

No. 22-7360

SUPREME COURT OF UNITED STATES

Helene McCarthy-Staples,
Petitioner,

Vs

Supreme Court, U.S.
FILED

APR 21 2023

OFFICE OF THE CLERK

M. Bradley Brickhouse; Colleen t. Dickerson; Frank J. Driscoll, Jr;
Lisa A. Broccletti; Marlande Sledge; Susanne Ferrantelli; Pamela Jack;
Alicia R. Wellons; Turner; Christianna Dougherty-Cunningham;
Co-Defendant-Mark D.Stiles (City of Virginia Beach Attorneys office)
Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES OF APPEALS FOR THE FOURTH
Court

PETITION FOR A WRIT OF CERTIORARI

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1. **Question Presented**

Are all parties listed as defendants on my petition guilty of playing a part in violating my Civil Rights, Constitution Rights? As Well as the attorneys involved Abuse of power? Were my rights as a wife even concerned ?

Table of Contents

I.	QUESTION PRESENTED.....	ii
II.	TABLE OF CONTENT.....	iii
III.	TABLE OF AUTHORITIES.....	2,3,4,5,6,7
IV.	PETITION FOR WRIT OF CERTIORARI.....	iii
V.	OPINIONS.....	1
VI.	JURISDICTION.....	1
VIII.	CONSTITUTIONAL PROVISIONS INVOLVED..	1
VIII.	STATEMENT OF THE CASE.....	2,3,4,5,6,7
IX.	REASON FOR GRANTING THE WRIT OF CERTIORARI..	8
X.	CONCLUSION.....	8

W.

Writ of Certiorari

Petitioner respectfully prays that a Writ of Certiorari issue to review
the judgments below

V. Opinions Federal Courts

- The opinion of the United States Court of Appeals for the Fourth Circuit
Case no.22-2257, 2:21-cv-00383-EWH-RJK,
Helene McCarthy-Staples v. M. Brickhouse et al.
02-23-23. appears as Appendix A.. To the appeal and is unpublished
- The opinion of the United States District Court Eastern District of Virginia
Norfolk Division, case no.2:21 cv 383
Helene McCarthy-Staples v. M. Brickhouse et al.
11-22-22. appears as Appendix B. Dismissal order

State Courts

- The opinion United States Supreme Court of Virginia, case no.200228
Circuit Court no. CL17-3448-01, 03-05-2020. To end
Helene McCarthy-Staples v Samuel M. Staples, et al.
Appears as appendix G. dismissal order
- The opinion Circuit Court of the City of Virginia Beach
Case no.CL 17-3448-01,11-22-2019 To end
Helene M. Staples v. Samuel Mexico Staples,
Catholic Charities/Guardian& Conservator, dismissed
Appears as appendix F.

The opinion Circuit Court of the City of Virginia Beach
Case no CL 17-3448, 08-25-2017.
City of Virginia Beach v. Samuel M. Staples,
Final Order granted. Guardianship/Conservator.
Appendix E

The opinion Circuit Court of the City of Virginia Beach
Helene McCarthy-Staples v. Samuel M. Staples
Case no CL 17-00992, 06-27, 2017. No answer
Guardianship/Conservator Appendix C

The opinion Circuit Court of the City of Virginia Beach
Helene McCarthy-Staples v. Samuel M. Staples,
Case no. 3448, 08-11-2021. Denied
To end. Appendix F last page

VI. Jurisdiction.

Federal Courts

- February 23, 2023. The United States Court of Appeals for the Fourth Circuit, Helene McCarthy- Staples v. M. Brickhouse et al. Case no. 22-2257, 2:21-cv-00383-EWH-RJK. Petitioner was issued Notice of Judgment, to file a Petition for Writ of Certiorari. Appears as appendix A.
- November 22, 2022. The United States District Court Eastern District of Virginia Norfolk Division, Helene McCarthy-Staples, v. M.Brickhouse, et al. Case no. 2:21 cv 00383 was dismissed. A timely appeal was filed.

State Courts

- March 05, 2020. United States Supreme Court
Case no. 200228, Richmond Virginia,
Circuit Court no. CL17-3448-01
Helene M Staples V. Samuel Mexico Staples,Catholic Charities
Dismissed. Appendix G.
- November 22, 2019. Circuit Court of the City of Virginia Beach
Case no. CL17-3448-01, Helene M. Staples v. Samuel Mexico Staples, et al
Dismissed. Appendix F, filed to the higher court.
- August 25, 2017. Circuit Court of the City of Virginia Beach
Case no. CL17-3448, Samuel M. Staples, et, al. v. City of Virginia Beach
Appendix E, filed after new discovery.

- June 27, 2017. Circuit Court of the City of Virginia Beach
Case no. CL17-00992, Helene M. Staples v. Samuel M. Staples
Appendix C. no appeal filed.

III Table of Authorities

Helene McCarthy-Staples .v. M. Bradley Brickhouse, et al.

Fourth Circuit Court of Appeals, 2-23-23, 22-2257, 2:21 cv 00383.

Helene McCarthy-Staples .v. M. Brickhouse, et al. U.S District Eastern District of Virginia, 11-22-22. Case no 2:21-cv-00383-EWH-RJK

Helene M. Staples v. Samuel Mexico Staples, Catholic Charities,et al,U.S. Supreme Court , 3-5-20. case no. 200228, Circuit Court CL17-3448-01

City of Virginia Beach v. Samuel Mexico Staples, Helene McCarthy-Staples, et al, City of Virginia Beach, 8-25-17 case no CL 17-3448

Helene McCarthy-Staples .v. Samuel M. Staples, 6-27-17. case no CL 17-00992

Statutes

18 USC Section 242 of title 18, 18 USC 241,

Constitution Provisions

United States Constitution , Amendment V

United States Constitution, Amendment XIV section1,.....

United States Constitution, Amendment I. religion beliefs, denial to petition

United States Constitution, Amendment II. right to bear arms.....

Amendment V, says to the federal government that no one

Shell be “ deprived of life,liberty or property without due process of

law

Amendment XIV , ratified in 1868, uses the same eleven words, called the

Due Process Clause, to describe a legal obligation of all

states.

Prohibited racial discrimination.

Amendment I, Congress shall make no law respecting an establishment of religion,

Or prohibiting the free exercise thereof: or the right of the people

VIII Statement of Case

U.S. Court of appeals for the Fourth Circuit case no. 22-2257, 2:21-cv-00383-

• EWH-RJK. Helene McCarthy-Staples, v. M. Brickhouse et al., Affirmed their decision. Agreeing with district court McCarthy-Staples, v. Brickhouse, et al. Case no 2:21-cv-00383-EWH-RJK.dated February 23, 2023. Appendix A Petitioner is not in agreement with the decision that my Civil Rights, Constitutional Rights weren't violated and only State laws were violated.

• U.S. District Court Eastern District of Virginia. Norfolk Division, appendix B Case no. 2:21-cv-00383-EWH-RJK. Petitioner is not agreement with the decision that her Civil rights, Constitutional rights ,were not violated and only State laws were violated in the McCarthy-Staples, v. Brickhouse, et al. Petitioner feels that when filing this case McCarthy-Staples, v. Brickhouse et al. With U.S. District Court Eastern District of Virginia, Norfolk Division. If there were Only State Claims involved in this court would have ejected the case then. And not giving me the opportunity to file a second amended complaint. By Issuing a Show Cause. As well after reading the order starting on page 4, of Dismissal order case 2:21-cv-00383. Petitioner feels that Mr. Staples, is her married husband and she should not sign over her rights as a wife.as well Petitioner new something was very wrong here but did not know I think more not believing what was happening.As well on page 4 of dismissal order Adult Protective Services Unit, did not have any involvement in petitioning the The courts. The City attorney Christinna D. Cunningham, released (APS)and Adult Protective Services Unit did have a case on myself going back to 2013. Which was closed in 2016. All allegations were false as well came only from Ex-wife, and children. As well on page 4 Mr. Staples has no mental illness that Significantly impairs his capacity to exercise judgment or self control. All Guardian at llem reports contradict the statement.(Guardian at llem reports Lisa A. Broccoletti's) appendix M. dated 1-22-21.ja15565-03-00. As well On page 4 of dismissal order to take out a Protective order solely on the reason That someone else feels their not good for another is not a good enough reason. To violate someone's second Amendment right, as well as the Fifth.

State Courts

United States Supreme Court of Virginia, case no. 200228, Circuit Court no. CL17-3448-01. 3-5-2020. Motion, Order, Appendix G.

Helene M. Staples, v. Samuel Mexico Staples, Catholic Charities of Eastern V

Petitioner finds this Motion to have many errors. One on page 2 of motion Stating that the City attorney is not a party in this case when clearly attorney Christinna D. Cunningham, is listed as the attorney of the case attachment One page with Appendix G. showing. This I believe is perjury which believe Comes under Federal law. As well on page 2 Ms. Cunningham mentions That petitioner and husband never cohabit this is not only a false statement but it's irrelevant to anything I do not believe there is a law saying you have to live in the same house and in the Guardian Litem report Appendix M that is addressed. Page 3 of Motion Ms. Cunningham, mentions that on 3-3-2017. Petitioner herself filed a Guardianship and Conservator This statement is true On the other hand, false because the petitioner was not listed on the court rec Case no. CL17-00992. Hearing date 6-27-17. With Appendix C and it is to my Belief that my attorney along with all were working along with the City Attorney. Page 6 of motion City attorney Christinna D. Cunningham mentions She did not receive statement of facts this is not true petitioner has a copy that all attorneys involved indeed did receive.

Circuit Court of the City of the Virginia Beach case no. CL17-3448-01 11-22-2019. Appendix F.

Helene Staples, v. Samuel Mexico Staples, Catholic Charities

Petitioner disagrees with statement on page 2 of dismissal order Petitioner never hit or slapped my husband waking out of the court room. Petitioner simply touched him on his shoulder as he was walking toward me. Petitioner was called back to the bench by the judge and Judge held me in contempt of court, and 5 days I then headed toward The doors once again I was turned around when approaching the bench There was my husband pleading with the judge not to put me in jail. The judge then said to me well today is your lucky day. And took away The 5 days. Page 3 of dismissal order petitioner feels that my 1st Amendment right has been violated.

Circuit Court of the City of Virginia Beach case no CL 17-3448
8-25-2017. Appendix E. City of Virginia Beach v. Samuel Staples et al
Petitioner feels this case for petition of my husband is a violation
Of my Fifth, fourth Amendment right especially when petitioner had
A durable power of attorney appendix H . Page 1, Petitioner never had the
name.
Helene Goleston. This I believe is perjury. Page 4 of the order approximately
Seven (7) adult protective services,
Protective services referrals dating back to 10-2013. For financial
exploitation, and neglect, have never been a factor. As mentioned
(APS) did have reports of such but only by ex-wife, children. And
(APS) had a case open on petitioner from 2013 to 2016. And closed.
Petitioner myself meet with a case worker of the (APS).
She asked me to bring her 6 months off my husband's bank statements.
Which was not my husband at the time. Again mentioned the case
CL17-00992, filed 3-3-17. Helene McCarthy-Staples, v. Samuel M. Staples,
The court shows Samuel M. Staples being represented in this case.
Appendix C. This is fraudulent. As of page 4, of final order.
Page 5 of the final order it states that we have a reverse mortgage on
and other liens of significant amounts, encumbering the property.
Are not to be a true statement. Petitioner and husband share a home
together they do have a (FHA) mortgage through freedom mortgage.
A person has to live in the home together and both be in their 60's to get a
reverse mortgage. Husband and I have known other debts. Petitioner feels
It is a violation of her and husband by having Catholic Charities
Of Eastern Virginia as Guardian and Conservator for the fact that
Nether our Catholic. 1st Amendment right. Petitioner feels that this
Is a means of taking possession of petitioner and husband's property.
Petitioner also feels because my husband is living in his home very
Independent, according to Guardian ad litem report Appendix M.
The City attorney providing false information is in violation of fourteenth
Amendment. Petitioner and husband pursue happiness. As well petitioner
did file a complaint with the City of Virginia 6-17-2021.

Circuit Court of the City of Virginia Beach case no. CL17-3448
7-25-2017. Petition Appendix E City of Virginia Beach v. Samuel Staples et
Page 1 petitioner never had the name Helene Goleston. City attorney
Filed this petition not even 30 days after my hearing.

Feels that this is in violation of wifes Civil Rights. Act of Perjury, fraudulent,
To gain Property belonging to petitioner and Samuel M Staples.

Circuit Court for the City of Virginia Beach case no. CL17-00992

6-27-2017. Appendix C as well as petition added to Appendix C

Appendix D with this new discovery in this case

Helene M. Staples, v. Samuel M. Staples,

Petitioner hired Attorney M. Bradley Brickhouse to represent her
In a Guardianship and Conservator. Petitioner mentioned to attorney
She had (POA).Appendix H. Case was filed 3-3-2017, hearing was
6-27-2017.

The day of the hearing petitioner meets with her attorney. Attorney then
Proceeds to ask "if I was guy? he said you can tell me." then he asked me for
The mortgage paperwork that he asked me to bring with me. Petitioner
Handed it to him he then left the room.then came right back . We then
Proceeding to the courtroom petitioner took the stand right away Guardian
Ad llem Colleen T. Dickerson approached me " saying he thinks your guy
Our you" ? then went on to say "no your a prostitute ." At this point petitioner
was lost of words. Attorney just said to the judge she pays all the bills.

Petitioner did not know what to think. I just knew something was very wrong
here. Case was over and never received an answer. When petitioner asked
Attorney 2 days after why I did not get an answer? Attorney said to me that
"the judge said I was not worthy to be a wife" Then after mouths past after
thinking about how things went petitioner went to attorneys office and asked
for her file. It took me a while before I could even put to gather what was
happening. I would say about a year that I came across new discovery that
Attorney M. Bradley Brickhouse was representing my husband 6-27-2017.
and filed 3-3-2017. In my husband's name. Appendix C. Petitioner feels
This whole case is indeed fraudulent. Order of this case shows dismissed
3-16-2018. Petitioner did motion the court sometime with in that date
Petitioner was not prepared. I did not know exactly what was going on yet.
Attorney Frank J. Driscoll, Jr. was there in the courtroom and ask me to step
Out in the hall.

Where he had asked me to move the date. I did leave that day
Because I did not know exactly what was going on yet. The judge
On the bench said to me, "Are you sure?" you want to leave
The judge that day was not Judge Frurri.

Appendix D. 12-30-2017. Oast & Taylor PLC Guardianship/ Conservator Engagement Letter, Petitioner hire and paid attorney M. Bradley Brickhouse to represent me in a Guardianship/Conv. Engagement letter showing Petitioner paid 7,500.00 for this service. As well, the engagement letter shows a third signature on last page. This is fraudulent. Dates don't match up, if the petitioner paid 12-30-2017. Then that would mean that her husband already had a Guardian and Conv Because the City of Virginia Beach petitioned the courts 7-25-2017. And was granted 8-27-2017. And petitioners court date would not have been until 2018.

Juvenile and Domestic Relations District, case no. JA155565-01-00
Samuel Staples v. Staples Helene by Catholic Charities
11-17-2017. Appeal Order attached dated 3-13-18. Appendix I.
Petitioner feels this violates her 2nd Amendment right. As well
1st, 5h, 14th. Attorney for Catholic Charities of eastern Virginia.
Frank J. Driscoll, Jr. is not only getting paid for his services out
Of are funds, but are aware of the details of the case.

Juvenile Domestic Relations District, case no. JA155565-04-00
Samuel Staples v. Staples Helene by Catholic Charities
Emergency Protective Order, 8-6-2020. Affidavit attached Appendix J.
Petitioner feels this order is in violation of her Amendment rights
1st, 5th, 14th. Petitioner feels the affidavit attached is indeed a false
statement. The part that is mentions the police were called 3 times
Well this is true but what it fails to say is when police arrived finding
My husband is very upset. After the police talked with him and I. Police
told the caretaker that they can leave. My husband stated to police `` these
people are trying to take a protective order out on my wife again" this makes
no sense I fight for my country"why is this happening" as well affidavit
mentions Petitioner was in my husband's face. This never happened in
The 25 years of me knowing him. This whole affidavit is perjury.

Juvenile Domestic Relations, case no. JA155565-03-00 Protective Order

Samuel Staples v. Staples Helene by Catholic Charities

8-12-2020. Warrant attached, 8-28-2020 to 9-01-2020. Criminal complaint

8-6-2020. Appendix K When petitioner was in court it was for giving a phone back to my husband. Not for whatever this criminal report states sorry but I can not make Make out this report. The dates don't match up.

▪ Juvenile Domestic Relations case no.JA155565-03-00, Protective Order, 1-22-2021

Samuel Staples v. Staples Helene by Catholic Charities

To 1-22-2023., Amended Protective Order, 6-13-2023 Warrant not yet heard.

Frank J. Driscoll, Jr is the attorney for all Appendix L

▪ Juvenile Domestic Relations case no. JA036010-04-00, 7-6-2022. Spousal

Samuel Staples v. Staples Helene by Catholic Charities

Support, 2-7-2019. Spousal Support order,case no. CL18-168 Appendix M. Order attached petitioner appealed JA036010-04-00 ,when I went to the court

to ask for the final order from the appeal decision court did not have it.

First in the Juvenile Domestic Relations Court at one of the hearing the judge had the sheriff give me a financial form to bring back with me and ask me to bring 6 Months of check stubs. (don't recall date) When petitioner returned to court Months later the judge completely did a turn around. Order from JDR attached.

This is when the petitioner appealed this case. No. CJ18-168 order simply is not a true statement. If the petitioner appealed I will be there. Petitioner would like Mention was told by catholic charities that I am getting Spousal Support.

Samuel Staples said to me when I told him I was going to work. He said

Aren't they paying you? He said this to me several times and one day

Susanne case manager at the time came over to the house and I asked

Sue may I ask you something she said sure" asked why is Samuel under

The impression that am getting Spousal Support" Sue said to me Helene

Why are you saying that in front of Sam" I did not apply, my husband did

He said thats what you told me " then Sue left.

- Guardian Ad Litem Report 1-22-2021. Case no. JA155565-03-00
Lisa A. Broccoletti, Appendix N
When petitioner meet with Ms. Broccoletti it went well what we talked about
Was not mentioned in report at all my husband phoned me after meeting with
Ms. Broccoletti and he left on my answer machine " honey don't worry this
really nice lady came over to talk with me I believe she is going to help us"
By reading her report and in court it was obvious to me what was going on here.
- Colleen T. Dickerson, Esquire, Guardian Ad Litem report Appendix N
Petitioner has never meet with Ms Dickerson, just spoke over the phone after the
fact . Report contains most false statements and attacks my character.
Daughters Alicia Wellons, Tabetha Staples, That are children of ex wife.

VIII. Reasons for Granting The Petition

Petitioner prays that the U.S. The Supreme Court grant her Petition Writ certiorari.
Petitioner feels there's no justice at all in this case. As well the Constitution, justice
should be for all. Most of all petitioner loves her husband and don't believe in
divorce. This is the petitioner's first marriage. As well petitioner feel this is
extremely cruel to do to a person that has done nothing to anyone.

IX. Conclusion

Helene McCarthy-Staples 21rst day of April

Helene McCarthy-Staples