

23-7842

ORIGINAL

SUPREME COURT OF THE UNITED STATES

Lateshia Patillo,

Petitioner

v.

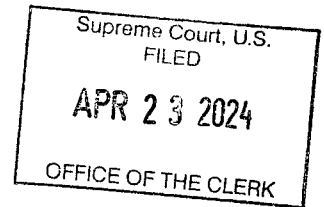
SUPERIOR COURT OF IOWA , FOR THE COUNTY OF SCOTT

Respondent

On Petition for a Writ of Certiorari to the
Supreme Court of Appeals of Iowa , District VII.

PETITION FOR A WRIT OF CERTIORARI

Lateshia Patillo, Petitioner
1478 Kaylann Drive
Le Claire, IA 52753
(T) 319-900-1990
Lkpatillo@icloud.com



QUESTIONS PRESENTED

1. Whether the Superior Court [toll]ing procedures of execution by its Order upon the termination day of the Petitioner's statutory duties, deprived the Citizen's constitutional right's of due process; for a meaningful opportunity to be heard, equal protections, and application(s) of injunctive relief- in discordance of 14th Amendment, resulting in substantive, imminent, and irreparable harm to the injured parties?
2. Whether the Superior Court's misinterpretation of law in its Order infringed upon its state Citizen's fundamental rights - in discordance to 14th Amendment by the ruling of a non , "final appealable order" that "Regarded" to a separate remedy of *inadequacy* characterized by the Lower Court's ruling of an separate petition?
3. Whether the Superior Court's certification of the Lower's Court's abuse of discretion in its ruling of an extraordinary writ to the District Court, resulted in a abuse of process to the state's constitutional statues- which abridged upon the state Citizen's Privileges and Immunities right's to file a future petition with access to its state(s) court(s) in violation of the 1st Amendment ?

LIST OF PARTIES

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:

TRIAL COURT PARTIES

PROTECTED PERSON- BRADFORD MATTHEWS, JR.

APPELLATE COURT PROCEEDINGS

APPELLEE -STATE OF IOWA -SEVENTH JUDICIAL DISTRICT COURT
OF IOWA

COUNSEL FOR THE APPELLEE – BRENNIA BIRD, STATE OF IOWA
OFFICE OF THE ATTORNEY GENERAL OF IOWA
HOOVER STATE OFFICE BUILDING
1305 E. WALNUT STREET
DES MOINES, IOWA 50319

RELATED CASES

PATILLO vs. IOWA DISTRICT COURT FOR SCOTT COUNTY,
Docket No. 24-0108

IN THE GUARDIANSHIP OF BRADFORD MATTHEWS, JR.,
Scott County No. GCPR082427

TABLE OF CONTENTS

QUESTIONS PRESENTED.....	i
LIST OF PARTIES.....	ii
TRIAL COURT PARTIES	ii
APPELLATE COURT PROCEEDINGS.....	ii
RELATED CASES.....	ii
INDEX TO APPENDICES.....	iv -v
TABLE OF AUTHORITIES CITED.....	v- x
OPINIONS BELOW.....	1
JURISDICTION.....	1
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED.....	1
STATEMENT OF THE CASE.....	2-21
REASONS FOR GRANTING THE WRIT.....	21-36

CONCLUSION.....	36-37
-----------------	-------

INDEX TO APPENDICES

APPENDIX A – Procedendo to (Plaintiff/Petitioner v. Defendant/Respondent, Order Regarding Filed Motion)

APPENDIX B- Order Supreme Court of Iowa

APPENDIX C – Proposed Order Granting or Denying Motion to Stay

APPENDIX D – Excerpt(s) from Emergency Application for Expedited Stay of Any and All Proceedings, Waiver of Supersedes Bond due to Extenuating Circumstances , or to the Alternative, Permission for Leave to File for Supersedes Bond, for Continued and Substantial Heightened Risks of Irreparable Harm for the Associated Party/Protected Person for Extenuating Circumstances Beyond Control of the Appellant

APPENDIX E – Order Regarding Motion

APPENDIX F- Excerpt(s) from Petition for Expedited Extraordinary Writ of Mandamus, Interlocutory Appeal In-Part for Appellee’s Order, & Injunctive Relief for Continued and Substantial Heightened Risks of Irreparable Harm for the Protected Person for which No Other Remedy is Available

APPENDIX G- Certified Amended Notice of Interlocutory Appeal In-Part of Order, and Writ

APPENDIX H- Amended Notice of Appeal of Interlocutory Appeal In-Part of Order, and Writ

APPENDIX I- Emergency Motion Stay of Proceedings

APPENDIX J - Certified Notice for Interlocutory Appeal In-Part Of Order,
and Writ

APPENDIX K - Notice of Interlocutory Appeal In- Part Of Order, and Writ

APPENDIX L- Order

APPENDIX M- Order for Recusal

APPENDIX N- Emergency Motion for Rule on Enforcement

Of Order to Ex- Parte Order for Emergency Appointment of Temporary
Guardian

APPENDIX O- Excerpt(s) from Emergency Motion for Recusal

APPENDIX P- Ex- Parte Order for Emergency Appointment of Temporary
Guardian

APPENDIX Q- Excerpt(s) from Petition for Emergency
Appointment Of Guardian

TABLE OF AUTHORITIES CITED

<u>CASES</u>	<u>PAGE(S)</u>
<i>S.S. v. McMuLLen,</i> <i>225 F.3d 960, 962 (2000)</i>	2
<i>G & V Lounge, Inc. v. Mich. Liquor Control Comm’n,</i> <i>23 F.3d 1071, 1079 (6th Cir., 1994)</i>	2
<i>Marbury v. Madison,</i> <i>5 U.S. 1 Cranch 137 (1803)</i>	2
<i>Palko v. Connecticut,</i> 302 U.S. 319 (1937)	2
<i>Henkin, supra note 5, at 77</i>	2

<i>Richardson Merrell, Inc. v. Koller</i> , 472 U.S. 424, 430-31 (1985)	2-3, 25
<i>Blinn v. Nelson</i> , at 222 U.S. 7 (1911)	3
<i>Duncan v. Louisiana</i> , 391 U.S. 145 (1968)	3
<i>Dobbs v. Jackson Women’s Health Organization</i> , 142 S. Ct. 2228 (2022)	3
<i>Marshall v. Jerrico</i> , 446 U.S. 238, 242 (1980)	3, 22, 31
<i>People for the Am. Way Found. v. U.S. Dept of Educ.</i> , 518 F. Supp. 2d 174, 177 (2007)	3
<i>Dickerson v. United States</i> , 530 Constitution. U.S. 428, 439 (2000)	21
<i>Cohens v. Virginia</i> , 19 U.S. (6 Wheat.) 264 (1821)	22
<i>Kenney v. Supreme Lodge</i> , 252 U. S. 411 (1920)	22
<i>Abbott v. Veasey</i> , 137 S. Ct. 612, 613 (2017)	22
<i>Aetna Life Ins. Co. v. LaVoie</i> , 475 U.S. 813 (1986)	22
<i>Carson U.Am. Brands, Inc.</i> , 450 U.S. 79, 83 (1981)	23
<i>City of Cleburne v. Cleburne Living Center, Inc.</i> , 473 U.S. 432 (1985)	23
50 UC Davis L. Rev. 1741 (2017)	24
<i>Withrow v. Larkin</i> , 421 U.S. 35, 47 (1975)	25
<i>Firestone Tire & Rubber Co. v. Risjord</i> , 101 S. Ct. 669, 673 (1981)	25
<i>Taylor vs. Sturgell</i> , 553 US 880 (2008)	25
<i>Sea-Land Services, Inc. v. Gaudet</i> , 414 U. S. 573, 594 (1974)	25-26

<i>New Hampshire v. Maine</i> , 532 U. S. 742, 748-749 (2001)	26
<i>Mullane v. Central Hanover Bank & Trust Co.</i> , 339 U.S. 306 (1950)	26, 36
<i>Vestal, Repetitive Litigation</i> , 45 IOWA L. REV.525 (1960)	26
<i>Vestal, Reactive Litigation</i> , 47 Iowa L. REV. 11 (1961)	26
<i>Ritzen Group, Inc. v. Jackson Masonry, LLC</i> , 589 U.S.No. 18-938 (2020)	26-27
<i>Spellens vs.Spellens</i> , 317 P.2d 613, 49 Cal. 2d. 210 (1957)	27
<i>Fed.. Prescription Serv., Inc. v. Am. Pharm. Ass'n</i> , 636 F.2d 755, 760- 61 (1980)	27
<i>In re Federal Facilities Trust</i> , 227 F.2d 651, 654-655 (1955)	28
<i>Providence Journal Co. v. FBI</i> , 595 F.2d 889, 890 (1st Cir., 1979)	28
<i>Angel v. Bullington</i> , 330 U.S. 183 (1947)	28
<i>Cheney v. United Distr. Court for D.C.</i> (2008)	29
<i>LaBuy v. Howes Leather Co.</i> , 352 U.S. 249 (1957)	29
<i>Milliken v. Meyer</i> , 311 U. S. 457 (1940)	29
<i>Plyler v. Doe</i> , 457 U. S. 202, 457 U. S. 216 (1982)	30
<i>Moore v. Dempsey</i> , 261 U.S. 86 (1923)	30
<i>Wolf v. Colorado</i> , 338 U.S. 25 (1949)	30
<i>In re 22 B.G.C.</i> , 496 N.W.2d 239, 241 (Iowa, 1992)	30-31
<i>Santi v.Santi</i> , 633 N.W.2d 312, 316 (Iowa, 2001)	31
<i>DeJonge v. Oregon</i> , 299 U.S. 353 (1937)	32
<i>Adamson v. California</i> , 332 U.S. 76 (1947)	32
<i>Gitlow v. New York</i> , 268 U.S. 652 (1925)	32

<i>Crandall vs. State of Nevada</i> , 73 U.S. 35 (1867)	33
<i>Fox v. Vice</i> , 131 S. Ct. 2205, 2211 (2011)	33
<i>Landgraf v. USI Film Products</i> , 511 U.S. 244 (1994)	33
<i>Schmidt v. Macco Construction Co.</i> , 119 Cal.App.2d 717, 721 (1953)	34
<i>In Re Guardianship of Williams</i> , 986 A.2d 559, 567 (2009)	34-35
<i>Marek v. Johnson</i> , 958 N.W.2d 172 (2021)	35
<i>Blackstock vs. Tatum</i> , 396 S.W.2d 463 (1965)	35
<i>Chang v. United States</i> , 327 F.3d 911, 925 (2003)	36
<i>Upchurch vs. Upchurch</i> , 122 N.C. App. 172, (N.C. Ct. App., 1996)	37
<i>Clark v. Village of Milan</i> , 847 F. Supp.409 (S.D.W)(Va.,1994)	37

STATUTES

U.S. CONST. AMEND. I

U.S. CONST. AMEND. XIV. § 1

SUPREME COURT RULES OF APPELLATE PROCEDURE

28 U.S.C. § 1257

28 U.S.C. § 1292(b)

MODEL CODE OF JUDICIAL CONDUCT

ABA CANON 2

IOWA RULES OF APPELLATE PROCEDURE

IOWA R. APP. SECT. 625A.9

IOWA R. APP.P.6.1101

IOWA R. APP.P.6.703

IOWA R. APP.P.6.1401

IOWA R.APP. P. 6.1003

IOWA R. APP.P. 1.1006

IOWA R. APP.P. 661.7

IOWA R. APP.P. 6.908

IOWA R. APP.P. 6.104

IOWA R. APP.P. 6.601

IOWA R. APP. P. 6.103

IOWA CODE OF CIVIL PROCEDURE

IOWA R. CIV. PRO 1.9.11(1)

IOWA CODE § 633.561

IOWA CODE § 633.562

IOWA CODE § 633.552

IOWA CODE § 633.569

IOWA CODE § 633.556

IOWA CODE § 626.7

IOWA CODE § 626.15

IOWA CODE § 626.1

IOWA CODE § 626.2

IOWA CODE § 626.12

IOWA CODE § 598.23

IOWA CODE § 602.611

IOWA CODE OF JUDICIAL CONDUCT

IOWA JUD.COND. 51.2.11*

IOWA JUD.COND. 51.2.6

IOWA CANON 2

IOWA CODE OF ELECTRIC PROCEDURE

IOWA ELECTRIC CODE PROCEDURE. 16.308 (2)(d)

OTHER AUTHORITIES

Christopher RJ Pace, " *The Disorderly Origin of 'Ordered Liberty', 'WHY THE DOBBS STANDARD FOR SUBSTANTIVE DUE PROCESS IS UNLIKELY TO ENDURE'*", www.Texasbar.com, last visited March 17th, 2024.

Benjamin Plenar Cover, "*The First to a Remedy*", University of Ohio College of Law (2017), www.digitalcommons.law.uidaho.edu, last visited April 5th, 2024

"*Letter from a Birmingham Jail [King, Jr.]*" (1963), African Studies Center, University of Pennsylvania, www.african.penn.edu, last visited April 14th, 2024

Devin, Dwyer, "*Chief Justice John Roberts defends Supreme Court's 'highest standards of conduct offers no new rules'*", www.abcnews.go.com, last visited April 22nd, 2024

OPINIONS BELOW

The opinion of the Supreme Court of Iowa to review the merits appears at Appendix B to the petition and is unpublished.

JURISDICTION

The date for which the Supreme Court of Iowa decided my case was January 25th, 2024 (Entry of Judgement).

A copy of that decision appears at Appendix B.

The jurisdiction of this Court is invoked under the following United States Codes; 28 U.S.C. § 1257 & U.S. § 1292(b).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Const. amend. I.-

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

U.S. Const. amend. XIV. § 1-

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

**STATEMENT OF CASE- AS ATTESTED IN PRIOR PROCEEDINGS
OF PETITIONS FOR EXPEDITED RELIEF & FOR CONTINUED
RISKS OF,IMMINENT,SUBSTANTIAL RISKS OF IRREPARABLE
HARM TO PROTECTED PARTIES AND EQUITABLE RELIEF FOR
FOR WHICH NO OTHER REMEDY WAS AVAILABLE ¶ S.S. v.
McMullen, 225 F.3d 960, 962 (8th Cir. 2000))**

A. STATEMENT OF CASE (PRESENT STATE) - (See *G & V Lounge, Inc. v. Mich. Liquor Control Comm n*, 23 F.3d 1071, 1079 (6th Cir. 1994) ("It is always in the public interest to prevent the violation of a party's constitutional rights."))

In Chief Justice Marshall dissenting opinion, *Marbury vs. Madison* (1803), the court established the precedent within the expansion of Supreme Court's jurisdictional authority for remedial reserve of unconstitutional grievances arising from government entities and/or its officers. More plainly stated the "very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury" and warned that a government cannot be called a "government of laws, and not of men . . . if the laws furnish no remedy for the violation of a vested legal right" *Marbury v. Madison*, 5 U.S. 1 Cranch 137 (1803). In light of Chief Marshall's clarification, this case would present a two-fold application to the principle. Foremost, this case is a vehicle that could clarify the national stance on conflicting opinions (see *Palko v. Connecticut*, 302 U.S. 319) (1937) as the ethical roadmap for the "incorporation" approach¹ as better suited principle for review than "ordered liberty"² to the deprivation of constitutional rights for "avoiding the impression of personal, ad hoc adjudication by every court which attempts to apply the vague contents and contours of 'ordered liberty' to every different case that comes before it" (*Henkin, supra note 5, at 77*). Secondly, as a sufficient tool to restore public integrity and confidence at the state level to privileges that would be deemed as "irretrievably lost"³ (*Richardson*

¹ ((See, e.g., *Duncan v. Louisiana*, 391 U.S. 145)(1968), Christopher RJ Pace, "The Disorderly Origin of 'Ordered Liberty', "WHY THE DOBBS STANDARD FOR SUBSTANTIVE DUE PROCESS IS UNLIKELY TO ENDURE", www.Texasbar.com, last visited March 17th, 2024.)

² *Id.*(*Dobbs v. Jackson Women's Health Organization*, 142 S. Ct. 2228)(2022) (see dissenting opinion of Justice Samuel Alito , "cataloged more than 200 different senses" of the term "liberty").

³ ((*Marshall v. Jerrico*, 446 U.S. 238, 242)(1980), citing "The Supreme Court has explained that the "neutrality requirement helps to guarantee that life, liberty, or property will not be taken on the basis of an erroneous or distorted conception of the facts or the law" and "preserves both the appearance and reality of fairness . . . by ensuring that no person will be deprived of his interests in the absence of a proceeding

Merrell, Inc. v. Koller, 472 U.S. 424, 430-31)(1985). The Petitioner invokes a statement of this case for a prayer of relief for serious, erroneous, regulatory procedures within due process³ in the judicial apprehension of the parties rights by the Superior court's prerogative writ as a inadequate remedy of process still exist thereafter corroborated applications for equitable relief in that; *"Now and then, an extraordinary case may turn up, but constitutional law, like other mortal contrivances, has to take some chances, and, in the great majority of instances, no doubt, justice will be done."* (*Blinn v. Nelson*, at 222 U. S. 7.)

B. STATEMENT OF CASE-(EXHAUSTIVE STATE OF JUDICIAL PROCEEDINGS)- .") ("A party does not necessarily have to make a strong showing with respect to the first factor (likelihood of success on the merits) if a strong showing is made as to the second factor (likelihood of irreparable harm)." *People for the Am. Way Found. v. U.S. Dept of Educ.*, 518 F. Supp. 2d 174, 177 (D.D.C. 2007).

The Protected Person , an incapacitated adult, age, 20, was to return from a visit on November 25th, 2023 from the Protected Person 's last known location in St. Ann, Missouri, to the Protected Person 's home state of Iowa , no later than November 27, 2023. The Petitioner had no made no prior applications for guardianship of the Protected Person. The Petitioner petitioned the Iowa District Court (APPENDIX Q) pursuant to Iowa section 633.552, on December 11th 2023 for an Emergency Appointment of Guardian corresponding testing, diagnosis; and an affidavit to the support of facts of extenuating circumstances.

The trial court granted the Petitioner an Ex- Parte Order for Emergency Appointment of Temporary Guardian without an court hearing on December 12th, 2023 pursuant to Iowa Section 633.569 (APPENDIX P). The trial court determined the *"necessity for appointment of Temporary Guardian to avoid immediate or irreparable harm for the Protected Person , and the basis of*

in which he may present his case with assurance that the arbiter is not predisposed to find against him.")

appointment guardian exist pursuant to Iowa Section 633.562.” The Order was set to terminate on January 11th, 2024.

From December 13th, 2023 , the Petitioner attested to substantial extenuating circumstances which prevented the Petitioner from exercising her limited powers without court approval as affidavited consecutively by the Petitioner to the Iowa District Court. The Petitioner petitioned the Iowa District Court (3) times with the concise cause of action(s) to the extenuating circumstances to seek expedited equitable relief for the delay of due process for the Petitioner and substantial and heightened risks of irreparable harm for the Protected Person.

The Petitioner affidavited the first cause of action to the following extenuating circumstances of exercising her limited powers entrusted by the district court without court approval in which Petitioner filed an Emergency Motion for Recusal (APPENDIX 0) pursuant to Iowa Jud. Code.51:2.11 to the Iowa District Court on 2023-12-26 15:33:30.0 in accordance to the event(s) of occurrences between December 13th, 2023 to December 15th, 2023 , including, but limited to the following therein the Petitioner ’s Motion for Recusal (see Appendix O);

“ In order to incorporate a peaceful transition of Bradford Matthews, Jr. for release to the Guardian so that she can transport, the incapacitated adult, back to his home state of Iowa for immediate medication management treatment /subsequent emergent care if applicable, regarding the health , welfare, and to eliminate/decrease the the threat of irreparable harm for which the Temporary Guardian established 1478 Kaylann Drive, Le Claire, IA, 52753 for Bradford Matthews , Jr as the permanent and prior residence”

The Petitioner executed her limited powers to which she was entrusted by the Iowa District Court for which the Petitioner drove to the Bridgeton, Missouri Police Department as the municipality of the jurisdiction of the last known location of the protected person for the Petitioner attested the following occurred;

I. Reasonably Questionable Judicial Decision made outside court proceedings, obstruction of justice of government official, direct obstruction of limited duties to the temporary guardian, and of intentional disobedience for the Protected Person in accordance to prior and current substantial risks of the protected person's farther, attested therein the Emergency Motion for Recusal. The Petitioner was initially approved for assistance to the Order from the Supervisor at that Bridgeton Police Department for which the Petitioner gave an Officer on light duty the Ex-Parte Order of Appointment of Emergency Guardian, and awaited approval, prior to Officers being dispatched to the last known location of the Protected Person. The Petitioner didn't meet directly with the Supervisor, but the Officer did return, for which he stated the Petitioner's request was approved for which Officers were dispatched to the location. Alternatively, upon the immediate arrival of Supervising Officer Lienhart, Badge # 146 at the last known location, Officer Lienhart determined the municipality wouldn't be assisting the Petitioner because, "*The Order was from Iowa*". When

the Petitioner questioned the prior approval of a Supervisor before dispatch to last known location of Bradford Matthews, Jr, the Supervising Officer Lienhart, stated therein;

"Light-duty officer didn't know what he was talking about, he was the Supervisor." He then proceeded to state *"I am telling you now, we will not be removing the individual"*, and the officer intervened with judicial proceedings of the Limited Powers of the Petitioner for which the Department made the decision in its obstruction of justice for the Protected Person for which Supervising Officer Lienhart decided; *"He doesn't have to go because this Order is from Iowa."*

The governing officials had yet to make contact with the Protected person. The Petitioner did give a copy of the Order for which the officers took inside the last known location of the protected person (see Appendix P). The Petitioner wasn't permitted to have any contact or was given a status check of the Protected Person. As a result of the controversy, the Petitioner requested an emergent on-site Superior via emergency services for which dialed 911, but was told a Supervisor "would call the Petitioner back." The Petitioner called her residential municipally out of extreme caution during the controversy. The Petitioner did call the municipally of the last location of the Respondent from a safe location for which the Petitioner was ridiculed of her character while she requested initial municipality assistance for associated risks, including, but not limited to; the history of physical and

verbal abuse to the Petitioner and that of her household. To the contrary, The Petitioner provided the Iowa District Court therein the irreparable risks Emergency Motion for Appointment of Guardian (see Appendix P) to the ongoing verbal abuse, and the continued & sexual harassment from 2008 (see Appendix O) for which the Petitioner has endured, and it's direct/indirect presence of the Protected Person.

II. The Petitioner returned to the Bridgeton Police Department for which she met with an Detective Loveall and Officer Wooten as affidavited with exhibits therein her Emergency Motion for Recusal (see Appendix O);

"Wherefore, the Temporary Guardian brings forth following matter to the attention of the Court for which Officer Wooten's statement of "character", the Guardian reframed from all matters for which she has brought to thus said court to prevent an continuous obstruction of miscarriage of justice and deescalation of conflict , but reiterated the powers she was entrusted by thus said court regarding the decision making for Bradford Matthews, Jr. Officer Chancy Wooten claimed he wasn't made aware of the Limited Powers of the Temporary Guardian from the onsite government official's at the last known location for Bradford Matthews, Jr. for which the Guardian requested to bring the return to the Bridgeton Police Department for which Officer Wooten agreed. Consequently, upon the Temporary Guardian's return , Officer Wooten and Detective Loveall, met with the Temporary Guardian, but proceeded to interrogate the Temporary Guardian about the circumstances on how the Guardianship was obtained, the mental status and impairments of Bradford Matthews's Jr. as the governing officials's "problems" for which they had with the validity of the Ex-Parte Order for Emergency Appointment of Temporary Guardian for which the governing officials not only undermined the mental status of the Bradford Matthews, Jr. for which they stated he was a "20 year old adult with a sound mind", but for which the governing officials intervened in the judicial proceedings in its obstruction of justice for which Detective Lovelace stated he would be "calling the Judge" to inquire of her Judicial decision for which he stated his officers "accessed" the situation and "it appeared" to be "normal". As such, the Temporary Guardian filed a subsequent Complaint for the disparate treatment received from all

associated governing officials as the Temporary Guardian was also told by both Officer Lovelace and Wooten that we they could “work together”, but it is/was unclear as to why the validity of the order was being “checked” with the issuing judge for which the Guardian was immediately subjected to unanticipated hotel costs/expenses, although the Limited Powers of the Temporary Guardian was listed on the Ex-Parte Order for Emergency Appointment of Guardian (see Ex-Parte Order for Emergency Appointment of Temporary Guardian). Nevertheless, the Temporary Guardian was cooperative, but had extreme concerns with the emergent matter and the execution/delays for which the Temporary Guardian couldn’t prevent against as listed in her Complaint to the City Attorney Mayor, and Prosecuting Attorney’s for Bridgeton, Mo against the governing officials continuous attempt(s) in its obstruction of justice under Case# GCPR082427 for which Detective Lovelace was listed as an Offending Party in the Temporary Guardian’s Complaint and for which they praised Officer Conway for his ability to enter, Bradford Matthews, Sr. residence of the last known location for Bradford Matthews, Jr. for which the Bradford Matthews, Jr. was not released to the Temporary Guardian nor which she given any details of the welfare/safety of Bradford Matthew’s, Jr., although Detective Lovelace and Officer Wooten reported officers stated the situation “didn’t look to be emergent”.

- III. Detective Loveall of the Bridgeton Police Department had inadvertently admitted to his intervention in it’s Obstruction of Justice in the judicial proceedings under Case# GCPR082427 for which he called the Petitioner at approximately 09:13 am on December 14, 2023 and attested to alternative reason as to why the Department wouldn’t be able to assist the Petitioner because it was considered a “civil matter” , but attested for he attested to the level of Obstruction of Justice and claims of a reasonably questionable Judicial Decision in that he stated he “was able to speak with Judge Tamra Roberts in her chambers about the Case and a HEARING that would be scheduled, and then at said time she could Enforce the Order or do a Contempt of

Court” thus resulting in “non-emergent” reasonably questionable Judicial Decision of a pleading for which the Petitioner was to file an Emergency Order for Enforcement Order for Intentional Disobedience for no fault of Bradford Matthews, Jr. due to the same said current provisions for which the Court issued an Ex-Parte Order for Emergency Appointment of Temporary Guardian.

IV. The Petitioner became known thereafter to the level of extent the district court’s reasonably questionable judicial decision and obstruction of justice for the governing official for which the Petitioner affidavited with exhibits stated therein her Emergency Motion for Recusal (see Appendix O);

“However; the level of extent of intervenence in the Judicial Decision under Case# GCPR082427 on behalf of the Detective Loveall, became known to the Temporary Guardian at approximately, 10:15 am on December 15th, 2023 for which the Detective Loveall, returned an incoming call to the Temporary Guardian for which not only inadvertently attested to intervenence of judicial proceedings and the level of extent in the questionable Judicial Decision in thus said Motion for Recusal, but Detective Lovelace stated “From the way she (the Honorable Tamra Roberts) was talking to him , he was sure that she would be scheduling a HEARING before any Enforcement Orders.” Detective Loveall also stated he informed of this same statement of the reasonably questionable Judicial Decision to Bradford Matthews, Sr. 30 minutes prior via phone before calling as Detective Loveall reiterated that his direct obstruction of justice for which he stated “I told his Dad as I told you, “We can’t make him go” and then Detective Loveall decided outside of the Guardian’s request , “He doesn’t have to go”, thus contributing to Intentional Disobedience of the Order to the Ex Parte Order for Appointment for Temporary Guardian for against the Guardian’s request for which the Temporary Guardian decided to have Bradford Matthews, Jr released from the last known local in accordance to the Limited Powers to which thus said court has entrusted to her on behalf of Bradford Matthew’s, Jr. As a result of the Intentional Disobedience of Bradford Matthews, Jr. thus said Ex- Parte Order for Appointment of Temporary Guardian , contributed by obstruction of justice from Detective Loveall, and Bradford Matthews, Sr. marked by a

reasonable questionable Judicial Decision and public statement(s) made outside of Judicial Proceedings of Case # GCPR082427, of the said Court for which the Court considered the emergency appointment of Lateshia Patillo , for which the , Court determined “The court finds that there is not sufficient time to file a petition and hold a hearing under Iowa Code section 633.552, that the appointment of a temporary guardian is necessary to avoid immediate or irreparable harm to BRADFORD MATTHEWS, JR., and that there is reason to believe that the basis for appointment of a guardian exists under Iowa Code section 633.552” has resulted in the extreme non- likelihood for which Bradford Matthews, Jr. release for which the Temporary Guardian texted Bradford Matthews, Jr and Bradford Matthews. Sr. thereafter being made known of the extent; to “Please let me know when Bradford Matthews, Jr. is ready for pickup” thereafter on Friday, December 15th, 2023 at approximately, 10:56 am for which the Guardian didn’t receive a response to her request.”

The Petitioner wasn’t made known until December 29th, 2023 at 11:19 am to the administrative deficiency of her Emergency Motion for Recusal for correction pursuant Iowa Electric Code Procedure 16.308 (2)(d) subparts of the proceeding filed faced down. The trial court then issued a rescinded notice to the pleading on December 29th, at 11:19 am. The Petitioner refiled the Emergency Motion for Recusal on **2023-12-29 16:03:44.0**. The Iowa District Court accepted the pleading on January 2nd, 2024.

Thereafter; the Petitioner affidavited with exhibits and support of facts to the second cause of action for which she filed an Emergency Motion for Rule on Enforcement of Order to Ex-Parte Order for Emergency appointment of Temporary Guardian (APPENDIX N) pursuant to Iowa Section 626.1, 626.2, 626.7, 626.12, 626.15, 598.23 timestamped to the Iowa District Court on **2024-01-02 16:22:14.0**, accepted by district court , January 4th, 1:57 p.m. to the including, but not limited to; continued and immediate substantial

heightened risks of the Protected Person, extenuating circumstances, and requested necessitated relief of prior to ruling on Emergency Motion for Recusal due to substantial and heightened risks of the Protected Person and Equitable Relief of the Petitioner as therein the motion (see Appendix N);

“Wherefore; the Petitioner brings forth, her Emergency Motion for Rule on Enforcement of Order to Ex Parte Order for Emergency Appointment of Temporary Guardian and for her requests) for emergent execution to the enforcement of the Ex-Parte Order of Emergency Appointment of Temporary Guardian for which Respondent immediate compliance from the Respondent who has had an opportunity to be heard in his intentional disobedience and resistance to the Ex-Parte Order of Emergency Appointment of Guardian and for the Petitioner's request of facilitated, safe, transport of the Respondent, Bradford Matthews, Jr. to the permanent residential address of the of the Respondent in the home state of low to be released to the Temporary Guardian who was granted the Limited Powers to address the substantial and immediate risks of irreparable harm to the Respondent, for treatment to his safety, welfare, and health for the execution of Limited Powers granted to the Temporary Guardian as an alternative to court hearings and proceedings of Contempt of compliance for the Respondent to adhere and for any all equitable relief for which the Temporary Guardian to decide within the Limited Powers of the Temporary Guardianship.”

The Iowa District Court was absent of a ruling during the judicial proceedings to the motion filed by the Petitioner for expedited relief in the Emergency Motion for Rule on Enforcement of Order to Ex-Parte Order for Emergency appointment of Temporary Guardian, with affidavit of support, timestamped 2024-01-02 16:22:14.0, accepted by district court, January 4th, 1:57 , pm (see Appendix N).

The Petitioner filed a third cause of action to the Iowa District Court for an Emergency Motion for Continuance to Ex-Parte Order for Emergency Appointment of Temporary Guardian pursuant to Iowa Section Iowa R. Civ.

Pro 1.9.11(1), 626.1, 626.2, 626.7, 626.12, 626.15, 598.23, 663.569, 663.562, for an emergency application of extension of the Ex-Parte Order for Emergency Appointment of Temporary Guardian which is to be timestamped, 2024-01-10 00:51:37.0. and accepted by the district court on January 10th, 9:51, am prior to ruling on Emergency Motion for Recusal for which the Petitioner re-attested to substantial and heightened risks of the Protected Person and equitable relief of the Petitioner. In the conjunction, the Petitioner attested to the basis of the motion in the district court delay and to protect the civil liberties of the Protected Person, and for any or all equitable relief to which the Petitioner would be entitled in that the Petitioner stated therein its motion;

“Consequently, the Petitioner does bring this Emergency Motion for Continuance to the Ex-Parte Order for Emergency Appointment of Guardian without undue delay or neglect to the Limited Powers to which the Temporary Guardian was granted on December 12th, 2023 for which Petitioner has previous emergent applications to said Court regarding the extenuating circumstances and challenges the Temporary Guardian experienced and will to continue to experience directly/indirectly regarding the immediate execution of Limited Powers from December 13th, 2023 and continuing in the presence of Bradford Matthews, Jr, Protected Person, for which risks of irreparable harm still exist and including, but not limited to- heightened and imminent irreparable harm and danger should the Ex-Parte Order for Emergency Appointment terminate on January 11th, 2024. As such, the Temporary Guardian has incurred extenuating circumstances to the Limited Powers for which Bradford Matthews, Jr and the Temporary Guardian would be entitled to equitable relief and for the injustices that has jeopardized the safety, health, welfare, educational initial plans for Bradford Matthews, Jr. and has placed the Temporary Guardian at imminent risks of irreparable direct harm in her attempts to exercise the Limited Powers on behalf of Bradford Matthews, Jr. As such, Bradford Matthews, Jr. , Respondent, is unable to decide on the basis on this motion for adequate agreement or opposition to this Motion for which the Petitioner applies for its

waiver to the Court as a result of the extraordinary procedures of imminent risks of irreparable harm which still exist.

“As such; the Petitioner requests a extension of continuance no later than 72 hours following the latest of Court's ruling to the Emergency Motion to Recusal (see Emergency Motion for Recusal \ or to the alternative Emergency Motion for Rule of Enforcement of Order to Ex-Parte Appointment for Emergency Appointment of Temporary Guardian (see Emergency Motion for Rule of Enforcement or Order to Ex- Parte Appointment for Emergency Appointment of Temporary Guardian) for which the Temporary Guardian is experiencing a subsequential delay to her emergent applications (id.)

The Iowa District Court notified the Petitioner on January 10th, 2023 with a ruling to the electronic record for an Order For Recusal(APPENDIX M) with a backdated order electronically signed on 2024-01-09 14:49:43.

The Iowa District Court was absent of a ruling during the judicial proceedings to the motion filed by the Petitioner for expedited relief in the Emergency Motion for Rule on Enforcement of Order to Ex-Parte Order for Emergency Appointment of Temporary Guardian, with affidavit of support, timestamped 2024-01-02 16:22:14.0 accepted by district court , January 4th, 1:57 , pm.

The Reassigned judge, Judge Thomas Riedel , within the judicial district, for which the Petitioner filed the Emergency Motion for Recusal pursuant to Iowa Jud. Code .51:2.11 filed on 2023-12-29 16:03:44.0 to which she electronically docketed as a Change of Venue, extended the Petitioner 's Ex Parte Emergency Appointment of Temporary Guardian until January 25th, 2024 (Appendix L) to the Ex Parte Order for Emergency Appointment of Temporary Guardian with an injunctive ruling in accordance to proceedings

for Iowa Probate Code 633.561; Appointment of an Attorney (see Appendix L).

The Reassigned Judge, didn't render an ruling to Motion filed by the Petitioner for Expedited Relief to the EMERGENCY MOTION FOR RULE ON ENFORCEMENT OF ORDER TO EX-PARTE ORDER FOR EMERGENCY APPOINTMENT OF TEMPORARY GUARDIAN WITH affidavit to Support of Facts, timestamped on 2024-01-02 16:22:14.0,

accepted by the district court , JANUARY 4TH, 1:57 , PM (see Appendix

Thereafter, the Petitioner notified the Iowa District Court for her application of expedited injunctive relief pursuant to Iowa Rule 6.1401 for appellate review for which she asserted to adversarial rulings and Orders therein her Notice of Appeal Of Interlocutory Appeal In- Part of Order, And Writ (APPENDIX K) timestamped on 2024-01-18 07:45:05.0, and accepted by the district court, January 18th, 2024 at 9:10 am.

The Petitioner filed a certified copy of the timestamped Notice of Appeal Of Interlocutory Appeal In- Part of Order, And Writ with the Supreme Court of Iowa (APPENDIX J) timestamped on 2024-01-18 08:46:32.0 and accepted by the superior court on , January 18th, 2024 at 3:00 pm.

The Petitioner filed a Emergency Motion for Stay of proceedings with the Iowa District Court pursuant to Iowa R.Civ.P. 1.1006

timestamped on 2024-01-18 08:55:32.0 and accepted by the district court on January 18th, 2024 at 9:13 am (APPENDIX I). Therein the Motion, the Petitioner attested to the following equitable relief (see Appendix I);

“The Temporary Guardian does hereby request a stay until an Appellate decision is reached to the above proceedings not for undue delay to the District Court Proceedings in its respective rulings and proceedings, but for all adverse rulings and Orders inhering therein to the Equitable Relief to which the Temporary Guardian has made an application to the discretion of the Due Process of rights for which she has been subjected to delay in her fiduciary duties, and for the Respondent may be entitled as a result of delaying of equal protections.

Dated this the 18th day of January 2024.”

Sua Sponte; the Petitioner amended her Notice of Appeal Of Interlocutory Appeal In- Part of Order, And Writ to correct a date of error timestamped on 2024-01-18 10:05:50.0 and accepted by the Iowa District Court on January 18th, 2024 at 11:41 am (APPENDIX H)

The Petitioner filed the certified copy of the Amended Notice of Interlocutory Appeal In-Part of Order, And Writ (APPENDIX G) , Motion for Waiver for Court Costs pursuant to Iowa R. App. 6.703 for indigence, PETITION FOR EXPEDITED EXTRAORDINARY WRIT OF MANDAMUS, INTERLOCUTORY APPEAL IN-PART FOR APPELLEE’S ORDER, & INJUNCTIVE RELIEF FOR CONTINUED AND SUBSTANTIAL HEIGHTENED RISKS OF IRREPARABLE HARM FOR THE PROTECTED PERSON FOR WHICH NO OTHER REMEDY IS AVAILABLE pursuant to the U.S. Const.amend. XIV. § 1

IOWA RULES OF APPELLATE PROCEDURE

IOWA R.APP.P.6.1101
IOWA R. APP.P.6.1003
IOWA R. APP.P.6.1002
IOWA R. APP.P.6.1007
IOWA R. APP.P. 661.7
IOWA R. APP.6.908
IOWA R. APP.P. 6.104

OTHER AUTHORITIES

Iowa Code § 633.561
Iowa Code § 633.562
Iowa Code § 602.611
Iowa Code § 633.552
Iowa Code § 633.569
Iowa Code § 633.556

IOWA JUD. CODE.51: 2.11

IOWA CODE JUD.COND. 51.2.6

IOWA CANON 2 , cited therein the Petition and Interlocutory Appeal

(APPENDIX F) in the Supreme Court of Iowa ,Filing ID: 334759,

timestamped **2024-01-18 14:59:18.0**, and accepted by the appellate court as

one document on January 19th, 2024 at 3:48 pm as Case: 24-0108. The

Petitioner attested to following pending motion(s) of fudicated rights and

equitable relief sought therein the Petition and Interlocutory Appeal with

exhibits (see Appendix F);

**“PENDING MOTION AND STATEMENT FOR EXPEDITED MANDAMUS
RELIEF:**

- 1. EMERGENCY MOTION FOR RULE ON ENFORCEMENT OF
ORDER TO EX-PARTE ORDER FOR EMERGENCY
APPOINTMENT OF TEMPORARY GUARDIAN** with affidavit of
support of facts, timestamped as e-filed by the Petitioner on **2024-01-02
16:22:14.0** accepted by Appellee , January 4th, 1:57 , pm -the Petitioner

petition the court for expedited relief to avoid continued and substantial heightened risks of irreparable harm to Protected Person and equitable relief for the Petitioner for which no other remedy is available-

**PETITION FOR EXPEDITED INTERLOCUTORY APPELLATE REVIEW
IN- PART APPELLEE'S ORDER AND STATEMENT:**

ORDER- EFILED GCPR082427 - 2024 JAN 11 01:40 -the reassigned trial judge, in the Appellee's discretion, granted the Petitioner's emergency motion for continuance on January 11th, 2023 to the Ex Parte Order for Emergency Appointment of Guardian with an injunctive ruling for the Petitioner in according to proceedings for Iowa Probate Code 633.561. Alternatively, the Appellee was originally appointed the with equitable relief to the Ex Parte Order for Emergency Appointment of Guardian for Iowa Probate Code 633.562 of ruling on December 12th, 2023."

The Supreme Court of Iowa was absent of a ruling filed by the Petitioner for interlocutory and injunctive relief to the EXPEDITED EXTRAORDINARY WRIT OF MANDAMUS, INTERLOCUTORY APPEAL IN-PART FOR APPELLEE'S ORDER, & INJUNCTIVE RELIEF FOR CONTINUED AND SUBSTANTIAL HEIGHTENED RISKS OF IRREPARABLE HARM FOR THE PROTECTED PERSON FOR WHICH NO OTHER REMEDY IS AVAILABLE timestamped 2024-01-18 14:59:18.0 as docketed by the Supreme Court to Case No. 24-0108 on January 19th, 3:48 PM.

Wherefore; the Petitioner applied to the Supreme Court of Iowa, for expedited , injunctive, equitable relief to the district's judicial proceedings and to the stay date of the fudicated duties expiration pursuant to Iowa Code R.App.6.104, Iowa Rule App.1.1006, and for said Supersedes Bond and Waiver of associated costs to secure the Supersedes bond pursuant to Iowa Code R.App. Sect.625A.9, on January 25th, 2024 stated therein the EMERGENCY APPLICATION FOR EXPEDITED STAY OF ANY AND ALL

PROCEEDINGS, WAIVER OF SUPERSEDES BOND DUE TO
EXTENUATING CIRCUMSTANCES , OR TO THE ALTERNATIVE,
PERMISSION FOR LEAVE TO FILE FOR SUPERSEDES BOND, FOR
CONTINUED AND SUBSTANTIAL HEIGHTENED RISKS OF
IRREPARABLE HARM FOR THE ASSOCIATED PARTY/PROTECTED
PERSON FOR EXTENUATING CIRCUMSTANCES BEYOND CONTROL
OF THE APPELLANT (APPENDIX D) with supporting exhibits, time-
stamped as e-filed by the Petitioner on

01-24-2024:10:53:36.

The clerk of the Supreme Court rejected the foregoing pleading due to the
attached Proposed Order granting or denying the Motion to Stay pursuant to
Iowa. R. App. 6.601, Iowa Code R.App. Sect.625A.9, and Iowa Rule
App.1.1006 (APPENDIX C) for it was asserted that proposed Orders aren't
applicable under appellate review, timestamped, by the Iowa Supreme Court
as a rejection at January 24th, 2024 at 11:07 AM.

Thereafter the Petitioner refiled with the Supreme Court of Iowa
EMERGENCY APPLICATION FOR EXPEDITED STAY OF ANY AND ALL
PROCEEDINGS, WAIVER OF SUPERSEDES BOND DUE TO
EXTENUATING CIRCUMSTANCES , OR TO THE ALTERNATIVE,
PERMISSION FOR LEAVE TO FILE FOR SUPERSEDES BOND, FOR
CONTINUED AND SUBSTANTIAL HEIGHTENED RISKS OF
IRREPARABLE HARM FOR THE ASSOCIATED PARTY/PROTECTED

PERSON FOR EXTENUATING CIRCUMSTANCES BEYOND CONTROL
OF THE APPELLANT with supporting exhibits, time-stamped as e-filed by
the Petitioner accepted by Clerk at appellate court on 2024-01-24 11:24:04.0

The Supreme Court of Iowa was absent of a ruling filed by the Petitioner for
EMERGENCY APPLICATION FOR EXPEDITED STAY OF ANY AND ALL
PROCEEDINGS, WAIVER OF SUPERSEDES BOND DUE TO
EXTENUATING CIRCUMSTANCES , OR TO THE ALTERNATIVE,
PERMISSION FOR LEAVE TO FILE FOR SUPERSEDES BOND, FOR
CONTINUED AND SUBSTANTIAL HEIGHTENED RISKS OF
IRREPARABLE HARM FOR THE ASSOCIATED PARTY/PROTECTED
PERSON FOR EXTENUATING CIRCUMSTANCES BEYOND CONTROL
OF THE APPELLANT accepted by Clerk at appellate court on 2024-01-24
11:24:04.0

The Supreme Court of Iowa was denied interlocutory injunction to
INTERLOCUTORY APPEAL IN-PART FOR APPELLEE'S ORDER, &
INJUNCTIVE RELIEF FOR CONTINUED AND SUBSTANTIAL
HEIGHTENED RISKS OF IRREPARABLE HARM FOR THE PROTECTED
PERSON FOR WHICH NO OTHER REMEDY IS AVAILABLE timestamped
2024-01-18 14:59:18.0 as docketed by the Supreme Court to Case No. 24-
0108 on January 19th, 3:48 PM pursuant to Iowa. R. App. 6.103.
Magistrate Thomas D. Waterman of The Supreme Court of Iowa, notified the
Petitioner to the single-panel ruling electronically for which the Magistrate

submitted the Order (Appendix B) on January 25th, 2024 at 7:40 am CST. As such, reflected therein the Order for which copies were fudicated directly by the court to the Protected Person-and within the timeframe of the ministerial rights of the Petitioner- as signed by the appellate court on 2024-01-24 17:17:20.

Therein the appellate court's Order; the following ruling was docketed to Case No.24-0108 (see Appendix B)

"This matter comes before the court upon the plaintiff's notice of appeal, petition for writ of mandamus, and application for interlocutory appeal. The plaintiff has also filed a motion for stay and requests waiver of the appellate filing fee. Upon consideration, the court determines there has not been a final, appealable order filed by the district court. See Iowa R. App. P. 6.103(1) (providing all final orders and judgment of the district court may be appealed). As such, the court treats the notice of appeal as an application for interlocutory appeal, along with the application for interlocutory appeal, and denies the appeal. The petition for writ of mandamus is refused. The appellate filing fee is waived.

Copies to:

*Matthews, Jr Jr., Bradford
11305 Cypress Village Dr Apt 2 Saint Ann, MO 63074*

Iowa District Court Scott County

*Lateshia Patillo
1478 Kaylann Drive Le Claire,
IA 52753*

Scott County Clerk of Court"

The Supreme Court of Iowa refused the Petitioner an hearing on the petition for EXPEDITED EXTRAORDINARY WRIT OF MANDAMUS. timestamped

2024-01-18 14:59:18.0 as docketed by the Supreme Court to Case No. 24-0108 on January 19th, 3:48 PM.

Donna M. Humpal, Clerk in the Supreme Court of Iowa, notified the Petitioner on February 19th, 2024 of an prerogative writ for a PROCEDENDO docketed electronically in Case No. 24-0108, as stated therein the ruling for directives of the Seventh Judicial District Court proceedings (see Appendix A):

*“To the Iowa District Court for the County of Scott :
Whereas, there was an appeal from the district court in the above-captioned case to the supreme court. The appeal is now concluded.
Therefore, you are hereby “directed to proceed” with diligence and according to the law “in the same manner” as if there had been no appeal.”*

The Petitioner was notified to the acknowledgment of the directive(s) from the clerk of the Supreme Court of Iowa to the clerk within the Iowa District Court (APPENDIX A) of #GCPR082427 timestamped 02-19-2024:10:11:31.
Therein the judicial proceedings, the PROCEDENDO was docketed to the district court, to the execution of the “ORDER REGARDING FILED MOTION” (see Appendix E).

REASONS FOR GRANTING THE PETITION (Under the Incorporation doctrine; applying the principles of Due Process both substantively and procedurally is central to the Constitution’s 14th Amendment- it’s clause is the formula to administer the law in accordance to “fundamental fairness”(Dickerson v. United States, 530 Constitution. U.S. 428, 439) (2000), citing “Where the State’s legal system refuses to address fairness and the constitutional right to due process, it is our Supreme Court - the court of last resort - that has the power intervene to assure compliance with the dictates of the Federal.....)” This case is ripe for certiorari review under 28 U.S.C. § 1257 for procedural deficits to the right(s) of

deprivation of life , liberty for; A) Duty to decide petitions for equitable and injunctive relief (*Cohens v. Virginia*, 19 U.S. (6 Wheat.) 264 (1821), B) Freedoms (s) of fundamental liberties substantiated of impartiality (*Marshall v. Jerrico*, 446 U.S. 238, 242)(1980) by the highest state court's judiciary abuse in the process of ABA Judicial Canon 2 C) Denial of equatable protections during emergency proceedings for which the Fiduciary preserved constitutional objection's to heightened risks of irreparable harm of its state Citizens for an infringement of statutory rights in personam for scrutiny (("*Kenney v. Supreme Lodge*, 252 U. S. 411(1920), citing " *A state cannot escape its constitutional obligations by the simple device of denying jurisdiction in such cases to courts otherwise competent*") D) Denial of privileges and immunities of the highest state court for an unconstitutional violation to its state statute for interference for an prerequisite that must be met , before the citizens are able to file for redress of a grievance by use of prerogative writ ((*Abbott v. Veasey*, 137 S. Ct. 612, 613)(2017), citing "*Although there is no barrier to our review, [one] claim is in an interlocutory posture, having been remanded for further consideration. As for [that] claim, the District Court has yet to enter a final remedial order..The issues will be better suited for certiorari review at that time.*").

An impartial tribunal is an essential requirement to the framework of the Due Process Clause ((*Aetna Life Ins. Co. v. LaVoie*, 475 U.S. 813 (1986), citing "*Bias or prejudice of an appellate judge can also deprive a litigant of due process.*") In plain error, The presiding Judge of the Supreme Court of Iowa determined in its ruling on March 24th, 2025 at 5:17 pm, no " **final appealable order**" for ongoing procedures of litigation to **emergency proceedings** which deprived the Petitioner of due process for adequate equitable relief as moot for extenuating circumstances beyond the statutory duties, and in conflict of the district court procedures of conflicting decisions in accordance to Iowa Code § 633.569 for which the Petitioner was appointed

the temporary fudicated duties to “immediate”ly bring an emergency to finality to avoid irreparable harm of the Protected Person which was to “terminate” no later than 30 days (see Appendix P) ((Carson U.Am. Brands, Inc., 450 U.S. 79, 83)(1981), citing provisions for final judgement rulings in accordance to 28 U.S.C. § 1292(b) that would create “undue hardship”).)

Therein the procedural deficit of the Supreme Court indifference to its categorical statue against similar situated citizens in its [group] in accordance to its Iowa Code § 633.569 from which the Petitioner petitioned the Court for redress in her “Emergency Petition for Appointment of Guardian” stated therein for the basis for immediate relief(s) sought as an least restrictive drastic remedy as stated therein her petition (see Appendix Q) ((City of Cleburne v. Cleburne Living Center, Inc., 473 U.S. 432) (1985), citing “ a) Where individuals in a [group] affected by a statute have distinguishing characteristics relevant to interests a State has the authority to implement, the Equal Protection Clause requires only that the classification drawn by the statute be rationally related to a legitimate state interest. When social or economic legislation is at issue, the Equal Protection Clause allows the States wide latitude.....The equal protection standard requiring that legislation be rationally related to a legitimate governmental purpose affords government the latitude necessary both to pursue policies designed to assist the ret..... in realizing their full potential But in light of the history of "unfair and often grotesque mistreatment" of the ret.....

discrimination against them was "likely to reflect deep-seated prejudice..... addition, the mentally ret..... lacked political power, and their condition was immutable..... The court considered heightened scrutiny to be particularly appropriate in this case, because the city's ordinance withheld a benefit which, although not fundamental, was very important to the mentally ret.....");

"The Petitioner didn't seek any prior applications for Guardianships prior to the age of majority in the Respondent's retrospective state to encourage the least restrictive alternating setting and to provide independent living skills and encourage decision-making skills in transition to Post-Secondary goals for Adulthood through age 29 for which the Petitioner is primarily responsible for accessible treatment under Care for Kids. However, immediate extenuating circumstances persist for which the Respondent's immediate level of care and necessities have been compromised and neglected for no fault of the above Petitioner and for the Petitioner's request emergency need for guardianship to restore medical care/full caregiver /and adequate medical treatment for medication management critical to the Respondent's well-being" (see Appendix Q) (50 UC Davis L. Rev. 1741) (2017), citing "The most significant threats to court access today occur after the filing stage⁴, when courts deny or limit remedies to legally injured persons — by enforcing a mandatory arbitration provision or an exhaustion requirement, granting an official qualified or absolute immunity from suit, or drastically reducing a damages award pursuant to a statutory cap. ")

Therein the statute of Iowa Code § 633.569 plainly states its requirement for the basis of appointment and the duration of Limited Powers verbatim “

2. Such application shall state all of the following:

c. The reason the emergency appointment of a temporary guardian or conservator is sought.

6. The powers of the temporary guardian or conservator set forth in the order of the court shall be limited to those necessary to address the emergency situation requiring the appointment of a temporary guardian or conservator.#

7. The temporary guardianship or conservatorship shall terminate within

⁴ See 50 UC Davis L. Rev. 1741)(2017), Benjamin Plenar Cover, “The First to a Remedy”, University of Ohio College of Law (2017), www.digitalcommons.law.uidaho.edu, last visited April 14th, 2024.

thirty days after the order is issued” (see Appendix P)(Withrow v. Larkin, 421 U.S. 35, 47)(1975), citing the Due Process Clause demands recusal for a judge that has no actual bias when the “probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable.)”

The Petitioner invokes relief of 28 U.S.C. § 1292(b) for certiorari review for which the district court entered a final judgement on the merits on December 12th, 2023 («Firestone Tire & Rubber Co. v. Risjord, 101 S. Ct. 669, 673)(1981), citing the “final appeal rule” appeals may be heard only from orders “that [end] the litigation on the merits and [leave] nothing for the court to do, but execute the judgment) for which the Court set forth the fudicated Limited Powers of the Temporary Guardian in the Ex-Parte Order for Emergency Appointment of Temporary Guardian (see Appendix P) for finality of the Order stated therein constituting the decision on the Petitioner vs.

Respondent filed on December 11th, 2023 (see Appendix Q). The Petitioner invoke judicial proceedings for review of issue preclusion under the doctrine of Collateral Estoppel as “first filed actions” («Richardson-Merrell, Inc. v. Koller, 472 U.S. 424, 430-31 (1985), citing “The value at stake must be such that, “in the absence of an immediate appeal,” it would be “irretrievably lost.”) ((Taylor vs. Sturgell, 553 US 880)(2008) citing “we have confirmed that, “in certain limited circumstances,” a nonparty may be bound by a judgment because she was “adequately represented by someone with the same interests who [wa] s a party” to the suit. “Representative suits with preclusive effect on nonparties include.....suits brought by trustees, guardians, and other fiduciaries.” (id.)(see Sea-Land Services, Inc. v. Gaudet, 414 U. S. 573,

594)(1974)(*New Hampshire v. Maine*, 532 U. S. 742, 748 (2001) citing “Issue preclusion, in contrast, bars “successive litigation of an issue of fact or law actually litigated and resolved in a valid court determination essential to the prior judgment,” even if the issue recurs in the context of a different claim. *Id.*, at 748-749.)”

The Petitioner invokes relief of certiorari review for a violation of Due Process Clause of the parties under the 14th Amendment for which the Supreme Court “denied” ⁵the Petitioner an meaningful opportunity to be heard for injunctive relief ((*Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950), citing “It is the part of common prudence for all those who have any interest in [a thing] to guard that interest by persons who are in a situation to protect it”) and for the automatic relief from the Supreme Court of Iowa ruling to the exclusion [denial] of a ruling to the Petitioner’s contested constitutional objections- contrary to the statues for the injured parties in her interlocutory motion(s) of stay-filed actions constituting 14th amendment violations for conflicting opinions (see Appendix D) ((see *Vestal, Repetitive Litigation*, 45 IOWA L. REV.525) (1960); (*Vestal, Reactive Litigation*, 47 Iowa L. REV. 11) (1961), citing “Duplicative proceedings within a single court system generally have been held in disfavor”) ((*Ritzen Group, Inc. v. Jackson Masonry, LLC*, 589 U.S.No. 18-938)(2020), citing the U.S. Supreme Court

⁵ (“Letter from a Birmingham Jail [King, Jr.]”)(1963) , African Studies Center, University of Pennsylvania, www.african.penn.edu, last visited April 14th, 2024)

unanimously held that an order unreservedly granting or denying a motion for relief from the automatic stay is a final, appealable order)

Therein the exclusion of the ruling(s) by the Supreme Court of Iowa; Petitioner contested to serious questions of abuse to the (District Court's process as "impractical" to the regarded ruling ,including, but not limited, to heightened irreparable risks of the ruling docketed in #GCPR082427 (see Appendix E) EFILED on 2024 JAN 18 10:46 AM stated therein ((*Spellens vs. Spellens*, 317 P.2d 613, 49 Cal. 2d. 210) (1957) citing *The improper purpose of a [misuse of a process] usually takes the form of coercion to obtain a collateral advantage, not properly involved in the proceeding itself, such as the surrender of property or the payment of money, by the use of the process as a threat or a club*");

"The District Court has stated in its Order, the reason for its regarded decision was as follows: "Since no proposed order setting the matter for hearing was submitted with the motion, it was scheduled for non-oral submission". Although impracticable due to the extenuating circumstances, the Appellant would request an hearing to her application for emergent relief of stay of any and all proceedings for which the Appellant filed an Amended More-so, the Appellant in good faith, was granted emergent, extended relief at the District Court without hearing(s) due to the extenuating circumstances for which the Appellant requested the Emergency Motion Stay Proceedings (Fed.. Prescription Serv., Inc. v. Am. Pharm. Ass'n, 636 F.2d 755, 760- 61 (D.C.Cir. 1980) (explaining that Rule 62(d) does not limit a district court's power to issue unsecured stays through exercise of its sound discretion)). Therein the District Court proceedings, the Appellant was granted a fiduciary/probate bond for which the Appellant didn't attach an Order to said emergent motion, for which the requirements for an application for Emergency Motion Stay of Proceedings was met with an motion and bond that was granted for which the District Court stated in its Ex-Parte Order for Emergency Appointment of Temporary

Guardian, EFILED as, GCPR082427 - 2023 DEC 12 02:59 PM, "Latেশia Patillo is appointed as temporary guardian of BRADFORD MATTHEWS, JR to serve without bond." (In re Federal Facilities Trust, 227 F.2d 651(7th Cir., 1955) and cases—cited at 654–655, citing appears to be a concession to the view that once an appeal is perfected, the district court loses all power over its judgment.) Wherefore, the Appellant presents her emergent application for which the Appellant an Associated Party/Protected Person will suffer irreparable harm absent the Emergency Motion for a Stay of Any and All Proceedings for which the Appellant has an pending application at the Court of Appeals that involves discretion to Constitutional Rights of Due Process and of Equal Protections under the 14th Amendment. Of the associated parties, there is heightened and substantial risks of irreparable harm to the Associated Party/Protected Person and irreparable harm exists for the Appellant's guardianship rights is set to expire on January 25th, 2024 and would render the Court of Appeals decision moot (Providence Journal Co. v. FBI, 595 F.2d 889, 890 (1979) ("Appellants' right of appeal here will become moot unless the stay is continued pending determination of the appeals."))

The Petitioner invokes relief of certiorari review of 28 U.S.C. § 1292(b) to the for a denial for interlocutory appeal for which the Supreme Court of Iowa "refused" the Petitioner due process rights and equal protections for the Protected Person in Full Faith and Credit stated therein the Petition for a correction of abuse of discretion in violation of the 14th Amendment (see Appendix F)((*Angel v. Bullington*, 330 U.S. 183) (1947) ,citing "The power of a state to determine the limits of the jurisdiction of its courts and the character of the controversies which shall be heard in them and to deny access to its courts is also subject to restrictions imposed by the Contract, Full Faith and Credit, and Privileges and Immunities Clauses of the Constitution") for right(s) for equal protection of the Protected Person in personam for which the Petitioner invoked injunctive relief for a judicial remedy during

emergency proceedings for which no other remedy was available to Petitioner (see Appendix F) (*Cheney v. United Distr. Court for D.C.*(2008) (*LaBuy v. Howes Leather Co.*, 352 U.S. 249 (1957); citing “*Mandamus is an extraordinary remedy, which should only be used in exceptional circumstances of peculiar emergency or public importance.*)

Therein the Supreme Court of Iowa Order, the presiding judge stated “As such, the court treats the notice of appeal as an application for interlocutory appeal.....” in violation of it’s state statutory requirement for a procedural defect to process IOWA R. APP.P. 6.104 for bias to the Petitioner who petitioned the court in accordance to IOWA R. APP.P. 6.104 ((see *Milliken v. Meyer*, 311 U. S. 457) (1940) ,citing the *An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections*) for which the Petitioner met the-requirements of an application for interlocutory appeal as stated therein IOWA R. APP.P. 6.104;

“Content and form of application. The application shall follow the content and form requirements of rules 6.1002(1) and 6.1007. In addition, the applicant shall state with particularity the substantial rights affected by the ruling or order, why the ruling or order will materially affect the final decision, and why a determination of its correctness before trial on the merits will better serve the interests of justice. The date of any impending hearing, trial, or matter needing immediate attention of the court shall be prominently displayed beneath the title of the application.”

The Petitioner invokes relief of certiorari review for a violation of the Equitable Protection Clause of the 14th Amendment for which the Supreme Court of Iowa denied injunctive relief(s) in its Order raised by the Petitioner for constitutional violations for “equal protection of its laws” in her interlocutory appeal for the (see Appendix F) to the district court’s delay of its ruling to the enforcement proceeding that constituted a substantial and heightened risk of irreparable harm to the Protected Person to a pending injunction ((*Plyler v. Doe*, 457 U. S. 202, 457 U. S. 216) (1982) , citing “which is essentially a direction that all persons similarly situated should be treated alike) for a pick up order for return of the Protected Person to his “home state” as an alternative to contempt court proceedings due to the extenuating circumstances the Petitioner suffered in the infringement of her the statutory duties for which she appointed to address the emergency (see Appendix P)(see Appendix F) ((*Moore v. Dempsey*, 261 U.S. 86) (1923), citing “whole proceeding is a mask [in which] counsel, jury, and judge were swept to the fatal end by an irresistible way of public passion and,.....the State courts failed to correct the wrong”) ((*Wolf v. Colorado*, 338 U.S. 25) (1949), citing “security of one's privacy against arbitrary intrusion by the police—which is at the core of the Fourth Amendment—is basic to a free society.”) for deliberate indifference of similar situated fiduciaries ((*In re 22 B.G.C.*, 496 N.W.2d 239, 241) (Iowa ,1992) (en banc),citing “..... to resolve this highly emotional issue with one's heart, we do not have the unbridled discretion of a Solomon.

Ours is a system of law” ((Marshall v. Jerrico, 446 U.S. 238, 242) (1980) citing the ““neutrality requirement helps to guarantee that life, liberty, or property will not be taken on the basis of an erroneous or distorted conception of the facts or the law” and “preserves both the appearance and reality of fairness . . . by ensuring that no person will be deprived of his interests in the absence of a proceeding in which he may present his case with assurance that the arbiter is not predisposed to find against him.)

The Petitioner invokes relief of review for a writ of certiorari in violation of 14th Amendment to the fundamental liberties of its state Citizens in accordance by the Supreme Court’s of Iowa its erroneous decision for a deliberate indifference of law for deference to the District Court’s regarded decision and to its [refusal] of a meaningful opportunity to be heard for which the Petitioner briefed statutory objections to (see Appendix D)(see Appendix F) for “ statutory challenges” are adopted by the Supreme Court of Iowa as “constitutional ” ((*Santi v.Santi, 633 N.W.2d 312, 316 (Iowa, 2001)*, citing “we review constitutional challenges to statutes de novo..... we presume statutes are constitutional, “imposing on the challenger the heavy burden of rebutting that presumption”).

“Scholars and jurists coincide that the First Amendment right “to petition the Government for a redress of grievances” includes a right of court access, but

*narrowly defines this right as the right to file a lawsuit."*⁶ In light of fundamental fairness; this right coupled in the due process principles of the 14th Amendment, "*can not be without violating those fundamental principles of liberty and justice which lie at the base of all civil and political institutions (DeJonge v. Oregon, 299 U.S. 353 (1937)).*" The right to petition the government for redress is well suited by the Court as incorporated by the Bill of Rights to the States by the Privilege and Immunities clause as the established the precedent at the root of nation's framework (*Adamson v. California, 332 U.S. 76) (1947).*

The Petitioner invokes relief of certiorari review of U.S.C. § 1257 for a violation of the 1st Amendment to the reprisal of the state's statutory preceding(s) for a infringement upon the state Citizen's freedom(s) in misapplication of a prerogative writ in the Supreme Court of Iowa erroneous decision to the misinterpretation of law to the Regard to the ruling in the District Court of Iowa (see, *Gitlow v. New York, 268 U.S. 652 (1925), explanation of the Supreme Court's powers to prescribe justice is void of the necessity to incorporate every applicable Bill of Right*) . Therein this aforementioned review, the Supreme Court of Iowa , abridged upon Privileges and Immunities of the parties' right's to file a petition of redress by court access

⁶ Benjamin Plener Cover, "*The First Amendment Right to a Remedy*", 50 U.C. DAVIS

L. REV 1741, 1777 (2017)

and/or future access in its state court(s) for an inadequacy of the state's categorical statutes as a separate petition. ((*Crandall vs. State of Nevada*, 73 U.S. 35 (1867), citing, "The people of these United States constitute one nation. They have a government in which all of them are deeply interested. This government has necessarily a capital established by law, where its principal operations are conducted. Here sits its legislature, composed of senators and representatives..... the execution of the laws over all this vast country. Here is the seat of the supreme judicial power of the nation, to which all its citizens have a right to resort to claim justice at its hands").

Therein the judicial proceedings, the Petitioner sought expedited injunctive relief to the Supreme Court of Iowa in accordance to Iowa Code R.App.6.104, Iowa Rule App.1.1006, and Iowa Code R.App. Sect.625A.9, to the inadequacy of the district court's actions (see Appendix I) which (see Appendix D)(see pg. 35 -37 , *Petitioner's Writ for Certiorari*) failed to address the equitable relief to the stay-filed motion for a review of the constitutionality to serious questions of substantial and heightened risk of irreparable harm to the parties (see Appendix I) ((*Fox v. Vice*, 131 S. Ct. 2205, 2211)(2011), citing trial court has wide discretion "but only when, it calls the game by the right rules") ((*Landgraf v. USI Film Products*, 511 U.S. 244) (1994), citing a statute with retroactivity that "takes away or impairs vested rights acquired under existing laws, or creates a new obligation, imposes a new duty, or attaches a new disability, in respect to transactions or considerations already past.")

or which Petitioner raised objections of its mischaracterization its state statutory requirements

The Petitioner invokes relief of certiorari review for violation of the 1st and 14th Amendment for the Supreme Court of Iowa erroneous [denial by exclusion] to the Petitioner's brief of interlocutory relief (see

A due process of the parties and equal protections of the Protected Person for which the Petitioner preserved her for error for review prior to trial court's invalidity of the statutory constraints placed on the parties in its ruling for procedural defects of abuse(s) to the judicial process stated therein for a least drastic remedy of the Protected Person (see Appendix F) (*Schmidt v. Macco Construction Co.*, 119 Cal.App.2d 717, 721)(1953) citing "A motion for a new trial is not, generally, a condition precedent to an appeal. Generally speaking, any error of law can be raised on an appeal even though a motion for a new trial has not been made.")

"The Appointment of an Attorney is a matter of right preserved for the best interest of the Protected Person's under Iowa Probate 633.561, Appointment and Role of Attorney for the Respondent for- appointment of guardian proceedings for which the Protected Person would be entitled to representation.....

B. In – Part for an expedited interlocutory order in accordance Iowa R. App. P. 6.104 , for temporary restraint or injunctive relief for which the Appellant is to file for an financial affidavit, thereafter the risks of imminent risks of substantial and heightened risks have been eliminated for the Protected Person and upon initiation for appointment of guardianship should the Appellant petition the court pursuant to Iowa Code 633.556, for the Appellant to retain all ministerial rights of the limited powers to which she has entrusted by the state until expiration of January 25th, 2024, and for any all injunctive relief at the discretion of the appellate review of the motion."((In Re

Guardianship of Williams, 986 A.2d 559, 567 (2009), citing the significance to statutes of guardianships for “promot[ing] and protect[ing] the well-being of the proposed ward in involuntarily imposed protective proceedings and provid[ing] procedural and substantive safeguards for civil liberties and property rights of a proposed ward.”)

In plain error of substantive procedures; the Supreme Court of Iowa issued an *Procedendo* (see Appendix A) for a review of certiorari relief in violation of the 1st Amendment’s fundamental rights for its constitutionality of its amendment by statute of precedence- as characterized by for conflicting opinions ((*Marek v. Johnson, 958 N.W.2d 172, citing We are not at liberty to rewrite the statute.*”)(2021) of the parties rights to file a petition/or future petition for redress of grievance of state access to its court(s) for the abuse of process as tort to the abuse of the trial court’s abuse of discretion ((*Blackstock vs. Tatum , 396 S.W.2d 463 (1965) citing “The process referred to in the cases is not the filing and maintenance of a civil action but in the wrongful use of a writ issued in the suit. ”*)

Therein the substantive procedures of the trial court’s abuse of discretion; the Petitioner invokes a relief of certiorari review for a deliberate indifference of law to the due process of the public interest of the parties substantial rights in violation of the 14th Amendment by the Supreme Court’s of Iowa to the precedence of the trial court’s statutory amendment to Iowa Code § 633.561- to the [*denial by exclusion*] for a meaningful opportunity to be heard filed therein the judicial proceedings of the Petitioner as *moot* (see Appendix D, pg. 8 of 15) *by impracticability of strike to the non- oral submission* of the trial

court's actions by a *hearing of request* (see Appendix D, pg.12 of 15) ((see *Chang v. United States*, 327 F.3d 911, 925) (9th Cir. 2003), explaining the *District court's irrational manner to rulings*).

In plain error of precedence to the abuse of process by the Supreme Court of Iowa's violation to its statutory amendment in violation of the 1st Amendment to the apprehension of the state Citizen's Privileges and w pursuant to Iowa Code § 633.561 stated therein its statute ((*Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306) (1950), explaining an *competent of due process requires a "hearing must measure up to the standards of due process."*);

" a. If the respondent is an adult and is not the petitioner, the respondent is entitled to representation by an attorney. Upon the filing of the petition, the court shall appoint an attorney to represent the respondent, set a hearing on the petition, and provide for notice of the appointment of counsel and the date for hearing."

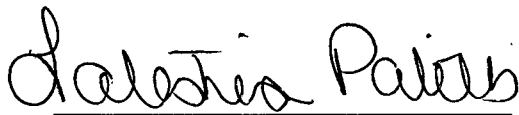
CONCLUSION (*"The republic endures and this is the symbol of its faith."*)⁷

The Petitioner requests her petition be granted for the discretionary review for adequate relief of remedy in accordance to 28 U.S.C. § 1257, 28 U.S.C. § 1292(b) for the violation of the 1st and 14th Amendment of the United States Constitution to the Superior Court of Iowa's [ruling(s)], for the [denial] of due

⁷ Devin, Dwyer, "Chief Justice John Roberts defends Supreme Court's 'highest standards of conduct offers no new rules", www.abcnews.go.com, last visited April 22nd, 2024.

process and equal protections of the substantive rights of the parties
[result]ing in light of the public interest, and to the existing controversy to
imminent harm to Superior Court's as the [denial of equal justice of law by
exclusions for injunctive relief) for conflicting opinions of procedural defects of
; ***"Tolling" its entry of judgement by the Presiding Judge for an order
signed by the Presiding Judge on January 24th, 2025 and fulfilled its
execution as the officer of the Court of Iowa by the Presiding January
25th, 2024 for the parties right(s) were "irrevocably broken" (see
Appendix B)(see Appendix D, pg. 13 of 15)) (Upchurch v. Upchurch, 122 N.C.
App. 172)(1996) ,explaining the execution of an opinion that an Order wasn't
valid until it was signed by the judge and filed with the clerk's office which
"fixes the rights".....)((Clark v. Village of Milan, 847 F. Supp.409) (S.D.W)(
Va.,1994), (for explanation of "[toll]"ing by controlling officers to conceal
wrongful actions.)***

Respectfully Submitted this the 5th Day of June, 2024.

A handwritten signature in cursive script, reading "Lateshia Patillo". The signature is written in dark ink and is positioned above a horizontal line.

Lateshia Patillo, Petitioner, Pro Se