiring him to work to pay for bad healthcare. It rewards bad business including the rewarded made to repair and replace items where chips, under the Chips Act, which are designed to make printers or products to stop working for example. So consumers are compelled to work to pay for repairs or replaced parts. (See *Bible, Exodus 5:6-8*, It is sin to create jobs, busy work so people have no free time to worship or not.)

85. It is my religious belief justice in the courts is a command by God. *Citing Amos 5:15*. Jesus explains justice, mercy and faithfulness are greater commands protecting and correcting people than laws that deal property or material gain. *Matthew 23:23*.

86. It is my religious belief that people go to hell for harming others at work despite not knowing, despite doing what they were told to do, doing what the science showed them to do or what they were trained to do. (*Hosea 4:6, 2 Corinthians 4:4, Matthew 13:22, Matthew 15:14, Isaiah 9:16*). I believe they were blinded by their desire for money to care for their own, they

could not see clearly to care for others they harmed. Throughout the Bible the fact people did not know, were confused, misunderstood is why they would be thrown into the fires of hell the last day for making money God and guide. Jesus teaches you cannot serve money and God. *Matthew 6:24*. I make God my guide not money, merriment and material gain, mere lusts my guide. (US Amend I, V)

87. The Courts are not able to improve the world and save lives and eternal lives if they defer to mere scientists, doctors and mental health professionals who historically often sacrifice life and liberty for their material gain. I believe scientists wicked desire to be all knowing, in an attempt be their own God causes them to sin by using precious people as lab rats, statistics and data in their speculating scientific hypothesis and experiments. Science is learning. When the pupil declares himself the master, he stops learning and defeats science by the sin of Satan pride as opposed to humility.

88. It is my religious belief judges can save not only lives by preventing harm but eternal lives too by correcting philanthropists, scientists, doctors, mental health professionals when they harm people. *See Jeremiah 17:5* ("Cursed is the one who trusts in man" by cursed I think God means damned to hell as unworthy of eternal life the last day for making man or man's work God, should they not repent.)

89. The equities of granting a stay to safeguard the elimination of the right to religious belief, religious exercise of belief, association, to buy and sell, and the right to petition and due process to defend the same exceed any harm towards the respondent, court or the public.

90. The public is harmed should an interim stay be denied at the threat they too may lose their First Amendment right to religious belief in order for a license to buy and sell.

VII. PRAYER NO BOND BE REQUIRED AS SUBSTANTIAL BURDEN DUE TO POVERTY, COMPELLED RELIGIOUS BELIEF AGAINST DEBT AND INVOCATION OF THE 13TH AMENDMENT AGAINST INVOLUNTARY SERVITUDE

91. I pray no bond be required as a compelled violation of my religious belief against debt, as a substantial burden to my access to the courts due to poverty and as government compelled involuntary servitude in violation of US Amend I, V, XIII, applicable to me as a party of one with unique religious-political beliefs. Supreme Court Rule 23 (4)

VIII. I INVOKE THE COURT'S EQUITABLE POWER, BUT SHOULD THE COURT DEEM THIS TO BE A MOTION TO REAGUE UNDER SUPREME COURT RULE 44, I ASSERT MY RIGHTS UNDER THIS RULE

92. This Court has inherent equitable powers over their process to prevent abuse, oppression, and injustice. *Gumbel v. Pitkin*, 124 U.S. 131 (1888); *Covell v. Heyman*, 111 U.S. 176 (1884); *Buck v. Colbath*, 70 U.S. 334 (1865); *Krippendorf v. Hyde*, 110 U.S. 276, 283 (1884).

93. This Court may grant my request to prevent government abuse against my person, oppression, and injustice.

94. Should this Court deem this motion to be under Supreme Court Rule 44 a motion for a rehearing as opposed to a different motion based on the guaranteed harm due to the bad faith expedition of the case below, in terms of loss of the right to petition in defense of my exercise of fundamental rights, thereby losing my First Amendment rights. I have pled within the 25 days required under this rule. I plead in good faith. However, a delay is needed in terms of a stay to prevent the loss of my ability to assert Constitutional rights by the obstruction of the Third Circuit Court to prevent the writ of certiorari before judgment from going forward, with utter disregard to harm to my health, licenses, liberty or eternal life, by rendering it moot by its wrongful expedition of the case below. Supreme Court Rule 44 (1)(2).

IX. CONCLUSION

95. If an interim stay is not granted, I may not be able to exercise the 1st and 5th Amendment right to access to other courts to petition in all cases, not be free choice but by government compelled choice to forgo my rights in some courts in exchange for exercising my Constitutional rights, including the right to petition in others. It is not fair or just to sacrifice liberty for partial desires of courts.

Wherefore I pray this Court grants this motion.

Dated: March 14, 2023

Respectfully Submitted,
/s/Meghan Kelly
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US Supreme Court Number 283696