

Exhibit 6

UNITED STATES DISTRICT COURT IN THE DISTRICT OF DELAWARE

Meghan Kelly)	Civil Action No.: 1:21-1490 (CFC)
Plaintiff,)	
v.)	
Disciplinary Counsel Patricia B.)	
Swartz, et.al)	
Defendants.)	

PLAINTIFF MEGHAN KELLY’S TWENTY SIXTH AFFIDAVIT UPDATE

Comes now Plaintiff Meghan Kelly, I declare and affirm that the foregoing statement is true and correct.

1. I have been providing updates to the Third Circuit including the affidavits before this Court with letters like the attached at Exhibit A, dated April 18, 2023.

2. On April 1, 2023, I realized the US Supreme Court would not grant relief until it was too late. I filed a Motion to withdraw my petition and application for an interim stay with the Honorable Justice Jackson. I required a stay from the proceeding below to afford me time and resources to fight, not merely file the Delaware Disciplinary appeal. The Delaware Disciplinary appeal was due by or before April 8, 2023 with this Honorable Court. The US Supreme Court was not even scheduled to convene until April 13, 2023 to review the petition before judgment. April 13, 2023 is after the Delaware Disciplinary due date, and is after the Third Circuit’s conference dated April 11, 2023. April 13, 2023 was too late for this Court to grant me relief.

3. I was denied access to petition this Court in another case, the Delaware Disciplinary law suit, due to the delays in the United States Supreme Court’s docketing or the grant or denial of my appeal and the application for an interim stay pending this United States Supreme Court’s final determination. US Amend I, V.

4. The Third Circuit's denial of my requests for accommodations in the form of time or a stay to safeguard my access to other courts including the First Amendment right to petition the Delaware Disciplinary petition also substantially burdened my access to other courts so as to deny me the First Amendment right to petition the Delaware Disciplinary case too.

5. I filed documents in good faith requesting emergency relief to expedite the case before the United States Supreme Court. The United States Supreme Court did not docket or respond to my petitions in an emergency expedited manner as I hoped.

6. The initial response from the US Supreme Court was scary. On April 5, 2023, the Court moved the conference date to April 21, 2023.

7. I thought that might be because I only uploaded the motion to withdraw on the main docket. So, I quickly remedied my perceived error by uploading it on the application docket the same day the conference was moved on April 5, 2023, per the attached Exhibit B.

8. On April 17, 2023, the United States Supreme Court alleviated my fear by entering an Order dismissing the case, per my request per Exhibit C attached hereto.

9. On February 2, 2023, I filed a petition for writ of certiorari of the Delaware Supreme Court decision. The Supreme Court rejected it since I filed my petition to exceed the page limit first, instead of simultaneously therewith per the attached letter from Supreme Court Clerk Lisa Nesbitt at Exhibit D.

10. I not only was denied the time and apportionment of my meager resources required to file the Delaware Disciplinary Delaware Supreme Court Order, but I was denied time to appeal the Third Circuit's Order in 22-3372 delaying a determination regarding an exemption of fees so as to compel me with the potential threat of violating my religious beliefs in exchange to access to the courts to exercise my First Amendment right to petition.

11. I realize I must appeal the Eastern District of PA Order or **potentially face 6 new law suits**. That is important to prevent. I am in tears because it is not fair that I must pick and choose which cases to defend since poverty creates a substantial burden upon my access to other courts. My religious beliefs against debt also creates an obstacle the Third Circuit did not alleviate by granting additional time. I believe debt damns people to hell by tempting them to make the pursuit of money instead of pursuit of God and God's will savior. I also invoked and continue to invoke the 13th Amendment against involuntary servitude to work for money to pay off government compelled debt to defend Constitutional liberties.

12. I have a good argument to overturn the Eastern District of PA's District Court's Order since I was retired from PA since 2018, and thought I was retired from that District Court. (Exhibit E, the retirement application).

13. There are smaller arguments to appeal which I do not discuss herein, but the most important matter is to prevent 6 additional law suits by appealing the Eastern District Court's Order disbaring me as retired.

14. The Court knew I thought I was retired. I stated the same in pleadings. (Exhibit F).

15. The Court knew I have been retired from PA since 2018. That is public knowledge and the Court cited the public state web site. The Court also knew due to lack of time, poverty and limited means of transportation I could not easily research.

16. Despite that the Court ordered me to draft a memorandum of law as to why my retirement in PA would not retire my license in its Court. (Exhibit G)

17. The Court booby trapped me based on an error of fact, an error of law creating manifest injustice against me by using retirement as a reason to disbar me.

18. I filed a letter asking to be placed on retirement, as not admitted in the Eastern District Court of PA District Court to practice because I was confused as to whether I was retired or not. I thought my assumption of retirement might be wrong, but then the Court asked why I should not be retired.

19. The Court disbarred me instead of placing me on retirement. I was surprised because I thought I would be retired. Gail Olsen said the Court was not disciplining me, per the attached letter confirming our conversation, incorporated herein as Exhibit H.

20. After researching I discovered I was not automatically retired since disbarred PA attorneys are not automatically disbarred and may have an office to practice before the Federal courts. See, *Theard v. United States*, 354 U.S. 278, 282 (1957); *Selling v. Radford*, 243 U.S. 46, 49 (1917), *Frazier v. Heebe*, 482 U.S. 641, 648 n.7 (1987); also see, *In re Surrick*, 338 F.3d 224, 231 (3d Cir. 2003), (disbarment by the [s]tate does not result in automatic disbarment by the federal court." *In re Ruffalo*, 390 U.S. 544, 547, 88 S.Ct. 1222, 20 L.Ed.2d 117 (1968)). *Surrick v. Killion*, 449 F.3d 520, 530 (3d Cir. 2006), ("The question in this case is whether a state may prohibit an attorney admitted to the bar of a federal district court, but suspended from the state bar, from maintaining a legal office for the sole purpose of supporting a practice before the federal court.")

21. *In Re Surrick*, 2006 case, the Third Circuit proffered a well-reasoned opinion citing a couple of notable cases affirming its agreement with the lower Court, the Eastern District of PA, District Court's determination that the states may not regulate federal licenses and its allowance of a law office to practice federal law, including but not limited to *Sperry* and *In re Desilets*.

22. *In re Desilets*. 291 F.3d 925, 928-29 (6th Cir. 2002), the Court noted.

“*Sperry* provides strong guidance for the current case. The *Sperry* Court noted: In 291 F.3d 925, 928-29 (6th Cir. 2002). *Sperry* provides strong guidance for the current case. The *Sperry* Court noted:

A State may not enforce licensing requirements which, though valid in the absence of federal regulation, give the State's licensing board [in *Sperry*, the Florida Bar Association] a virtual power of review over the federal determination that a person or agency is qualified and entitled to perform certain functions, or which impose upon the performance of activity sanctioned by federal license additional conditions not contemplated by Congress.”

23. The Court booby trapped me by creating the assumption I was retired by asking me to draft a memorandum on why I should not be retired in its court too. I have limited time, resources and ability to research. The Court should not have placed me as disbarred instead of as retired. Moreover it is clear error of law, of fact creating manifest injustice against me to place me on retirement too, even if the order should be changed. I did not have notice of disbarment

24. The US Supreme Court held in, *In re Ruffalo*, 390 U.S. 544, 551 (1968), “The charge must be known before the proceedings commence. They become a trap when, after they are underway, the charges are amended on the basis of testimony of the accused. He can then be given no opportunity to expunge the earlier statements and start afresh.”

25. I did not know the Eastern District Court would disbar me when I did not draft a memorandum as to why retirement in PA would not retire my license in its Court. I asked the Court be placed on retirement so as not to be barred as active, but I thought I might have been wrong on my assumption of retirement. I was confused without ability to research the issue due to lack of time and resources. It was a booby trap based on a misunderstanding similar to the entrapped lawyer relating to the disciplinary proceeding in *In re Ruffalo*, where I was denied fair notice and a fair and fair opportunity to be heard given my unique situation of facing 6 law suits, limited access to the courts given lack of time, health limitations and poverty creating a

substantial burden to my access to the courts and religious belief against debt. Maybe the Court misunderstood my letter which created manifest injustice. Reviewing the letter with fresh eyes I can understand why the Court may be confused too. Either way the Order should be overturned.

26. While, I do not have easy access to resources, the Court should have known retirement in state does not automatically retire my federal license unless specifically drafted in its rules. So, the Court appears to have set me up to fall which is not fair or just. I filed the attached pleading I incorporate herein as Exhibit I. I gave the court notice I lacked time and resources to investigate. I was under duress having noticed the court of collapsing on the floor of the post office due to lack of time to care for my health to sustain it. I noticed the Court of my lack of resources to pay for car insurance, and my limited resources too.

27. I invoked the 5th Amendment in all cases, and will continue to invoke the 5th should attacks cause interference with this case. *See, Spevack v. Klein*, 385 U.S. 511 (1967) (“The Self-Incrimination Clause of the Fifth Amendment, which has been absorbed in the Fourteenth, extends its protection to lawyers, and should not be watered down by imposing the dishonor of disbarment and the deprivation of livelihood as a penalty for asserting it. *Cohen v. Hurley*, supra, is overruled. Pp. 514-516.”).

28. In *Wisconsin Dept. of Industry v. Gould Inc.*, 475 U.S. 282 (1986), the US Supreme Court held that federal statutory or regulatory law, specifically NLRA preempted the state disbarment statute. Thus, an argument may be made that the Constitutional law including the right to petition, opportunity to receive notice on disbarment and the 5th Amendment should preempt disbarment statutes too.

29. I invoked the 5th Amendment in all cases. *See, Spevack v. Klein*, 385 U.S. 511 (1967) (“The Self-Incrimination Clause of the Fifth Amendment, which has been absorbed in the

Fourteenth, extends its protection to lawyers, and should not be watered down by imposing the dishonor of disbarment and the deprivation of livelihood as a penalty for asserting it. *Cohen v. Hurley*, supra, is overruled. Pp. 514-516.”).

30. There is clear error of fact, of law, creating manifest injustice. The Eastern District Court abused its discretion based on a misunderstanding. The disbarment was not freely and voluntarily rendered. I was subjected to coercion and duress and I was not fully aware of the implications of submitting a letter regarding retirement. I was confused as to whether I was retired and the Court booby trapped me based on my known confusion. I asked the Eastern District Court for its position for a stay or additional time, and it did not object. I let my case manager in the Third Circuit know I may request a stay in that appeal until this civil rights case is complete by a final determination by the US Supreme Court because I must prevent 6 additional law suits.

31. I also asked opposing counsel her stance on requesting additional time to file a motion for rehearing or reargument on the Third Circuit Order, attached hereto as Exhibit J, dated April 20, 2023.

32. In affidavit update 25, I informed this Court my left eye ball is injured. My eye worsened with the stye formation.

33. When I awoke April 27, 2023, I lost vision in my left eye which is scary. My eye remains blurry.

34. I immediately informed my case manager this morning by writing:

“...I do not feel so well. I lose five pounds of water weight and must drink water, gallons not cups, and rest in order not to get dizzy and weak or face other harmful complications due to severe dehydration related to the surgery of my youth.

My eye got worse. I had a stye form, and the yellowing I saw as a rash spread. I went to the doctors twice, and requested the doctors' notes. They refused and only gave me the general notes.

Today, I have lost vision in my left eye and my left ... eye is blurry.

I know I may file a complaint for the doctors' refusal to give me notes. Yet, I may call in today to get a general less harmful antibiotic.

I am more concerned about potentially going blind. I did not take steroids since I have bad reactions to it and am aware of the permanent harm they cause.

I told the doctor I have religious objections to health care that make people feel better as opposed to get better. I also indicated there were court cases based on the state's belief my religious beliefs outlined in my religious freedom restoration act [lawsuit Kelly v Trump] were a disability. It is likely they withheld the notes because they were displeased with my religious objections towards much healthcare, using the disability proceedings as an excuse not to hand them over as to "upset me" concerning my religious objections to much healthcare.

My vision is blurry and I am quite alarmed. I am weak and you now I need to water before going anywhere to combat dizziness related to severe dehydration.

I do intend to draft a motion for additional time. Oh my gosh I am not seeing well at all in my left eye. My vision is blurry. I need to address this in order to prevent blindness. This change happened today. I have to address the dehydration first before I go anywhere.

Thank you for your understanding.

Meg”

35. I followed up with an email to my Third Circuit case manager Pam Batts and opposing counsel stating,

“Hi,

I definitely lost vision in my left eye. I tried two pairs of daily disposable contacts. I could not see clearly in either of the newly opened contacts either. Everything was blurry. I left a message with the doctor to send a prescription of a general antibiotic, and indicated I lost vision.

I see blurry vision is a side effect of the dangerous drug the doctor prescribed. I did not take this drug.

Thank you,
Meg
It is worsening so quickly. :(

36. I forgot the Court ordered I not attach emails in this case which copy the case manager. So, I am not attaching it herein.

37. For most of the morning I was on the phone seeking to get an appointment which works with my obligations and needs, and was unsuccessful. Though, I may have one tentatively on Tuesday if the problem persists.

38. I am attaching the doctors notes I received. I sought to correct the errors relating to the past surgery I had which does complicate my life and require accommodations, the removal of the ovary and cyst more than 20 years ago, but they did not correct it. The doctor did not correct the record that I have allergies and adverse reactions to medications too.

39. The doctors' office in Lewes provided conflicting information from other offices regarding the availability of appointments. The doctor refused to prescribe a general prescription without steroids today without seeing me.

40. The Lewes staff indicated I had the complete records which I attach as Exhibit K. It appears I may have been wrong about the records. I am sorry. I did not realize the records were printed on both sides, front and back. So, I only looked at the front. They also do not include the pictures, but I am not so concerned about the pictures. Exhibit K.

41. I provided another update to opposing counsel by email I attach hereto as Exhibit L, wherein I state:

"Hello,
I have been on the phone all day. It is a nightmare. I believe people go to hell when they say trust the science or doctors by making them God in place of using your own free will to discern what is loving to overcome lusts.

The Primary care doctor refuses to see me since I have not been there since 2014. They require to gain money by an appointment to gather statistics on me. I believe people go to hell for using people as statistics for material gain, even to gain of knowledge, under the lie of the common good. The soonest the primary care doctor has for appointments is July where they would compel me to violate my religious belief by collecting my statistics so they may get more NIH and private money. It is disgusting. I am not going to violate my religious belief for bad care. Part of the 4th Industrial Revolution is exploiting people as products to use and experiment on. Thus, keeping track of health data and vitamins is intended to aide them in using people in wicked science made to harm and made to create waste by design.

The third leading cause of death used to be going to the doctors. They harm more than they heal. I oppose blindly going to the ER. The last time I did that when I fell from my house, they messed up and said whoops you sliced your liver and we missed it. They could have prevented a scar on my cheek but my deceased Doctor Brown gave me bad advice too. Never blindly rely on doctors. Think things out yourself please. Healthcare professionals often are blinded by dumbed down training and paychecks.

I have sincere religious objections to healthcare and mental healthcare. If you look at two of the books regarding the 4th Industrial Rev. I provided you, you will see made to create waste and harm healthcare proposed to sustain positions, power and profit for charities, businesses and banks. They create need and waste to serve their greed and gain not good.

My vision is blurry.

Thank you,
Meg”

42. To worsen matters, I do not feel well at all. This Court is aware I become dizzy and require gallons, not cups of water, rest and time to exercise in order not to harm my health or die due to the bad surgery I had as a teenager. I assert my right to live, and I assert my right to exercise my first amendment right to petition to defend my exercise of fundamental rights including but not limited to petitioning other courts to alleviate substantial state compelled burdens upon my religious belief or exercise of the right to access to the courts or First Amendment right to petition.

43. I am thinking about asserting an ADA claim against Defendants in this action too since they were aware of my physical limitations and requirements regarding my surgery

because I informed the courts about it prior to the disciplinary proceeding in Kelly v Democrats and Kelly v Trump, during the disciplinary proceeding, and during this civil rights case as well as notifying all courts in reciprocal proceedings.

44. It is not fair or just, but I may assert arguments contained in the pleadings relating to health limitations I have due to our harmful healthcare system.

45. On an aside, my eye still hurts. It is still blurry, but slightly improving. I am quite dehydrated. My skin is peeling. So, I need to drink water and close my eyes to heal them.

Thank you for your time.

Dated 4/27/23

Respectfully submitted,

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