

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Talhitha Lynn Sorbel — PETITIONER
(Your Name)

VS.

S.D. Supreme Court — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

South Dakota Supreme Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

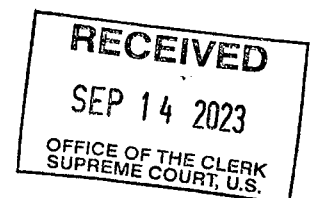
PETITION FOR WRIT OF CERTIORARI

Talhitha Lynn Sorbel
(Your Name)

2016 South Sycamore Ave Apt 4
(Address)

Sioux Falls, SD 57110
(City, State, Zip Code)

605-400-8370
(Phone Number)



QUESTION(S) PRESENTED

Why is no one allowing new evidence to be presented pertaining to my rehabilitative efforts in this case?

Why was an adoption granted without my due process?

Are my efforts and time spent with my ongoing treatment of mental health frivolous or is it worthwhile for reintegration of my family?

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APPENDIX E In re A.J.S and A.W.S., Order for termination of rights (South Dakota September 9th, 2022)

LIST OF PARTIES

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

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

South Dakota Supreme Court

Minnehaha County State's Attorney c/o Carrie Mees

South Dakota Department of Social Services
c/o Child Protective Services

RELATED CASES

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBERS

In the Matter of the Welfare of the Children of: C. E. N. and B. C. K., Parents. (Minn. 78-JV-21-28 Nov. 22, 2021).....ALL

Lassiter V Dept of Social Services, 452 U.S. 18 (1981).....ALL

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STATUTES AND RULES

14th Amendment
American Disability Act

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☐ For cases from **federal courts**:

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

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☐ is unpublished.

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

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

☒ For cases from **state courts**:

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

☒ reported at June 5th 2023; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Decision of Trial Court court appears at Appendix B to the petition and is

☒ reported at September 20th, 2022; 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 _____.

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

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

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

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

☒ For cases from **state courts**:

The date on which the highest state court decided my case was June 5, 23.
A copy of that decision appears at Appendix A.

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

American Disability Act
14th Amendment

STATEMENT OF THE CASE

Before I got with my ex-husband I took care of my oldest son alone for 5 years. Even after I got with my ex and we had a son together, I still took care of my 2 sons alone with no issues.

After my 3rd son was born my ex-husband made my life hell. My mental health declined and he got me addicted to drugs and alcohol. That is the reason Child Protective Services got involved. Not long after CPS got involved my ex-husband was arrested for 1st degree murder. I admitted to all my issues with drug alcohol, and my mental health, however he lied.

I continued to use for pretty much the entire first year CPS was involved. Finally in July '21 I went to treatment and got clean. I messed up 2 times after that but was finally able to get my boys back. I didn't have them a month before I got a DUI with them in the car. CPS took them back.

I got into Intense outpatient treatment right away and completed it. However I was never given the chance to get my boys back. Before trial I tested positive 2 times and that is what they used to terminate my rights. During the entire 2nd year I was in counseling, seeing my doctor for medicine, doing AA, and attending parenting classes but that didn't matter. There was a lot of evidence that I was unable to introduce at trial.

REASONS FOR GRANTING THE PETITION

Attached Doctor notes of progress

Attached Letters from treatment instructors

Attached Letters from Counselors

Attached Letters from those that have known me
and seen the change

I am fully sober and clean. Attend regular
counseling and doctor meetings.

Fully employed to be able to pay all my bills
alone and able to take full care of my children.

Violation of American Disabilities Act
Since I have a documented disability

New evidence that was never initially allowed
by court appointed counsel to be presented in
original filings.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Justicia L. Soebel

Date: August 5, 2023