

No. 22-7592

ORIGINAL

Supreme Court, U.S.
FILED

DEC 03 2022

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Grace Woodham — PETITIONER
(Your Name)

vs.

Tucker Schaffer — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

New Hampshire Supreme Ct. 2022-0302
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)
(did not rule on merits...)

PETITION FOR WRIT OF CERTIORARI

Grace Woodham
(Your Name)

281 N. State SPU #139265
(Address)

Concord, NH 03302
(City, State, Zip Code)

alt address: 27 Brook Ln Center Conway,
(Phone Number) NH, 03813

QUESTION(S) PRESENTED

1. Did NH Supreme Court violate the 14th Amendment of the US Constitution by refusing to allow me to continue my appeal in forma pauperis, when it had apparently accepted I was indigent?
2. Was it an abuse of discretion for the court to essentially entrap me into making a technical violation (which was a pretextual excuse to dismiss a case they obviously didn't want to hear) by relying on their good graces for an "automatic" extension of time so that I could obtain a copy of the local court rules, thereby avoiding any pretextual dismissals on the basis of a technical violation? (Might I even have a protected liberty interest in their own designation of my appeal as "mandatory"??)
- * 2, more clearly: Was it abuse of discretion for the NH Supreme Ct to dismiss my case by refusing to grant an extension of time, when they grant it to other appellants as a matter of course?

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- [] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

Bean v. Red Oak Management 151 NH 248 (2008):
"Absent a transcript of the proceedings [at the trial court], the supreme court will generally assume that the evidence was sufficient to support the result reached by the trial court. It is the burden of the appealing party to provide the S. Ct. with a record sufficient to decide the issues on appeal..."

I was not allowed to obtain a transcript... !!
Is this legal?? I don't think so!!

NH S. Ct # 2022-0302

Conway Dist. 430-2021-SC-00009 (also NH.)

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APPENDIX A *final order - motion for reconsideration denied.
the court refuses to extend filing deadline after opposing party claims (falsely)
that I've not made service. I made an offer of proof which is ignored.*

APPENDIX B *NH S. Ct. indicates that I may not proceed in forma pauperis
Is this a violation of my due process rights?!*

APPENDIX C *Final order regarding deadline for filing brief. I immediately file
for an extension given that the Property Officer has just trashed my room &
it's not even acknowledged. I do get a proxy note explaining that my filing will
be dismissed if I don't save process. So much for neutrality!!*

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Unknown, but I'm sure the reader could come up
with about 20 off the top of her head.

No doubt the Federal Supremacy Clause governs here.
I'm not being lazy, I just don't have quickly, or even appropriate
law library access at this shady prison where they think the laws
don't apply to them.

STATUTES AND RULES

NHSC R 21 (6-A) (a) & (c)

NHSC R 3 "Definitions"

RSA 623 B-2 (N.H.)

OTHER

14th Am US Constitution

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

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

OPINIONS BELOW

☐ For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished. *dismissed without review*

The opinion of the _____ *circuit* court appears at Appendix *D* to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished. *no opinion, dismissed w/o review!!*

JURISDICTION

☐ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from state courts:

The date on which the highest state court decided my case was Nov 14, 2022.
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date:
see above, and a copy of the order denying rehearing
appears at Appendix A. *the final order is in the hands of the judicial
conduct comm. (another quibbolic venture)*

☒ An extension of time to file the petition for a writ of certiorari was granted
to and including ?? (date) on Dec 16, 2022 (date) in
Application No. ____ A ???. *I have a time-extended original petition
I can provide if necessary.*

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

14th Amendment of US Constitution, Equal Protection & Due Process

Clauses, familiar enough to the reader that I shouldn't have to repeat them here.

NHSC R 21 (6-A)(a): Extension of Time to File Briefs automatic (emph. added)

Unless the scheduling order states otherwise, any party may obtain an extension of no more than 15 days within which to file briefs (or memoranda of law) by filing one copy of an assent to notice of automatic extension of time... [I can't even make a phone call, what is this??]

(e) Extensions of time of more than 15 days or where all parties do not assent may be requested only by motion to the court... [note: In all the litigation I've been involved in as a represented party, the court had no problems making numerous extensions for opposing counsel, even when the delay was avoidable or clearly their fault.]

NHSC R (3) "Mandatory Appeal"

A mandatory appeal shall be accepted by the Supreme Court for review on the merits.

A mandatory appeal is an appeal filed by the state pursuant to RSA 606:10, or an appeal from the final decision on the merits issued by a superior court, district court, family court... [obviously Woodham v. Scheffer No 2022-302 was docketed as a mandatory appeal]

RSA 623 B-2 (IV) Civil Actions Filed by an Inmate: "nothing in this section shall prevent an inmate from filing an action or proceeding if the inmate is indigent."

fljdr: NH does not allow me to file in forma pauperis, presumably in violation of their own statutes!!

STATEMENT OF THE CASE

I filed this cert petition to bring much-needed attention to how nepotistic, dysfunctional, and generally corrupt our State court system is. Although I understand it's not much in fashion these days, we are desperately in need of federal oversight.

I've filed several cases in Conway Circuit Court, as that is my place of residence, and Judge Greenhalgh, who appears to be the only presiding judge in my town, has dismissed and denied at least 40 of my motions, seemingly without reading them, because I often provided irrefutable proof of the facts, which, by law would necessitate the opposite ruling. For example, I once missed a hearing because someone stole my mail; I appended an admission from that person that they had stolen my mail and that I had, as a result, not received notice; by law this ruling would be void. Unfortunately, as I've learned the hard way, justice in this state is not dependent on the strength of one's arguments or adherence to settled law. So it was no surprise when Judge Greenhalgh ruled against me every single time in the instant complaint, including a motion to continue because I was ill. I provided documentary evidence of this to no avail. Frustratingly, he misrepresented the cause of my "lack of prosecution" in his order. While my experience with our single appellate court hasn't been positive either I believed that they would be enthusiastic to overrule his obvious abuse of public office; instead they seemed annoyed that I was bothering them requesting vindication of my stupid civil rights. It's possible I was being retaliated against when I indicated that I'd filed a complaint against Mr. Greenhalgh & other members of the NH State Judicial Cabal. Also I was obviously not important enough to demand adherence to ~~my~~ constitutionally ~~due process~~ ~~rights~~ - mandated due process.

NH does not have a system for allowing indigent plaintiffs to file in forma pauperis, instead it's left to the individual judges' discretion whether to waive fees. Effectively this means we have no access to our own court system. By this questionable logic I was not allowed to obtain a transcript of Mr. Greenhalgh literally apologizing to my respondents for even holding the hearing in the first place. The practical result of this was that I could not introduce any evidence. When I requested an extension so I could haggle with my institution to make the court rules available to me Judge Hartz-Moreoni denied the motion without specifically referencing it in her order, then accused me of not adhering to the filing schedule. As a general rule extensions are granted as a matter of course even in the most absurd circumstances. Since the NH Supreme Court has obvious my appeals for technical violations, I sought to avoid giving them any pretextual reason to not address my "mandatory" appeal on the merits. Instead I gave them a pretextual excuse to throw out my case. Had I had access to the court rules I might have decried their hypocrisy in refusing to grant the so-called "automatic" 15-day extension made available to those who shared their dilemma (not me).

On the topic of credibility, Justice Hartz-Moreoni also ruled on a non-motion (i.e. a letter) from opposing counsel claiming, falsely, that I had not served process. Did she receive my response & its offer of proof? Since it's not on the record, we shall never know. Probably this had undue influence on her decision to dismiss.

REASONS FOR GRANTING THE PETITION

From my understanding of the law, there are only two ways to hold the NH Judicial Branch accountable. One is direct review in this court, another is collateral attack in federal district court. Since cases such as Roth v. King (D.C. Cir?) were published, it's become nearly impossible to litigate these matters, and I fully expect such a complaint to fail, either in preliminary review or on appeal.

As American citizens, residents of the State of NH (and all those tragically caught within the purview of our long-arm statute) have a right to equal protection and due process and it is in the interest of this Court public for the Court to uphold these rights, therefore countering the impending/immediate crisis of faith in our judicial system, and respect for the rule of law.

Since issues ~~are~~ invoking the US Constitution are necessarily federal questions we are well within the jurisdiction accorded by 28 USC § 1257 et al; also nothing I've written requires a diversion of your scarce resources through plenary review and can be easily handled on the shadow docket. And adequately so; I'd also add that my petition barely requires analysis, since the NH Supreme Court's decision diverges so widely from controlling case law, in the 1st Circuit, & above it.

I have ~~no~~ ^{minimal} stake in the outcome of this petition except as a stopgap measure against abuse of power, and maybe to rage-scrrawl my fury and disgust over a boilerplate pro se litigant template no one will ever read.

Summary: The NH Supreme Court throws out my appeals for various pretextual reasons unrelated to the merits of the case. I'm arguing this is abuse of discretion, especially when I provided documentary evidence of the cause of the delay.

apparently they disregard their own statutes on eligibility for in forma pauperis status. this seems like the blatantly illegal kind of decision which could be thrown out with a summary reversal.

long live the rule of law...?

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

W

Date: 2/25/23

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

**In Case No. 2022-0302, Grace Woodham v. Tucker Scheffer,
the court on November 14, 2022, issued the following order:**

Supreme Court Rule 22(2) provides that a party filing a motion for rehearing or reconsideration shall state with particularity the points of law or fact that she claims the court has overlooked or misapprehended.

We have reviewed the claims made in Grace Woodham's motion for reconsideration and conclude that no points of law or fact were overlooked or misapprehended in the decision to dismiss this appeal. Accordingly, upon reconsideration, we affirm the October 21, 2022 decision and deny the relief requested in the motion.

Relief requested in motion for
reconsideration denied.

MacDonald, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, JJ.,
concurred.

**Timothy A. Gudas,
Clerk**

Distribution:

3rd N.H. Circuit Court - Conway District Division, 430-2021-SC-00009

Honorable Charles L. Greenhalgh

✓ Ms. Grace Woodham

Joseph D. Garrison, Esq.

Lin Willis, Supreme Court

File

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

**In Case No. 2022-0302, Grace Woodham v. Tucker Scheffer,
the court on August 26, 2022, issued the following order:**

On August 3, 2022, the court ordered Grace Woodham to notify the court by August 18, 2022, if she intended to request and pay for a transcript of the May 19, 2022 trial court hearing.

As Grace Woodham has not indicated that she intends to obtain a hearing transcript, and as transcripts at State expense are not available in this civil case, her "motion to proceed in forma pauperis/waive transcript fee" is denied. The appeal will proceed without preparation of a transcript.

This order is entered by a single justice (Hicks, J.). See Rule 21(7).

*they also refuse to review the
proceedings when no transcript is available,* **Timothy A. Gudas,**
see Bean v. Red Oak Prop 157 NH 248 ('08) **Clerk**
*I'm pretty sure recording devices are ubiquitous nowadays
I'm just not clear on how the liability to cough
up \$5 should prove such an insurmountable
barrier--*

Distribution:
Ms. Grace Woodham
Joseph D. Garrison, Esq.
File

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

**In Case No. 2022-0302, Grace Woodham v. Tucker Scheffer,
the clerk of court on September 7, 2022, issued the following
order:**

The plaintiff's brief must be filed on or before October 7, 2022. The defendant's brief or memorandum of law must be filed on or before November 7, 2022.

If a brief is not e-filed, a party is requested, but is not required, to submit an electronic copy of the party's brief on a computer-readable compact disk (CD). The electronic copy should be in Portable Document Format (PDF). The electronic copy should contain the entire brief, but need not contain documents that are not computer-generated by the party. The label of the CD should include the case name and the case number, and should identify the brief being filed (e.g., plaintiff's opening brief, defendant's opposing brief, petitioner's reply brief).

NOTE: Your brief must not exceed 9,500 words. See Rule 16(11). If you are the appealing party, you must submit a copy of any decision(s) being appealed with your brief in compliance with Rule 16(3)(i). If you are not the appealing party and you choose to file a memorandum in lieu of a brief, it must not exceed 4,000 words.

An appealing party is responsible for providing the court with the necessary record to decide the appeal. Failure to do so may result in dismissal of the appeal. For information about how to provide the court with the record, review Rule 13 carefully. If you intend to file an appendix to your brief, review Rule 17.

This order is entered pursuant to Rule 21(8).

**Timothy A. Gudas,
Clerk**

Distribution:
Ms. Grace Woodham
Joseph D. Garrison, Esq.
File

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

**In Case No. 2022-0302, Grace Woodham v. Tucker Scheffer,
the court on October 21, 2022, issued the following order:**

On August 18, 2022, Grace Woodham filed a motion to proceed in forma pauperis and to waive the cost of preparing the transcript in this matter. On August 26, 2022, the court denied Grace Woodham's motion and ordered the appeal to proceed without a transcript.

On September 7, 2022, a briefing schedule issued that established an October 7, 2022 deadline for Grace Woodham to file her brief. Also on September 7, 2022, Grace Woodham filed a motion for reconsideration of the court's denial of her request to waive the cost of the transcript as well as a motion to extend filing deadlines on the basis that Grace Woodham did not have a transcript.

On September 15, 2022, the court denied Grace Woodham's motion for reconsideration and ordered that the appeal proceed in accordance with the September 7, 2022 briefing schedule. In doing so, the court denied the relief requested in Grace Woodham's motion to extend filing deadlines without expressly referencing that motion.

Grace Woodham has not filed a brief in accordance with the court's September 7, 2022 order. As a result, the appeal is dismissed. See Rule 16(12). Grace Woodham's motion to extend deadlines is denied.

Appeal dismissed.

This order is entered by a single justice (Hantz Marconi, J.). See Rule 21(7).

**Timothy A. Gudas,
Clerk**

Distribution:

3rd N.H. Circuit Court - Conway District Division, 430-2021-SC-00009

Honorable Charles L. Greenhalgh

✓ Ms. Grace Woodham

Joseph D. Garrison, Esq.

File