

23-5501  
No. \_\_\_\_\_

**ORIGINAL**

**IN THE  
SUPREME COURT OF THE UNITED STATES**

**FILED**  
**JUN 27 2023**  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

**MAY CHEN ET.AL. (PETITIONER)**

**vs.**

**METROPOLITAN POLICE DEPARTMENT ET.AL. (RESPONDENTS)**

**ON PETITION FOR A WRIT OF CERTIORARI TO  
(U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT)**

**PETITION FOR WRIT OF CERTIORARI**

**(Revised After First Submission on June 27, 2023 Pursuant to the Supreme Court Order)**

May Chen

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(Pick Up Court Documents or Sent via Electronic Transmission per Supreme Court Rule 29.3)

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## QUESTIONS PRESENTED

The Question Presented is a crucial part of any legal analysis because it informs the court of the issues before the judges begin reading Petition for Writ of Certiorari. Petitioner hereby use clear, concise and persuasive formulas to encourage judges to accept my position early on.

Under Federal Rules of Civil Procedures and U.S. Court of Appeals Circuit Rules, Can U.S. District Court judges and Court of Appeals judges issue default judgment pursuant to Federal Rules of Civil Procedures 12, 55, 65, and Circuit Rule 31, 35, 36? Can EEOC enforce employment for three EEOC Hearings? Can federal agency comply with EEOC's appeal decision in 2012? Can federal agencies conduct prohibited personnel practice pursuant to 5 U.S.C. 2302 and 38 U.S.C. 4124? Can federal agencies comply with Age Discrimination in Employment Act (ADEA) due to unfair hire practice and employment discrimination? Can federal agencies comply with the federal Minimum Wage Act (\$15/hour) and Equal Pay Act (average MBA salary \$125000/year)? Can EEOC pay punitive damages at least \$3000000? Can the Consumer Financial Protection Bureau (CFPB) regulate banking violations for failure to pay promotional bonus (Capital One Bank, Bank of America, TD Bank, Wells Fargo Bank, PNC Bank, Truist Bank etc.)? Can the IRS issue Economic Impact Payment? Can FCC regulate wireless phone company for interruption of service? Can USDA compensate poisoning food caused injury and illness for failure to issue SNAP, Medicaid?

Under District of Columbia Law and Court Rules, Can the Metropolitan Police Department (MPD) fail to prosecute six issued crimes such as stealing (phone & 115 personal belonging items), simple assault (eye injury), aggravated assault (brain, eye, bone injuries) and aggravated assault, aggravated robbery, repeated vandalism of vehicle, Stolen ID, repeated reckless endangerment? Can MPD misapply the DC law by abusing the authority to endanger the public? Can MPD force medication without Petitioner's consent for 21 days? Can MPD violate its mission statement to repeatedly issue parking tickets due to malicious destruction of residence? Can auto insurance companies fail to settle vandalism, hit & run claims per repeated DISB (Department of Insurance, Banking & Security) complaints? Can DC Department of Motor Vehicle (DMV) fail to implement DC official code 50-2303.11(g) and 50.2303.5(a)(2) to block vehicle registration renewal in June 2022? Can DC government compensate poisoning food caused injury and illness?

Under State of Maryland Law and Court Rules, Can Maryland Motor Vehicle Administration (MVA) wrongfully issue \$1300 lien to block vehicle registration for failure to settle vandalism claim? Can Prince George's County Police Department discriminate against Petitioner to issue false police reports due to someone else's criminal activities? Can Prince George's County Police Officers lie to the public for repeated failure to issue burglary crime report? Can Prince George's County Court judge misapply law to issue wrongful confinement 18 months by using forced

medication without consent? Can Carroll County Court judge misapply law by using authority to issue "Guardianship" to take away Petitioner's bank deposit \$68938.55 from Capital One Bank and \$9889.66 from Bank of America? Can Robin Weisse cash Petitioner's check \$750? Can Robin Weisse steal Petitioner's identity to open new bank accounts? Is Maryland the only State where the assessment process is centralized at the State level? Can Prince George's County misuse the housing assistance funds without any help to Petitioner instead of demolition? Can Prince George's County DPIE maliciously demolish Petitioner's primary residence (worth at least \$550000) without consent? Can Prince George's County Tax Collector issue fraudulent lien \$18500 (\$11256 plus 20% interest) to illegally conduct tax sale? Can Prince George's County Police Officers have trespassed and broke Petitioner's car window by using excessive force? Why did Prince George's County Court and Judge issue a wrongful Tax Sale lawsuit and judgment to intentionally create grievance? Whether Prince George's County Tax Collector returned Petitioner's tax payment? Can Prince George's County Court repeatedly issue ten wrongful judgments to disobey the law and material facts? Whether Prince George's County treated Petitioner extremely cruel and non-human for repeated persecution? Why did you continue to stalk and access me based on "dangerous" statement?

Under State of California Law, Can the West Covina Police Department issue false police report by issuing wrong amount \$280 without burden of proof? Why West Covina Police Department intervene the personal civil matter without witness? Whether California Compensate all damages? Can West Covina Court and West Covina Police Department prosecute sexual crimes against Thompson et.al.? Can a judge deprive consumer rights to refuse to release deposits of an invalid contract? Whether Petitioner was treated as an extremely unfair and aggrieved victim? Can State of California pay default judgment immediately due to failure to answer lawsuits against West Covina PD and judge et.al.? Can State Bar of California refund over charged attorney fees (\$17400 plus 10% interest 22 years) per complaints? Can County fail to implement the California Tax Exemption Law pursuant to R&T code 155.20 and 170 as well as county adopted resolution 2005-524, 2009-061, ordinance 4.24? Can County Tax Collector issue tax refund at least \$2028.49 plus 20% interest starting December 2005? Can Tax Collector pay penalties due to property damages, health damages, issuing illegal tax bills? Can renter pay fair and marketable rent (\$50000/year in the past 8 years) by illegally occupying Petitioner's premises? Can Southern California Edison compensate wrongful lawsuit for lying to the public such as Eminent Domain law?

## **LIST OF PARTIES**

I. All parties appear in the caption of the case on the cover page

MAY CHEN – Petitioner

METROPOLITAN POLICE DEPARTMENT et.al. - Respondent

II. All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceedings in the court whose judgment is the subject of this petition is as follows.

District of Columbia; State of Maryland; State of California; State of Texas

U.S. Equal Employment Opportunity Commission (EEOC) & Federal Agencies

All related police officers and court judges referenced below:

Carol W. Elswick (State of California West Covina Court Judge)

Michael Durfee (State of California Monrovia Court Judge)

Dan T. Oki (State of California Pomona Court Judge)

Robert Hoffman (State of Maryland Prince George's County Judge)

Karen Mason (State of Maryland Prince George's County Judge)

Thomas Springfield/co. Robin Weisse (State of Maryland Carroll County Circuit Court Judge)

Ingrid Turner (State of Maryland Prince George's County Circuit Court Judge) and Gail Fransis; DPIE staffs; Benjamin M. Decker et.al.

Patrick L. Woodward (Maryland Court of Special Appeals Judge)

Michael Rankins (DC Superior Court Judge)

Anna Blackburne - Rigsby (DC Court of Appeals Judge)

Police Officer Meyers #349 (State of California West Covina Police Department)

Police Officer Brown (State of Maryland Prince George's County Police Department)

Police Mitchell#3570 & Taylor#3672(Maryland Prince George's County Police Department)

Police Officers Rambo #3877 and Wall (Prince George's County Police Department)

Police Officer Bryant A #3472., Cobb C., et.al. (DC Metropolitan Police Department)

Police Officers Stephen Franchak #3123, Suzie Stears #3985, English #3911, Homere Whyte#3749 et.al. (DC Metropolitan Police Department)

## **RELATED CASES**

22-CV-00693 “May Chen v. West Covina, California and Prince George’s County, Maryland, Metropolitan Police Department” in U.S. District Court for District of Columbia

22-CV-0039 “May Chen v. Metropolitan Police Department” DC Court of Appeals

2021 CA 004151 B “May Chen v. Metropolitan Police Department” DC Superior Court

19-CV-00912 U.S. District Court for Maryland “May Chen v. Prince George’s County et.al.”

17-CV-02068 U.S. District for Maryland “May Chen v. Prince George’s County et.al.”

CSAREG009952018 Maryland Court of Appeals “May Chen v. FNA Maryland LLC & Prince George’s County”

CAL 18-27463 “May Chen v. FNA Maryland LLC and Prince George’s County et.al.”

CAE 17-39047 Maryland Circuit Court “FNA Maryland LLC v. May Chen”

15-MIPG-1228133 Maryland Tax Court “May Chen v. Prince George’s County et.al.”

13-PWG-02564 & 13-PWG-02565 “May Chen v. Prince George’s County et.al.”

CAL1827463 Maryland Circuit Court for PG County “May Chen v. State of Maryland”

3E00484571 “State of Maryland v. May Chen” April 16, 2012

4E00513797 “State of Maryland v. May Chen” March 22, 2013

06C13064504 “In the Matter of May Chen” Maryland Circuit Court for Carroll County

0502SP098652012 Maryland Circuit for PG County “Prince George’s County v. May Chen”

2JM00716 California West Covina Court “State of California v. M Chen”

01S00192 California Monrovia Court “M Chen v. Marvin Quon et.al.”

KS 011439 California Pomona Court “Jeffrey L. Romig v. M Chen”

S-1500-CV-269865-LSE California Kern Superior Court “Southern California Edison v. M Chen”

15-F-13183; 15-F-13184; 15-F-13185 State Bar of California Client Security Fund Complaints

150206-001675, 150209-001493, 210927-7331735 etc. Consumer Financial Protection Bureau

All Complaints to DC, Maryland & California Department of Insurance Geico, State Farm, etc.

EEOC Appeal #0120113914 “May Chen v. U.S. Department of Health & Human Services”

EEOC #570-2022-01117X “May Chen v. U.S. Department of Justice”

EEOC #531-2013-00032X & #531-2016-00081X “May Chen v. U.S. Department of Health & Human Services”

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## **INDEX TO APPENDICES**

Appendix A: EEOC hearings proceedings, agency EEO proceedings, 200 applied job records with OPM, employment laws, regulations, policies etc.

Appendix B: DC Court of Appeals and DC Superior Court final orders, court rules, DC official code, DC code, DC AG pandemic administrative order, evidence, damages photos, injury photos, medical records, transcript, trial court records etc.

Appendix C: Maryland District and Circuit Court final dispositions, U.S. District Court in Maryland final disposition, court rules, nine court case records, damages photos, injury photos, housing demolition & illegal tax sale evidence, illegal withdrawal bank deposit evidence, burglary evidence, illegal confinement & forced medication in Springfield Hospital etc.

Appendix D: California West Covina Court order, Monrovia Court order, Pomona Court order, State Bar of California attorney fee dispute, all sexual crimes reports & application for restraining orders, R&T code 155.20, 170 and Adopted Resolution 2005-524, 2009-061, Ordinance 4.24; failure to pay market rent & breached lease agreement etc.

**TABLE OF AUTHORITIES**

STATUTES AND RULES	PAGE
U.S. Supreme Court Rule 10,12, 13,14 (Petitioning for Certiorari)	
U.S. Supreme Court Rule 39 (Proceedings in Forma Pauperis)	
U.S. Supreme Court Rule 29.3 (Electronic Transmission Documents)	
U.S. Supreme Court Rule 20 (Petition for Extraordinary Writ)	
U.S. Supreme Court Rule 22 (Application for Individual Justice)	
U.S. Supreme Court Rule 24 & 25 (Briefs on the Merits)	
U.S. Supreme Court Rule 28 and 44 (Oral Argument and Rehearing)	
U.S. Supreme Court Rule 46 (Dismissing Case)	
28 U.S.C. 1651(a)	
28 U.S.C. 1915 (d) (Service of Process in Forma Pauperis)	
28 U.S.C. 1331	
28 U.S.C. 1407	
Federal Court of Civil Procedure 12, 55, 65	
U.S. Court of Appeals Circuit Rule 31, 35, 36	
U.S. Code 5 U.S.C. 2302 (Prohibited Personnel Practice)	
U.S. Code 38 U.S.C. 4124 (Federal Employment)	
29 C.F.R. Part 1614 (Federal Sector Equal Employment Opportunity Regulations)	
12 C.F.R. Part 1024 (Consumer Financial Protection Bureau Complaints)	
Age Discrimination in Employment Act of 1967	
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Title VII Civil Rights Act of 1964 (Race, Color, National Origin, Sex – Female etc.)	
Minimum Wage Act	
American Rescue Plan Act of 2021	
Fair Labor Standards Act of 1938	
21 U.S.C. 342 (Poisoning Food)	
47 C.F.R. 64.1507 (Prohibition on Disconnection or Interruption of Phone Service)	

DC Court Rule 54-II  
DC Court Rule 4(C)(5)  
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DC Court Rule 11  
DC Court Rule 55  
DC Court Rule 65  
DC Court of Appeal Rule 31 and 28  
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DC Official Code 50-2303.11(g) (DC DMV Hearing Decision over 180 days)  
DC Official Code 50-2303.5(a)(2) (DC DMV Defense on Parking Ticket)  
DC Code 50-2201.04 & 50-2201.05 (Hit & Run and Reckless Endangerment)  
DC Code 31-2231.17 (Unfair Claim Settlement Practices)  
DC Code 21-521 (Detention of persons believed to be mentally ill)  
DC Code 7-1231.08 (DC Forced Medication)  
DC Code 22-3211 (Theft of the Cell Phone; Theft of 115 Clothing Items)  
DC Code 22-404 (Simple Assault)  
DC Code 22-2803 (Carjacking)  
DC Code 22-404.01 (Aggravated Assault)  
DC Code 22-2801 (Aggravated Robbery)  
DC Code 22-3227.02 (Theft of Driver's License)  
DC Code 4-502 (Crime Victim Compensation Program)  
DC Attorney General COVID-19 pandemic order 2020-10  
Maryland Code Sec. 3-801 Course of Conduct  
Maryland Code Sec. 6-401 and 6-402(a) (Prohibits Trespassing on Property)  
Maryland Code Sec. 3-802 Stalking  
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Maryland Code Sec. 6-408 Use of vehicle on private property



Maryland Code Sec. 6-408 Entry on property for purpose of invading privacy of occupants

Maryland Code Sec. 6-202 (first degree burglary and felony home invasion)

Maryland Code Sec. 10-708 (g) violates the Maryland Declaration of Rights by permitting forced medication without a showing that an individual is dangerous to himself or others

Maryland Code Sec. 6-403 Purpose of Program Neighborhood & Community Assistance Program

Maryland Code Sec. 6-405 Proposals for projects in priority funding areas

Maryland Code Sec. 6-602. Housing & Community Development Program

Maryland Code Sec. 6-606 Community Development Fund

Maryland Code Sec. 10-202 Purpose of the Fund Affordable Housing Trust Fund

Maryland Code Sec. 2-203 Reviews of Assessments

Maryland Code Sec. 4-201. Collecting and Remitting Taxes

Maryland Code Sec. 4-202. Depositing and Reporting Collections

Maryland Code Sec. 6-301 (Malicious Property Destruction is Punishable)

Maryland Code Sec. 10-304 Property Tax Payment Damaged Property Proration

Maryland Code Sec. 3-808 (Filing Fraudulent Lien Prohibited)

Maryland Code Sec. 6-302 (Malicious Destruction Throwing Object at Vehicle)

Maryland Code Sec. 3-502 Kidnapping

Maryland Code Sec. 3-604 (abuse or neglect of a vulnerable adult in the first degree)

Maryland Code Sec. 8-801 Financial crimes against vulnerable adults

Maryland Code Sec. 8-103 & 8-106 Obtaining property or services by bad check & Penalties

California Penal Code 243 (Sexual Battery) & Penal Code 261 (Rape)

California Penal Code 148.5 (False Police Report)

California Penal Code 502 (Burden of Proof)

California Civil Code 1689.7 (Notice of Cancellation) & Code 1057.3 (Release Escrow Deposit)

California Business & Professional Code 6200-6206 (Attorney & Client Fee Dispute)

California R&T Code 155.20; 170 & Adopted Resolution, Ordinance 2005-524; 2009-061; 4.24

California Civil Code Unlawful Detainer 1161

**IN THE  
SUPREME COURT OF THE UNITED STATES**

**PETITION FOR WRIT CERTIORARI**

Petitioner respectfully requests the issuance of a writ of certiorari to review the judgment of the U.S. Court of Appeals et.al. orders, judgment, opinions, material facts, evidence, statutes and rules, administrative orders, regulations, policies etc.

**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.

The opinion of the 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.

## **JURISDICTION**

☐ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was May 23, 2023, June 7, 2023 and June 15, 2023.

☒ petition for rehearing was timely filed in my case on June 5, 2023.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: June 7, 2023 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 on: Not Apply

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 December 22, 2022. A copy of that decision appears at Appendix.

☒ A timely petition for rehearing was thereafter denied on the following date: December 12, 2022, and a copy of the order denying rehearing appears at Appendix. (p.s. On December 19, 2022 Petitioner submitted 139 pages "Motion for Rehearing". It was refused to accept by the DC Court of Appeals Clerk. Same day Petitioner complained about the deprive rights matter to DC Commission on Judicial Disabilities and Tenure. DC Court of Appeals Clerk never issued the court order on how to file Writ of Certiorari to the Supreme Court per my asking).

☐ An extension of time to file the petition for a writ of certiorari was granted to and including (date) on (date) in Application Not Apply .

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

### **A. Federal Statutes & Rules:**

#### **U.S. Supreme Court Rule 13**

Unless otherwise provided by law, a petition for a writ of certiorari to review a judgment in any case, civil or criminal, entered by a state court of last resort or a United States court of appeals (including the United States Court of Appeals for the Armed Forces) is timely when it is filed with the Clerk of this Court within 90 days after entry of the judgment.

**U.S. Supreme Court Rule 39 Proceedings In Forma Pauperis** A party seeking to proceed in forma pauperis shall file a motion for leave to do so, together with the party's notarized affidavit or declaration (in compliance with 28 U. S. C. § 1746)

#### **U.S. Supreme Court Rule 29.3**

Ordinarily, service on a party must be by a manner at least as expeditious as the manner used to file the document with the Court. An electronic version of the document shall also be transmitted to all other parties at the time of filing or reasonably contemporaneous therewith, unless the party filing the document is proceeding pro se and in forma pauperis or the electronic service address of the party being served is unknown and not identifiable through reasonable efforts.

**U.S. Supreme Court Rule 12.4.** When two or more judgments are sought to be reviewed on a writ of certiorari to the same court and involve identical or closely related questions, a single petition for a writ of certiorari covering all the judgments suffices. A petition for a writ of certiorari may not be joined with any other pleading, except that any motion for leave to proceed in forma pauperis shall be attached.” **Rule 12.5.** No more than 30 days after a case has been placed on the docket, a respondent seeking to file a conditional cross petition.

#### **U.S. Supreme Court Rule 20. Extraordinary Writ**

Issuance by the Court of an extraordinary writ authorized by 28 U. S. C. § 1651(a) is not a matter of right, but of discretion sparingly exercised. To justify the granting of any such writ, the petition must show that the writ will be in aid of the Court's appellate jurisdiction, that exceptional circumstances warrant the exercise of the Court's discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court.

### **Rule 12. Defenses and Objections: When and How Presented; Motion for Judgment on the Pleadings; Consolidating Motions; Waiving Defenses; Pretrial Hearing**

#### **(a) TIME TO SERVE A RESPONSIVE PLEADING.**

(1) In General. Unless another time is specified by this rule or a federal statute, the time for serving a responsive pleading is as follows:

(A) A defendant must serve an answer: (i) within 21 days after being served with the summons and complaint; or

### **Rule 55. Default; Default Judgment**

(a) ENTERING A DEFAULT. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.

(b) ENTERING A DEFAULT JUDGMENT. (1) By the Clerk. If the plaintiff's claim is for a sum certain or a sum that can be made certain by computation, the clerk— on the plaintiff's request, with an affidavit showing the amount due—must enter judgment for that amount and costs against a defendant who has been defaulted for not appearing and who is neither a minor nor an incompetent person.

**U.S. Court of Appeals Rule 31. Serving and Filing Briefs** (a) Time to Serve and File a Brief. (1) The appellant must serve and file a brief within 40 days after the record is filed. The appellee must serve and file a brief within 30 days after the appellant's brief is served. The appellant may serve and file a reply brief within 21 days after service of the appellee's brief but a reply brief must be filed at least 7 days before argument, unless the court, for good cause, allows a later filing

### **U.S. Court of Appeals Rule 35. En Banc Determination**

## **B. District of Columbia Court Rules**

### **DC Superior Court Rule 54-II. Waiver of Costs, Fees, or Security**

(i) SERVICE OF COMPLAINT; SERVICE ON MINOR OR INCOMPETENT PERSON;

SERVICE OF WITNESS SUBPOENA; WITNESS FEES. Where an application to proceed without prepayment of costs, fees, or security is granted, the following provisions apply:

(1) Service of Complaint. The clerk will attempt to serve a defendant—other than a minor or incompetent person—with the materials listed in Rule 4(c)(1) by:

(A) registered or certified mail, return receipt requested, under Rule 4(c)(4);

(B) first-class mail with notice and acknowledgment under Rule 4(c)(5); or

(C) both methods listed in Rule 54-II(i)(1)(A) a

### **Rule 4. Summons**

(c) SERVICE.

(5) By First-Class Mail with Notice and Acknowledgment.

(A) Requesting an Acknowledgment of Service. Any defendant described in Rule 4(e), (f), or (h) may be served by mailing—by first-class mail, postage prepaid, to the person to be served:

(i) a copy of the summons, complaint, Initial Order, any addendum to that order, and any other order directed by the court to the parties at the time of filing;

(ii) 2 copies of a Notice and Acknowledgment conforming substantially to Civil Action Form 1-A; and

(iii) a return envelope, postage prepaid, addressed to the sender.

(B) Failure to Acknowledge Service. Unless good cause is shown for not doing so, the court must order the party served to pay:

(i) the costs incurred in securing an alternative method of service authorized by this rule if the person served does not complete and return the Notice and Acknowledgment of receipt of the summons within 21 days after mailing; and

(ii) the reasonable expenses, including attorney's fees, of any motion required to collect those service expenses

### **Rule 11. Failure to Appear**

(a) FAILURE OF RESPONDENT TO APPEAR AT TRIAL OR HEARING.

(1) At Civil Protection Order Trial.

(A) Entry of Respondent's Default. When the respondent fails to appear at the civil protection order trial, after being served in accordance with Rule 5 with the petition and notice of hearing and order directing appearance, or having signed a notice to return to court, the court may enter the respondent's default.

### **Rule 7. Motions**

(a) FILING. All written motions must be filed with the court.

(l) RESPONSES. Any response to a motion must be filed within 14 days after service of the motion or prior to the hearing on the motion, whichever is earlier.

### **Rule 55. Default; Default Judgment**

(a) ENTERING A DEFAULT.

(1) In General. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, the clerk or the court must enter the party's default.

### **Rule 65. Injunctions and Restraining Orders**

(b) TEMPORARY RESTRAINING ORDER.

(1) Issuing Without Notice. The court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney only if: (A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and

**DC Court of Appeal Rule 31. Serving and Filing Briefs.**

**(a) Time to Serve and File a Brief.**

(1) The appellant must serve and file a brief within 40 days after the Clerk has notified the parties that the record is filed or, following such notice, after the court has denied a motion for summary affirmance. The appellee must serve and file a brief within 30 days after the appellant's brief is served. The appellant may serve and file a reply brief within 21 days after service of the appellee's brief, but a reply brief must be filed at least 7 days before oral argument.

**Rule 28. Briefs**

(b) Brief of the Appellee (or Respondent). The brief must conform to the requirements of Rule 28 (a), except that none of the following need appear unless the appellee is dissatisfied with the statement of the appellant:

(1) the statement of the issues;(2) the statement of the case;(3) the statement of the facts; and (4) the statement of the standard of review

**Rule 33. Calendaring of Cases.**

Each month the Chief Judge, with the assistance of the Clerk, will prepare and post a calendar of cases to be argued in the second month after the posting. In placing cases on the calendar, the Clerk must give preference to those appeals that have been expedited by statute or order of this court.

**Rule 34. Oral Argument.**

(a) In General. Argument will be scheduled as provided in Rule 33.

**DC Official Code 50–2303.11. Reconsideration**

(g) Failure by a hearing examiner to issue a decision within 180 calendar days after receipt of an application for reconsideration shall be deemed a decision in favor of the applicant.

**DC Official Code 50-2303.5(a)(2) Answer** (C) That the relevant signs prohibiting or restricting parking were missing or obscured; (E) That the facts alleged on the parking violation notice are inconsistent or do not support a finding that the specified regulation was violated;

**DC Code 21–521. Detention of persons believed to be mentally ill; transportation and application to hospital.**

An accredited officer or agent of the Department of Mental Health of the District of Columbia, or an officer authorized to make arrests in the District of Columbia, or a physician or qualified psychologist of the person in question, who has reason to believe that a person is mentally ill and, because of the illness, is likely to injure himself or others if he is not immediately detained may, without a warrant, take the person into custody, transport him to a public or private hospital, or to the Department, and make application for his admission thereto for purposes of emergency observation and diagnosis. The application shall reveal the circumstances under which the person was taken into custody and the reasons therefor.

**DC Code 7–1231.08. Administration of medication**

a) Except as provided in this section, no consumer shall be administered medication for the purpose of mental health treatment without his or her informed consent.

**DC Code 22-3211 Theft**

(b) A person commits the offense of theft if that person wrongfully obtains or uses the property of another with intent.

**DC Code 22-404 Assault**

(2) Whoever unlawfully assaults, or threatens another in a menacing manner, and intentionally, knowingly, or recklessly causes significant bodily injury to another shall be fined not more than the amount set forth in § 22-3571.01 or be imprisoned not more than 3 years, or both. For the purposes of this paragraph, the term “significant bodily injury” means an injury that requires hospitalization or immediate medical attention.

**22–2803. Carjacking**

(b)(1) A person commits the offense of armed carjacking if that person, while armed with or having readily available any pistol or other firearm (or imitation thereof) or other dangerous or deadly weapon (including a sawed-off shotgun, shotgun, machine gun, rifle, dirk, bowie knife, butcher knife, switch-blade knife, razor, blackjack, billy, or metallic or other false knuckles), commits or attempts to commit the offense of carjacking.

(2) A person convicted of armed carjacking shall be fined not more than the amount set forth in § 22-3571.01 and be imprisoned for a mandatory-minimum term of not less than 15 years and a maximum term of not more than 40 years, or both

**DC Code 22-404.01 Aggravated Assault (a)** A person commits the offense of aggravated assault if: (1) By any means, that person knowingly or purposely causes serious bodily injury to another person; (b) Any person convicted of aggravated assault shall be fined not more than the amount set forth in § 22-3571.01 or be imprisoned for not more than 10 years, or both.

**DC Code 22-2801 Robbery** Whoever by force or violence, whether against resistance or by sudden or stealthy seizure or snatching, or by putting in fear, shall take from the person or immediate actual possession of another anything of value, is guilty of robbery, and any person convicted thereof shall suffer imprisonment for not less than 2 years nor more than 15 years. In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in § 22-3571.01.

**DC Code 31–2231.17. Unfair claim settlement practices**

(a) No person shall commit or perform with such frequency as to indicate a general business practice any of the following: (2) Refuse to pay a claim for a reason that is arbitrary or capricious based on all available information;

**DC Official Code 50–2201.04. Speeding and reckless driving**



(b-1) A person shall be guilty of aggravated reckless driving if the person violates subsection (b) of this section and the person does one or more of the following: (1) Operates the vehicle at a rate or speed at or greater than 30 miles per hour over the stated speed limit; (2) Causes bodily harm or permanent disability or disfigurement to another; or (3) Causes property damage in excess of \$1,000.

**DC Official Code 50–2201.05. Fleeing from scene of accident**

**State of Maryland Statutes, Rules, Code.**

**Maryland Code Sec. 3-801 Course of Conduct**

In this subtitle, “course of conduct” means a persistent pattern of conduct, composed of a series of acts over time that shows a continuity of purpose.

**Maryland Code Sec. 6-402 Trespass on posted property: “Prohibited”**

- (a) A person may not enter or trespass on property that is posted conspicuously against trespass by: (1) signs placed where they reasonably may be seen; or
- (b) Penalty (b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to: (1) for a first violation, imprisonment not exceeding 90 days or a fine not exceeding \$500 or both; (2) for a second violation occurring within 2 years after the first violation, imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both; and (3) for each subsequent violation occurring within 2 years after the preceding violation, imprisonment not exceeding 1 year or a fine not exceeding \$2,500 or both.

**Maryland Code Sec. 3-802 Stalking** “Stalking” defined (a) In this section: (1) “stalking” means a malicious course of conduct that includes approaching or pursuing another where: (i) the person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear: 1. A. of serious bodily injury; B. of an assault in any degree; C. of rape or sexual offense as defined by §§ 3-303 through 3-308 of this title or attempted rape or sexual offense in any degree; D. of false imprisonment; or E. of death;

Prohibited (c) A person may not engage in stalking. Penalty (d) a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both. Sentence (e) A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any other crime based on the acts establishing a violation of this section.

**Maryland Code Sec. 3-803 Harassment “Prohibited”**

- (a) A person may not follow another in or about a public place or maliciously engage in a course of conduct that alarms or seriously annoys the other: (1) with the intent to harass, alarm, or annoy the other; (2) after receiving a reasonable warning or request to stop by or on behalf of the other; and (3) without a legal purpose.

Penalty (c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to: (1) for a first offense, imprisonment not exceeding 90 days or a fine not exceeding \$500 or both; and (2) for a second or subsequent offense, imprisonment not exceeding 180 days or a fine not exceeding \$1,000 or both.

**Maryland Code Sec. 3-2-4 Reckless Endangerment**

Prohibited (a) A person may not recklessly: (1) engage in conduct that creates a substantial risk of death or serious physical injury to another;

Penalty (b) A person who violates this section is guilty of the misdemeanor of reckless endangerment and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.

**Maryland Code Sec. 6-408 Use of vehicle on private property “Prohibited”**

(b) Except when traveling on a clearly designated private driveway, a person may not use a vehicle or off-road vehicle on private property unless the person has in the person's possession the written permission of the owner or tenant of the private property.

Penalty(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

**Maryland Code Sec. 6-408 Entry on property for purpose of invading privacy of occupants “Prohibited”**

(a) A person may not enter on the property of another for the purpose of invading the privacy of an occupant of a building or enclosure located on the property by looking into a window, door, or other opening.

(b) Penalty. A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

**Maryland Code Sec. 6-202 Burglary in the first degree and home invasion**

Intent to commit theft (a) A person may not break and enter the dwelling of another with the intent to commit theft.

Intent to commit crime of violence (b) A person may not break and enter the dwelling of another with the intent to commit a crime of violence.

(c) A person who violates subsection (a) of this section is guilty of the felony of burglary in the first degree and on conviction is subject to imprisonment not exceeding 20 years.

(d) A person who violates subsection (b) of this section is guilty of the felony of home invasion and on conviction is subject to imprisonment not exceeding 25 years.

**Maryland Code Sec. 6-403 Purpose of Program Neighborhood & Community Assistance Program,**

**Maryland Code Sec. 10-304 Property Tax Payment Damaged Property Proration**

“Damaged property” defined (a) As used in this section, “damaged property” means: (1) Real property that is partially damaged or totally destroyed; or (2) personal property that is totally destroyed.

Removal of damaged property from assessment roll (b) As to damaged property that should be removed from the assessment roll: (1) if the damage occurred during the 6-month period from the date of finality to the June 30 following, property tax is not due for the taxable year beginning on the following July 1; (2) if the damage occurred during the first month of the taxable year, 8% of the property tax is due; (3) if the damage occurred during the second month of the taxable year, 17% of the property tax is due; (4) if the damage occurred during the third month of the taxable year, 25% of the property tax is due; (5) if the damage occurred during the fourth month of the taxable year, 33% of the property tax is due;

Refund (c) If property tax is paid on property that qualifies for a property tax abatement under this section, the property tax shall be refunded as provided by Title 14, Subtitle 9 of this article.

**Maryland Code Sec. 3-808 False, fictitious, or fraudulent liens or encumbrances prohibited**

In general (a) A person may not file a lien or an encumbrance in a public or private record against the real or personal property of another if the person knows that the lien or encumbrance is: (1) false; or (2) contains or is based on a materially false, fictitious, or fraudulent statement or representation.

Violations and penalties (b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to: (1) for a first violation, imprisonment not exceeding 1 year or a fine not exceeding \$10,000 or both; and (2) for each subsequent violation, imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

**Maryland Code Sec. 6-302 Malicious destruction throwing object at vehicle “Prohibited”**

(a) A person may not willfully throw, shoot, or propel a rock, brick, piece of iron, steel, or other similar metal, or a dangerous missile at or into a vehicle or other means of transportation that is occupied by an individual.

Penalty (b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$500 or both.

**Maryland Code Sec. 3-502 Kidnapping**

Prohibited (a) A person may not, by force or fraud, carry or cause a person to be carried in or outside the State with the intent to have the person carried or concealed in or outside the State.

Penalty (b) A person who violates this section is guilty of the felony of kidnapping and on conviction is subject to imprisonment not exceeding 30 years.

**Maryland Code Sec. 3-604 Abuse or neglect of a vulnerable adult**

Definitions (a)(1) In this section and §§ 3-605 and 3-606 of this subtitle the following words have the meanings indicated. (2)(i) “Abuse” means the sustaining of physical pain or injury by a vulnerable adult as a result of cruel or inhumane treatment or as a result of a malicious act under circumstances that indicate that the vulnerable adult's health or welfare is harmed or threatened.

(7)(i) “Neglect” means the intentional failure to provide necessary assistance and resources for the physical needs of a vulnerable adult, including: 1. food; 2. clothing; 3. toileting; 4. essential medical treatment; 5. shelter; or 6. supervision.

**Maryland Code Sec. 8-801 Financial crimes against vulnerable adults**

Prohibited conduct (b)(1) A person may not knowingly and willfully obtain by deception, intimidation, or undue influence the property of an individual that the person knows or reasonably should know is a vulnerable adult with intent to deprive the vulnerable adult of the vulnerable adult's property. (2) A person may not knowingly and willfully obtain by deception, intimidation, or undue influence the property of an individual that the person knows or reasonably should know is at least 68 years old, with intent to deprive the individual of the individual's property.

(ii) A person convicted of a violation of this section when the value of the property is at least \$25,000 but less than \$100,000 is guilty of a felony and: 1. is subject to imprisonment not exceeding 10 years or a fine not exceeding \$15,000 or both; and 2. shall restore the property taken or its value to the owner, or, if the owner is deceased, restore the property or its value to the owner's estate. (iii) A person convicted of a violation of this section when the value of the property is \$100,000 or more is guilty of a felony and: 1. is subject to imprisonment not exceeding 20 years or a fine not exceeding \$25,000 or both; and 2. shall restore the property taken or its value to the owner, or, if the owner is deceased, restore the property or its value to the owner's estate.

**Maryland Code Sec. 8-103 & 8-106 Obtaining property or services by bad check & Penalties**

Prohibited--Issuing check with intent to stop payment (b) A person may not obtain property or services by issuing a check if: (1) when issuing the check, the person knows that the person or, in the case of a representative drawer, the person's principal intends, without the consent of the payee, to stop or countermand the payment of the check, or otherwise to cause the drawee to disregard, dishonor, or refuse to recognize the check; and

**California Penal Code 261** (7) If the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

**California Penal Code 243.** (a) A battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.

**California Penal Code 148.5** (a) Every person who reports to any peace officer listed in Section 830.1 or 830.2, or subdivision (a) of Section 830.33, the Attorney General, or a deputy attorney

general, or a district attorney, or a deputy district attorney that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor.

**California Penal Code 502 Burden of Proof** The court on all proper occasions shall instruct the jury as to which party bears the burden of proof on each issue and as to whether that burden requires that a party raise a reasonable doubt concerning the existence or nonexistence of a fact or that the establish the existence or nonexistence of a fact by a preponderance of the evidence, by clear and convincing proof, or by proof beyond a reasonable doubt.

**California Civil Code 1057.3 (b)** Any buyer or seller who fails to execute any document required by the escrow holder to release funds on deposit in an escrow account as provided in subdivision (a) within 30 days following a written demand for the return of funds deposited in escrow by the other party shall be liable to the person making the deposit for all of the following: The amount of the funds deposited in escrow not held in good faith to resolve a good faith dispute.

**California Business and Professional Code 6200-6206.**

(2) Claims for affirmative relief against the attorney for damages or otherwise based upon alleged malpractice or professional misconduct, except as provided in subdivision (a) of Section 6203.

**California R & T Code 155.20 (b) (1) (A)** The board of supervisors shall have no authority to exempt property with a total base year value, as adjusted by an annual inflation factor pursuant to subdivision (f) of Section 110.1, or full value of more than ten thousand dollars (\$10,000), except as otherwise provided in subparagraph (B).

**County Adopted Resolution 2005-524 & 2009-061** “Revenue & Taxation code section 155.20 authorizes a county board of supervisors to exempt all real property up to a base year value of 5000 where that value is so low that if not exempt, the total taxes, special assessments and applicable subventions on the property would amount to less than the cost of assessment and collection.

“Effective January 1, 2010, senate Bill 822 amends Revenue & Taxation code section 155.20 and increase the maximum value of property from 5000 to 10000 that a county board of supervisors has authority to exempt from property exemption.

**California Civil Code 1161 Unlawful Detainer** A tenant is guilty of unlawful detainer when he continues in possession of the property, without the permission of the landlord, after default in the payment of rent, and three days’ notice, in writing, requiring its payment. (Cal. Civ. Proc. Code, § 1161 (2).)

## STATEMENT OF THE CASE

Pursuant to U.S. Supreme Court Rule 10, 12.4, 12.5, 13, 14, 20, 29.3, 39 et.al., Petitioner is seeking discretionary judgment from this honorable court with 90 days after the issuance judgment from the U.S. Court of Appeals. Due to COVID-19 pandemic, the case is of such imperative public importance as to justify deviation from normal appellate practice and to require immediate determination in this Court. See 28 U. S. C. § 2101(e).

The date of the judgment sought to be reviewed was issued on May 23, 2023 by the U.S. Court of Appeals Clerk Mark Langer et.al.. Petitioner filed two “Motions for Rehearing” on May 23, 2023 and June 5, 2023. And the date of order “Order Denying Appellant's Petition for Rehearing/Rehearing en banc” was issued on June 7, 2023 by the same court. The Court Mandate was issued on June 15, 2023. The date of filing three Notice of Appeals including State of California and State of Maryland to the U.S. Court of Appeals was January 12, 2023. The Brief of Appellant to the U.S. Court of Appeals was filed on March 13, 2023 within 40 days. Appellees never answered Appellant’s Brief within 30 days. Moreover, the U.S. Court of Appeals clerk destroyed and refused to return 1008 pages evidence in March 2023.

The same procedures happened in DC Court of Appeals. See the following details.

The statutory provision believed to confer on this Court jurisdiction to review on a writ of certiorari the judgment or order in question was referenced. The constitutional provisions, treaties, statutes, ordinances, and regulations involved in the case, set out verbatim with appropriate citation including appendix (opinion, judgment, order, findings of facts, conclusion of law, exhibits, transcript etc.) were listed and attached.

**A. In review of a state-court judgment is sought, specification of the stage in the proceedings both in the trial court and in the appellate court which involved material facts and provisions of statutes & rules.**

On November 10, 2021 Petitioner (MAY CHEN et.al.) filed a Summons & Complaints as well as all related Addendums to the District of Columbia Superior Court alleging and accusing repeated intentional harm & damages caused by the DC Metropolitan Police Department and Tilden Garden Inc. residents et.al. as well as repeated persecution and grievance from Prince George’s County State of Maryland and West Covina State of California. Petitioner was approved as a fee waiver litigant pursuant to DC Court Rule 54-II. Accordingly, the court clerk served Summons & Complaints to the Metropolitan Police Department with Return of Acknowledgement Receipt. The proof of service was filed to the DC Superior Court within 5 days.

According to the Summons & Complaints, Petitioner complained repeated six parking tickets (ticket #7021090926; #7901738913; #8243563020; #8251877745; #288189414; Dupont Circle ticket et.al.) issued by MPD police officer Bryant A. et.al. who intentionally harm Petitioner as a victim of housing demolition & wrongful tax sale

committed by Prince George's County State of Maryland. Petitioner was overcharged at least \$870 to block vehicle registration at DC DMV. As such, Petitioner visited DC DMV ten times in June, July 2022 to register vehicle before expiration date after the timely filing of contest tickets, motion to vacate, motion for reconsideration, appeal, superior court litigation. Pursuant to DC Official Code 50-2303.11(g) and Code 50-2303.5(a)(2)(C) and (E), both ticket #7021090926 and #7901738913 adjudication decision were more than 180 days from the date of tickets issuance. Furthermore, that the relevant signs prohibiting or restricting parking were missing or obscured; that the facts alleged on the parking violation notice are inconsistent or do not support a finding that the specified regulation was violated. For example, petitioner parked at the designated parking lot on the date of ticket issuance with the consent from the Friendship Place and CVS Pharmacy (see attached appendix). Due to unable to complete vehicle registration, the DC Dept 15 staff Cobb, C et.al. continue to issue another two tickets #8243563020 and #8251877745 to escalate grievance by using wrong code such as P170 failure to display tag (petitioner did display the tag ED4346). As result, petitioner visited DC DMV another five times to register vehicle in June 2023.

During the COVID-19 pandemic, Petitioner as a victim has experienced multiple crimes in DC from April 13, 2020 to February 6, 2022 (see attached Appendix B six police reports, damage & injury photos, medical records). Per petitioner's Summons & Complaints and Appellant Opening Brief, petitioner asked MPD to present arrest records, criminal prosecution records, sentencing records to petitioner as proof. However, MPD and DC Attorney General never responded petitioner's request. Crime Victim Compensation Program (CVCP) also never compensated petitioner requests such as emergency housing and safety security assistance after receiving 6 applications. Due to life threatening circumstance, Petitioner is seeking immediate assistance from the court. The following are six crime reports made by MPD.

- Crime Report #20058472 Theft of Phone April 13, 2020;
- Crime Report #20091995 Theft of 115 clothing items June 23, 2020;
- Crime Report #20097816 Simple Assault July 6, 2020;
- Crime Report #20114588 Damages to the Property August 11, 2020
- Crime Report #22017199 Aggravated Assault and Robbery February 6, 2022
- Crime Report #22058505 Stolen ID April 27, 2022

Because of above criminal activities and extremely unfair treatment including prior similar experience in State of Maryland and State of California, Petitioner rejected physical access from DC and Maryland people. From April 27, 2021 to current, Petitioner experienced a series of hit & run, reckless endangerment, repeated denying claims and cancellation of auto insurance from insurance companies (Geico et.al.) caused by Tilden Garden Inc. residents et.al.. Petitioner filed at least 20 online police reports accusing hit & run, reckless endangerment, physical threat, theft activities, bug bites, Target refuse to refund \$100.21 after receiving unopened merchandise etc. Each of the report was denied and closed by MPD online report unit. Auto insurance companies denied all of the hit &

run and vandalism claims. As result, Petitioner sent a Barring Notice to Tilden Garden Inc. at the end of September 2021 per the permission of entrance from one of their Asian female resident. On October 8, 2021 from 8am to 11:30am MPD police officers Stephen Franchak, Susie Stears, English, Homel White, another MPD officer, DC Department of Behavioral Health two female staffs physically surrounded petitioner and used excessive force to drag petitioner out of her vehicle to Psychiatric of Institute of Washington (PIW). Petitioner was illegally confined for 21 days and illegally experienced forced medication without consent which caused physical injuries such as abnormal mussel movement, stiffness, dizziness etc. Also, Petitioner experienced constant harassment and threat from a series of peers as well as poisoning food at PIW. On October 28, 2021 Petitioner was released from PIW. Due to misapply the DC Code Sec 21-521 and miscarry justice without any scientific proof of mental illness, MPD police officer Stephen Franchak (who has severe Post Traumatic Disorder), Susie Stears et.al. wrongfully confined petitioner 21 days by using forced medication which brought severe damages and harm to Petitioner. Further, petitioner never hurt herself or others on October 8, 2021. Petitioner complained to MPD that local people brought all kinds harm and damages to petitioner and her vehicle in the past.

Based on the above facts, evidence and provisions of statutes & rules, MPD never answered Summons & Complaints including failure to appear three court hearings on December 13, 2021, December 21, 2021 and January 6, 2022 and failure to answer three motions. Accordingly, Petitioner filed timely "Request to Enter Default Judgment" pursuant to DC Court Rule 54-II, Rule 4(C)(5), Rule 7, Rule 11, Rule 55, Rule 65.

On January 12, 2022 DC Superior Court Judge Michael Rankins erroneously, dismissed Petitioner's complaint by using misrepresentation such as "no complaint". On January 20, 2022 Petitioner filed a Notice of Appeal including request for transcript to DC Court of Appeals within 30 days after the order. It took the DC Superior Court Records Office about 180 days to produce the transcript (normally its 60 days). And Petitioner was treated extremely unfair by the DC Court of Appeals judge. For example, the Court of Appeal judge denied each of petitioner's filing and motion including motion to vacate parking tickets on July 11, 2022. On another hand, the Court of Appeal judge granted each of the filing from DC Attorney General even though it was illegal filing to change the court rule 31. For example, the Court of Appeal judge granted 90 days to file Appellee's Reply Brief to DC Attorney General although the DC Court of Appeal Rule 31 stated that Appellee must file Reply Brief within 30 days. Instead, DC Attorney never filed an "Appellee's Reply Brief" but a "Motion for Summary Affirmance" at the end of 90 days (November 7, 2022). On November 15, 2022 Petitioner filed a cross opposition to oppose Appellee's Motion for Summary Affirmance without filing Appellee's Reply Brief within 30 days.

On November 22, 2022 the Clerk of the Court Julio A. Castillo neglect by continuing dismiss the subject appeal without correct any errors pursuant to DC Court Rules and Court of Appeals Rules as well as material facts listed above. He only stated 30% of the complaints regarding MPD police officer Stephen Franchak's action pursuant to DC Code



sec 21-521. On December 2, 2022 Petitioner filed a cross opposition to oppose his wrongful judgment without any proof to deny compensation to damages and failure to prosecute crimes caused by local criminal nuisance. Most important, the Clerk of the Court Julio A. Castillo disobey the Court Rules, DC Official Code, DC Code and even illegally change Court of Appeal Rules as well as misapply DC law. His disability and misconduct brought continued criminal activities because he encouraged evil. On December 12, 2022 DC Court of Appeals denied Petition for Rehearing without pursue Oral Argument process (DC Court of Appeals Rule 33 & 34). On December 19, 2022 Court of Appeal Clerk refused to accept Petitioner's filing. After the court Mandate issued, DC Court of Appeals never issued order to pursue the subject case to the Supreme Court of the United States.

Pursuant to U.S. Court of Appeals Rule 31, 35, 36, petitioner experienced same thing in the U.S. Court of Appeals: refuse to return original evidence 1008 pages, misapply circuit rules 31, 35, miscarry justice, invade privacy, extremely unfair toward appellant etc.

**B. Federal questions sought to be reviewed, specification of the stage in the proceedings both in the U.S. District Court and in the U.S. Court of Appeals which involved material facts and provisions of statutes & rules.**

B (1) Multi-District Complaints - Prince George's county State of Maryland

From September 2013 to June 27, 2023, Petitioner filed multiple actions against Prince George's County State of Maryland and West Covina State of California accusing economic crimes and sexual crimes because law enforcement officers fail to prosecute (see related cases referenced above). Each time, Prince George's County State of Maryland and West Covina State of California never answered the Summons & Complaints, Brief within applicable time pursuant to Federal Rules of Civil Procedure 12, U.S. Court of Appeals Rule 31 and U.S. Supreme Court Rule 12.

In June 2010 Petitioner relocated from West Covina State of California to State of Maryland to continue to seek federal employment with U.S. Department of Health & Human Services after five years job applications. Petitioner's immediate family member has paid housing expenses at least \$7000 and relocation expense \$2500 because State of Maryland fail to provide housing assistance although petitioner paid taxes.

On or about October 16, 2011, Petitioner's vehicle was hit by a shopping cart in front of Shoppers in Prince George's County State of Maryland. PG county police asked Petitioner to seek compensation for damages from ERIE Insurance. ERIE Insurance denied Petitioner's claim and filed a \$1300 lien to Maryland Motor Vehicle Administration (MVA). Petitioner was unable to register vehicle if the \$1300 lien cannot be paid. Petition brought complaint to Maryland Department of Insurance.

In January 2012 Petitioner purchased a primary residence located at 16402 Newasa Ln, Accokeek MD 20607 by paying \$60000 cash (market price \$550000). On January 26, 2012 Petitioner moved to the subject property in Accokeek PG County. On that day, the next-door tenants named "Teresa Micky" called PG County Police by using false statement because she jealous petitioner. Two weeks later about 9pm in the evening, an unknown male driver trespassed to the petitioner's property all the way to the garage door and made a U-turn on the petitioner's property by asking petitioner to leave. Since then, Petitioner experienced three months trespassing, disturbance of public peace, threat, stalking, gun shots, block way, harassment from local people. Petitioner has called Prince George's county police numerous times to arrest offenders who ride motorcycle to trespass to the petitioner's backyard, who drove a vehicle to trespass in front of the petitioner's front door, and who trespassed to the petitioner's property to illegally take photo without consent etc. PG county police never took any action according to petitioner's complaint made on March 5, 2012 to PG County 5<sup>th</sup> district. On April 6, 2012 Petitioner was disturbed 72 hours by surrounding motorcycles and trucks. An unknown male motorist rushed out of wooded area on Newasa Ln on that day. Petitioner cannot tolerate any more to come out to stop. The next- door tenants came out to intervene by stating "do not listen to her" "bitch" etc. Petitioner called PG county police immediately. After police officer Brown came, he charged Petitioner "disorderly conduct" and confined Petitioner for two months because of racial discrimination. During the confinement, PG county Judge Robert Hoffman issued a Stay Away Order without any evidence alleging Petitioner accessed next-door tenant's kids' school, accessed next-door tenants back yard etc. Petitioner opposed Judge Robert Hoffman's false statement by refusing to sign the Order because Petitioner nerve did anything toward next-door tenants as the Order stated without any proof. On June 15, 2012, Petitioner filed a Cross-Restraining Order against "Teresa & Stephen Micky" et.al. to the PG County Court accusing repeated criminal harassment, intentional harm, discrimination against "Teresa & Stephen Micky". However, it was rejected by the court.

On June 12, 2012 Petitioner was released and came back to the home. Petitioner found that all of her personal belongings were searched and burglarized including destroying sexual assault evidence. The stolen personal belongings include: bed frames, five sets mattresses, two sets sofas, two dining tables and chairs, tea table, microwave, computer, computer table, printer, tying machine, cameras, fax machines, telephones, answer machines, refrigerator, washing machine, TV, TV stand, VCR, vacuum, juice blender, massagers, 26 boxes of personal belongings including jewelries, shoes, clothing items, 3 new comforters, wool blanket as well as all other items etc. (see shipping list for details). Petitioner reported to both PG county police and PG county attorney. Also, Petitioner filed an instant complaint against PG county police officer Brown for false police report and false action.

On March 21, 2013 Petitioner called PG county police to ask for first degree burglary crime report because of police negligence (failure to issue and prosecute burglary crime) for 9 months. PG county police Mitchell and Taylor showed up at Petitioner's residence in

Accokeek, Maryland. When two police officers approached, Petitioner was waiting inside of her car. Officer Mitchell approached Petitioner's car window stating "come out, we can give you help". Petitioner opened car door, at that time Officer Mitchell used excessive force to drag petitioner into police car without issuing burglary crime report. Two Officers forced petitioner to PG county court. Two Prince George's county judge Karen Mason and Judge Lewis stated that Petitioner had mental disorder and forced Petitioner to Maryland Springfield Hospital for 18 months by using forced medication. Petitioner rejected all medical treatment, diagnosis and forced medication during the stay in Springfield Hospital because of severe body injuries and health damages such as abnormal mussel movement, mussel stiffness, dizziness etc. Springfield Hospital brought all kinds of health damages to Petitioner by using repeated forced medication which completely against Petitioner's will. In August 2013 Springfield Hospital filed a "Guardianship" to Maryland Circuit Court for Carroll County to deprive Petitioner's rights. A Carroll County judge Thomas Springfield wrongfully issued "Guardianship" to treat Petitioner as a vulnerable adult by abusing authority. According to the state and federal government official records, Petitioner was not a disabled person and never received disability benefits. At that time, A Maryland attorney Robin Weisse illegally withdrawal Petitioner's bank savings in the amount of \$9889.66 from Bank of America and \$68938.55 from Capital One Bank as well as illegally cashed Petitioner's \$750 checks. Robin Weisse also obtained all Petitioner's identities to open new bank account and obtained Petitioner's bank statement. In September 2014, Robin Weisse only returned partial funds to petitioner per asking.

Petitioner was released from Springfield Hospital in July 2014. When Petitioner came back to the home, Petitioner found all four car tires were cut by perpetrators. Petitioner called local lock smith (PG county court never released Petitioner's car keys) to open the car door by spending extra \$45. Also, Petitioner called a tow truck to transport her car to Tire Plus to fix four tires by spending extra \$400.

In March and April, 2015 Petitioner participated EEOC Hearings in Baltimore, Maryland. In June 2015 a Prince George's county female staff trespassed into Petitioner's property without consent. She stated that she was doing housing inspection. Petitioner submitted applications to the Prince George's county Community and Housing Development Program which assist Low-Income county resident to improve housing condition. The County funds housing development activities through the Home Investment Partnership Program (HOME) administered by the PG county Department Housing Development division. However, Petitioner never received any housing improvement assistance instead of housing demolition and illegal tax sale from Prince George's County.

On October 13, 2015 Prince George's County Department Permitting Inspection and Enforcement (DPIE) 10 staffs and police officer Mitchell illegally demolished Petitioner's residence in Accokeek, Maryland. Petitioner refused to sign the demolition document because there was no any proof showing the subject property has safety and health hazard. Petitioner called U.S. District Court for Maryland located in Greenbelt during demolition and was unable to stop the demolition because of police officer Mitchell's threat. Petitioner

saw the property was torn down in 30 minutes. Also, PG County police asked Petitioner to leave her premises after demolition. Petitioner drove to U.S. District Court in Maryland to file an emergency motion on that day.

On January 25, 2016 Prince George's county two police officers Rambo and Wall as well as EMS staffs broke into Petitioner's premises during snow storm. Petitioner asked all of them to leave. However, they refused to leave instead of breaking Petitioner's left rear car window into pieces. Petitioner was dragged out of her car by excessive force and was sent to Southern Maryland Hospital in Clinton, Maryland for a week. Due to forced medication and mistreatment, Petitioner urged for release. On February 4, 2016 a local none profit organization fixed Petitioner's car window due to Damage Report issued by Prince George's County police Rambo.

On February 6, 2016 a fraudulent lien \$11256 including 20% interest was assessed on the Petitioner's property by Prince George's county tax collector. Petitioner reported immediately to FBI in Baltimore, Maryland due to abusing authority and civil rights violation. According to State of Maryland Code 2-203, only State of Maryland Department of Assessment & Taxation can issue assessment on Maryland properties. Petitioner has complained to Maryland Department of Assessment & Taxation Director regarding fraudulent lien \$11256 including 20% interest and wrongful tax sale. The Director responded that State of Maryland never assessed \$11256 including 20% interest lien on Petitioner's property. The \$11256 including 20% interest fraudulent lien was demolition expenses ordered by PG county DPIE staff.

In February 2016 Petitioner went to PG county tax collector's office to pay taxes in person. Due to the wrongful amount (Maryland Code 10-304 (b)(5)) given by tax collector, petitioner questioned the incorrect tax payment because of damages to the property. A security officer named Lewis has forced Petitioner to leave the building. In May 2017 Prince George's county illegally started tax sale process against the petitioner's property in Accokeek, Maryland. Prince George's county tax collector returned Petitioner's tax payment two checks in the amount of \$731 and \$788.78 for tax year 2015-2016 and 2016-2017 by mail. According to PG county tax collector's letter, tax collector insisted to ask for \$18500 in order to avoid tax sale. Petitioner has sent the copies of the two checks to the PG county court as proof of record. Petitioner not only filed cross suit against FNA Maryland LLC and Prince George's county tax collector, but also sued both of them in August 2018. Due to failure to answer lawsuit, Petitioner requested Default Judgment against FNA Maryland LLC and Prince George's county for criminal prosecution and penalties \$1050 MILLION USD including 20% interest as well as criminal restraining order. In December 2018 Prince George's County Office of Finance Director illegally transferred the subject property title to FNA Maryland LLC Benjamin M. Decker.

In late 2018 Petitioner moved to the District of Columbia due to unlawful demolition and illegal tax sale. Petitioner was forced to a DC homeless organization Friendship Place located in NW DC. In October 2019 Petitioner filed a Motion to U.S. District Court for Maryland to re-announce citizenship because of extremely cruel and repeated persecution

received in the State of Maryland. From September 2013 to current, Petitioner has filed multiple lawsuits against Prince George's county State of Maryland accusing ten wrongful judgments and two false police reports, derogatory damages of clearance and dignity, wrongful confinement and wrongful lawsuits, forced medication, health damages, false medical diagnosis, deprive rights, abusing authority, grand theft activities, vandalism, burglary, housing demolition, fraudulent lien, illegal tax sale for criminal prosecution and penalty \$57000 million dollars including 20% interest.

#### B (2) Multi-District Complaint - West Covina State of California

In January 2002 Petitioner moved to 1493 Outrigger, West Covina CA. A state employee Steven C. Thompson who worked at California Department of Corporations caused the following tragedy. Steven C. Thompson sent a \$50 gift card to Petitioner and asked petitioner to prepare candle light dinner in order to conduct sexual activities with Petitioner on January 22, 2002. California Penal Code 261 punish Sexual Crime for 4-8 years in prison and \$10000 penalty. See crime report issued against Steven C. Thompson by West Covina Police Department, California.

On January 23, 2002 a West Covina police officer Meyers (#349) and a West Covina Court judge Carol W. Elswick issued a false police report and wrongful judgment without any evidence and witness as well as investigation. About ten years later in 2011, USCIS released the subject police report due to background check. Petitioner found out that West Covina police officer Meyers wrongfully put \$280 merchandise on the report. Petitioner never took any merchandise priced \$280 from an accuser - a bankrupted department store "Robinsons May". Petitioner never brought any loss to Robinson's May. Petitioner has asked West Covina police and West Covina court to provide evidence as burden of proof per California Code 502 and 148.5. However, West Covina police and court never answered Petitioner's Summons & Complaints, Brief, Petition for a Writ of Certiorari filed to federal courts. Also, according to the police report, West Covina police wrongfully put Petitioner's credit card on the report which was not crime. Further, Petitioner complained to the federal courts that West Covina police invade privacy without witness and has nothing to do with Robinsons May. Because of the wrongful judgment, judge Carol W. Elswick brought derogatory damages to Petitioner's life such as intentional ruin clearance and dignity, extra expenses \$7000 (someone else lend to my family members), ruin citizenship as well as all other related damages, loss, trauma, pain, suffering happened later on. Petitioner sued West Covina, California asking for criminal prosecution and penalties \$57000 MILLION USD including 20% interest etc.

In 2004 and 2010, Petitioner served complaint and documents to Los Angeles county district attorney and Los Angeles Superior court executive office to remove false police report and wrongful judgment issued by Carol W. Elswick, both of them never answered Petitioner's complaint. From March 2017 to December 2022, Petitioner filed complaints

to California Commission on Judicial Performance accusing judge's disability to perform judicial duty and discrimination to target a specific person such as petitioner, the commission never answered petitioner's complaints.

In February 2003 Petitioner had a job interview with California Department of Health Services. Because of the employment discrimination, Petitioner contacted California DHS at city of West Covina. An employee named Edward Plummer continue to take Petitioner's advantage to conduct sexual crime by using authority and using employment as a bait for his wrongdoing. He agreed to offer Petitioner a job but later changed his mind. Petitioner reported his wrongdoing to the Department headquarter in Sacramento. Two DHS investigator Tim Warren and Sharon came to Pomona, California to interview Petitioner and collected sexual assault evidence as well as a hand-written job offer. Because the subject Sex offender never brought any benefit but all kinds of damages and losses to Petitioner, Petitioner filed a crime report to Pomona Police Department to ask for criminal prosecution and penalties as well as criminal restraining order against Edward Plummer. According to the California Code 261, sex crime punished by 4-8 years in prison and \$10000 fine.

Because of California state department disabilities and negligence for failure to prosecute and failure to compensate sexual crime damages, Petitioner went to state assembly member Judy Chu's office for employment assistance. Her office director Rowland Oranjo also conducted sexual crime without provide any employment assistance to the Petitioner. Petitioner reported his wrongdoing to the state assembly member's headquarter in Sacramento, California. A private attorney who contracted with California Assembly member's office conducted investigation. According to the California Code 261, sex crime is felony and punished by 4-8 years in prison and \$10000 fine.

Petitioner has accused repeated employment discrimination caused government employees' wrongdoings to the state agencies. However, California Department of Corporation et.al. refused to compensate petitioner's damages, losses, trauma, pain, suffering simply asked petitioner to move on.

Subsequently, Petitioner experienced continued sexual crimes (California PC 261) from Los Angeles District Attorney Mark F. Goldman, et.al. Due to sexual crime nature, Petitioner reported each of them to the police department and California Department of Justice sex crime unit. Petitioner hereby demand the court to punish each of sexual assault offenders for 4-8 years prison and \$10000 fine plus civil penalties referenced above. No-one is above the law and everyone is subject to the criminal prosecution. Due to the privacy, I will release the name and criminal activities of each sex offenders per court order.

On April 9, 2001, Monrovia court commissioner Michael Durfee made another wrongful judgment because of discrimination toward buyer. A local real estate agent never issued a

valid purchase contract to the petitioner according to the three owners on the Grant Deed. On February 21, 2001 Only 1 owner signed the counter offer of contract and never signed or initialed each page of the original purchase contract. Also, Petitioner physically observed the property which was not buildable (not a flat buildable land. Instead, it's a hill). Therefore, within applicable time, petitioner canceled the invalid purchase contract by asking \$3000 deposit back from escrow. The local real estate agent and escrow company refused to release deposit. Subsequently petitioner sued the named 3 owners and real estate agent for defrauding consumer and refuse to release deposit. According to the invalid purchase contract part 15 (A), "Buyer has 21 days from acceptance to complete all inspections, investigations, and review of documents and other applicable information, and to either disapprove in writing any items which are unacceptable to Buyer, or to remove the contingency associated with such disapproval right by the active or passive method. Also, according to purchase contract 15 (C) Cancellation of Sales/Escrow, Return of Deposits "If Buyer or Seller gives written Notice of Cancellation pursuant to rights duly exercised, the deposits less costs and fees applicable shall be returned to Buyer".

Because of severe discrimination, the Monrovia court commissioner made wrongful judgment which brought \$12490 monetary loss to Petitioner. Petitioner never brought any property damages to the Seller instead of take a look. Petitioner hereby is seeking three times of the monetary loss caused by the judge for \$37500 plus 20% interest (22 years) as well as all other related damages, losses, expenses due to side effects etc.

Because of judicial misconduct and discrimination, it caused \$17400 attorney fees to petitioner in State of California. None of the matter was resolved according to the Petitioner's requirement. Therefore, Petitioner filed an attorney-client fee dispute to the State Bar of California alleging over charged attorney fee because of both judges and attorneys' inability to perform job duties. Petitioner hereby demand State Bar of California to return Petitioner's principle \$17400 including 10% interest for 22 years.

Most recently, the County Tax Collector conspired with Dominion Energy/EDF Renewables continue to conduct financial crimes such as failure to refund overcharged tax \$2028.49 plus 20% interest for 18 years plus applicable penalties pursuant to California Revenue & Taxation Code 155.20, 170 and County Adopted Resolution 2005-524, 2009-061, Ordinance 4.24. Petitioner has filed Low Value Ordinance Tax Exemption requests to California Board of Equalizations since January 2019, 2020, April 2021, September 2022 and January 2023. However, the county tax collector never provided California R&T code regarding lawful requirement to pay tax bills. Also, the county tax collector failed to implement the California R&T code 155.20, 170 and County Board of Supervisor adopted Resolution, Ordinance. Petitioner never received any benefits from the subject county without receiving tax bills and tax payment receipts. Petitioner has paid tax in advance on September 13, 2022 and November 10, 2022 in order to avoid tax sale, however the county tax collector never apply tax payment and never removed overcharged tax toll after

receiving the five-tax payment checks in September and November 2022. I hereby demand the county tax collector to responsible for my property damages and health damages.

Dominion Energy Services Inc /co. EDF Renewables, a tenant located at 707 E. Main Street Richard Virginia failed to pay sufficient rent from August 2015 to current to conduct trespassing, financial crime, vandalism, breach contract, defrauding consumer. According to the served two comparable market rental rate, this company owed the rent \$50000 per year from 2015 to 2023 plus 10% interest (only paid \$3500 per year from 2015). Also, this company owed \$750 rent illegally cashed by State of Maryland Robin Weisse. In June 2020 and August 2022 Petitioner sent two market comparable analysis to Dominion Energy to adjust rent to sufficient rate based on the lease part 4.3. However, Dominion Energy never responded. On August 31, 2022 Petitioner brought unlawful detainer complaint to the county superior court for failure to pay sufficient rent and property damages, the company never answered petitioner's complaints. Due to property damages, disclosure of privacy, health damages such as anxiety, bad headaches, Petitioner is seeking monetary compensation and eviction.

### B (3) Federal Sector Equal Employment and Equal Pay Matter

From January 2005 to current, Petitioner applied about 200 federal jobs via USAJobs.gov. Petitioner also registered with SAM.gov as a federal contractor. Petitioner was eligible for GS-9/11 position's requirement since January 2005. From March 2005, Petitioner was interviewed and found eligible with U.S. Department of Health & Human Services (HHS) for the following positions (examples):

- (1) HHS-OS-2005-0382 GS-11 Financial Analyst;
- (2) HHS-OS-2005-0363 GS-13/14 Financial Management Specialist;
- (3) HHS-OS-2005-0322 GS-13 Program Analyst;
- (4) HHS-OS-2005-0437 GS-11/12/13 Program Analyst;
- (5) HHS-OS-2005-0413 GS-11 Equal Opportunity Specialist;
- (6) HHS-SMA-2006-0020 GS-11/12/13 Grants Management Specialist;
- (7) HHS-ACF-2006-0027 GS-9/11 Management & Program Analyst;
- (8) HHS-OS-2006-0188 GS11/12 Program Analyst;
- (9) HHS-ACF-2006-0028 GS-9/11/12 Program Specialist;
- (10) HHS-OS-2006-0085 GS-9/11/12 Program Specialist;
- (11) HHS-SMA-2006-2008 GS-11/12/13 Public Health Advisor;
- (12) HHS-SMA-2006-0014 GS-13 Public Health Advisor;



- (13) HHS-OS\_2008-0645 GS9/12 Program Analyst;
- (14) HHS-M-R9-2009-0007 GS9/12 Health Insurance Specialist;
- (15) HHS-OS-2009-0147 GS9/12 Management Analyst;
- (16) HHS-OS-2009-0151 GS9/11/12/13 Program Analyst;
- (17) HHS-OS-2009-0023 GS-9/11 Program Specialist;
- (18) CMS-OFM-DE-15-1280442 GS-0301-13 Special Assistant
- (19) CMS-CMCHO-DE-15-1278560 GS-0107-9 Health Insurance Specialist
- (20) FDA-CBER-15-DE-1283879-GP GS-0301-11 Regulatory Information Specialist
- (21) CMS-CCSQ-DE-15-1288106 GS-0107-13 Health Insurance Specialist
- (22) CMS-OL-DE-15-1305371 GS-0107-12 Health Insurance Specialist
- (23) CMS-MCHO-DE-15-1318353 GS-0107-13 Health Insurance Specialist
- (24) CMS-OL-DE-15-1303379 GS-0107-12 Health Insurance Specialist
- (25) CMS-CM-DE-15-1304195 GS-0107-13 Health Insurance Specialist
- (26) CMS-CMCS-DE-15-1275102 GS-0107-14 Health Insurance Specialist
- (27) CMS-CCSQ-DE-15-1281309 GS-0107-9/11/12 Health Insurance Specialist
- (28) CMS-CMCS-De-15-1268482 GS-0107-14 Health Insurance Specialist
- (29) CMS-FCHCO-DE-15-1324109 GS-0107-12 Health Insurance Specialist
- (30) CMS-CM-DE-15-1307171 GS-0107-9/11/12 Health Insurance Specialist
- (31) CMS-OFM-DE-15-1289034 GS-0510-9/11 Accountant
- (32) CMS-CMCHO-DE-15-1318378 GS-0501-9 Financial Management Specialist
- (33) CMS-CFMFFSO-DE-15-1325073 GS-0107-9 Health Insurance Specialist
- (34) CMS-OTS-DE-15-1295729 GS-0107-9/11/12 Health Insurance Specialist
- (35) CMS-CMHPO-DE-15-1283389 GS-0107-11/12 Health Insurance Specialist
- (36) CMS-CM-DE-15-1266136 GS-0110-9/11/12

Petitioner was not selected for any of the above position because of employment discrimination and prohibited employment practice. From March 18, 2011, Petitioner went through three hearings with U.S. Equal Employment Opportunity Commission (EEOC) based on race, color, national origin, sex (female), age, equal pay etc. EEOC hearing case #531-2013-00032X; 531-2015-0004X; 531-2016-00081X and 570-2022-01117X. EEOC Appeal case #0120113914. Agency case #HHS-OS-0046-2011 and EOI-2022-000320.

Due to age, equal pay discrimination, Petitioner lost competitive advantage because of spending 19 years' time to pursue federal employment. In February 2012, EEOC Office of Federal Operations remanded 18 best qualified positions, however U.S. Department of Health & Human services never resolved the subject employment matter.

Most recently Petitioner was found eligible for another three positions with U.S. Department of Justice because of non-selection by HHS.

(1) Vacancy Announcement number DE-11243215-21-VG Management & Program Analyst GS-0343- 9 /11

(2) Vacancy Announcement number DE-11276846-21-AS Executive Staff Assistance GS-0301-13 Job Series 0301

(3)22-SDCA-11624828-DE GS-0301-9/11 Administrative Services Specialist

Petitioner has completely reviewed the vacancy announcement requirements for the above referenced positions before submission. Petitioner fully qualify the above vacancy announcement requirements especially Management & Program Analyst position. First vacancy open to the public (U.S. Citizens) and career transition (CTAP, ICTAP, RPL), schedule A, Veterans. Second vacancy was NOT open to veteran only open to public (U.S. citizen), career transition (CTAP, ICTAP, RPL) and Schedule A. Petitioner qualify conditions of employment before closing date: You must be U.S. citizen or national. You must complete a background investigation, credit check, drug test. Selective service registration required as applicable. Probationary period will apply. May be required to file financial disclosure. Salary payment must be direct deposit to financial institution. Applicant must meet all eligibility and qualifications before vacancy announcement closing date. Must be fully vaccinated for COVID-19. Petitioner also meet the following minimum qualifications: For the GS-9 level Specialized experience: Performing studies/analysis on resources, personnel and /or program issues; Providing program management and administrative support to assigned programs for an organization; AND Offering recommendations for the planning and development of program objectives for new/expanded programs and missions. OR Education: Petitioner have successfully completed two master's graduate degrees (Master of Business Administration and Master of Administrative Science) from The University of Texas School of Management that demonstrates the knowledge, skills, and abilities necessary to do the work of the position. Such fields include personnel management, industrial relations, public administration, political science, business administration, psychology, labor relations or education. Complainant has submitted official transcripts for verification. OR Combination: Applicant must have a combination of successfully completed graduate education and experience described above that totals 100 percent when combined. For the GS-11 Level: Specialized experience: Advising operating officials and staff members on new or revised policies and procedures; Analyzing current or projected operating programs to evaluate effectiveness in meeting organizational goals and objectives; Providing recommendations for the planning and development of program objectives for new / expanded programs and

missions. OR Education: Applicant must have successfully completed a Ph.D. or equivalent doctoral degree or 3 full years of progressively higher-level graduate education leading to such a degree or LL.M that demonstrate the knowledge, skills, and abilities necessary to do the work of the position. Such fields include personnel management, industrial relations, public administration, political science, business administration, psychology, labor relations or education. Petitioner has submitted transcript for verification. OR Combination: Applicant must have a combination of successfully completed graduate education and experience described above that totals 100 percent when combined. Complainant also meet desired qualifications: Foreign Language; Immigration Law; LSAC member; Planning and Evaluating; Project Management; Research; Writing (See job Application submission on 11/5/2021). Petitioner has demonstrated to meet minimum qualifications requirements and application should be placed in one of three categories: Best Qualified; Highly Qualified; or qualified. Within these categories, applicants eligible for veteran's preference will receive selection priority over non-veteran preference eligible. On December 10, 2021 EOIR HR Specialist sent me an email "After completing a second review of your application package, it was found that the initial reviewer missed your transcripts provided for your MBA. They only saw the diploma, which we do not accept as documentation for education, we require transcripts. BUT, since I was able to find your transcripts, we have updated your application package to reflect eligible for the GS-9 grade level based off education. However, this announcement was open to All US Citizens; which for this type of announcement Preference Eligible Veterans receive preference for these positions by law. For this particular announcement there was a sufficient number of Preference Eligible Veterans that were qualified for the position at the GS-9 grade level, so only Preference Eligible Veterans in the top category were referred for this position. If the agency should exhaust its current list, additional applicants will be reviewed for referral and notified at that time. I hope that this email provides more clarification on the correction to your GS-9 status and as to why your application was not referred to the hiring manager."

On August 16, 2022 after I reviewed ROI from EEO investigator, Petitioner found out that EOIR hired a group of disabled people instead of veterans. Petitioner hereby submit this grievance to ask the court to investigate the agencies prohibited personnel practice (5 U.S.C.2302) such as failure to show proof of U.S. citizenship, proof of federal employment SF-50 OR accredited U.S. university master degree transcript, official proof of disability, proof of veteran from selectees to reflect best qualified per fair and transparent hiring policies. IF I were hired in 2011 or earlier, now I should be on mid management or executive level position.

On December 15, 2021 Complainant received a letter from OPM indicating GS-13 -0301: You are eligible for this series / specialty / grade combination. On August 16, 2022 after I reviewed ROI, I found out that EOIR hired two veterans for GS-13 executive staff assistant position. Please note that Veteran Recruitment Appointment Authority (VRA) only applies to GS-11 below position per 38 U.S.C. 4124. Also, this vacancy was not open to veterans.

Age Discrimination in Employment Act of 1967. At the time of state and federal employment matter starting in January 2003, Petitioner was about 32 years old. Due to employment discrimination and unfair hiring practice, complainant spent 20 years' time with both state and federal agencies by submitting more than 200 employment applications. Now Petitioner is over 50 years old who lost competitive advantage compared with EOIR selectees based on ROI. Petitioner hereby is asking the HR specialist and hiring official to responsible for their unfair hiring practice and prohibited personnel practice caused career damages, equal pay, time loss and all related damage, losses to petitioner.

The Equal Pay Act of 1963. Because of the above alleged unfair hiring practice and prohibited personnel practice, Petitioner never received fair compensation although Petitioner complete two master degrees, professional license & certificate from accredited university in the U.S. which equal to GS-9 or GS-11 level of federal working experience. As of 2023, the average salary for the MBA in the United States is \$125000 plus \$30000 bonus per year. Now government did not pay me anything including SNAP, Medicaid etc.

Title VII of Civil Rights Act of the 1964 (race, color, national origin, sex, etc.). Complainant was originally from China. Due to historic issues and newly created issues, complainant was discriminated against by HR specialist and hiring officials. Also, complainant is a female applicant who received extra hiring discrimination by selecting official to prevent female independence.

29 C.F.R. 1614.109 (i). *Decisions by administrative judges*. "Unless the administrative judge makes a written determination that good cause exists for extending the time for issuing a decision, an administrative judge shall issue a decision on the complaint, and shall order appropriate remedies and relief where discrimination is found, within 180 days of receipt by the administrative judge of the complaint file from the agency". Accordingly, the EEOC AJ Zachary Wright final order issued on April 10, 2023 was more than 180 days.

Prohibited Personnel Practice 5 U.S.C 2302 (b)(4): "deceive or willfully obstruct any person with respect to such person's right to compete for employment;". On December 6, 2021 EOIR HR Specialist intentionally used veteran priority as excuse to prevent petitioner to be on certification for job interview. U.S.C 2302 (b) (12) take or fail to take any other personnel action if the taking of or failure to take such action violates any law, rule, or regulation implementing, or directly concerning, the merit system principles contained " for failure to provide employment eligibilities and qualifications proof.

According to the ROI, EOIR hired two veterans at GS-13 level positions which disobey Veterans Recruitment Appointment (VRA) hiring authority and 38 U.S.C. 4124. The VRA authority permits any agency to appoint, without competition, a qualified and eligible veteran to any position at any grade level up to and including GS-11 or equivalent.

Petitioner hereby declare that the above corrected petition is true, correct and based on her best personal acknowledgement pursuant to the Supreme Court Correspondence issued on June 29, 2023 and July 10, 2023. Due to confidentiality, Petitioner request all the information provided above shall remain confidential per U.S. Supreme Court Rule 5.2.

## REASONS FOR GRANTING THE PETITION

**1. Pursuant to U.S. Supreme Court Rule 10.** Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:

(b)a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals;

Petitioner was completely case free and completely clear in her home country. However, Petitioner was repeatedly damaged in the United States by experiencing extremely unfair judgments with all listed cases above.

Example (1) In August 2018 and 2017, the illegal tax sale litigation with Maryland Circuit Court for Prince George's county May Chen v. FNA Maryland LLC (#CAL 18-27463) and FNA Maryland LLC v. May Chen (CAE 17-39047) had contradictory judgment. On one hand, Petitioner win default judgment \$1050 million plus 20% interest and criminal prosecution against FNA Maryland LLC and Prince George's county Maryland. On another hand, Prince George's county judge Ingrid Turner ruled in favor of FNA Maryland LLC although Benjamin Decker failed to appear on the court hearing.

Example (2) State of California Pomona Superior Court issued a restraining order against Petitioner because EOIR immigration judge initiated his personal matter (#KS011439) toward Petitioner without any proof showing his mental anguish. However, another Judge in Pomona Superior Court refused to issue a restraining order against crime offender Cristimar Macatangay (#KS013553).

Example (3) Prince George's County Maryland Circuit Court "Teresa & Stephen Micky" v. May Chen (Case 0502SP098652012) and Cross-Complaint "May Chen v. Teresa & Stephen Micky" (Case 0502SPXXXXXXXXXX) were decided extremely unfair.

**2.Pursuant to U.S. Supreme Court Rule 12.** "no more than 30 days after a case has been placed on the docket, a respondent seeking to file a conditional cross petition (i. e., a cross-petition that otherwise would be untimely) shall file, with proof of service as required by Rule 29, 40 copies of the cross-petition prepared as required by Rule 33.1, except that a cross-petitioner proceeding in forma pauperis under Rule 39 shall comply with Rule 12.2."

The subject Petition for a Writ of Certiorari was submitted to the Supreme Court of the United States on June 27, 2023 (40 pages) and Appendix was submitted on June 30, 2023 (1407 pages) pursuant to Supreme Court Rule 10, 12, 13, 14, 29.3, 39 within 90 days from the final judgment issued by U.S. Court of Appeals. Submissions were correctly prepared according to the court rules and served to the opposing parties within 3 days pursuant to Supreme Court Rule 29.3. Within 30 days which was July 31, 2023 Respondents et.al. never filed cross-petition pursuant to Supreme Court Rule 12.5.

**3.Pursuant to U.S. Supreme Court Rule 20.** Petition for an Extraordinary Writ, to justify the granting of any such writ, the petition must show that the writ will be in aid of the Court's appellate jurisdiction, that exceptional circumstances warrant the exercise of the Court's discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court.

From September 2013 to June 2023, Petitioner has brought her lawsuits to both state and federal courts to seek justice. Due to discrimination, unfairness, misapply laws, miscarry justice and repeated grievance from any other court or in any other form, all petitioner's court cases, complaints, claims to seek adequate relief were denied, closed and dismissed repeatedly regardless petitioner's motion, opposition, requests etc. Accordingly, petitioner continue to seek grant of petition by filing Petition for an Extraordinary Writ to the Supreme Court of the U.S.

**4.Courts Errors.** From District of Columbia, State of Maryland to State of California, about ten judges and ten police officers repeatedly and intentionally misapply law and abuse legal justice system because they do not want to acknowledge their fault. As such, petitioner experienced repeated and constant persecution and grievance state by state like COVID-19 virus.

(a) District of Columbia: Misapply Superior Court Rule 54-II, Ruel 4(c)(5), Rule 7, Rule 11, Rule 55, Rule 65; Court of Appeals Rule 31, 28, 33, 34; DC Code 21-521, 7-1231.08; DC official code 50-2303.11(g), 50-2303.5(a)(2) etc. Federal Rules of Civil Procedures 12, 55, 65; U.S. Court of Appeals Circuit Rule 31, 35, 36 and U.S. Supreme Court Rule 12 etc.

(b)State of Maryland. Federal Rules of Civil Procedures 12, 55, 65; U.S. Court of Appeals Circuit Rule 31, 35, 36 and U.S. Supreme Court Rule 12 etc.

(c)State of California. Federal Rules of Civil Procedures 12, 55, 65; U.S. Court of Appeals Circuit Rule 31, 35, 36 and U.S. Supreme Court Rule 12 etc.

(d)Failure to file court documents by the court clerk with no error from Petitioner/Plaintiff.

## CONCLUSION

The Petition for a Writ of Certiorari should be granted.

1. criminal prosecution against Respondent/Appellee/Defendants.
2. penalties \$11400000000 USD including 20% interest against Defendants.
3. Barring Notice, Injunction, criminal Restraining Order against Defendants.

Respectfully submitted,

*mc*

MAY CHEN (Petitioner)

Date: August 10, 2023