

Petitioner Meghan Kelly’s Application to Justice Alito for Leave for an extension of time to file a petition for writ of certiorari to the United States Court of Appeals for the Third Circuit Case No 21-3198

I Meghan Kelly, Esq. pursuant to United States Supreme Court Rule 30 and Fed. R. App. P. 2 in the interest of justice move this Honorable United States Supreme Court for an extension of time to file a writ of Certiorari to appeal the Third Circuit decision dismissing my civil rights case in the amount of 60 days.

1. The opinion and order of the Third Circuit Court of Appeals to review the merits appears at Appendix (“App.”) A, entered 6/30/23. There is a previous Order by the Third Circuit with an opinion on 4/20/23 at App. B. I seek review of an order denying my Motion for reargument on dismissal of my case on 6/22/23 at App C. I seek a review of the Order dated 6/20/23 denying recusal of Judge Scirica and two motions for caveats thereto, 1) caveat to her Motion for this Court to recuse Judge Scirica to move him for judicial consideration of drafting laws to prevent non-lawyers and non-judges from practicing law or taking the place of people judges without government authority, 2) Second caveat to her Motion for this Court to recuse Judge Scirica to move him for judicial consideration of drafting laws to prevent judges from speaking engagements on behalf of political think tanks such as the lobbyists at the Federalist Society at App. D, and Order entered most recently **July 10, 2023** denying my motions for reargument to recuse Scirica and my motion for reargument en banc at App E. I seek review of the order dated 3/15/23 denying Motion to recuse Judge Phipps at App F. I seek review of the Order dated 1/6/23 denying a stay to afford me the opportunity to appeal a Third Circuit reciprocal Order and the DE Disciplinary Order for which the reciprocal orders arose before the US Supreme Court and granting additional time at App G. I seek review of the Order denying

Motion for a stay pending Supreme Court Review of This Court's 1/6/23 Order and to File Reply Brief 30 Days After, dated 2/9/23 at App. H.

JURISDICTION

2. The date on which the highest state court decided my case is June 30, 2023. A copy of that decision appears at App. A. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254 or in the alternative under 28 U.S.C. § 1253.

3. The date the Petition is due is on or about September 28, 2023.

4. I respectfully request an extension in the amount of 60 days to appeal this case.

5. The new due date would be on or about November 27, 2023.

6. Opposing counsel did not object or respond to my request for a stance per the attached email, attached as App. I.

7. There is a whole host of issues and orders to appeal from which may diminish my Constitutional protections to exercise in belief in Jesus Christ forever in DE and other Constitutional protections and claims if I am not granted time to effectively overturn the decision below denying the attached Appellate brief and Motion for reargument. (Collectively incorporated herein App. J)

8. This case arises based on the Defendants and the members of Delaware Supreme Courts attacks against me during Kelly Trump to cause me to forgo my RFRA law suit and punish me for the exercise of fundamental rights but for political-religious-poverty animus in violations of my First Amendment private rights to religious-belief, exercise of belief, association, petition, speech, Procedural due process, witness tampering, equal protections and

other claims including but not limited to infliction of emotional distress, defamation, damages and nominal relief.

9. Additional evidence was discovered, and additional causes of action arose after I filed this civil rights law suit which I preserved for appeal in my Motions for reargument and motions to amend my complaint. On 1/24/22 I moved to include each of the Delaware Supreme Court justice in their private and official capacity and the Delaware Supreme Court as parties for damages, nominal damages, declaratory and equitable. I preserved my right to include additional claims and violations of Constitutional rights that occurred after the filing of the civil rights case prior to the disciplinary proceeding, during the disciplinary proceeding and after the disciplinary proceeding not limited to the Delaware Disciplinary Order placing my license to practice law on inactive/disabled.

10. The Delaware Order placed my license on inactive/disabled, but for my religious-political beliefs, poverty and exercise of First Amendment rights and my right to due process, without disparate treatment. The Delaware Order placing my license on disability inactive has caused additional courts to place my license on inactive disabled, causing multiple law suits. I have been fighting reciprocating courts. I require additional time to plead in other cases to prevent irreparable injury to me in the form of loss of First Amendment rights, not limited to the right to petition, and my property interest in my license.

11. On 6/30/23 the Third Circuit Court entered 7 judgments against me near closing time on the 4th of July holiday weekend in this matter and a reciprocal discipline matter Kelly v Eastern District of PA District Court (hereinafter "other-case") The denial of a stay, and a denial of more time in the other-case caused the Clerk to file an Order dismissing the case immediately for failure to prosecute in the other case.

12. On 6/2/23, I filed a Motion for my more time under prejudice in the other-case given the Clerk of Court Ordered that I may not exceed three pages despite good cause and requirement for more time under my unique situations. I was compelled not to include legal arguments and facts under the threat of this Court forcing me to violate in violating my religious beliefs against Jesus Christ, the right to petition given the threat of malicious bad faith fines.

13. I called my case manager more than a week before the due date 6/13/23. She, Pamela Batts, assured me I would be granted more time in the other-case. I think I called her again on 6/13/23 because I was panicking.

14. I had no reason to believe 3rd Circuit Court would deny my reasonable, necessary request for a stay or time to preserve my fundamental rights and the eliminating my licenses but for my exercise of fundamental rights of 1st Amendment right to petition, speech, associate believe, 6th Amendment right to self-representation, right to Equal Protection and a fair and meaningful opportunity to be heard under the 5th and 14th Amendments and Delaware claims.

15. I also filed a Motion for a stay in the other case as I require time in order to effectively argue the Order below in the Other-case must be overturned under the threat of **6 new additional law suits against me should I fall short, including one by the US Supreme Court.** The Court denied a stay on 6/30/23 in the other case too. I believe if I do not overturn the other-case's order 6 new law suits will be filed against me.

16. I filed the attached motions for reargument in the other case after 6/30/23 to assert my 1st and 5th Amendment right to petition and be heard pursuant to FRAP 40 on motions for rehearing or reargument on the denied motions for a stay, time, vacating order, failure to recuse and dismissal for failure to prosecute, I incorporate herein. (App. K-App. P).

17. However, I am scared my rights may be forfeited if I do not assert them in a timely manner since Delaware Supreme Court ignored motions rendering them denied in the original disciplinary proceeding. I am worried the 3rd Circuit Court may ignore all my motions filed after 6/30/23 effectively depriving me of the right to appeal and an opportunity to be heard to defend my exercise of Constitutional liberties and my interests in my licenses under US Amend I, V, and FRAP 40. In that case an appeal would be due the same date as this case September 28, 2023, or 6 new law suits may arise. I do not think anyone wants 6 new needless law suits. The new law suits would effectively vitiate my ability to protect my 1st Amendment Rights, 6th Amendment rights and other claims in this civil rights case. I do not have the resources to fight potentially 14 defendants in this case, the other-case or potentially 6 additional lawsuits simultaneously due to poverty, lack of time and resources. I also have a petition before this Court regarding a reciprocal order case number 22-7695. This Court is scheduled to meet September 26, 2023. Should my petition be denied I would draft a motion for reargument. I must be afforded time to petition in other cases. Should I not draft such a motion in 22-7695 if one is required, it would not be based on free choice, but government compelled choice.

18. I am prejudiced without additional time. I require time under the 1st and 5th Amendments to prevent this court from vitiating my 1st Amendment right to petition as Judge Phipps did below by denying my attached motion for a stay while granting the attached motion for additional time, and denying my attached motion of a stay pending the US Supreme Court's determination of whether denial of a stay was in error.

19. While I appealed before this USSC, the Supreme Court appeared confused between my petition before judgment before the court wherein I asked the Court for an interim stay pending the Original Delaware Disciplinary proceeding and the Third Circuit reciprocal

before the Court from my application for a stay before Justice Alito wherein I requested a stay of this proceeding pending the US Supreme Court's determination as to whether Judge Phipps committed legal error by denying a stay vitiating my access to the courts. I at no time sat on my rights, but the US Supreme Court delayed in docketing as to render the relief requested unavailable. The government compelled obstacle was so great as to deprive me of the opportunity to petition the Delaware original order by government force, not free choice. I did not have the means to appeal the original disciplinary order as I fought multiple lawsuits simultaneously.

20. This Court must not vitiate my rights by creating obstacles to petition in some cases in exchange with my fundamental first amendment right to petition in other cases by denying additional time.

21. A lawyer's right, my right to pursue my profession constitutes a property protected by the due process clause of the 5th and 14th Amendment, and of which I cannot be deprived for any whimsical, capricious or unreasonable cause, including the government's disagreement with my Constitutionally protected religious-political beliefs.

22. Defendants placed my license to practice law on disabled to chill my 1st Amendment rights to religious belief, exercise, speech, association and petition but for their religious-political-poverty animus. I must be afforded fair access to the courts to defend my licenses to practice law from being placed on inactive disabled or lost but for my faith in Jesus Christ, and exercise of fundamental rights. US Amend I, V, XIV.

23. Conditioning my ability to petition under the threat of government compelled religious violations and loss of other Constitutional rights such as access to other courts to exercise the 1st Amendment right to petition prejudices me. I must not be compelled to violate

my religious belief against debt in order to regain my licenses, safeguard my Constitutional liberties or preserve my other claims. Nor should I be punished for my exercise of the right to access to the courts to defend my religious beliefs because the Defendants and the original disciplinary Court finds my citations to the Bible and religious beliefs contained in my speech in my private petitions illogical. *See, Brief of the Southern Baptist Theological Seminary, the Ethics & Religious Liberty Commission, the International Mission Board, and Dr. R. Albert Mohler, Jr. as amici curiae in Support of Petitions before the US Supreme Court by the Little Sisters of the Poor Home for the aged, Denver Colorado, et.al, Petitioners v. Sylvia Matthews Burwell, Secretary of Health and Human Serviced, et. al*, No.15-105, 2015 WL 5013734 (US).(The Court allowed references to the bible in other RFRA petitions); *See, Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 682. (“Courts have no business addressing whether sincerely held religious beliefs asserted in a RFRA case are reasonable.”) *Also see, Africa v. Pennsylvania*, 662 F.2d 1025, 1025 (3d Cir.), *cert. denied*, 456 U.S. 908 (1982); (“Judges are not oracles of theological verity, and the founders did not intend for them to be declarants of religious orthodoxy.”); *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872, 887, (“Repeatedly and in many different contexts, we have warned that courts must not presume to determine the place of a particular belief in a religion or the plausibility of a religious claim.”); *Cantwell v. State of Connecticut*, 310 U.S. 296, 60 S. Ct. 900, 84 L. Ed. 1213 (1940); *Remmers v. Brewer*, 361 F. Supp. 537, 540 (S.D.Iowa 1973) (court must give "religion" wide latitude to ensure that state approval never becomes prerequisite to practice of faith); *Presbyterian Church in U. S. v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U. S. 440, 450, (1969) (holding that “the First Amendment forbids civil courts from” interpreting “particular church doctrines” and determining “the importance of those doctrines to the religion.”); *Ben-Levi v. Brown*, 136 S.

Ct. 930, 934; *See, Holt v. Hobbs*, 574 U.S. 352; *In re Eternal Word Television Network, Inc.*, 818 F.3d 1122, 1140 (11th Cir. 2016) (“The Supreme Court cautioned that “federal courts have no business addressing” such questions of religion and moral philosophy.” (Internal citation omitted)); *Thomas v. Review Board*, 450 U.S. 707, 714 (1981), “religious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection.”).

24. “To be sure, a state may not condition the grant of a privilege, [a license,] or benefit upon the surrender of a constitutional right.” *Minn. Ass'n, Health Care v. Minn. Dept., P.W.*, 742 F.2d 442, 446 (8th Cir. 1984); *Citing, Western Southern Life Insurance Co. v. State Board of Equalization*, 451 U.S. 648, 657-58, 664-65 (1981); *Sherbert v. Verner*, 374 U.S. 398, 404-05, (1963).

25. “The doctrine that a government, state or federal, may not grant a benefit or privilege on conditions requiring the recipient to relinquish his constitutional rights is now well established.” *Citing, Jones v. Board of Education*, 397 U.S. 31, 34 (1970); *E.g., Cafeteria Workers v. McElroy*, 367 U.S. 886, 894; *Sherbert v. Verner*, 374 U.S. 398, 404; *Speiser v. Randall*, 357 U.S. 513, 519-520; *Garrity v. New Jersey*, 385 U.S. 493, 499-500; *Kwong Hai Chew v. Colding*, 344 U.S. 590, 597-598; *Frost Trucking Co. v. Railroad Comm'n*, 271 U.S. 583, 593-594; *see Van Alstyne, The Demise of the Right-Privilege Distinction in Constitutional Law*, 81 Harv. L. Rev. 1439, 1445-1454 (1968); *Comment, Another Look at Unconstitutional Conditions*, 117 U. Pa. L. Rev. 144 (1968). As stated in *Homer v. Richmond*, 292 F.2d 719, 722: (“One may not have a constitutional right to go to Baghdad, but the Government may not prohibit one from going there unless by means consonant with due process of law.”)

26. “Neither the state in general, nor the state university in particular, is free to prohibit any kind of expression because it does not like what is being said.” *Jones v. Board of Education*, 397 U.S. 31, 35-36 (1970)

27. The United States Supreme Court in *Kennedy v. Bremerton School Dist.*, No. 21-418, at *15 (June 27, 2022) held, “Where the Free Exercise Clause protects religious exercises, whether communicative or not, the Free Speech Clause provides overlapping protection for expressive religious activities.”

28. In that case, the Court granted a professional coach the right to exercise private religious belief and speech, indicating the state’s punishment violated the Coach’s first Amendment right applicable to the state pursuant to the 14th Amendment, despite his association as a government employee or agent.

29 This case must be extended to me to prevent the state, federal government and additional governments’ including Judge Diamond of the Eastern District Court of PA punishment of me, but for the exercise of my exercise of my religious belief, as outlined in my speech in my petitions, no matter how repugnant or illogical my religious beliefs appear to the state and Federal government.

30. I must be afforded a fair opportunity to be heard in defense of my civil rights claims, licenses and liberties without compelled religious violations placed upon me in the form of denial of time substantially chilling my speech causing me to ineffectively plead before this Court to safeguard my religious belief in Jesus and my licenses and other liberties. US Amend I, V, VI, XIII, XIV.

31. Freedoms are not for sale, in exchange for professional licenses. When the courts make business the law by making professionals the law, by self-regulating, mammon, not

freedom, or the people is protected. Individuals and individual liberty are instead sacrificed under the lie money grants freedom when it creates slavery by how it is coined. US Amend I, XIII.

32. Lawyers and judges should be corrected within the purview of Constitutional limits without threats of enslaving them by fines in contravention of the 13th Amendment, as applied to me as a party of one with unique religious beliefs against debt, but also as applied to other professionals and federal judges.

33. I must be afforded fair access to the courts to defend my license to practice law from restrictions but for my faith in Jesus Christ, and exercise of fundamental rights, without compelled denial by requiring I fight multiple law suits without the material means or time to pay for paper and postage simultaneously. US Amend I, V.

34. I am utterly poor. Denial of time increases the threat of multiple suits causing needless costs and a substantial burden and obstacle to my access to the Courts in contravention to my 1st and 5th Amendment rights to Petition and access to the Courts applicable to the Federal Courts via the Equal Protection component of the 5th Amendment, for me, a member of class of one due to religious beliefs against incurring debt combined, invocation of the 13th Amendment and due to utter poverty. Poverty creates a substantial burden to my access to this court requiring an accommodation in the form of time.

35. “Because this case implicates the [Constitutionally protected] right of access to the courts, [and First Amendment rights to free speech, religious belief, association and exercise of religious beliefs] the government’s disparate treatment towards me based on poverty, is still unconstitutional under a strict scrutiny basis test.” *Citing, Tennessee v. Lane*, 541 U.S. 509, 533 n.20 (2004). I require an accommodations for fair access to this court under the circumstances in

the form of additional time to avoid additional costs associated with the threat of additional law suits that will create an obstacle to access to the courts as to effectively deny me the first amendment right to petition fairly.

36. I expected to rejoin my old law firm after standing up for something more important than money in *Kelly v Trump*, my free exercise of religion, exercise of religious and political belief, exercise of religious and political speech, and association as a party, attorney, democrat, and Christian without government incited persecution, but for my exercise of fundamental rights.

37. The Delaware Order against me and the reciprocating Order creates a government incited economic substantial burden upon me, and prejudices me by forcing me into a maintained state of poverty by preventing me from seeking to get my former position back at my old law firm as an attorney, or any work as a law firm, and harms my reputation to make me less attractive to employers.

38. While, poverty is not a suspect class, my right to meaningful access to the courts, despite the inherent burden of poverty, and my religious beliefs and strongly held religious exercise relating to my religious belief against indebtedness are protected. In addition, fundamental rights are implicated.

39. So, the Court must have a compelling reason to deny my request for time to prevent costs to protect my access to the courts to defend the exercise of my fundamental rights including my religious beliefs narrowly tailored to meet the important justification.

40. There is no compelling reason to deny my request for time.

41. There is no justification narrowly tailored to meet any compelling reason to deny 60 days for me to ascertain how I may effectively plead this case while preventing 6 new law

suits without the substantial burden of immediate additional costs without adequate time to prevent the same from arising causing a burden so great as to vitiate my 1st Amendment right to petition and 5th Amendment right to access to the courts without intentional discrimination to prevent me from petitioning to defend and prevent the loss of my Constitutional rights.

41. I must be afforded equal access to the courts as a party of one with unique religious beliefs against money as God and guide, without disparate treatment in violation of my First Amendment right to religious belief and right to exercise my religious beliefs, and 5th Amendment Equal Protections component applicable to the Federal courts based on disdain for my unique religious beliefs.

42. This case arises based on about 20 years of Delaware Courts, their arms or their agents' violations of my private exercise of the First Amendment right to petition, to religious belief, exercise of religious belief, association and unequal protections under the law based on religious-political-poverty or place of origin, and more recently procedural due process violations, witness tampering, intentional infliction of emotional distress resulting in physical manifestation and the 6th Amendment right to self-representation and defamation per se claiming my religious belief in Jesus is a mental disability. Please see App. P.

43. The attachments to App P I incorporate herein outline the State's retaliation against my exercise of the right to petition even before I was barred in DE, compelled violations of my asserted religious belief upon admission, loss of 2 million dollars in expected income over the course of the past two decades, and other compelled violations I incorporate herein by reference.

44. I will lose my liberties, livelihood, claims and be tempted to lose my eternal life if time is not granted. This law suit also has new and additional claims based on disciplinary

proceeding brought by the state of Delaware (“State”), with religious-political-poverty animus to punish me for my exercise of the private 1st Amendment right to petition, religious belief, exercise of religious belief, associate, speech, and to cover up the State’s retaliation against me for petitioning the Court to safeguard my rights, predominately of the 1st Amend. right to exercise my religious belief over the course of about 20-years. I incorporate in its entirety the initial-civil-rights complaint I filed, and exhibits thereto (App. P-Exhibit D). The State retaliated against me for exercising my 1st Amendment right to petition for relief even prior to bar admission by punishing me for petitioning its partner grant me relief when my DE bar materials were destroyed by a leaky ceiling at the dorm room I resided. I passed the DE Bar on the first try, but lost expected income in the amount of about 2 million dollars over the years based on retaliatory action by the state. (See App P at Exhibit A-4, A-5)

45. The DE-Supreme Court compelled me to violate my religious belief against swearing in despite my request to affirm upon my admissions to the DE bar . (App P at Exhibit E). After I learned affirming violates Jesus Christ’s teachings I petitioned the DE Supreme Court to be excused from affirming too. (Exhibit F). The court denied my request violating my 1st amendment right to exercise religious belief. Throughout the years DE Supreme Court members or agents have violated my Constitutional rights by disparate selective treatment. During my first appearance as a lawyer in Court, Judge Smalls called me a Philadelphia lawyer as if PA was a bad word. Former DE Supreme Court Justice told me to go back to PA after a CLE when I stole his thunder by answering a question on recent USSC proceedings not because I am smart, but because I care and listened to public radio. My friend Stephanie Noble had dear eyes. I drafted the attached petition with the DE Supreme Court and created the bumper-sticker related to this

when I ran for office in 2018, attached hereto, along with newspaper articles, one of which shows government agents chilled my speech. (App P at Exhibit G-H-I)

46. The State disregarding my request against family-law appointments per the attached second request to be removed from the roster as against my religious belief, per the attached two Court petitions in App. P-Exhibits J K.

47. I petitioned the court in *Kelly v Trump* to alleviate a substantial burden upon my religious belief, and instead of alleviating it, they worsened it and demeaned me for my Bible references per Petition at 7. (App P-Ex L)

48. I ran for local office in 2018. After I lost in 2018, I petitioned the democrats to run for Federal House without violating my religious beliefs with regarding to filing requirements. *See Matthew* 6:1-4. They said no. I filed a lawsuit against the democrats to enjoin them from requiring a filing fee in compelled violation of my religious belief. (App. P-Exhibit M) Per a staff member's request I also sent a letter to the US Supreme Court concerning running for president without compelled religious violations. (App P-Exhibit N). Please note in *Kelly v Democrats* I averred a Republican Steve Smyk rescued me when Rep Ron Gray attacked me on Bury the Hatchet Day, despite the fact I am a democrat, showing impartiality and leadership. (App P-Exhibit O).

49. I am scared people talked about shooting me but for my religious-political beliefs contained in the speech on my vehicle, destroyed my signs, and my opponent attacked me causing Senator Coons secret service men and Steve Smyk to rescue me. (App P at Kelly v Democrats)

50. The State claims the reason to place my DE license to practice law is based on my speech containing my religious-political beliefs contained in pleadings against former President Donald J. Trump [Trump] to dissolve the establishment of government religion that created and continues to create a substantial burden upon my religious exercise by eliminating freedom to allow religious exercise to be bought and sold with government backing through a series of executive orders. I incorporate herein by reference the pleadings I filed in *Kelly v. Trump*.

51. The US Supreme Court held in *Gentile v. State Bar of Nevada*, 501 U.S. 1030, 1054 (1991)

“At the very least, our cases recognize that disciplinary rules governing the legal profession cannot punish activity protected by the First Amendment, and that First Amendment protection survives even when the attorney violates a disciplinary rule he swore to obey when admitted to the practice of law....We have not in recent years accepted our colleagues' apparent theory that the practice of law brings with it comprehensive restrictions, or that we will defer to professional bodies when those restrictions impinge upon First Amendment freedoms.”

52. Although the court noted lawyers may be regulated under less restrictive standards to protect speech, the Court has not addressed whether the State may be deemed disabled but for my exercise of 1st Amendment religious beliefs contained in my Religious Freedom Restoration Act petitions in *Kelly v Trump*.

53. The doctrine forbidding unbridled discretion is violated when the decision maker relies upon no more than his purely subjective ideas of public welfare, peace, safety, health, decency, good order, morals or ethics. *See Shuttlesworth v. City of Birmingham*, 394 U.S. 147 (1969). Moreover, the DE Disciplinary proceeding was brought to conceal State misconduct.

54. Chancery Court and DE Supreme Court agents and members sought to impede and obstruct my access to the Courts in *Kelly v Trump*. The First Amendment prohibits state

officials from retaliating against Claimants, such as myself, for exercising their right of access to the courts. “Retaliation by public officials against exercise of First Amendment rights is itself violation of the First Amendment.” US. Amend. 1. *Zilich v. Longo*, 34 F.3d 359 (6th Cir. 1994).

55. A representative of the Chancery Court staff misled me into almost missing my deadline to file a notice of Exception. The representatives at the Chancery Court demeaned me apparently based on poverty, association or religious beliefs. I petitioned Chancery Court Master Patricia Griffin for her help from disparate treatment. In addition, the DE Supreme Court through ODC impermissibly interfered with *Kelly v Trump* by contacting Judge Clark. (A-4, A-5).

56. In mid-April, Judge Clark appeared to threaten me at BJ's, a store, located in Millsboro, Delaware, as if I was on trial for standing up for my faith in Jesus, solely based on my exercise of seeking relief in court based upon alleviating the government sponsored burden the establishment of government-religion Trump created upon my free exercise of religion. The ODC and Judge Clark clearly violated my right to access to the courts to defend my religious beliefs and exercise of belief, by seeking to use their government power to obstruct my case, showing partiality to the Defendant, the President of the United States. “Supreme Court's two-step Saucier analysis governs whether a government official is entitled to qualified immunity, considering: (1) whether the facts alleged by the plaintiff show the violation of a constitutional right, and (2) whether the right at issue was clearly established at the time of the alleged misconduct.” *Werkheiser v. Pocono Twp.*, 780 F.3d 172 (3d Cir. 2015).

57. Judge Clark and the State knew or should have known that seeking to use the cloak of government authority, as a respected, fair judge, to chill or condemn or interfere with my ability to bring this case without government retaliation or pressure violates My 1st amendment right to petition, speech, religious belief, association, and exercise of belief. My

right to a fair, unobstructed trial to alleviate a substantial burden upon my free exercise of religion is a constitutional right. I was standing up for my personal freedom to worship Jesus according to the dictates of my conscience, even if no one else shares the same beliefs, without government persecution. I am permitted to believe differently than the government through its agents, even if what Jesus teaches seems foolish to the world. 1 *Corinthians* 1:18, 2:14-16. *Id.*

58. “Government official's conduct violates “clearly established” law, so that the official is not entitled to qualified immunity, when, at the time of the challenged conduct, the contours of a right are sufficiently clear that every reasonable official would have understood that what he is doing violates that right.” *Id.* I desired fair access to the courts, without government persecution based on my exercise of redressing a grievance to alleviate the burden upon my free exercise of religion from Government sponsored religious persecution directly caused by government establishment of government-religion and government-religious views. I objected to disparate treatment based on religious affiliation, and reserved the issue for appeal on due process, first amendment and equal protection grounds in the civil rights case. *Id.*

59. During *Kelly v Trump* I received a threatening letter from DE-Lapp with information only the DE Supreme Court was privy to. (App P-A-4, A-5) I later realized it was the DE Supreme Court who participated and caused the attacks. I received 2 more letters from DE-ODC, for a total of three threatening letters prior to my petition in *Kelly v Trump* was denied at USSC. I filed my civil rights law suit before the Delaware Disciplinary proceeding began. (A-5) After the civil case started, the USSC rejected my petition in *Kelly v Trump*. It was weeks later the Delaware Disciplinary proceeding initiated.

60. During the disciplinary case suit additional violations of my Constitutional rights, federal law and common law arose, compelling me to move more than thrice to amend my

complaint with no grant. Per the attached Brief, Reargument and State reply, additional facts, legal claims arose or were discovered since I initiated the civil rights case.

61. I have religious and Constitutional objections to certain Delaware Disciplinary rules and the federal rules and Constitutional arguments against lawyer disciplinary proceedings and disciplinary proceedings against federal judges too that are too costly to attach at this time, and yet I and the public have an important interest in maintaining fair impartial courts not controlled by partial selfish interests that inhibit their ability to uphold the impartial Constitutional application to the rule of law.

62. I asserted these claims as well as new claims that arose after the civil rights case was filed on October 25, 2023 in the Delaware District Court pleadings I appealed, including in the attached Motions for rearguments under FRCP 52, 59 and 60 in the trial court which show I was not afforded notice of the initiation of the disciplinary suit on December 10, 2023 despite the Defendants averring such notice was given. Nor was I afforded an opportunity to self-represent in violations of the 6th Amendment by the appointment of counsel on December 13, 2023, apparently no notice was given to anyone on my behalf on December 10, 2023 as the Board averred. I asserted new compelled violations of my asserted religious exercise under the 1st Amendment, denied motions to subpoena witnesses, the state's denial of its own rules, concealing evidence in my favor sealing my own pleadings, preventing me access to documents in a case where I am a party and other harm I noted below, but cannot attach them all herein due to printing and mailing costs making it unaffordable given my compelled state of poverty as Defendants prevent me from working in the occupation of my choice and I assert my right against involuntary servitude by invoking the 13th Amendment and the 1st Amendment on religious beliefs and exercise grounds.

63. Pursuant to US Amend V, I seek a reasonable fair opportunity in the form of additional time to defend the exercise my 1st Amendment right to petition to assert my claims in the civil rights case in order to prevent the permanent loss of the exercise of fundamental rights including my private 1st Amendment right to petition, speech, religious belief, exercise of religious belief, 6th Amendment right to self-represent in state Court, 13th Amendment right against involuntary servitude, harm to health, loss of property interests, 6 new law suit needless law suits with a certain one before the US Supreme Court, loss of licenses, Constitutional arguments against disciplinary proceedings and rules including but not limited to Rules 7, 13, 14, other Constitutional liberties and claims, not by free choice, but government compelled choice, should this court not accommodate me by allowing a stay so as not to forever deprive me of my religious exercise of belief in Jesus without threat of punishment in DE, and other injuries caused by denial of a time. ¹

64. A denial of time vitiates my ability to effectively exercise my 1st Amendment right to petition in this civil rights and in the other-case on appeal effectively vitiating my 1st Amendment right to religious belief, exercise of belief, speech, association, and other claims. Denial by this Court would compel me against my will to lose my First Amendment right to religious belief in Jesus, exercise of belief, 1st Amendment right to petition to safeguard Constitutional liberties and other claims forever in DE as the Delaware Courts and its arms will

¹ See, *Centifanti v. Nix*, 865 F.2d 1422 (3d Cir. 1989) (“Suspended attorney who had been denied reinstatement to bar brought civil rights action against Chief Justice and Justices of Pennsylvania Supreme Court alleging various constitutional defects in procedural rules under which Supreme Court considers petitions for reinstatement of suspended attorneys.....The Court of Appeals, Cowen, Circuit Judge, held that: (1) **federal district court had subject-matter jurisdiction**; (2) **district court abused its discretion in denying attorney's motion for leave to amend complaint**; (3) district court properly denied attorney's motion to compel discovery of privileged documents; and (4) attorney's complaint was **not barred by state statute of limitations for tort actions or by principles of res judicata.**”) (emphasis intended).

continue to consider me below the protection of the Constitutional law as they have deemed me unworthy for almost 20 years. (App. P)

65. Time is required to prevent irreparable injury to me in terms of the loss of my freedom to exercise private 1st Amendment right to religious belief in Jesus Christ in DE, petition, speech, association, 6th Amendment right to self-defense, and licenses under the threat of not being able to buy and sell but for my religious beliefs the state finds repugnant.

66. I also require a stay to sustain my life and health. I asserted my right to live in all courts and have attached on the record health records and averred that I must assert my right to live under less strenuous circumstances because people have the sin against the holy spirit by the desire not to want to inconvenience their own for the few to sustain life and health. App. Q I have religious objections to healthcare and mental healthcare.

67. On or about October 25, 2021 I brought a lawsuit against the Defendants for equitable relief, and damages for the Defendants and the justice of the Delaware Supreme Court's violations of my private First Amendment right to petition, religious belief, religious exercise of belief, speech, political and professional association, defamation, infliction of emotional distress, economic damages, intentional infliction of emotional distress, procedural due process violations, Equal Protections violations, Witness intimidation and tampering, collusion to incite state attacks against me during *Kelly v Trump* to cause me to forgo my RFRA petition, where the state sealed evidence in my favor, fired two material witnesses, sent two DE Supreme Court arms to threaten me to interfere with *Kelly v Trump* to cause me to forgo my appeal, procedural due process violations, and other claims. In my Motions for reargument I also requested nominal damages and moved to amend my complaint, moved to vacate my motion to amend so I may move as a matter of right to include all the additional and new claims and

damages that arose since the inception of the case. The Court ignored and did not address my numerous rolling motions to amend the complaint as a matter of right.

68. The record shows the Delaware Supreme Court and Chancery Court and their members and agents incited or participated in the conspiracy to interfere, harass, or pressure me to forgo my case against former President Donald J. Trump, and substitution of President Biden for Donald J. Trump to protect my free exercise of religion, speech, and association from government sponsored persecution for such exercise, and to dissolve the establishment of government religion by seeking to enjoin former President Trump and current President Biden from enforcing executive orders creating a union of government-religious entity partnerships, including enjoinder of Executive Order No. 13798, maintained and reestablished by President Biden by his enforcement of E.O. 13798, and President Biden's enforcement of Ex. Or. No. 13198, Jan. 29, 2001, as amended by Ex. Or. 14015, Feb. 14, 2021; Ex. Or. No. 13199, Jan. 29, 2001, as revoked by Ex. Or. No. 13831, May 3, 2018; Ex. Or. No. 13279, December 12, 2002, as amended by Exec. Or. No. 13559, November 17, 2010; Ex. Or. No. 13559, Nov. 17, 2010; Ex. Or. No. 13831, May 3, 2018, and Biden's enactment of Ex. Or. No. 14015, Feb. 14, 2021 ("executive orders"). These executive orders allow money or support to be transferred between government agents and religious organizations based on a bought or bartered for partnerships between government and religion, not based on safeguarding freedom from forced government religion or forced relationships with religious entities to gain the bartered for government support through such religious entities.

69. The money in the bought, not free union of church and state, is one reason why religious-political attacks seemed to have increased in recent years. President Biden's Valentine's Day executive Order, Ex. Or. No. 14015, Feb. 14, 2021, is troubling since it appears

to allow government money to be bestowed to religious organizations, like churches in other countries. This is especially troubling for me since I am Catholic. President Biden is Catholic. Six Supreme Court justices associate as Catholic, and certain religious groups believe Catholics are evil. Some speak of alleged child molestation by priests. Others say the pope is the antichrist for changing the Sabbath and disobeying God in *Jeremiah* 10 and Jesus in *Mark* 7:8 by adopting secular holidays. God teaches us not to celebrate Christmas and secular holidays as partaking in festivities misleads people to hell by teaching collective compelled societal pressured conduct of gifting is unconditional love. The Court must protect their freedom to believe differently by dissolving the establishment of government religion or an agenda will demean religions as businesses to eliminate freedom of religion down the line by those who control the resources to control the government and the people to eliminate the government down the line if the courts do not restrain the other two branches to prevent the agenda. I seek damages, nominal damages and to void *Kelly v Trump* for due process violations in this case *Kelly v Swartz*.

70. In *Kelly v Trump*, I made a number of complaints to the Chancery Court based on the Court's staff's disparate treatment against me based on political-religious-poverty grounds. Chancery Court staff colluded to prevent the service of local counsel by writing on one praecipe and requesting I cross of the address of local counsel on another. Chancery Court staff misled me to miss my deadline for appeal. I moved the Delaware Supreme Court for relief against attacks by its own arms and agents made to cause me to forgo my case in *Kelly v Trump*. The Court sealed these motions to conceal them from record on my appeal to the US Supreme Court, the future disciplinary proceedings, and related proceedings. The Delaware Supreme court later fired two Chancery court staff to prevent their testimony in my defense relating procedural due process violations in *Kelly v Trump*.

71. The Chancery Court and Delaware Supreme Court's agents' or members' interference in Kelly v Trump, three threatening letters, Judge Clark's private attacks against me in a grocery store and participation in retaliation against me in instigating attacks against me to cause me to forgo my 1st Amendment right to petition in Kelly v Trump and to later incite a disciplinary proceeding to demean me as disabled to cover up Court misconduct after the filing of this civil rights case by seeking to later petition to place my license to practice law on disability me as an active attorney but for the exercise of Constitutionally protected rights motivated by their members' or agents' desire to suppress or demean or disapprove of my petitions, religious beliefs, speech, political association, and, or poverty violates my First Amendment rights applicable to the Defendants pursuant to the Fourteenth Amendment and in violation of 42 U.S.C. § 1985 (2)(b) or 42 U.S.C. § 1983.

72. I petitioned the Delaware Supreme Court to suspend lawyer fees for lawyers out of work during the pandemic while Kelly v Trump was live. The Court denied my request, indicating they would make determinations on a case-by-case basis.

73. I made a second request, noting I could not ask the honorable court to violate the Constitution by selective application towards me, as an attorney within a similarly situated class of lawyers facing economic hardship in violation of the Equal Protections Clause applicable to the Court pursuant to the Fourteenth Amendment.

74. No response was given by the Delaware Supreme Court. I paid the fees. Two months later, De-Lapp an arm of the Delaware Supreme Court and co-conspirator with the Defendants threatened me, requiring a response to their desire to investigate me within 10 days, based on my request for a waiver of fees to the court. How did they know to retaliate against me for the petition unless the Delaware Supreme Court or their agent told them? De-Lapp's agents

obviously were not concerned about helping me pay for the attorney active license registration fees since I made such payment two months before they threatened me.

75. The Delaware Supreme Court may have had pure motives, concern for poverty by reporting my poverty to the arm. Those motives appeared to turn sour since the Delaware Supreme Court never responded to my second letter relating to relief from lawyer registration fees. In addition in their opinion placing my license on disability but for my religious belief in Jesus per their own admission, they cited case law where another attorney was denied a waiver of attorney fees on other different Constitutional arguments, which shows the Delaware Supreme Court collaborated to punish me in violation of my 1st Amendment private rights but for the exercise of those rights since Judge Clark and DE-Lapp attacked me based on information only members of the Delaware Supreme Court had.

76. Later Defendants sent two different threatening letters to cause me to forgo Kelly v Trump before my petition was dismissed by the US Supreme Court on November 1, 2021.

77. The Delaware Supreme Court agent ignored my requests to attend a Delaware CLE, which was unusual for her, and appeared to be in conspiracy to retaliate against me and black ball me from participating in activities open to Delaware barred lawyers, based on the petition Defendants brought against me concerning my belief in Jesus Christ.

78. In addition, one of the Delaware Supreme Court justices came into the law library and asked for federal court jury instructions, I believe to prepare to sue me or help a court agent to sue me.

79. The record shows a member of the Chancery Court appeared to seek to sabotage my case in Kelly v Trump, by preventing me to almost miss my filing deadline, and by

instructing me to cross off local counsel's address on my praecipe to prevent service, to prevent my case going forward based on her disagreement with my political, religious beliefs or to cover up mistakes or misbehavior. The same staff member appeared to write on my October 5, 2021 praecipes, and underline the praecipes I drafted on October 12, 2021 to testify and be a witness without cross examination for the appellate justices to gain clarification, instead of filing them as I presented them, unmarked. I do not want her to get into trouble.

80. In April, 2020, Judge Kenneth S. Clark of the Court of Common Pleas interrogated me at BJ's, a bulk grocery store, located in Millsboro, DE in a threatening matter, apparently backed by the Office of Disciplinary Counsel ("ODC"), disapproving of my religious beliefs and law suit.

81. The evidence shows the Delaware Supreme Court through its members or agents instigated DE-Lapp, Judge Clark's and the Office of Disciplinary attacks against me during Kelly v Trump to cause me to forgo my private petition and to cover up my pleadings to Master Griffin and the Delaware Supreme Court regarding staff members' disparate treatment based on religious-political or poverty animus obstructing which creates manifest prejudice against me, or at least appeared to instigate the ODC's proceedings against me, giving the appearance of lack of partiality, and the inability to grant me a fair trial in the above referenced matter.

82. Since October 25, 2021 additional claims arose I asserted my right to amend to amend my complaint as a matter of right by moving to withdraw my first January 24, 2022 motion to amend my complaint, while filing pleadings to amend my complaint to include new and additional facts, evidence, foreseeable harm and claims that arose since the inception of the law suit.

83. The probable cause hearing occurred after I filed this civil rights case on November 3, 2023, after the DE District Court's first Order dismissing the Complaint, November 2, 2023. The disciplinary proceeding was initiated improperly but officially on December 10, 2023, where the Board sent out notice to no one on my behalf as the Court did not even appoint counsel despite my prior 1st Amendment and 6th Amendment assertion to self-representation until December 13, 2023.

84. The DE District Court dismissed my complaint under Younger grounds on November 2, 2023 prior to any disciplinary proceeding or probable cause hearing.

85. I filed the attached Motion I incorporate herein with all attached exhibits and any document I refer to by reference in its entirety in Plaintiff's Motion for Reargument dated November 6, 2021, filed November 8, 2023 wherein I argued additional facts, claims that arose including intentional infliction of emotional distress, new 1st and 6th Amendment violations by Defendants and the DE Supreme Court, and errors of law, facts creating manifest injustice.

86. I filed the attached motion to amend the Motion for reargument, with an Amended Motion for reargument and exhibits thereto I incorporate herein with new and additional damages and evidence of Constitutional violations and violations of Delaware Disciplinary rules.

87. The DE District Court dismissed the Motion. New and additional facts and deprivations of Delaware Disciplinary Rules, Constitutional violations, including violations of the opportunity to be heard, to subpoena witnesses, notice and other claims accrued since the Order. The Hearing provided 8 days prior to the hearing when Delaware Disc Proc Rule 12 (h) requires 10 days of advance notice. I filed a motion to subpoena witnesses, including the one the Delaware Supreme Court concealed Arline Simmons by firing her, even though I did not know

the court eliminated her at the time. So, I filed additional motions under FRCP Rules 52, 59, 60 I incorporate herein in their entirety.

88. DE District Court dismissed these too. Since then new and additional claims, Constitutional violations arose as the DE Disciplinary proceeding started. I included these in the motions I appealed to the Third Circuit. Notably, I have Constitutional arguments against certain Delaware Disciplinary rules, Constitutionality of the procedure, and Constitutional arguments against regulating federal judges including the USSC I placed on the record of the Delaware District Court.

89. I require adequate time to meaningfully petition this Court to prevent 6 additional law suits, and to prevent deprivations of my liberties and licenses based on clear error of law, of fact creating manifest injustice.

90. Should my appeal in the Civil-rights-case be granted and the case be remanded back to the Delaware District Court in Kelly v Swartz, Number 21-1490, the threat of 6 possible law suits create an obstacle so great as to prevent me a fair opportunity to petition in the Civil-rights case until the conclusion of the proceeding given the voluminous amount of Defendants, claims, poverty creating a substantial burden, health issues and other facts of this case. I ask for a fighting reasonable chance for the opportunity to defend my faith in Jesus Christ and other claims without government persecution. Even if the Third circuit in the other-case merely remands this case back to Judge Diamond, my ability to effectively and fairly exercise my right to petition in this case to prevent 6 needless additional cases and the civil rights case is diminished causing me to lose Constitutional protections in DE forever and licenses in multiple courts. I need time to research how I may prevent 6 new lawsuits.

91. My right to petition to safeguard my fundamental rights and claims by petition of the original DE order before the USSC were previously denied by the Third Circuit and Judge Phipps in particular in the Civil rights case by his denial of stay. Time must be granted to give me a fighting chance to petition the civil rights case on appeal to the US Supreme Court, and hopefully back on remand before the DE District Court. I assert my right to effectively fight the Delaware Supreme Court members and other Defendants in the civil proceeding to defend not merely my licenses but elimination of my 1st Amendment right to believe in Jesus Christ and other rights forever while shielding state persecution of me in vindictive retaliation for merely petitioning to assert my rights over a course of about 20 years that will continue should this court not uphold my asserted Constitutional rights.

92. I filed containing Constitutional arguments against lawyer self-regulation and third-party regulation. I desire to expand upon these arguments on Petition for writ of certiorari to allow this Honorable Court to draw a clear line on the fact Federal judges may not be regulated through self-regulation or third-party regulation through committees seeking their testimony or otherwise. Such regulations of the federal judiciary create injustice, making us less free, by tempting federal judges to render orders based on their collective interests or based on the interest of third parties who regulate their seats as opposed to the impartial rule of law.

93. I also oppose eliminating life time tenures as that will tempt federal judges to be partial towards the interests of those who maintain their seats as opposed to maintaining impartiality necessary to safeguard the rule of law. I would like the court to consider extending these safeguards to the Circuit and District courts allowing life term appointments during good behavior and limiting correction within the Constitutional limits of 1. Cases and controversies and 2. Impeachment. It is unfair to compel judges to violate their 5th Amendment right against

self-incrimination to discipline judges, including the US Supreme Court to garner a fishing expedition to impeach.

94. This case relates to the important question as to whether federal judges should be corrected within the purview of the Constitutional limits without government compelled waiver of their 5th Amendment right against self-incrimination in 1. Cases and controversies and 2. By impeachment, so as not to vitiate the 5th Amendment Equal Protections and right to a fair and impartial forum disciplinary proceedings or regulations of claimants, including me as a party of one with unique religious beliefs and exercise of beliefs with regards to “justice in the courts” *Amos 5:15*. This requires the court entertain and encourage and not chill attorney complaints to correct mistakes and misconduct by the judiciary, president or even Congress.

95. The proceeding also involves questions of exceptional importance which to my knowledge have not previously been addressed by any Court. The answers the Court provides may promote the impartiality of the federal courts and preserve the United States from an unnaturally schemed overthrow. The answers may also preserve not only my Constitutional liberties but the Constitutional liberties of the public from the government backed foreign and private partners’ elimination of all Constitutional protections under the threat of removing the ability of people to buy and sell but for their exercise of religious belief in Jesus’s teachings which do not conform to the secular or religious belief of the government, or the government backed foreign or private partners, including but not limited to the private partners the BIS, the federal reserve, other central banks, IMF, and the World Bank. See Exhibits to App M showing I averred of my concerns with regards to the USSC and courts. Albeit I drafted other filings below with additional concerns.

Wherefore I pray this Court grants my motion so this Court may have the opportunity to address important questions.

Dated July 26, 2023

Respectfully submitted,

/s/Meghan Kelly

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