

**IN THE UNITED STATES SUPREME COURT**

**ON APPEAL FROM**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

*Case No. 22-4098 (2:22-cv-00133-HCN)*

*Velasquez*

v.

*Hon. Mr. Robert Baldock (10th Cir.), Hon. Mr. Dee Benson (dec.)*

*Hon. Ms. Allison Eid (10th Cir.), Hon. Mr. Paul Kelly (10th Cir.),*

*Hon. Mr. Dale Kimball, Hon. Ms. Carolyn McHugh (10th Cir.)*

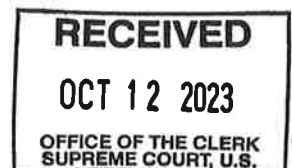
*Hon. Ms. Nancy Moritz (10th Cir.), Hon. Mr. David Nuffer*

*Hon. Mr. Paul Warner (ret.)*

**PETITION TO EXTEND TIME TO FILE**

**THE PETITION FOR A WRIT OF CERTIORARI**

**Supreme Court Rule 30**





## NOTICE TO THE COURT

According to a COMPLAINT of PERJURY a *quorum* in the above named COURT OF APPEALS has misused the construction, standing, and effect of **Federal Rule of Civil Procedure 59**, the NEW TRIAL rule, as may have relevance to **Federal Rules of Civil Procedure 60(d)**, the *fraud on the court* rule, as may have preliminary order of timeliness defined under **Federal Rule of Appellate Procedure 4**; Rule 59 was intentionally misused to prevent the Tenth Circuit Court of Appeals from learning the ins and outs of Judicial Fraud claims from civil plaintiffs for the first time in the history of the United States Courts.

The PLAINTIFF now attempts extraordinary action in the DISTRICT COURT and seeks an extension of time to file on the extraordinary terms of U.S. SUPR. CT. R. 30.

## MOTION FOR EXTENSION OF TIME

1. GIVEN there are ninety days from 7/10/23 to file a Notice of Appeal on a petition for Writ of Certiorari under U.S.Supr.Ct.R.13.1.
2. GIVEN 90 Days will have expired the time to file on 10/09/23, the first Monday after the weekend, a petition for REHEARING was terminated 7/10/23.<sup>1</sup>
3. We make this petition holding these are indeed the most extraordinary circumstances; the lower courts have, we have demonstrated it, and intend to demonstrate here, built a complex *sedition resolution* which targets the right of any PLAINTIFF to petition for review of the Constitutionality of a State Law.

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<sup>1</sup> See APPX at 016.

4. That is, we have demonstrated on record there are repeated PERJURIES at *fraud on the court*, and that in this instance where we attempted to clarify everything, defining Judicial Malpractice, *codified misconduct*, and *false declarations in the official transactions* judges in the lower courts first made false claims of Judicial Immunity, and then made false RULE 59 limitations which kept them from reviewing the JUSTICIABILITY of the court's holding under RULE 60(d).

5. We took the time to petition in the United States Court of Appeals for the Tenth Circuit for review of the plausible CRIMINAL CONTEMPT, that is the panel's treatment was inordinate and looked like CONSPIRACY TO DEPRIVE CIVIL RIGHTS and CONSPIRACY TO DEFRAUD THE UNITED STATES.

6. I sent a petition into the CLERK, and the CLERK there lost the petition; they misconstrued it as vexatious and attempted to accuse me of misbehaving, refusing to recognize the Petition and the letter I had sent by mail as they had instructed me to.
  
7. Later, after mailing, and after several weeks in July and August of trying to gain there attention on this matter which concerns CIVIL RIGHTS I finally spoke with Leslie Fathallah in the Circuit Executive's Office who disavowed knowledge of CONTEMPT authority in the TENTH CIRCUIT, *generally*.
  
8. Fathallah also informed me the Contempt complaint had been filed as a Behavioral Misconduct complaint, a **28 U.S. § 351** complaint which does not bear standing when a *false declaration* is made on the merits of the case.

9. I asked her to return the filing with an explanation of why and how the court had elected not evaluate circumstances of CRIMINAL CONTEMPT by its own membership.
10. She returned to me NOT the Contempt Petition, but a follow-up letter I had mailed asking more or less what the court had done with the filing.
11. My pursuit of that object precipitated the Chief Deputy Clerk, Jane Castro to not only ignore my questions,<sup>2</sup> but also to issue the Court's MANDATE over a month after the PANEL had made the issue in question.<sup>3</sup>

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<sup>2</sup> *Id.* 012-014.

<sup>3</sup> *Id.* 010.

12. Timely appeal was thereby delayed for at least one month while the court's CLERK refused to recognize an EMERGENCY PETITION that there was repeated intentional *fraud on the court*, and that it was bad for everyone involved.

13. Once it was obvious the Plaintiff could have no venue to access TENTH CIRCUIT contempt jurisdiction, a circumstance we allege is an extrajudicial assessment over a litigable claim, we applied for DISCRETIONARY REVIEW OF THE JUDGEMENT OF THE COURT APPEALS in the DISTRICT COURT.

14. The motion that was dismissed by JUDGE Howard Nielson 9/11/2023,<sup>4</sup> against whom the APPEAL presented an allegation of *fraud on the court* based in the record of the DISTRICT COURT.

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<sup>4</sup> *Id.* 008.



15. The Plaintiff sought to circumvent the JUDGE Nielson's order forbidding filing by appealing to the statute which defines the authority of the CHIEF JUDGE, given there was not any other controlling procedural precedence for such a circumstance as DISQUALIFICATION from self-review on matters of personal liability (28 U.S. § 455).

16. The CLERK declined to receive the filing, and held the document without return until 9/20/23.<sup>5</sup>

17. Once the document was returned, the Plaintiff then initiated a NEW civil filing in the DISTRICT COURT to gain audience for the complaint, amicable civil rights filings seeking an order to compel the CLERK to file the document.

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<sup>5</sup> *Id.* 005.

18. That action requires the patience of the high court whose authority, once invoked, will demand the cessation of the related case because the terms of the interlocutory authority are in fact on the *shared* terms of whether some jurists did or not commit HIGH CRIMES against the Plaintiff in course of their official transactions.

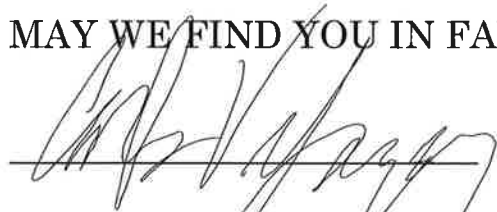
#### SUMMARY

1. Only now can we prove the efficiency of the intended action to extend time to file in UNITED STATES SUPREME COURT; we request the maximum increase allowed, while we have presented a MOTION in the DISTRICT COURT for *speedy* trial on most amicable to all parties served.
2. THEREFORE, because we have been compelled under ordinary stress to seek the most extraordinary relief and do the utmost diligence we may, it was in order to place this request *late* for an

extension of time because (a) the CLERK of the COURT of APPEALS would not permit that court to evaluate the question;

3. (b) the time required to petition all of these elements pushed the limits the Plaintiff's resources, so that the only efficient time to produce this limited motion was once the *new* COMPLAINT had been transmitted to the DISTRICT COURT for filing.

MAY WE FIND YOU IN FAVOR OF THE FEDERAL CONSTITUTION



Carlos Velasquez, Pro Se

Civil Bureaucratic Federalist

10/5/23





FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

June 20, 2023

FOR THE TENTH CIRCUIT

Christopher M. Wolpert  
Clerk of Court

CARLOS VELASQUEZ,

Plaintiff - Appellant,

v.

ROBERT BALDOCK; DEE BENSON;  
ALLISON EID; PAUL KELLY; DALE  
KIMBALL; CAROLYN MCHUGH;  
NANCY MORITZ; DAVID NUFFER;  
PAUL WARNER,

Defendants - Appellees.

No. 22-4098  
(D.C. No. 2:22-CV-00133-HCN)  
(D. Utah)

ORDER AND JUDGMENT\*

Before **TYMKOVICH**, **BACHARACH**, and **ROSSMAN**, Circuit Judges.

Carlos Velasquez, pro se,<sup>1</sup> filed this appeal from an underlying civil action he brought against nine district and appellate judges. We dismiss the appeal in part for

\* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

<sup>1</sup> Because Mr. Velasquez is pro se, we construe his arguments liberally, but we “cannot take on the responsibility of serving as [his] attorney in constructing arguments and searching the record.” *Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840 (10th Cir. 2005).

lack of jurisdiction and, exercising jurisdiction under 28 U.S.C. § 1291, affirm in remaining part.

## BACKGROUND

In two prior actions, Mr. Velasquez brought claims against the State of Utah and various state agencies. The district courts dismissed those actions, this court affirmed the dismissals, and the United States Supreme Court denied Mr. Velasquez's petitions for certiorari and petition for rehearing. *See Velasquez v. Utah* (“*Velasquez I*”), 775 F. App'x 420, 421 (10th Cir.), *cert. denied*, 140 S. Ct. 615 (2019), *reh'g denied*, 140 S. Ct. 1254 (2020); *Velasquez v. Utah* (“*Velasquez II*”), 857 F. App'x 971, 972 (10th Cir.), *cert. denied*, 142 S. Ct. 469 (2021).

In the action underlying this appeal, Mr. Velasquez sued the district and appellate judges in *Velasquez I* and *Velasquez II*. He asserted the adverse decisions the district judges entered in two prior district court cases contained “false conclusion[s]” and constituted “perjury and . . . fraud on the court.” R. at 127 (*italics omitted*). He further asserted the judges from this court who presided over the subsequent appeals had “proven to be opaque and hostile to the questions [he] consistently presented” and that there had been an “absolute avoision [*sic*] of [his] pleadings,” *id.* at 128 (*italics omitted*). He sought as relief an order setting aside the judgments in both prior cases and reinstating the second case.

On June 2, 2022, the district court dismissed the complaint with prejudice as frivolous and entered judgment the same day. On July 29, 2022, Mr. Velasquez filed a “Motion for Extraordinary Relief and New Trial,” in which he requested

reconsideration of the dismissal and recusal of the district court judge. The district court denied that motion on August 25, 2022, and Mr. Velasquez filed a notice of appeal on October 18, 2022.

### DISCUSSION

We “have an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party,” so we “may sua sponte raise the question of whether there is subject matter jurisdiction at any stage in the litigation.” *Image Software, Inc. v. Reynolds & Reynolds Co.*, 459 F.3d 1044, 1048 (10th Cir. 2006) (italics and internal quotation marks omitted). “[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement.” *Bowles v. Russell*, 551 U.S. 205, 214 (2007). Mr. Velasquez filed his “Motion for Extraordinary Relief and New Trial” more than 28 days after the district court entered judgment, so it did not extend the time to file his notice of appeal. *See* Fed. R. App. P. 4(a)(4)(A)(iv)–(vi); Fed. R. Civ. P. 59(b). And because Mr. Velasquez did not file his notice of appeal until 138 days after the underlying dismissal order, we lack jurisdiction to review it. *See* Fed. R. App. P. 4(a)(1)(B)(iii) (allowing 60 days to file notice of appeal where one of the parties is a United States employee). But we have jurisdiction to consider the denial of the motion for a new trial because he filed his notice of appeal within 60 days of the order denying that motion, *see id.*, and orders denying such motions are appealable even where, as here, there is no timely appeal from the underlying ruling, *see Servants of the Paraclete v. Does*, 204 F.3d 1005, 1008 (10th Cir. 2000).



We review the denial of the motion for a new trial for abuse of discretion. *See Price v. Philpot*, 420 F.3d 1158, 1167 n.9 (10th Cir. 2005). Mr. Velasquez does not demonstrate the district court abused its discretion when it denied his “Motion for Extraordinary Relief and New Trial.” At most, his submissions before this court establish disagreement with the district court’s underlying dismissal order, but as set forth above, we do not have jurisdiction to review that order. To the extent Mr. Velasquez articulated that disagreement in his motion for reconsideration and thereby seeks appellate review, “a motion for reconsideration . . . is not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.” *Servants of the Paraclete*, 204 F.3d at 1012.

### CONCLUSION

We affirm the denial of Mr. Velasquez’s “Motion for Extraordinary Relief and New Trial.” We dismiss the remainder of the appeal for lack of jurisdiction. We also deny Mr. Velasquez’s

- “Motion for Review En Banc” and
- “Motion for Efficient Review.”

Entered for the Court  
Per Curiam

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Byron White United States Courthouse

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Denver, Colorado 80257

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Clerk@ca10.uscourts.gov

Christopher M. Wolpert  
Clerk of Court

Jane K. Castro  
Chief Deputy Clerk

June 20, 2023

Mr. Carlos Velasquez  
P.O. Box 581365  
Salt Lake City, UT 84158

**RE: 22-4098, Velasquez v. Baldock, et al**  
Dist/Ag docket: 2:22-CV-00133-HCN

Dear Appellant:

Enclosed is a copy of the order and judgment issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Please contact this office if you have questions.

Sincerely,



Christopher M. Wolpert  
Clerk of Court

CMW/djd

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**July 10, 2023**

**FOR THE TENTH CIRCUIT**

**Christopher M. Wolpert**  
**Clerk of Court**

---

CARLOS VELASQUEZ,

Plaintiff - Appellant,

v.

ROBERT BALDOCK, et al.,

Defendants - Appellees.

No. 22-4098  
(D.C. No. 2:22-CV-00133-HCN)  
(D. Utah)

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**ORDER**

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Before **TYMKOVICH, BACHARACH, and ROSSMAN**, Circuit Judges.

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This matter is before the court on appellant's Motion for Reconsideration, which we have construed as a petition for panel rehearing. *See* Fed. R. App. 40. As construed, and upon full consideration, the petition for panel rehearing is denied.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk

**Dear Clerk,**

Please find a petition to extend the time to file a Petition for Writ of Certiorari from after disposition of an Appeal in the U.S. Court of Appeals for the Tenth Circuit.

I swear under Penalty of Perjury I have mailed a copy of this letter to the following original parties:

Hon. Mr. Howard Nielson

*(Velasquez v. Baldock et al., 2:22-cv-00133/CA10 22-4098)*

Hon. Mr. Jared Bennet

*(Velasquez v. Baldock et al., 2:22-cv-00133/ CA10 22-4098)*

Hon. Mr. Robert Baldock (10th Cir.)

*(Velasquez v. State of Utah, 2:20-cv-00255/CA1020-4087)*

Hon. Mr. Dee Benson (dec.)

*(Velasquez v. State of Utah, 2:20-cv-00255/CA10: 20-4087)*

Hon. Ms. Allison Eid (10th Cir.)

*(Velasquez v. State of Utah, 2:20-cv-00255/CA10: 20-4087)*

Hon. Mr. Paul Kelly (10th Cir.)

*(Velasquez v. State of Utah, 2:18-cv-00728/CA10:19-4041)*

Hon. Mr. Dale Kimball

*(Velasquez v. State of Utah, 2:20-cv-00255/CA10:20-4087)*

Hon. Ms. Carolyn McHugh (10th Cir.)

*(Velasquez v. State of Utah, 2:18-cv-00728/CA10:19-4041)*

Hon. Ms. Nancy Moritz (10th Cir.)

*(Velasquez v. State of Utah, 2:18-cv-00728/CA10:19-4041)*

***(2:20-cv-00255/CA10:20-4087)***

Hon. Mr. David Nuffer

*(Velasquez v. State of Utah, 2:18-cv-00728/CA10:19-4041)*

Hon. Mr. Paul Warner (ret.)

*(Velasquez v. State of Utah, 2:18-cv-00728/CA10:19-4041)*

**SIGNATURE**

A handwritten signature in black ink, appearing to read 'Carlos Velasquez', written over a horizontal line.

Carlos Velasquez, Pro Se

10/5/2013

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"complaint.PDF" is the COMPLAINT;  
"IFP.noninc.vel.PDF" is Nonincarcerated person motion to proceed without payment of fees;  
"JS.044\_X.PDF" is a signed US COURTS cover sheet."

Please be upstanding, thank you.

Sincerely,  
Carlos Velasquez  
801.671.0361  
[cfv1983@gmail.com](mailto:cfv1983@gmail.com)

 **velasquez.new.filing.ifp.zip**  
3111K

**UTDecf Clerk <UTDecf\_Clerk@utd.uscourts.gov>**  
To: Carlos <cfv1983@gmail.com>

Thu, Oct 5, 2023 at 12:27 PM

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**U.S. District Court**  
**District of Utah**  
**Phone 801-524-6100**

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Carlos <cfv1983@gmail.com>

---

**Follow-Up/Sensitive Filing/Filing Privileges case 2:22-cv-00133**

2 messages

---

**Carlos V** <cfv1983@gmail.com>  
To: UTDecf Clerk <utdecf\_clerk@utd.uscourts.gov>

Wed, Sep 13, 2023 at 4:20 PM

Kind Greetings to the Clerk of the Court,

I contacted this office earlier, and also placed a phone call where I was advised the question about filing I presented was forwarded to the clerk.

I am providing the document to the clerk herein, please file it and disregard the Judge' order.

This is a highly sensitive situation for us where we know the general prejudice and structure of the court takes for granted the affidavit of the jurist.

Judge Nielson has comprehensively attacked the rights of the civil petitioner to prevent the courts' discovery of his peers crimes against the petitioner; they are a complicated crime and we will not stand for it.

Every statement here is plain and reviewable; vexatiousness is largely irrational, fractured, circuitous, uninterpretable, offensive to real justice.

So respectfully there is no other constitutional process in this kind of situation; the clerk's execution must be more perfect.

The clerk previously sent it to Judge Nielson after we asked them not to. As if we were doing something wrong, the clerk changed the nature of the filing so that it would be easier for a contemnor to dismiss.

That's the reason this filing is now presented.

Personal caprice is beside contempt, and is contempt if intentional to control the outcome of the case, or to harass the victim reporting a crime. This is a simple reality.

So I am providing a copy of the document for the clerk to file, and to distribute to the Chief Judge.

If I find the court hostile to protecting the initial and pre-trial rights of a petitioner, and these are pre-trial rights, they will be served right along with Judges who engaged in Conspiracy.

May we find You In Favor of the Federal Constitution

Sincerely,  
Carlos V, Pro Se  
Civil Bureaucratic Federalist

---

 #5.2.pdf  
1214K

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**Jeff Taylor** <Jeffery\_Taylor@utd.uscourts.gov>  
To: Carlos V <cfv1983@gmail.com>

Wed, Sep 20, 2023 at 2:08 PM

Mr. Velasquez, as we discussed, I have located the document you attempted to file in our court on 9/13/2023. Per Judge Neilson's order entered on 9/11/2023, I am returning to you with this email.

Best,

Jeff Taylor  
Operations Manager  
US District Court  
District of Utah

**From:** Carlos V <cfv1983@gmail.com>  
**Sent:** Wednesday, September 13, 2023 4:21 PM

<https://mail.google.com/mail/u/0/?ik=a35517a20b&view=pt&search=all&permthid=thread-f:1776962666182169982&siml=msg-f:17769626661821699...> 1/2

9/25/23, 7:19 AM

Gmail - Follow-Up/Sensitive Filing/Filing Privileges case 2:22-cv-00133

To: UTDecf Clerk <UTDecf\_Clerk@utd.uscourts.gov>  
Subject: Follow-Up/Sensitive Filing/Filing Privileges case 2:22-cv-00133

CAUTION - EXTERNAL:

[Quoted text hidden]

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

May we find You In Favor of the Federal Constitution

Sincerely,  
Carlos V, Pro Se  
Civil Bureaucratic Federalist

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 #5.2.pdf  
1214K



10/5/23, 6:11 PM

Gmail - Activity in Case 2:22-cv-00133-HCN Velasquez v. Baldock et al Order



Carlos <cfv1983@gmail.com>

## Activity in Case 2:22-cv-00133-HCN Velasquez v. Baldock et al Order

1 message

utd\_enotice@utd.uscourts.gov <utd\_enotice@utd.uscourts.gov>  
To: ecf\_notice@utd.uscourts.gov

Mon, Sep 11, 2023 at 3:32 PM

**This is an automatic e-mail message generated by the CM/ECF system. If you need assistance, call the Help Desk at (801)524-6100.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record in a case to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

### US District Court Electronic Case Filing System

District of Utah

#### Notice of Electronic Filing

The following transaction was entered on 9/11/2023 at 3:32 PM MDT and filed on 9/11/2023

Case Name: Velasquez v. Baldock et al

Case Number: 2:22-cv-00133-HCN

Filer:

WARNING: CASE CLOSED on 06/02/2022

Document Number: 63(No document attached)

#### Docket Text:

**DOCKET TEXT ORDER. Plaintiff moves for leave to file an emergency petition for district court review of the Court of Appeals' recent decision in this case. See Dkt. No. 62. He also argues that I am disqualified to rule on his motion based on my prior rulings in this case. But it is well settled that adverse rulings do not provide grounds for recusal. See Glass v. Pfeffer, 849 F.2d 1261, 1268 (10th Cir. 1988). Moreover, this court lacks jurisdiction to review a decision of the Court of Appeals. Plaintiff's motion is accordingly DENIED. Further, this court has already dismissed Plaintiff's action with prejudice, see Dkt. No. 42, entered judgment against Plaintiff, see Dkt. No. 43, and denied Plaintiff's motion for reconsideration, see Dkt. No. 51. The Court of Appeals, in turn, has rejected Plaintiff's appeal, denied his petition for rehearing, and issued its mandate. See Dkt. No. 61. Plaintiff has nevertheless filed yet another frivolous and vexatious motion, as he has repeatedly done throughout this litigation and in prior cases. The Clerks Office is accordingly directed not to accept any further filings from Plaintiff in this action. If Plaintiff attempts to submit further filings, the Clerks Office is directed to return those filings to Plaintiff. SO ORDERED. Signed by Judge Howard C. Nielson, Jr on 09/11/2023. No attached document. (tpk)**

2:22-cv-00133-HCN Notice has been electronically mailed to:

Carlos Velasquez [cfv1983@gmail.com](mailto:cfv1983@gmail.com), [huiiman57@hotmail.com](mailto:huiiman57@hotmail.com)

2:22-cv-00133-HCN Notice has been delivered by other means to:





10/5/23, 5:34 PM

Gmail - Activity in Case 2:22-cv-00133-HCN Velasquez v. Baldock et al USCA Mandate



Carlos <cfv1983@gmail.com>

## Activity in Case 2:22-cv-00133-HCN Velasquez v. Baldock et al USCA Mandate

1 message

utd\_enotice@utd.uscourts.gov <utd\_enotice@utd.uscourts.gov>  
To: ecf\_notice@utd.uscourts.gov

Mon, Aug 14, 2023 at 11:21 AM

This is an automatic e-mail message generated by the CM/ECF system. If you need assistance, call the Help Desk at (801)524-6100.

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US District Court Electronic Case Filing System

District of Utah

### Notice of Electronic Filing

The following transaction was entered on 8/14/2023 at 11:21 AM MDT and filed on 8/14/2023

Case Name: Velasquez v. Baldock et al

Case Number: 2:22-cv-00133-HCN

Filer:

WARNING: CASE CLOSED on 06/02/2022

Document Number: 81

Docket Text:

**MANDATE of USCA as to [56] Notice of Appeal filed by Carlos Velasquez. According to the USCA, the Petition for Panel Rehearing is Denied. Jurisdiction is transferred back to the lower court. (Attachments: # (1) Exhibit Mandate Letter) (dle)**

2:22-cv-00133-HCN Notice has been electronically mailed to:

Carlos Velasquez cfv1983@gmail.com, huiman57@hotmail.com

2:22-cv-00133-HCN Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp\_ID=1060034973 [Date=8/14/2023] [FileNumber=5543651-0]  
] [572a76637757cfd5219edd69e0bc2e967e3606f4b26589785277794141a0575f1bb  
30debf7572b621b76567a3f622539b8231f41a911bec545a79927d3604c2f]

Document description: Exhibit Mandate Letter

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp\_ID=1060034973 [Date=8/14/2023] [FileNumber=5543651-1]  
] [034b65c003687370c7ab9464a34e78736274c95df75d3fae1342b9f0397a53f0aa5  
c91aa2ba041d5043f606fb5edf587d1e4cccfaf07ee8f5878f5af09f61d1c]



10/5/23, 5:32 PM

Gmail - 22-4098, Velasquez v. Baldock



Carlos <cfv1983@gmail.com>

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## 22-4098, Velasquez v. Baldock

5 messages

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Jane Castro <Jane\_Castro@ca10.uscourts.gov>  
To: "cfv1983@gmail.com" <cfv1983@gmail.com>

Tue, Jul 11, 2023 at 3:26 PM

Dear Mr. Velasquez,

We have received your recent emails to Team 2 regarding your petition for rehearing in the above-referenced case. Your petition was denied by the panel on July 10, 2023. You should receive a copy of the order in the mail shortly. We hope this information is helpful.

Sincerely,

Jane K. Castro

Chief Deputy Clerk  
U.S. Court of Appeals for the Tenth Circuit  
1823 Stout Street  
Denver, CO 80257

Main: 303.844.3157  
Direct: 303.335.3077

---

Carlos <cfv1983@gmail.com>  
To: Jane Castro <Jane\_Castro@ca10.uscourts.gov>

Tue, Jul 11, 2023 at 11:09 PM

Respectfully Ms. Castro,

I do respect the general reply, and have already received electronic notice of the filing.  
I asked a serious question about how the United States Courts evaluate Criminal Contempts by judicial officers,  
and I am finding the court treats the question informally and evades the seriousness of the allegation.

In the pursuit of Justice, I also find the court's membership is ignoring the rules of procedure.  
How does the United States Court for the Tenth Circuit conduct discretionary review?  
We all *know* the U.S. Supreme Court does not guarantee justiciability.

Please do not advise me to make a behavioral complaint; the court's membership is treating me with obvious  
corruption *in sight of the court* and I am attempting to report it.

Your response does NOT answer my question, and you are NOT upholding the Constitution or the Public Law.  
As I reported before, evasiveness is a micro-aggression and a form of harassment if criminal conduct is involved.

**My original question was distinct over (a) why the clerk has disposed such a sensitive claim; and (b) how the court will  
review a claim of Criminal Contempt by Federal Judicial Officers.**  
Please do not mistake what I am asking.

If you will state the United States Court of Appeals does not engage discretionary review of allegations of Criminal Contempt  
when a Judge commits malpractice, fraud on the court, or is allowed to treat the Pro Se badly or informally in any way, including a criminal one, please  
state so for a record.

If you feel or know, Ms. Castro, U.S. Courts does not owe the Public such standing, please state it for a record.

The clerk's opinion here steps onto the Judicial territory as a matter of bias, and I have already have on record the Clerk of this court  
stating the Court of Appeals does not review contempt, which means that if the Judiciary becomes corrupt we no longer have  
high-functioning court systems accessible to Pro Se litigants.

The implications of that position are extremely serious. Again, please do not mistake what I have written.

This is a very serious issue because your agency involves the integrity of U.S. Courts.  
I must remind you that you ARE under oath; I am aware the Clerk does not review the case.  
The Clerk is obligated to receive filings, to advise general court general procedures, and otherwise nothing else than  
report the court's business.

Respectfully, please answer the questions above.

<https://mail.google.com/mail/u/0/?ik=a35517a20b&view=pt&search=all&permthid=thread-f:1771161051355349751&siml=msg-f:17711610513553497...> 1/3

10/5/23, 5:32 PM

Gmail - 22-4098, Velasquez v. Baldock

Sincerely,  
Carlos Velasquez, Plaintiff Case 22-4098  
Civil Bureaucratic Federalist  
[cfv1983@gmail.com](mailto:cfv1983@gmail.com)  
801.671.0361  
[Quoted text hidden]

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Carlos <[cfv1983@gmail.com](mailto:cfv1983@gmail.com)>  
To: Jane Castro <[Jane\\_Castro@ca10.uscourts.gov](mailto:Jane_Castro@ca10.uscourts.gov)>

Thu, Jul 13, 2023 at 2:25 PM

Greetings once again Ms. Castro,

You may be mistaken in how you are appreciating these questions.  
My assumption is that Team 2 at CA10 in Denver CO referred my question to you.

I asked two serious, and general questions:

- (a) Why the clerk has disposed such a sensitive claim as Judicial Fraud (Fed.R.Civ.P.60(d)(3))?
- (b) How the Court of Appeals for the Tenth Circuit will receive a petition for discretionary review on Criminal Contempt of Judicial Fraud?
- (c) Why has a Member of CA10Team2 advised Courts of Appeals will not review contempt?

Failing to answer these questions happens to close the court against and may be part of a political conspiracy programmed into the court by high-level criminal actors who conduct process falsely when dealing with hispanics, males, Pro Se litigants, Federalists, we simply don't know what their criminal bias but we do that we are allowed to *prove* it before the Judiciary.

U.S. Supreme Court will not guarantee review; they are polemicized and politicized to an extent that the pressures of office prefer the most expanded view of litigative questions so it is not clear if they have constructive basis to review *fraud on the court* or Judicial Malpractice. In other words, it may be inefficient legally and constitutionally to fail to receive and transmit a contempt complaint to an appropriate party.

For perspective, I know the Judicial Council will state the Chief Judge of the Court must receive such a petition.

Please do not allow the Judiciary to lie. Our conscience and livelihood depend on being able to secure real decisions and to punish bad actors who draw false delineations. Otherwise, You have no idea what the ramifications or parameters of this case suppressed are and you should not present an informal to formal obstruction.

Please advise.

Sincerely,  
Carlos Velasquez  
Civil Bureaucratic Federalist  
[cfv1983@gmail.com](mailto:cfv1983@gmail.com)

[Quoted text hidden]

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Carlos <[cfv1983@gmail.com](mailto:cfv1983@gmail.com)>  
To: Jane Castro <[Jane\\_Castro@ca10.uscourts.gov](mailto:Jane_Castro@ca10.uscourts.gov)>

Wed, Jul 19, 2023 at 8:14 AM

Greetings to Ms. Castro, Chief Deputy Clerk at CA10,

This is Follow-up.  
I am presently advised by telephone the clerk forwarded to your purview an email I sent through the CA10 contact page.  
I am also advised you are crafting an adequate response.  
I look forward to receiving information.

Sincerely,  
Carlos Velasquez, Pro Se  
Civil Bureaucratic Federalist  
[cfv1983@gmail.com](mailto:cfv1983@gmail.com)  
801.671.0361  
[Quoted text hidden:]

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Jane Castro <[Jane\\_Castro@ca10.uscourts.gov](mailto:Jane_Castro@ca10.uscourts.gov)>  
To: Carlos <[cfv1983@gmail.com](mailto:cfv1983@gmail.com)>

Wed, Jul 26, 2023 at 8:35 AM

Mr. Velasquez,

10/5/23, 5:32 PM

Gmail - 22-4098, Velasquez v. Baldock

I have reviewed our prior communications with you. As we have explained in the past, we do not accept correspondence via email. This court's primary jurisdiction is generally limited to appeals from final decisions issued by the federal district courts within this circuit. Information regarding judicial misconduct may be found on the court's website. To the extent you seek information regarding any other type of complaint, we recommend you consult an attorney.

As you know, the court has denied your petition for rehearing in No. 22-4098. Please be advised that we will not respond to any further communications from you via email and we will not respond to any future communications from you in any format that do not pertain to a case currently pending in this court. We regret we cannot be of further assistance.

Jane Castro

Chief Deputy Clerk

U.S. Court of Appeals for the Tenth Circuit

**From:** Carlos <[cfv1983@gmail.com](mailto:cfv1983@gmail.com)>  
**Sent:** Wednesday, July 19, 2023 8:15 AM  
**To:** Jane Castro <[Jane\\_Castro@ca10.uscourts.gov](mailto:Jane_Castro@ca10.uscourts.gov)>  
**Subject:** Re: 22-4098, Velasquez v. Baldock

**CAUTION - EXTERNAL:**

[Quoted text hidden]

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.



10/5/23, 5:35 PM

Gmail - 22-4098 Velasquez v. Baldock, et al "Petition for rehearing disposed"



Carlos <cfv1983@gmail.com>

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**22-4098 Velasquez v. Baldock, et al "Petition for rehearing disposed"**

1 message

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ca10\_cmecf\_notify@ca10.uscourts.gov <ca10\_cmecf\_notify@ca10.uscourts.gov>  
To: cfv1983@gmail.com

Mon, Jul 10, 2023 at 2:03 PM

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Tenth Circuit Court of Appeals

Notice of Docket Activity

The following transaction was entered on 07/10/2023 at 2:03:27 PM Mountain Daylight Time and filed on 07/10/2023

Case Name: Velasquez v. Baldock, et al

Case Number: 22-4098

Document(s): <https://ecf.ca10.uscourts.gov/docs1/010010885060?uid=3d91a8c204f55a5f>

Docket Text:

[11011949] Order filed by Judges Tymkovich, Bacharach, and Rossman denying petition for rehearing filed by Appellant Mr. Carlos Velasquez. [22-4098]

Notice will be electronically mailed to:

Mr. Carlos Velasquez: [cfv1983@gmail.com](mailto:cfv1983@gmail.com)

The following document(s) are associated with this transaction:

666 Document Description: Order

Original Filename: 22-4098\_PetitionforPanelRehearingDeny.pdf

Electronic Document Stamp:

[STAMP acecfStamp\_ID=1104938855 [Date=07/10/2023] [FileNumber=11011949-0] [c940c85b91cd5dfb1081d4e5ceaa6430662224e5191384bee0c3592dcf66140ed78660b9e47ef60273e040a3aeb3cf0bfa303e4aa941222a6dc52ade9de6a7e7]]