

**IN THE UNITED STATES SUPREME COURT APPEAL OF THE ORDERS
BELOW BY THIRD CIRCUIT COURT OF APPEALS**

The opinions and orders of the Third Circuit Court of Appeals to review the merits appears at Appendix (“App.”) A entered 6/30/23, App. B entered 4/20/23, App. C entered 6/22/23, App. D entered 6/20/23, App. E entered **7/10/23**, App F entered 3/15/23, App. G entered 1/6/23, App G and, App H entered 2/9/23. The opinions do not appear published.

Also attached, please find the District Court Orders the Third Circuit affirmed Order with a Memorandum opinion dated 11/2/21 at App. I, an Order with a Memorandum opinion dated 12/22/21 at App. J, an opinion and a Memorandum Order dated 4/26/22 at App. K., a memorandum order dated 12/28/23 at App L and an order granting ECF access and an exemption to PACER fees dated January 5, 2023 at App M.

I. ORDERS AND OPINIONS

The date on which the highest state court decided my case is 4/20/23. A copy of that decision appears at App. B. The Court denied a motion of reargument on 6/22/23. The date the court decided my motions relating to recusing Judge Scirica is 6/20/23. The court denied a motion for reargument on **7/10/23**.

II JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254 or in the alternative under 28 U.S.C. § 1253.

III CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Pertinent statutory provisions are reprinted in the appendix to this brief, App 1-A.

IV. STANDARD OF REVIEW

A. A court “has no discretion [and may not] dismiss [under Younger] rather than to stay claims for monetary relief that cannot be redressed in the state proceeding.” *Citing, Abbott v. Mette*, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), *aff’d*, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021);¹ *Deakins v. Monaghan*, 484 U.S. 193, 108 S.

¹ *Deakins v. Monaghan*, 484 U.S. 193, 108 S. Ct. 523, 98 L. Ed. 2d 529 (1988) “Federal district court must stay rather than dismiss claims that are not cognizable in parallel state proceeding.” *Deakins v. Monaghan*, 484 U.S. 193, 202, 108 S. Ct. 523, 529–30, 98 L. Ed. 2d 529 (1988) “In reversing the District Court’s dismissal of the claims for damages and attorney’s fees, the Court of Appeals applied the Third Circuit rule that requires a District Court to stay rather than dismiss claims that are not cognizable in the parallel state proceeding.”); See also, *Brindley v. McCullen*, 61 F.3d 507 (6th Cir. 1995); See also *Quackenbush v. Allstate Ins. Co.*, 517 U.S. 706, 719 (1996) (“we have applied abstention principles to actions ‘at law’ only to permit a federal court to enter a stay order that postpones adjudication of the dispute, not to dismiss the federal suit altogether.”); *Lewis v. Beddingfield*, 20 F.3d 123, 124 (5th Cir. 1994). (It was proper to stay rather than dismiss the federal suit because the damages could not be claimed in the criminal prosecution.); *Jones v. Prescott*, 702 Fed. Appx. 205, 209 (5th Cir. 2017) (Younger abstention does not apply to federal suits seeking only money damages) (citing *Alexander v. Ieyoub*, 62 F.3d 709, 713 (5th Cir. 1993)); See also, *Boyd v. Farrin*, 575 Fed. Appx. 517 (5th Cir. 2014); Third Circuit: *Abbott v. Mette*, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), *aff’d*, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021) (A court “has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding.”); *Abbott v. Mette*, No. CV 20-131-RGA, 2021 WL 327375, at *3 (D. Del. Jan. 31, 2021), report and recommendation adopted, No. 20-CV-131-RGA, 2021 WL 1168958 (D. Del. Mar. 26, 2021), *aff’d*, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021) (“As a general matter, assuming that a federal court has jurisdiction over a case, the federal court’s “obligation to hear and decide [the] case is virtually unflagging.” *Sprint Commc’ns, Inc. v. Jacobs*, 571 U.S. 69, 77 (2013) (internal quotation marks and citation omitted); *Crane v. Fauver*, 762 F.2d 325 (3d Cir. 1985) (“District court should have retained jurisdiction over correctional officers’ civil rights action arising out of their discharge, even if it properly declined to exercise jurisdiction over federal claims, and stayed action pending outcome of related state proceeding where officers were relegated for prudential reasons to state proceeding which could only afford them dismissal of charges and back pay, with attorney fees only to extent that back pay award was reduced by interim earnings, but officers sought constitutional damages and attorney fees, and new complaint upon termination of state proceedings may have been time-barred.”); *Williams v. Hepting*, 844 F.2d 138, 145 (3d Cir. 1988) (The Third Circuit held, “Accordingly, we hold that the district court should have stayed instead of dismissed without prejudice Williams’ failure-to-investigate and suggestive pretrial identification claims. Because these particular federal court claims for damages seek relief that is unavailable in Williams’ ongoing state proceedings, the allegations should be stayed pending the outcome of his state court appeal on the underlying conviction.”); *Nimer v. Lichfield Twp. Bd. of Trustees*, 707 F.3d 699 (6th Cir. 2013) (Younger abstention applies to § 1983 damages claims, but district court must stay rather than dismiss federal suit; in other words district court has no discretion to dismiss federal suit); *Carroll v. City of Mount Clemens*, 139 F.3d 1072 (6th Cir. 1998) (when federal suit seeks damages and Younger is invoked, federal suit should be stayed, not dismissed; this likely will be a formality, given probable preclusive effect of state court decision); *Watkins v. Ohio Dep’t of Educ.*, No. 2:21-CV-04482, 2022 WL 672565, at *8 (S.D. Ohio Mar. 7, 2022) (“Further, when a plaintiff seeks both equitable and legal relief, many courts in the Sixth Circuit stay the entire case rather than treat each form of requested relief differently.”); *Maraan v. Off. of Ohio Disciplinary Couns. for Supreme Ct. of Ohio*, No. 1:18CV645, 2021 WL 3173311, at *3 (S.D. Ohio July 27, 2021) (Court “stayed until the conclusion of the state disciplinary proceedings, rather than be dismissed.”), citing, *Kalniz*, 699 F. Supp. 2d at 975 (explaining that where a plaintiff is bringing constitutional civil rights claims in a federal court case in which Younger abstention was proper, the stay protects against the possibility that the statute of limitations could deprive the plaintiff of the opportunity to present the merits of her damages claims); see also *Meyers v. Franklin Cty. Court of Common Pleas*, 23 F. App’x 201, 206 (6th Cir. 2001) (and cases cited therein); *Yamaha Motor Corp. v. Stroud*, 179 F.3d 598 (8th Cir. 1999) (when damages are sought in § 1983 action subject to Younger abstention, and damages are not available in pending state proceeding, federal action should be stayed, not dismissed); *Night Clubs, Inc. v. City of Fort Smith*, 163 F.3d 475

Ct. 523, 98 L. Ed. 2d 529 (1988) (“Federal district court must stay rather than dismiss claims that are not cognizable in parallel state proceeding.”).

B. Pursuant to *Fed. R. Civ. P.* 15 (a)(1), and under other provisions of *Fed. R. Civ. P.* 15. I have an absolute right to “amend without leave where no answer has been filed.” *Citing, De La Cruz-Saddul v. Wayne State University, E.D.Mich.1980*, 482 F.Supp. 1388 (*Also see, Adams v. Quattlebaum, D.D.C.2004*, 219 F.R.D. 195 “Plaintiff enjoys absolute right to amend complaint once at any time prior to responsive pleading or granting of motion to dismiss.”)

C. Under *Fed. R. Civ. P.* 15(a)(2), “[L]eave sought should, as the rules require, be “freely given.” Of course, the grant or denial of an opportunity to amend is within the discretion of the District Court, but outright refusal to grant the leave without any justifying reason appearing for the denial is not an excuse of discretion and inconsistent with the spirit of the Federal Rules.” *Gianetti v. Cross*, No. 091416, at *16-17 (May 18, 2010).

D. “Recusal is required under the Fourteenth [or 5th] Amendment's due process clause [if] ‘objectively speaking, the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable.’” *Citing, Rippon v. Baker*, 580 U.S. 285, 137 S. Ct. 905, 197 L. Ed. 2d 167 (2017). “When the objective risk of actual bias on the part of a judge rises to an unconstitutional level, the failure to recuse cannot be deemed harmless.” *Williams v. Pennsylvania*, 136 S. Ct. 1899, 1909-10 (2016)

E. A party seeking recusal under 28 U.S.C. § 455 need not show actual bias on the part of the court, only the possibility of bias. Under § 455(a), if a 'reasonable man, were he to

(8th Cir. 1998) (when § 1983 complaint seeking damages is subject to Younger abstention, federal action should be stayed rather than dismissed).

know all the circumstances, would harbor doubts about the judge's impartiality' under the applicable standard, then the judge must recuse.

F. Younger may apply but is not dispositive if there is an “(1) “an ongoing state judicial proceeding, which (2) implicates important state interests, and (3) . . . provide[s] an adequate opportunity to raise [federal] challenges.]. *Sprint Commc'ns, Inc. v. Jacobs*, 571 U.S. 69, 81 (2013).

F. Even if all of the above referenced factors apply [which I argue against] bad faith, harassment, the lack of an adequate state forum, or other extraordinary circumstance such as irreparable Constitutional injury precludes Younger from applying. “ *Middlesex Ethics Comm. v. Garden State Bar Assn*, 457 U.S. 423, 429 (1982).

G. A trial court abuses its discretion when it is highly probable there is clear error of law, clear error of fact or manifest injustice requiring an amendment or altering of an order. See for eg., *Magera v. Lincoln National Life Insurance Company*, CIVIL ACTION No. 3:08-CV-0565, at *4 (M.D. Pa. May 14, 2009) (. “A judgment may be altered or amended if the party seeking reconsideration establishes at least one of the following grounds: "(1) an intervening change in controlling law; (2) the availability of new evidence that was not available when the court granted the motion . . .; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice.”)

H. The Standard of review for violations of my fundamental rights including but not limited to my First Amendment right to petition to defend my First Amendment right to religious belief, 1st Amendment right to exercise religious belief, first Amendment right to private speech contained in my petitions, 6th Amendment right to access to the record to pleadings in a case

against me in in the matter of Meghan Kelly 541, 6th Amendment right to self-represent, 14th Amendment right to notice, an opportunity to be heard on pleadings I suspect were not docketed in No 541, and 5 additional motions, and a fair opportunity to prepare and present my case, perform discovery, call witnesses, cross examine accusers, have evidence not intentionally hidden by the court by sealing my pleadings in Kelly v Trump and firing of witnesses, be free from the Delaware Supreme Court incited attacks against me to cause me to forgo my lawsuit in Kelly v Trump by sending its arms to send letters to threaten me and an outside judge Kenneth Clark to threaten me in a grocery store, to be free staff seeking to sabotage my case by misleading me to miss the filing time, writing on praecipe to cause confusion and directing me to cross off the address to local counsel to prevent service, against is strict scrutiny.

V STATEMENT OF THE CASE

A. FACTS OF CASE

1. 1st Amendment establishment clause and Religious Freedom Restoration Act against former Donald J Trump where I sought to substitute current President Biden for which this case arises Kelly v Trump

I am a Christian lawyer who was attacked by the state by the request of the Delaware Supreme Court members through its arms and agents to cause me to forgo my lawsuit against former President Donald J. Trump (“Trump”) to punish me for my exercise of the private 1st Amendment rights to petition, private-speech contained in the private-petitions, affiliation, private religious beliefs and exercise of religious beliefs and in retaliation for my 1/7/2021 and 2/5/2021 petitions to exempt bar dues for all attorneys facing economic hardship.²

² (Exhibits A, A-4, A-5, B, attached hereto and incorporated herein in its entirety). I incorporate all references in their entirety whether by Delaware District Court Docket Item Number (“DI”) or Third Circuit Docket Item (“3DI”). 3DI-121-11, 12; 3DI-126-9, 10, 11; See, US Amend I, XIV, also see, App 1-B, App. 1-C letters requesting exemption from bar dues, and App 1-D, the information sent to the Appellate below when I initially appealed showing the DE Supreme court incited Del-Lapp and the ODC to interfere with Kelly v Trump to cause me to forgo my case.

I filed a private Religious Freedom Restoration Act, 42 USCS § 2000bb (1-4) (“RFRA”) lawsuit *Kelly v Trump* in the Chancery, No. 2020-0809, Delaware Supreme Court, No. 119-2021, and the United States Supreme Court, No. 21-5522, as a private party to protect my private-First Amendment 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 Donald J. Trump and current President Joseph R. 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”).³

These executive orders allow money or support to be transferred between government agents and religious organizations to perform government business. I believe the money or support in the bought or bartered for, not free union of church and state, is one reason why religious-political attacks seemed to have increased in recent years, including government incited religious-political attacks against me. 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

³ See Exhibit A, (initial complaint in *Kelly v Trump*. Albeit, I petitioned on Trump’s E.O. 13798 granting churches the license to give candidates and parties parishioners’ donations, verbal support and church backing before I included arguments upon the horrific discover of the other orders in other petitions in the Delaware Courts. See US Supreme Court No 21-5522 on this court’s dockets)

bestowed to religious organizations, like churches in other countries, to perform government business under the guise of charity.

I believe Jesus teaches people commit lawlessness in the eyes of God for teaching business is charity, help, good or love because it drives out unconditional love from the hearts of men replaced with the love of money and material gain, or productivity extracted from others. Citing *Matthew* 6:1-4. Since Jesus teaches you cannot serve God and money as savior and God, and only those who do God's desires are saved from death, the misled go to hell should they not repent. *Matthew* 6:24. Jesus teaches those who worship by business are not welcome in his father's house. *John* 2:16

“The Establishment Clause prohibits government from establishing a religion in the sense of *sponsorship, financial support, or active involvement of the sovereign in religious activity.*”
Kalman v. Cortes, 723 F. Supp. 2d 766, 769, (2010)

I reasonably believed the Executive Orders violated the establishment clause, especially Trump's E.O. 13798 which permits churches to back candidates and parties using the donations from parishioners to serve the political vanity of men which I believe is blasphemy by making man God's anointed instead of Jesus. I believe the executive orders also violates Jesus's teachings in *Matthew* 6:1-4, and 6:24, misleading people to hell under the guise of salvation, which caused me foreseeable emotional distress. I love people. I do not want them to be misled to harm or hell. See *Bible Isaiah* 9:16 (“For the leaders of this people cause them to err; and they that are led of them are destroyed [in the fires of hell on judgment day as too corrupt to live into eternity in heaven]”).

President Trump also incited religious-political persecution against people for their projected religious beliefs based on not supporting him in his formal government position, or his Republican party, or the religious organizations which supported his presidential candidacy, including me as a party of one, (as a Christian, Catholic, Democrat who exhibited opposition to Trump by drafting 5 proposed articles of impeachment which I contacted all 541 federal law makers to impeach on), substantially burdening my free exercise of religious belief, **by a course of conduct which I argue also establishes government-religion**, causing people to attack me, talk about shooting me, throw things at my vehicle, actually shooting two bullets in the home of Delawarean Greg Layton based on political beliefs, kill, harm or attack others based on religious or political belief substantially burdening my free exercise of religion, speech, and political-religious affiliation, as I outlined in Kelly v Trump to this Supreme Court at pages 23-25, including but not limited to:⁴

- “1. appointing a personal spiritual advisor, and alleged Christian leaders to advise the President, creating the religious backing and the appearance of Godly guidance supporting Defendant’s government authority;
2. holding up a Bible in front of a church for a photo op after people were gassed in response to their Constitutional exercise of affiliation and speech at a protest;
3. hypocritically claiming “Biden will hurt the Bible;
4. persecuting people who exercised their freedom to worship or not by the dictates of their own conscience, not government-religious commands, by demeaning those who omitted the word God in the pledge of the allegiance;
5. improperly sharing his alleged prayer to God, while acting under the color of the law;
6. creating the illusion there is a war on Christmas, by liberals like me;
7. repeating the government-religious belief that he may be the chosen one by God, contributing to the government-religious belief Trump is anointed by God;
8. moving the US embassy in Israel to Jerusalem for a religious group, Evangelicals;
9. sponsoring and inciting private persecution towards liberals by churches and its parishioners, by buying loyalty by barter or exchange, even by praise, for a little

⁴ Citing DI 4 and 3DI-121-6, pages 23-24; See Exhibit D regarding attacks too. Also see (DI 20) Plaintiff’s Motion for Reargument, filed 11/8/21, Delaware District Court No. 21-1490, and exhibits thereto, and (DI 21) Plaintiff’s Motion to Amend Plaintiff’s Motion for reargument, and exhibits thereto, including Plaintiff’s Amended Motion for Reargument filed 11/9/21, where I talked with a police man and discovered it was a mere gym-mate who looked at my car and the substance thrown on it. The police who talked with me about strangers talking about shooting me did not file a report.

something down the line, such as bailouts, or power to persuade politicians, at the cost of teaching some preachers and parishioners to persecute non-Trump supporting liberals like me, and including me;

10. tweeting fabrications making it appear democrats like me are attacking the church including the tweet. ‘DEMS WANT TO SHUT YOUR CHURCHES DOWN, PERMANTLY. HOPE YOU SEE WHAT IS HAPPENING. VOTE NOW;’

11. signing another Executive Order, Ex. Or No. 13831, May 3, 2018, which increases the temptation for government employees, including the President, to back religions financially or otherwise, in hopes to receive their government backing and government support in return under E.O. 13798; and

12. using his son to glorify him as the savior of Christianity, when I believe Jesus the Christ is the savior under Christianity. Eric Trump said his “father ‘literally saved Christianity...there is a full war on faith on the other side, (meaning my democrat side). (Eric continued), ‘The Democrat Party, the far left, has become the party of atheists, and they want to attack Christianity”

In my amended Complaint I requested the DE-Chancery Court hold:

“1. Defendant [Trump] is permanently enjoined and restrained from forcing religious views or sponsoring religion, while employed as the President of the United States, so as not to substantially burden Plaintiff’s free exercise of religion.

2. Defendant [Trump] is permanently enjoined and restrained from persecuting those with diverse religious beliefs, based on such perceived religious beliefs, while acting as the President of the United States.

3. Declaratory relief in accordance to Chancery Court Rule 57 and 10 Del C Section 6501, declaring **federal government agents such as Trump, acting under the cloak of federal government authority, by employment, appearance, or agency or otherwise, hold more limited rights under the first Amendment, in order to uphold, not to chill, the Constitutional freedoms of those they are charged to serve.**” (Emphasis intended)

Members of the government, including Defendants, Delaware Supreme Court members and court staff members, and agents or arms (also referred herein as “State,” Court, “Defendants”) purposely interfered with *Kelly v Trump* to pressure me to forgo and to impede my case *Kelly v Trump*, which I specifically objected to, reserving the issues for appeal in violation of Due Process, the 1st and 14th Amendment in, *Appellant’s Motion for the Delaware Supreme Court to rein in its arms through its agents from unlawfully pressuring appellant to*

forgo or impede her case to protect her free exercise of religion by relief it deems just (“Motion 1”), dated 5/21/2021 reserving the issues for appeal in *Kelly v Trump*.⁵

2. Unbeknownst to me at the time of the Delaware Supreme Court members’ misconduct, Delaware Supreme Court in Collusion with Defendants secretly sealed 4 docket items in Kelly v Trump to conceal evidence in my favor without providing me notice or an opportunity to be heard to hide my petitions regarding the State’s attacks against me to threaten me in order to cause me to forgo the case in violation of 42 Section 1985, my 1st Amendment rights to petition, religious belief, associate, speech, procedural due process, my right to be free from intentional infliction of emotional distress and Equal Protections

The Delaware Supreme Court (“Court”) made no ruling on Motion 1 or on my arguments relating to a fair trial, First Amendment and Due Process violations in response to my arguments in either the Chancery Court or the Delaware Supreme Court pleadings.

The Delaware Supreme Court also did not address my Motion for the Delaware Supreme to require the recusal of the Honorable Chief Justice Collins J. Seitz, on 5/28/2021 (“Motion 2”), which provides additional evidence of government suppression of my free exercise of religion, by impeding, seeking to obstruct my right to seek a judicial remedy to freely exercise my religion, based on the established government-religion, association or poverty, reserving objections against the State.⁶

The Delaware Supreme Court through the Clerk’s and staff’s admission secretly sealed Motions 1 and 2 concealing evidence in my favor showing procedural due process during *Kelly v Trump*, without providing me notice and an opportunity to be heard by sealing my pleadings and sometime before the disciplinary proceeding terminated two witnesses in my favor. App. Q R S

3. Kelly asserted Constitutional arguments against attorney disciplinary rules, Board proceedings, Federal Judicial disciplinary and Disability proceedings, and regulations of the US Supreme Court by a Code of Conduct or otherwise that would

⁵ DI-4, Third Circuit Docket Item (“3DI”) 3DI- 157-3, A-4, A-5.

⁶ DI-4, 3DI-43-8, 3DI-43-9, 3DI-157-3, 3DI-157-4 Motion 1 and Motion 2 are attached hereto and incorporated herein as A-4, A-5.

compromise the members impartiality by partiality towards the rules sustaining their seats and instead of the impartial application of the Constitutional rule of law to uphold the exercise of 1st Amendment individual fundamental rights which do not conform to the courts or the majority's, including mine. US Amend I, V.

I alleged Constitutional arguments in the District Court against certain state disciplinary rules, the state disciplinary proceeding, federal attorney disciplinary rules, and the Rules for Judicial-Conduct and Judicial-Disability Proceedings. I also made Constitutional arguments against a code of ethics and disciplinary rules to regulate and control the United States Supreme Court. Any regulation of federal judges compromises the integrity of the court by making the US Supreme Court members and federal judges partial to regulators and regulations to preserve their partial interest in sustaining their seats instead of serving the people by the impartial Constitutional application of the rule of law in cases and controversies in violation of the public's right to a fair proceeding under the 5th Amendment, and my Constitutional interests I am in danger of losing as a party of one. Art III., US Amend V.⁷

I argued judges should only be disciplined within the purview of the Constitutional limits of 1. Cases and controversies or 2. Impeachment, as federal judicial Disciplinary proceedings violate the impartial rule of law by enticing no longer free and independent but controlled judges to the partial-selfish interests of sustaining their positions by threats of discipline instead of doing what is right by upholding the impartial rule of law.

I have unique religious beliefs against partiality in the courts and face harm based on 1. my religious beliefs and 2. Constitutional arguments concerning disciplinary proceedings and certain disciplinary rules on the record that may grant me standing to address the issues on

⁷ DI58, DI 77-79, DI 102, D104, DI 123, 129, DI 130, DI-131, DI 132, DI 141, DI 145, DI 149, DI-152, DI-154, DI-155, DI 156, DI 158, DI 159, DI 161, DI 162, and more

remand below.⁸ In order for the Supreme Court to uphold the integrity of the courts they must uphold the preempting Constitutional rule of law and not allow the Courts to punish me and other people for asserting Constitutional rights when Courts violate them, make mistakes or commit grave misconduct to fix proceedings and conceal their own violations of the Constitutional rights. I averred we do not need regulations. We need justice where the Courts show judges are not above the rule of law and attorneys may petition the courts for judicial mistakes or misconduct without fear of reprisal but for exercising their 1st Amendment private right to petition to safeguard private Constitutional liberties. In order for the Court to uphold and I argue limit discipline of federal judges within the purview of the Constitutional limits of cases and controversies and 2. Impeachment, the Court must allow and not chill by punishing me as applied and other attorneys and parties for petitioning the courts to correct judicial mistakes or misconduct in cases and controversies as opposed to disciplinary cases without cases or controversies just fickle accusations by those who seek to control a no longer free, and fair judiciary when judges defer to professional disciplinary board's bias towards what I believe is the mark of lawlessness leading to certain damnation in the fires of hell, standardized conduct to

⁸ I have unique standing on religious grounds, not merely that I seek the Courts may only be disciplined within the purview of the Constitution's limit without waiver by 1. Cases or controversies or 2. Impeachment, by allowing me to correct courts within an actual case and controversy. *Amos* 5:15 ("Justice in the courts" is a command); *Matthew* 23:23 (Jesus teaches justice and mercy are greater commands than monetary and material laws.); *John* 7:24 (Jesus commands "Do not judge based on appearance, judge correctly.") (See the following Bible passages against partiality in the courts, *Leviticus* 19:15 ""You must not pervert justice; you must not show partiality to the poor or favoritism to the rich; you are to judge your neighbor fairly"); (*Exodus* 23:6, "You shall not deny justice to the poor in their lawsuits."); (*Deuteronomy* 1:17, "Show no partiality in judging; hear both small and great alike. Do not be intimidated by anyone, for judgment belongs to God. And bring to me any case too difficult for you, and I will hear it."); (*Deuteronomy* 16:19, "Do not deny justice or show partiality. Do not accept any bribes, for a bribe blinds the eyes of the wise and twists the words of the righteous."); (See, *James* 2:1, "do not show favoritism."); (*James* 2:9, "But if you show favoritism, you sin and are convicted by the law as transgressors."); (*Proverbs* 18:5, "Showing partiality to the wicked is not good, nor is depriving the innocent of justice."); (*Proverbs* 24:23, "These also are sayings of the wise: To show partiality in judgment is not good."); (*Malachi* 2:9, "So I in turn have made you despised and humiliated before all the people, because you have not kept My ways, but have shown partiality in matters of the law."); (*Job* 34:19, "who shows no partiality to princes and does not favor the rich over the poor, for they are all the work of his hands?"); (*Job* 13:10, "Surely He would rebuke you if you secretly showed partiality.").

serve business greed not humanity or their Constitutional liberty from enslavement to government backed private or foreign colluding partners.

This case allows for actual justice with mercy and correction within Article III limits as opposed to destruction under biased judicial disciplinary proceedings which punish judges with no power to improve the administration of justice by threats of punishment, and possibly violating the Equal Protections component of the 5th by allowing accusers without standing to cherry pick off judges to win cases. I am very concerned about judges getting set up too. Some people lie and make false allegations. Moreover, the disciplinary rules will certainly set up Supreme Court members for unnecessary impeachments by congressmen who cry, “this or that judge appeared to break this rule. We have no choice. We must impeach.” Please give me an opportunity to be heard by remanding this case below to assert my rights and to safeguard the integrity of the courts in an actual case or controversy.

I also discovered there is an agenda for the government backed private and foreign partners to take over the government’s authority to govern to eliminate the government. There is evidence of an agenda to eliminate the judiciary in order to eliminate the government’s ability to govern, to take over the government’s authority to ultimately eliminate the government to eliminate the rule of law that restrains entities from oppressing, enslaving, killing, stealing and destroying human life and health for the bottom line unrestrained by love or the just rule of law as there is an agenda to eliminate the impartial rule of law around the globe that safeguards freedom by economic, social and physical compelled compliance by those who will control the resources even technology. Since this is rather urgent I place it near the top along with a letter to Chief Justice I sent to him and all judges in response to Senator Whitehouse’s complaint attached hereto as DI 194, 79th Affidavit, attached hereto as App T-5.

4. Timing, after Kelly v Trump concluded and the Civil rights proceeding was filed, and the subsequent Attorney Disciplinary proceeding started, and ended, I discovered the DE Supreme Court concealed evidence in my favor, DE Supreme Court Attorney Robinson signed off on terminated Court staff, including a witness I noticed the Defendants I sought to cross examine, and sealed my petitions regarding the Sate's misconduct in Kelly v Trump to conceal evidence in my favor at the Nov 3, 2022 probable cause hearing, the civil rights case, Kelly v Trump and reciprocal cases.

After *Kelly v Trump* concluded I used a special research tool and discovered the Delaware Supreme Court concealed evidence in my favor during *Kelly v Trump* by sealing Motions 1 and 2, as motions and separately sealing them as exhibits to my Motion for reargument in *Kelly v Trump* to prejudice the outcome in my US Supreme Court Appeal No 21-5522, the Civil rights case filed 10/25/21, the disciplinary proceeding where the Board initiated a case without notice to me or anyone on my behalf 12/10/21, and reciprocal discipline cases in collusion to fix the outcome against me.⁹

After the Board Proceeding, I discovered the DE Supreme Court participated in firing two Court staff with testimony concerning disparate treatment supporting my claims while preventing me from subpoenaing and calling one the witnesses in the Board proceeding, by affording me fewer days than the more than 10 days in advance notice the rules required to call them, while the Board delayed by not responding to motions objecting to notice, appointment to counsel and for an opportunity to perform discovery and other motions.¹⁰

5. On 4/26/22, prior to the District Court's Order dated 4/26/22 denying motion for reargument, Kelly informed the District Court of the State eliminating 2 witnesses, Kelly's desire to amend the complaint once as a matter of right to conform to the facts, additional legal claim and additional parties in a rolling motion when remanded back; assertions against Disciplinary Rules 13 and 14, and proof the Delaware Supreme Court

⁹ App. Q, R, S incorporated herein 3DI 41 through 3DI 45, 3DI-98, 3DI-199, 3DI-187, 3DI 206, 3DI-208, DI 58., DI 4, DI 65, DI 66. Please note I was not aware that the District Court made corrections on 10/27/21 to the 10/25/21 filings because they were not made public per a Lexis representative until later. I later received ECF access which helped me to see the changed, corrected docket peer the May 8th letter at DI 41-1.

¹⁰ DI 58 DI-77 3DI-98

caused the interference in a letter by the court to me copying Defendant agent of the Board dated 10/21/2020

I apprised both the District Court and the Third Circuit of the Delaware Supreme court's collusion to seal and conceal evidence in my favor to prejudice the outcome in all of my cases.¹¹ I filed a letter on 4/26/22, prior to the 4/26/22 District Court Order alerting the District Court the Courts terminated two witnesses necessary to my assertions and defense, while also noting my intent to amend the complaint to include additional claims including Constitutional challenges to the Board proceeding and Board rules 13-14.¹² I filed additional pleadings in both the District Court and appellate Court concerning specific challenges to other State disciplinary rules, federal disciplinary rules, and disciplinary proceedings and rules against federal judges and the US Supreme Court.¹³ Also see DI 55 at App U regarding the state's denial of my access to the law library and other violations of a fair proceeding.

6 The State committed attacks against me during 2020-2021 to interfere with and cause me to forgo my case in Kelly v Trump, which included disparate treatment with religious political animus, court staff writing on praecipe dated 10/5/20, and directing me to cross off local counsel's address on praecipe to prevent service to local counsel, court staff misleading me to miss deadline for an order I did not know existed, sending Court of Common Pleas Judge Kenneth S. Clark to attack me in public at a grocery store demeaning my faith in Jesus not I money as God, and sending three threatening letters by the State to cause me to forgo Kelly v Trump prior to the US Supreme Court's denial of a writ.

I provided evidence the Delaware Supreme Court copied the Administrator of the Board on Professional Responsibility for attorneys in DE, Karlis Johnson in a letter dated 10/21/20

¹¹ 3DI-98, 3DI-199, The District Court staff indicated this Court may not be able to see the Docket items in the District Court I referred to in appeal. See also, App. M and 3DI 41 through 3DI 45.

¹² DI 58. App. T, filed showing my new discovery DE Supreme Court fired two staff to prevent me calling them as witnesses in my favor, and assert my intent to file a motion to amend once as a matter of right to include all the new and additional information, new claims, and specifically Constitutional challenges against rules 13 and 14 and proceeding.

¹³ App. T, App T-2, App-T-3, App T-4, DI 58, DI 77-79, DI 102, D104, DI 123, 129, DI 130, DI-131, DI 132, DI 141, DI 145, DI 149, DI-152, DI-154, DI-155, DI 156, DI 158, DI 159, DI 161, DI 162, and more

responding to my request to be excused of notarizing documents in *Kelly v Trump* proving the Delaware Supreme Court caused interference and attacks during *Kelly v Trump*.¹⁴

Nothing was normal during *Kelly v Trump*. A Chancery Court staff intentionally instructed me to cross off the Civil Process Clerk's address on 10/12/20 to prevent service to local counsel US Attorney General David Weiss on a subpoena to prevent the case from going forward based on her support for President Trump-(“Trump”) religious views, and wrote on another praecipe on 10/5/20 which caused confusion and prevented service to local counsel. (App N-0) This same Chancery Court staff member intentionally sought to sabotage my case by causing me to almost miss my deadline to appeal the Master's Final Report based on my religious-political views. She indicated her support for Trump and supports freedom of government servants, like President Trump, to share religion unabridged by the Constitutional limits on government agents, thereby opposing my view to dissolve government-religion. Her intent was based on seeking to suppress my petition based on my religious beliefs in favor of Trump-religious beliefs, in violation of the 1st Amendment rights to speech, petition, religious belief, and exercise of religious belief. When I confronted her as to why she misled me not to come in to pick up the ruling, she snidely retorted it was available online. DI-4.

I filed the attached letter dated 11/6/20, received 11/9/20 regarding the staff misleading me to almost miss the 11/9/20 deadline to file a notice. (App. P). I did not want her to get fired, with DE Supreme Court staff attorney Robinson's participation, nor did I want the other court staff to lose her job. I merely desired to uphold my private Constitutional rights in a fair not partial forum. When I seek relief I seek to improve not to destroy. I am so sad about the two

¹⁴ App. T, DI 58 and DI 58-10.

court staff being compelled into retirement to conceal their testimony in my favor because I care about them. They should not have been forced to leave their jobs to cover up as opposed to correct court mistakes or misconduct.

The ODC impermissibly interfered with this case by contacting Court of Common Pleas Judge Kenneth S. Clark, per Judge Clark's admission. A-4, Motion-1. In mid-April 2021, the arms of the Delaware Supreme Court sent Delaware Court of Common Pleas Judge Kenneth S. Clark out to attack me. Judge Clark threatened me in public to cause me to forgo *Kelly v Trump* at BJs 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 government-religion has caused on my free exercise of religion in *Kelly v Trump*. Id. I told Judge Clark I was disappointed in him for interfering for my exercise of the right to petition to safeguard my religious exercise. I was really upset since I have high regards for Judge Clark. I was so disappointed that day. A-4, DI 2, Id.

On 5/24/2021 De-Lapp sent an email and letter demanding I respond within 10 days feigning to offer help because they heard I petitioned for an exemption on bar dues, stating, "We understand that you may be experiencing some financial difficulties with regard to license fees." A-4. It was not help to pay the fee. I paid the fee long ago. DE-LAP was looking after its own interests, which conflicts from mine. I paid the bar dues in the amount of \$353 in February 2021 per the attached receipt contained in A-5.

De-Lapp based its attacks on my two petitions on bar dues before the DE Supreme Court only the Court and Defendant Kathleen Vavala's uncle, the Executive Director of the Delaware Bar Association, Mark Vavala. The Clerk of Court confirmed the entire DE Supreme Court

reviews such requests¹⁵. So, there is sufficient evidence on the record to conclude the Delaware Supreme Court incited DE-Lapp to interfere with my case *Kelly v Trump* to cause me to forgo my lawsuit against Trump. Moreover, I have religious objections to healthcare and mental healthcare.¹⁶

The ODC sent two threatening letters in interference with *Kelly v Trump* in violation of my 1st Amendment exercise of speech contained in my petitions revealing my religious beliefs applicable to Defendants pursuant to the 14th Amendment based merely on my association as a democrat, Catholic, Christian, lawyer.

On 8/23/21 the ODC alleged my pleadings before the Chancery and the [Delaware] Supreme Court, containing my religious beliefs was the reason they were concerned about my mental capacity as an attorney, despite the fact I previously argued my religious beliefs contained in my speech in my petitions were an impermissible reason to sue me but for disagreement with my religious beliefs, and the Constitution superseded state regulatory laws.¹⁷ For example in Motion 1 I averred:

“14. My right to a fair, unobstructed trial to alleviate a substantial burden upon my free exercise of religion is a constitutional right.

15. “Congress, the Executive, and the Judiciary all have a duty to support and defend the Constitution.” *Salazar v. Buono*, 559 U.S. 700, 130 S. Ct. 1803, 176 L. Ed. 2d 634 (2010)

16. “There is no ‘de minimis’ defense to a First Amendment violation.” *Doe v. Indian River Sch. Dist.*, 653 F.3d 256, 259, 2011 U.S. App. LEXIS 16121.

17. “The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Mullin v. Sussex County*, 861 F. Supp. 2d 411, 415, 2012 U.S. Dist. LEXIS 67571, *1

18. I will likely continue to suffer government threats by the state if the Court does not help me by upholding the Constitutional limits from state overreach.

¹⁵ App V, DI 51

¹⁶ See Motion 1 at 27 and Exhibit D at Exhibit 43, also see DI 4 and 3DI-121, in US Supreme Court petition for one example of many on the record.

¹⁷ Exhibit B.

19. I am 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.

20. 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.

21. “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.*[*Werkheiser v. Pocono Twp.*, 780 F.3d 172 (3d Cir. 2015), (explaining Supreme Court's two-step *Saucier* test)]

22. I do not wish to have any disciplinary action against any of the government representatives for misconduct. I desire 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.

23. I object to disparate treatment based on religious affiliation on due process, first amendment and equal protection grounds. I object under RFRA too. See, *Tanzin v. Tanvir*, 141 S. Ct. 486, 208 L. Ed. 2d 295 (2020). The Supreme Court in dicta explained RFRA applied to state and local employees and agents, not merely federal officials.”

Instead of stopping my case, the letter expedited my action to file my petition to the US Supreme Court that same day 8/23/21.¹⁸ The ODC interfered again by sending a second letter late September 2021¹⁹ with knowledge I believe people go to hell for trusting in, referring people to mental healthcare professionals or adopting mental health theories as I outlined in Motion-2, in an attempt to compel me to violate my religious belief by undergoing such an examination under the threat of prosecution and the color of state law by examination. DI-3, DI-4. *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, [including mine] are reasonable.” In this case this court recognized a protected right to religious objection to certain healthcare.). I sent an email requesting they desist in interfering with my case, and objecting on

¹⁸ *Id.* DI 4

¹⁹ DI 3

1st Amendment religious grounds to examinations. I have religious objections to healthcare and mental healthcare. App T

7 ODC's letters threaten Kelly with punishment to compel her to violate her previously asserted 1st Amendment religious objection to healthcare, and mental healthcare and threaten actual punishment but for finding her religious beliefs in Jesus and citations to the Bible as a source of her religious beliefs in defense of her private beliefs proof of disability

I sincerely hold the religious belief believe people commit lawlessness aka sin leading to the fires of hell should they not repent by telling people to trust the experts, rely on healthcare professionals, mental health professionals, or other professionals or their products, services, products, science or technology in place of God which is idolatry leading to certain damnation should they not repent. *Romans* 1:25. Such conduct makes professionals above the law by court deference to professional boards, professional standards and the mere studies of students who may harm human life, liberty or health life, health to serve what I believe is the mark of the beast business greed, productivity, material gain, even knowledge or convenience unrestrained by unconditional love written on their hearts or the just rule of law.²⁰ I specifically have religious objections to mental health theories which I believe teach people, especially little kids, to go the way to hell by chasing after the desires of man and man's goals, instead of obeying God, by laying down the desires of man to choose not to give into physical, chemical, economic, social or other temptation to do what is right for eternal not material gain or convenience of man.

²⁰ *Romans* 1:25 ("They exchanged the truth about God for a lie, and worshiped and served created things rather than the Creator"); See *Jeremiah* 31 regarding God's law of love written on the hearts of man; See *John* 2:16 (those who do business as worship are not welcome in God's house. Teaching giving to get is love drives out love from the hearts of man replaced with the love of money); *Matthew* 6:24 ("You cannot serve God and money."); See *Mark* 8:36-38 ("What profits a man to gain the world to lose his soul" [in hell]...); *Romans* 4:4 (Job creation is not good or charity. It is giving to get); See *Matthew* 6:1-4 (Volunteering, fundraising and organized charity is sin leading to hell, and is not true charity but teaches giving out of one hand to get business is alms, driving out God from the hearts of man replaced with the mark of the beast); See *Genesis* 3 (The punishments of original sin are meant to humble man not to glorify man by teaching them to have pride in their work, marriage and kids leading to hell, by glorifying man's work in place of God).

Defendants knew of my religious objections to healthcare and mental healthcare. I included them in Exhibit 43 to Kelly v Trump, attached hereto at the last few pages of Exhibit D. I also sent them emails asserting my religious beliefs and other 1st and 14th amendment rights including right to a fair proceeding in Kelly v Trump. I asserted my Constitutional rights which preempt an alleged made up regulatory interest the Defendants may assert. Even if there were a legitimate interest, Defendants should have not violated my procedural due process rights and interfered in Kelly v Trump. The Defendants and DE Supreme Court members attacks was brought with religious-political and poverty animus, with almost 20 years displaying religious-political animus as outlines in DI2, DI4, causing me to lose about 2 million dollars in expected income and other irreparable harm by compelled religious violations of my asserted religious beliefs, even at my admission to the bar. DI 2, (Complaint) DI3 (District Court exhibits to complaint, DI 4 (Kelly v Trump exhibits to Complaint).

7. On 10/25/21, Kelly Filed this civil rights law suit for monetary damages and equitable relief for emotional distress, violations of procedural due process, Equal Protections claims, First Amendment violations of private rights to petition, religious belief, exercise of belief, speech and association, loss of employment opportunities, or other economic harm, harm to my reputation, witness tampering, procedural due process violations and in violation of 42 USC §§§ 1983, 1985, 1988.

On 10/25/21, I filed this civil rights case Kelly v Swartz, et al, wherein I sought to enjoin a disciplinary proceeding from initiating, for equitable relief, and damages caused by the Delaware disciplinary counsels', court members' and the State's interference in my Religious Freedom Restoration Act lawsuit ("RFRA") against former President Donald J. Trump (referred to as "Kelly v Trump"), in violation of 42 USC §§§ 1983, 1985, 1988. (DI 2-4) I sought claims for emotional distress, violations of procedural due process, Equal Protections claims, First Amendment violations of private right to petition, religious belief, exercise of belief, speech and

association, loss of employment opportunities, or other economic harm, and harm to my reputation during Kelly v Trump.²¹

On 10/25/21, I also filed a TRO, Preliminary Injunction, exhibits showing almost 20 years of the State's retaliation or compelled violations of my asserted rights or other disparate treatment at DI 3 and DI 4, a Motion to expedite, Motion for remote proceedings and to appear remotely, and a motion for an exemption of pacer fees.²² On 10/27/21 I drove 4 hours round trip to District Court and filed a hand written letter I quickly drafted for immediate emergency relief emergency relief and stated.²³

“Dear Honorable Court,

Per the kind suggestion of your staff I write to respectfully request emergency immediate relief with regards to my motion fir a temporary restraining order, and to serve this request with the motions, complaint and exhibits thereto filed Monday [October] 25, 2021 together.

The Defendants seek to proceed to disbar my license to practice law for my exercise of protected 1st Amendment rights, including speech, association, exercise of religion, and petitioning of the courts in violation of the First Amendment applicable to the Defendants pursuant to the Fourteenth Amendment, in violation of 42 USC Sections 1983 and 1985 on November 3, 2021.

I requested relief without notice in my motion for a temporary restraining order, given the immediate threat of irreparable injury, with little time to serve the Defendants.

I filed a separate motion for a preliminary injunction affording time and opportunity for Defendants to respond.

On October 29, 2021, the US Supreme Court is scheduled to consider my plea Kelly v Trump, 21-5522 from which tis lawsuit arises.

Given the immediate irreparable harm to me, I respectfully request emergency relief to protect my exercise of protected rights and my ability to be free from retaliation and loss or potential loss to my reputation, and my ability to practice law. I worked so hard to get my license to practice law, and should not be penalized for seeking help as an injured party.”

On 11/2/21, I mailed a letter to District Court stating.

“...The Defendants intend to go forward with the proceeding against me for the exercise of my First Amendment right to petition, speak exercise religious beliefs and

²¹ DI 2-DI-3, DI-4

²² DI 7-12

²³ DI

associate, motivated by their desire to suppress my exercise of civil rights, in disagreement of my religious associated beliefs on November 3, 2021.

Please enter an order on November 3, 2021 to prevent injury to me, and prevent the need for an additional law suit in Delaware Supreme Court. Delays will not cause substantial injury o Defendants.

I will go to the library and scan in the order to send it to the Defendant's counsel immediately, should you sign one to prevent irreparable injury o me. I will sit at the courthouse on November 3, 2021, in hopes you sign an order. I fear irreparable injury should the Court delay longer in terms of harm to my reputation causing government suppression of my speech, the loss of my ability to find work as an attorney, persecution for the exercise of my religious beliefs, no matter how repugnant they may be to Defendants, government agents. Please help. Thank you." DI 18

On 11/3/21, I drove the 4 hour round trip to the District Court an dropped off a letter and sat waiting. DI 19

To my horror, unbeknownst to me the District Court dismissed my case under Younger on 11/2/21. DI 15-16, App. I.

8. Probable cause hearing occurred where the Defendants accessed the docket according to Lexis's November 4, 2021 date. It is a delayed date, with evidence in my favor sealed. The petition cites my religious beliefs and citations to the bible in Kelly v Trump to be the reason for the petition.

On 11/3/22, Defendants brought a petition for probable cause. Defendants' petition at 7, attached hereto as Exhibit D averred my religious beliefs and references to my bible *in Kelly v Trump* is the reason and asserted proof of mental disability, despite the fact my religious beliefs are in issue in the RFRA lawsuit. (See Exhibit A, B, C, D).

The Lexis documents showed the Defendants accessed the record during the probable cause hearing, since the last check date shows the next day. Since my pleadings necessary for my defense were sealed, it appears there was not a full and fair record of Kelly v Trump for the professional board members to determine probable cause.

9. District Court Dismissed my Complaint under Younger. I filed a Motion for Reargument and Motion to Amend the Motion for reargument. I showed the DE Members participated in the State's attacks. Since, I had an appeal in Kelly v Trump to the US Supreme Court, I did not add the DE Supreme Court members initially because the writ of

cert may be granted in Kelly v Trump, and the case remanded back to the Court. I alleged additional damages and claims. The State threatened to compel me to violate my asserted 1st and 6th Amendment asserted right to self-represent as a religious-exercise, which caused emotional distress so great a police made a wellness check. During check I told him I couldn't find the police report where I told the police people talked about shooting me. No report was made, despite the fact I told the police. It may have been a police officer from my former gym outside of his jurisdiction checking on my car because someone threw something at it.

District Court dismissed my complaint under Younger on 11/2/21, which I was unaware of when I drove the 4 hour trip to the courthouse on 11/3/21. DI 16-18, App I.

I filed a motion for reargument Order was filed to dismiss my case under Younger. I filed a Motion for reargument under great duress since the State sought to compel me to violate my religious beliefs by appointing counsel in violation of m 6th and 1st Amendment right to self-represent per an email. DI 20-DI 21.

I drafted a Motion for reargument dated 11/6/21 filed 11/8/21, attached as DI 20, attached hereto with exhibits and incorporated herein by reference where I averred inter alias:

“Plaintiff Meghan Kelly, pro se, brings this motion for reargument pursuant to FRCP Rule 59(e), and D. Del. 7.1.5 (a), on the order (D.I 17) in objection to and request to vacate each and every one of the court’s findings denying my motions to expedite, for a temporary restraining order, a preliminary restraining order, exemption from bond, for emergency relief, motion to appear remotely, motion to electronically file, with a waiver of electronic filing fees, abstention under the Younger and the dismissal of this case, based on supremacy of federal law, the absence of opportunity for relief in state courts, essentially eliminating my ability to protect my fundamental rights in exchange for my license to practice law, sacrificing individual liberties including my religious exercise, speech, association and petitioning the court for relief against disparate treatment towards me by government agents motivated by their disagreement with my religious exercise, petitions, poverty, association and or speech. (D.I. 1-19).

I also seek to vacate the Order because the Court erred as a matter of law by disregarding all my pled facts, pled legal arguments, not limited to Defendants’ conduct, and the conduct through its coconspirators, or agents De-Lapp and Judge Clark, a Court of Common Pleas, in violation of federal law, where I am a party for my exercise of federal rights, and by initiating a proceeding, under the color of the law, in violation of the Constitution and federal law, as applied against me, a party of one, under the

pleadings in my complaint, and exhibits incorporated therein by reference, and in the motions, and exhibits thereto, motivated by their disdain for my religious beliefs reflected in my speech, petitions and association. Id. Judge Clark sought to intimate me with the cloak of his Court authority related to and with intent to interfere with my exercise of First amendment rights. (D.I. 1-19). He interfered with my case, seeking to interrogate me, and demand I call him or come to his chambers. I made petitions for relief to suspend attorney license fees due to poverty. I made petitions to Master Griffin of the Chancery Court and the Supreme Court related to disparate treatment by staff based on poverty, religious beliefs, association and, or petitions. The Chancery Court through staff misled me into almost missing my filing date to appeal Kelly Trump, and instructed me to cross off the Delaware lawyer's address in the praecipe to prevent service to local counsel..

The Court abused discretion by disregarding the facts and legal arguments I pleaded, and by making no determination on such arguments. The Court made an error of apprehension. Id. Even on a Motion to dismiss the Court is required to consider "whether the allegations on the face of the complaint, taken as true, allege facts sufficient to invoke the jurisdiction of the district court." *Licata v. U.S. Postal Serv.*, 33 F.3d 259, 260 (3d Cir. 1994). The Court abused its discretion by ignoring, failing to address all the facts and pleadings in my complaint and motions before dismissing a case, related to fundamental rights requiring strict scrutiny to be upheld. Defendants face no irreparable harm. I am not working and have not represented anyone but myself, as an attorney in years, and will not represent anyone anytime soon. I sought to make a difference differently by attempting to revise the laws over the years. I believe religion and state must be separate. People should worship or not according to the dictates of their conscience, not the dictates of the government through their partners, including religious entities. When my religious liberties were at stake, I gave up public office aspirations for God, in hopes the Courts would safeguard our religious freedoms.

Younger does not apply. I am not asking the Court to make a disciplinary determination. I am asking the Court to, inter alia, (1) enjoin the Disciplinary Proceedings until a determination is made, leaving time for appeals to determine whether the conduct by the defendants violated the first amendment applicable to defendants pursuant to the fourteenth amendment concerning my free exercise of religion, speech, association, and petitioning the government to address grievances, 42 USC §§ 1985(2), 1983 ("federal law"), and (2) determine whether the proceedings themselves are a violation of federal law. (D.I. 1, 2, 3, 4, 9, 10, 7, 8, 6, 12, 11, 14.) (1)

The conduct by Defendants and the coconspirators as pled are a violation of federal law, and (2) the proceedings themselves are a violation of federal law. (D.I. 1-19). I asked the Court for a preliminary injunction, a temporary restraining order, and waiver of bond to prevent the suppression of my right to petition to safeguard my civil rights due to destitute and inability to pay to prevent waiver of my First Amendment rights based on inability to pay. I did not ask the court to conduct a disciplinary trial.

My complaint asks for additional relief, and alleged additional harm beyond injunctive relief, including but not limited to damages, physical harm, humiliation, emotional distress, harm to my life, safety, livelihood, and other relief from harm the Court did not address. [Emphasis intended] Injunctive relief while the main relief, is not the only relief I requested. I would also like to include nominal relief, as the violation of my First Amendment rights are more important to protect than money or my license, though I seek to protect my license and ability to find work too. (D.I. 2, 3, 4). *Uzuegbunam v. Preczewski*, 141 S. Ct. 792, 794, (2021).

Someone talked about shooting me based on my speech reflecting my religious affiliated beliefs, albeit before the suit, a scary man took off his mask and got close to my face and yelled at me for my apparent beliefs endangering me to covid-19, and Mr. Layton had two bullets almost hit him and his wife as they sat at their kitchen table in their home for his exercise of First Amendment rights. D.I. 2, 3. I am scared Protection of my freedom of speech, religious exercise, association and right to petition, despite religious beliefs, poverty, unemployment, and profession is something I seek this Court to protect which is far greater than my active license to practice law, or all the money in the world, for freedom cannot be bought and sold, should the court fail to grant injunctions, with claims for nominal damages, potential additional relief as more harm arises, and damages.

The Defendants and Court agents by their positions are not above the Constitutional law, immune to punish me for my exercise of a fundamental right requiring their need to meet strict scrutiny which it does not. I do not lose my right to seek relief in Court for their violations of the Constitutional law and federal laws in exchange for my license to practice law or by the institution of proceedings against me.

They knew or should have known their conduct violated federal law, even if I am poor and unemployed. I am not deemed less worthy of protections under the law by mere poverty, but am equal to those of great wealth under the constitution. Judges and arms of the court are not above the Constitution and must be limited to adhere to the Constitution by outside courts should they overstep. I did not sell my soul to hell for my license to practice law, nor did I become enslaved to the false God of money in exchange for my license to practice law. Any sacrifice of religious freedoms of conscience for the profit and control under the guise of order of the profession, even at the cost of human sacrifice of individual Constitutional liberties, is a sacrifice too great.

I am protected under the Constitution for my religious beliefs, religious exercise, speech, petitions and association, even if I am in destitute utter poverty, an attorney, and even if Defendants find my religious associated beliefs, speech and petitions, which reflect my religious exercise and beliefs, repugnant or crazy. I am protected even if I made mistakes in court, in my desperate desire to serve Jesus by protecting God's holy name. Defendants are not immune for conduct they knew or should have known as attorneys were Constitutional violations. Immunity is removed. *Werkheiser v. Pocono Twp.*, 780 F.3d 172, 176 (3d Cir. 2015), I.D 2 at 188, 194, 201-204, 236-239, 336,

My faith in God the father, Jesus, and the holy spirit are in issue in this case, my complaint *Kelly v Trump* relating to a substantial burden upon my free exercise of religion, and are in issue, as the motive, an improper motive for Defendants' case Board Case No. 115327-B per Defendants admission per the attached complaint marked as (Exhibit 1. at 7), and per my Complaint, motions and exhibits. (D.I. 1-12, 14) Defendants bring a wrongful proceeding against me because they find my religious beliefs in Jesus, "a serious concern regarding my mental capacity" *Id.* They allege they do not understand my beliefs in Jesus [by stating they] "are objectively illogical; and rely on non-legal sources, including the Bible." See, *Africa v. Pennsylvania*, 662 F.2d 1025, 1025 (3d Cir.)("Judges are not oracles of theological verity, and the founders did not intend for them to be declarants of religious orthodoxy."); *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.") My claims against Presidents Trump and Biden, and the Defendants' wrongful action against me relate to my pleadings in RFRA action *Kelly v Trump*); *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."); *Presbyterian Church in U. S. v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U. S. 440, 450 (1969); *Ben-Levi v. Brown*, 136 S. Ct. 930, 934, See, *Holt v. Hobbs*, 574 U.S. 352, 352. I am not required to make what is clear to me, clear to Defendants or the Courts. The Courts must merely believe my faith and beliefs are genuine, a fact to me, as alleged. They do not have to agree with my religious beliefs, merely believe I believe God as I pled, as a fact to me.

Defendants also seek to appoint counsel for me, at my expense, when I am impoverished, and going into debt is against my religious beliefs, and appointed counsel is against my religious beliefs, as I believe God is my advocate in the disciplinary case. (D.I. 10, regarding debt violates my religious beliefs). I must stand or fall on my faith. I will allow the holy spirit to be my advocate. An attorney advocate cannot adequately represent my religious beliefs. (Exhibit 2). My faith in Jesus does not make me disabled, even if Defendants deem it irrational, including my religious opposition to mental and physical health examinations and care as stated in my complaint. D.I. 2.

My poverty, while a disadvantage to me, does not make me disabled. Even the poor are afforded protection for the exercise of their First amendment rights. Our fundamental freedoms are not free if they are for sale to only those who can afford to pay to exercise civil rights. The Court erred in failing to consider the loss to the public of their loss of first amendment rights as they are in danger of being labeled as disabled for merely exercising federal rights, making the government above the Constitution and the rule of law, and the poor and those with diverse beliefs below the law. The Court erred in failing to address the loss to the public of my speech, association, potential representation, affiliation and ideas. D.I. 1-19.

The Court did not examine the facts or legal arguments pled in my complaint, or the motions, and exhibits thereto incorporated therein, for a preliminary injunction, temporary restraining order and waiver of bond, and other motions. Id. (D.I. 1-9).

The Constitution and Federal laws supersede state law arguments. The court ignored superseding constitutional issues, arguments and facts related to those issues, blinding its eyes guaranteeing injustice towards me, and similarly situated parties who are not below the law by poverty or pro se status, but are afforded Constitutional protections to exercise their First Amendment rights without retaliation or interference by government agents acting under the color of law seeking to suppress or punish claimants for their exercise of fundamental liberties. The cloak of color of law by Defendants, and government agents, does not give the government lawless reign, constitutional immunity to violate the Constitution, with no accountability for such violations by using the color of the law to obstruct and prevent my access to the courts. The color of the law acts as both the sword and shield per (D.I.15 and D.I. 16), rendering the Court and the arms of the Court above the law, above the Constitution, and must be overturned to prevent clear injustice.

The Court erred by not considering or even addressing my fundamental rights and Constitutional arguments which preempt state law proceedings, and the Chancery Court's staff's and Delaware Supreme Court Chief Justice' participation in the retaliation, and intentional interference to obstruct, harass, interfere, or pressure me to forgo my case, Kelly v Trump, by instigating DE-Lapp and ODC proceedings against me motivated by their disdain for my personal, religious affiliated beliefs, speech reflected the same, exercise of my right to petition, poverty, association and religious exercise, and as this case may bar me from rearguing Defendants' violations of 42 USC Sections 1983, and 1985(2), and First Amendment violations applicable to Defendants pursuant to the Fourteenth amendment before the Delaware Supreme Court, should a negative holding against me be found. (D.I. 1-D.I 17).

The evidence shows the Delaware Supreme Court justices partook in the federal law violations. The Defendants and DE-Lapp and coconspirators allege they brought the complaint due to petitions [related to bar dues] I filed with the Delaware Supreme Court. (D.I. 3, and D.I. 10, D.I. 8, De-Lapp Letter and A-4, A-5). Only the Delaware Supreme court judges knew of my petition to suspend lawyer fees for all unemployed lawyers due to the pandemic, albeit Mark Vavala knew too. Only DE Justices knew of my pleadings as no party responded. The source of the wrongful complaint against me brought to interfere and punish me for my exercise of fundamental rights and belief in Jesus appears to be rooted in the DE Supreme Court's instigation who will be complainant, judge and jury against me in a proceeding brought in retaliation and interference of my exercise of civil rights, motivated by their desire to suppress my religious associated beliefs. It is injustice guaranteed as the Supreme Court appears to have partook in federal law violations against me. It would be improper for me to name the Court as a party since I had a case before them, but it appears the Court seeks to sue me, and I no longer have a

case before them. [The United States Supreme Court denied my writ of Cert. in a letter dated Nov. 1, 2021, and I now may sue them] The [Court] may interplead if they so desire instead of wasting resources, although I prefer not to sue the court, only to protect my fundamental rights, especially to exercise my faith in Jesus. (Exhibit 3).

The Court erred as a matter of law by indicating I could receive relief in state court, where no relief is afforded as the Chancery Court and Supreme Court participated in the facts that are the subject of this dispute, forcing Procedural and Due process violations and eliminating my access to the only court who may afford me relief, the District Court. Defendant is the initial judge, while I can argue illegality as a defense, Defendant and the coconspirator Court would wrongly grant immunity to any action I would have brought in state court, giving themselves power to be above the law and Constitution as the courts participated in the conduct which is the cause of this action. "Congress, the Executive, and the Judiciary all have a duty to support and defend the Constitution." *Salazar v. Buono*, 559 U.S. 700, 717 (2010). The conduct by the Chancery and Delaware Supreme Court are the subject matter of this dispute, sabotaging my case by attempting to mislead me to miss my deadline, directing me to cross off DE lawyer's address to prevent service, petitions, and other activity. I petitioned the Chancery Court concerning disparate treatment against me, a party of one, and suppression of my First Amendment liberties by members of the Chancery Court, in addition to members of the Government by filing complaints in the Chancery Court against the Department of Elections and against Presidents Trump and Biden for their requirement I sacrifice my exercise in religious beliefs or other First amendment rights in exchange for the exercise of other rights. (D.I. 4, Exhibits A-4, A-5, 2, 5, and Appendix G), (D.I. 3 at Exhibits 12, 11, 17.) The Supreme Court justice, Judge Clark, and Chancery Court staff are expected to be witnesses to this case. See Exhibit 4. I petitioned the Delaware Supreme Court concerning government agents, acting under the color of law pressuring me to forgo Constitutional rights, with intent or to interfere, punish retaliate, substantially burden and obstruct my exercise of protected rights, motivated by their desire to suppress the exercise of my protected religious exercise, speech, petitions and association, in violation of federal law. 42 USC 1985(2), 1983, USC Section 1. (D.I.3, Exhibits 11, 12, 13.).

The authority vested in Defendants under color of state law to conduct investigations and disciplinary proceedings for attorney misconduct do not permit the Defendants to knowingly violate the Constitution and federal laws including Conspiracy to harass, interfere or pressure a party, me, to forgo my case, motivated by their disdain to my poverty, association, religious exercise and beliefs manifesting in my speech and petition, and retaliate against a party for exercise of her civil rights, no matter how repugnant my religious beliefs may be, free will is more important than order and control, bending people's will making society less rich with truth and the free flow of diverse ideas, debate allows, by wrongfully bringing proceedings in violation of federal law as applied to me

State courts are unable to afford me relief to enjoin the wrongful proceedings against me since members of the Chancery Court and the Delaware Supreme Court likely participated in misconduct by making complaints to Defendants or to agents who made complaints to Defendants. Members of the Delaware Supreme Court were aware of the information DE-Lapp and Defendants refer are the reasons for their wrongful disciplinary proceeding against me. (D.I.). The Court cannot clean Defendants' hands because its own hands are dirty by involvement in conspiracy to interfere, harass, or pressure me to forgo my case, and in conduct retaliating against me motivated by their disdain for my religious beliefs manifested in speech in the petitions. I would be prejudiced in state court, and have a right to bring my federal claims in this federal court. I must be afforded opportunity to plead my case to prevent injustice, by the elimination of access to the only court able to afford me relief. The Chancery Court is the state court with jurisdiction to grant equity and injunctive relief. The Delaware Supreme Court, which has no jurisdiction to enjoin the Defendants pending a determination of my federal claims, only this Court has jurisdiction, without manifest prejudice and clear error of the law under the facts in the pleadings the court failed to consider. I would be prejudiced by elimination of my First amendment rights with no recourse in the proceedings below as members of the Delaware Supreme Court and Chancery Court appeared to participate in retaliation against me and the institution of the unconstitutional proceedings against me.

My letter to the Delaware Supreme Court [for an exemption from bar dues for all attorneys facing economic hardship dated 2/5/21], which may have been reviewed by all members of the Delaware Supreme Court is the reason why DE-Lapp alleged they instituted proceedings to investigating me under the guise of offering help, since all fees were paid, possibly to cover up the letters I petitioned to Master Griffin. Thereafter, Defendants received Delaware Supreme Court filings, and allege this is the reason they seek disciplinary proceedings. How did they get them? Not through the unserved Defendants, but likely through the members of the Court or through their agents. The prosecutor must not be the judge in my claims for relief for Defendants' retaliation against me for the exercise of my protected rights, and for interference with my case, *Kelly v Trump*. I do not ask this court to conduct a disciplinary proceeding, merely to determine whether the Defendants conduct alleged in my complaint, and the proceeding itself are violations of the laws I alleged in my complaint, to prevent the persecution against me by government agents, and the precedent endangering others of loss of protected freedoms by government agents... “²⁴

On 11/8/21, I filed a motion to amend my motion for reargument with exhibits, and an amended motion for reargument attached hereto and incorporated herein at DI 21 to clean the motion I drafted under great duress up wherein I indicated a police officer made a wellness check

²⁴ DI 20, see attached for exhibits. When I copied and pasted this, it became a block. So, I attempted to indent paragraphs which may not be the same as the attached DI. 20.

based on the postal worker noticing I was so upset and did not feel safe by the government government compelled religious violations. We talked about the people who talked about shooting me in Dagsboro. I was especially upset since I had objected to appointment of counsel based on 1st Amendment religious belief and my 6th Amendment right to self-represent. I averred therein:

“Pursuant to FRCP 15 (a)(1) (1) “A party may amend its pleading once as a matter of course within 21 days after serving.” On Saturday November 6, 2021, I mailed a motion for reargument by certified mail, sent to both the Court and Defendant’s counsel. On November 6, 2021, by separate US Mail, I sent the proposed order to the court and defendant’s counsel. This is within 21 days.

My computer is broken and is in repairs. (Exhibit 1, proof of mailing.) I alerted Defendants through their counsel of my repairs, with attached pictures. (Exhibit 2 Email to counsel. Typing is not my strong point. My apologies.) Today, I was informed my computer is not fixed. (Exhibit 3, Email from insurance provider).

I am in immediate danger, and was required to send the Motion for reargument, on Saturday before noon to alert the court in hopes to prevent immediate irreparable injury to me and the public, on arguments I am likely to win under 42 USC Sections 1983, 1985(2),1988 and the First Amendment applicable to Defendants pursuant to the Fourteenth, with no harm to Defendants, where Defendants’ interests do not meet strict scrutiny, allowing them to persecute me based on my beliefs in Jesus Christ. I had to send it regardless of typos, without opportunity to correct to prevent immediate, irreparable injury to me, and continuous irreparable injury to me.

I care more about my ability to exercise my religion freely, and openly without threat of government persecution than I care about my license, and ability to work at my old law firm performing real estate settlements down the line, as I do not enjoy litigation. So, I looked at registration to see whether I could deactivate my license to practice law. Even though I have not practiced law in 6 years, it indicated I could not deactivate my license due to the ODC filing on November 3, 2021. (Exhibit 4)

I came before the Court to protect my First Amendment rights, and subordinately prevent punishment for my faith in Jesus by Defendants who seek to place my active license on inactive disabled. It is insulting to me. My faith in Jesus is not a disability. My poverty is not a disability.

On Friday, November 6, 2021, I was served papers by Defendants seeking an order against me which would violate my faith in God by allowing them to examine me by a mental health expert. I should not be required to violate my faith in God risking losing my eternal life to maintain my license to practice law. Lawyers should not sell their souls for potential monetary gain, to lose their eternal life in the hopes to pursue justice. (Matthew 23:23, Amos 5:15, Matthew 16:26 “What good will it be for someone to gain the whole world, yet forfeit their soul? Or what can anyone give in exchange for their soul?,” Matthew 6: 24 ““No one can serve two masters. Either you will hate the one and love the

other, or you will be devoted to the one and despise the other. You cannot serve both God and money.” I choose God).

I was so shaken up, my heart hurt so badly, and I was trembling as I rushed to the post office to prevent irreparable injury, that the post office official, April, called the police to check up on me as I indicated I was not safe from government sponsored threats motivated to suppress my speech, petitions, association and exercise of religious faith in Jesus Christ, based on their disagreement in my faith in Jesus. I said, “they are going after me for my faith in Jesus. (Exhibit 5, police report) I am permitted to worship or not according to the dictates of my conscience, not the dictates of the government.”

Defendants seek to declare my faith in Jesus a mental disability through official proceedings. What is next will they lock me up because my religious beliefs do not conform to their expectations.

I was under great distress, and remain under great reasonable distress. My heart is hurting.

A state trooper made a wellness check November 6, 2021. I was humiliated and embarrassed to share my religious beliefs, persecution, and poverty with the kind State Trooper. I told the trooper that a stranger talked about shooting me in Dagsboro because of my stickers. He asked, “Why didn’t you call the police.” I responded I thought I did. I went to the state police, Millsboro, Dagsboro and Bethany police department to retrieve the report too. I did not realize until November 7, 2021, after I thought about it, that the fully uniformed officer I told, who inspected my car at World Gym in Millsboro, was probably acting a fellow kind gym mate, acting off duty or outside of his jurisdiction. (Exhibit 6, car with substance thrown at it for my speech).

Per my Complaint at paragraphs 42, 48, 89, 98, 112, 149, 156, 201, 268-290, 292-294, 306-308, 365-480, D.I. 2, D.I. 3, D.I. 4, with focus on US Ex 43 relating to healthcare, US Ex 2 the law suit against the Democrats regarding healthcare concerns, Exhibits 21-25 my emails providing notice for Defendants to desist based on religious objections to examinations District Court, Us Exhibit the outline of my religious objections in my writ of certiorari, the outline of my rejections to mental healthcare in my motion to the Delaware Supreme Court, and Exhibit A-4, my motion to the Delaware Supreme Court to reign in its arms through its agents from unlawfully pressuring me to forgo or impede my case to protect my free exercise of religion by relief it deems just, where I declare my objections to psychology and mental health..

I was under great distress, and remain under great reasonable distress should you find my beliefs are genuine.

A state trooper, Officer Partyka, made a wellness check November 6, 2021. I was humiliated and embarrassed to share my religious beliefs, persecution, and poverty with the kind state trooper.

I told Officer Partyka that a stranger talked about shooting me in Dagsboro because of my stickers. He asked, “Why didn’t you call the police.” I responded I thought I did. I went to the state police, and the Millsboro, Dagsboro and Bethany police department to retrieve the report. I did not realize until November 7, 2021, the fully uniformed officer I told, who inspected my car at World Gym in Millsboro after someone threw substance all over it but for my stickers, “No one is above the law, No one is below the law,” “Impeach,” “Serve your country not your seat,” was probably a fellow kind gym mate, acting off duty

or outside of his jurisdiction. (Exhibit 6, a picture of substance on my car). That is why I could not retrieve the report I looked for. D.I. 2, 3, 4.

Defendants also threatened to file a motion on November 8, 2021, to have an attorney appointed for me. I objected on religious grounds, which also shook me up. Per my Motion and Memorandum for a preliminary injunction and complaint, going into debt is against my religious beliefs. D.I. 6, 7,8, 9,10.

I objected to appointed counsel on religious grounds. 1. Going into debt violates my religious beliefs 1. as outlined in the preliminary motion and memorandum, and 2. I believe God is my advocate in the disciplinary proceeding.

In John 14:26, Jesus taught, “the Advocate, the Holy Spirit, whom the Father will send in My name, will teach you all things and will remind you of everything I have told you.”

In Mark 13:11, Jesus taught, “Whenever you are arrested and brought to trial, do not worry beforehand about what to say. Just say whatever is given you at the time, for it is not you speaking, but the Holy Spirit.”

It is against my religion to allow an attorney advocate to defend my religious beliefs in the disciplinary proceeding. An attorney advocate is not in the position to stand up for my beliefs in the disciplinary proceeding.

As to the case before you, I am not so sure. I need to pray about it. The cases relate to my religious beliefs. My beliefs are at issue.

With regards to exams and alleged mental health, I believe people lose eternal life for relying, performing, recommending and allowing the conduct of mere man to examine the will of another by examinations relating to alleged mental health, psychology or behavioral theory. I believe the mental healthcare industry teaches the way to hell guaranteed by tempting man to bend their will to their own desires or the will of the world, conditioning them to live conditionally, instead of laying down their will to love God unconditionally, and subordinately to love others, unconditionally, unearned, as yourself. I believe lost people seek happiness. Children of God seek holiness. The happiest people have hardness of heart. Since they are either ignorant of the evils of the world, or they do not care to love those who inconvenience them, which is not violating Jesus’s commands by organized charity or fundraising which leads to hell. It is not referring people to government resources either. Love is sacrificing from self in secret to care for another at a worldly lose for a Godly gain. (Matthew 6:1-5.)

My belief in Jesus Christ, what he says, is not popular. Jesus commands us to call no one our teacher but God. I believe churches will go to hell as they mislead many there for asking other people for money to give to others, instead of merely asking for their own needs, or giving from self in secret to care for others with no worldly reward, not taking from others to give to those in alleged need, in direct violation of Jesus Christ’s commands in Matthew 6:1-5. This same religious violation, Matthew 6:1-5, is why I sued the democrats to run for office without violating my faith as asking for signatures or donations would compromise my beliefs, wrote the US Supreme Court concerning running for President, and is a major concern in the lawsuit I filed against President Trump, and hoped to file against president Biden by substitution. D.I. 4, Ex 2, Ex 50, Ex 51. I believe the rise in religious persecution against me and others in the country relate to the executive orders I mentioned in my complaint, creating a bought or bartered for union of government-religion, that is based on business not freedom, making my God a product to buy and sell.

Per John 2:16, those who worship by business are not welcome in church or in heaven per Jesus.

Jesus teaches “blessed are those who mourn,” meaning mourn at sin, our own and the world’s, not blessed are the happy. (Matthew 5:4, Hebrews 12:14, “Be holy, without holiness no one will see the Lord.”) Rather they are in danger of damnation, without repentance for seeking their own happiness above God’s will. Even children go to hell per Ezekiel chapter 9 for their unconcern.

Children are trained to give into temptations young to make deceiving businesses money, learning to go to hell young by conditionally caring based on date for holidays and birthdays by societal conformed pressure which is not unconditional love. Jesus teaches us do not adhere to the traditions of men at the cost of violating God’s law of truth in love. Mark 7:8, “Do not be conformed to the world.” I should not be conformed to the world in order to exist in the world. Romans 12:2. See, 1 John 5:19, “We know that we are children of God, and that the whole world is under the control of the evil one.” My different beliefs do not make me a threat, nor do they make me disabled. The fact I care more for God, and subordinately for humanity than money, material gain and merriment makes me a Christian.

Per my pleadings, I am a licensed teacher too. Most teachers learned psychology and behavioral theories predominantly B. F. Skinner. Skinner taught there was no such thing as unconditional love, that people live based on conditional relationships (including societal peer pressure), reward and avoidance of harm. My God teaches me this is the mark of the beast, also called children of the devil, the whore, adultery with God, the lost, the unsaved, those not yet adopted by God. Christians are known by their love. Love is unconditional, not merely living conditionally by conformed behavior, relationships, reward and avoidance of harm.

Children are taught in schools that listening is love. Through conditional operant theory children learn the lie love must be earned conditionally. Accordingly, they examine whether someone earned an ear. They are discouraged from listening, learning and become dumb and blind adults, who are less likely will be saved from hell, by seeking truth in all things, rather than ignoring it. (See, Hosea 4:6, “my people are destroyed from lack of knowledge.”) Throughout the bible, we learn not knowing is guilt that damns people to hell. Christians are called to shed light to expose the temptations leading to harm and hell, not cover it up with more darkness by ignoring it. Ignorance is guilt to God. (See, Ephesians 5:11, “Have nothing to do with the fruitless deeds of darkness, but rather expose them.”)

I believe our healthcare harms lives and guarantees damnation in hell, by eliminating people’s ability to use their brain, diminishing their faculties. They feel better by feeling nothing. I believe people must use their brain, their mind, to consciously choose to do God’s will to love God and one another, not seeking happiness but holiness. I believe forced comas and drugs that inhibit people’s faculties prevent them from going to heaven, and guarantee their damnation in hell, and the damnation in hell for the unconcern of bystanders. I believe the last day of people’s lives seals their eternity.

I took a course at UD on healthcare, and studied healthcare law and healthcare finance at law school, due to my own personal bad healthcare experience. per US Exhibit 43. I drafted a newspaper article outlining how to amend the laws to care for patients, as opposed to sinning by exploiting patients to serve profit. I also proposed a way to

transition into universal care. Healthcare brings in more money than any other industry in the world, wrongly exploiting desperate conditions to get as much as they can for as little as they can, at the cost of loss to health, life and eternal lives. D.I. 3, District Court Ex 6, See, <https://www.worldometers.info/>. The second most lucrative industry is healthcare marketing under the guise of education, per worldometer. D.I. 4.

Our laws reward profit and do not protect true treasures, people. Laws may be revised by legislative pen or by case law to care for humanity and improve healthcare for our elderly, the sick, and the common population without increasing monetary costs or throwing money at it, wrongly teaching money is God. Jesus teaches you cannot serve God and money. I believe those who focus on money as savior are not saved from hell regardless as to whether they are churches, businesses or not for profits practicing charity in violation of Matthew 6:1-5, which I believe leads to the sin of deception, hardness of hearts misleading many to lose eternal life to be thrown into the fire the last day. Defendants threaten me with the fires of hell.

Defendants also threatened to file a motion on November 8, 2021, to have an attorney appointed for me. I objected on religious grounds, which also shook me up. Per my Motion and Memorandum for a preliminary injunction and complaint, going into debt is against my religious beliefs.

I objected to counsel on a second religious ground as I believe God is my advocate in the disciplinary proceeding. In John 14:26, Jesus taught, “the Advocate, the Holy Spirit, whom the Father will send in My name, will teach you all things and will remind you of everything I have told you.” In Mark 13:11, Jesus taught, “Whenever you are arrested and brought to trial, do not worry beforehand about what to say. Just say whatever is given you at the time, for it is not you speaking, but the Holy Spirit.”

It is against my religion to allow an attorney advocate to defend my religious beliefs in the disciplinary proceeding. An attorney advocate is not in the position to stand up for my beliefs in the disciplinary proceeding.

With regards to the case before you, I am not so sure whether counsel would be sin. I need to pray about it. The cases relate to my religious beliefs. My beliefs are at issue. Most people believe differently, even my own family. I did look into whether they would help, and was not able to receive help due to conflicts or other reasons.

My belief in Jesus Christ, what he says, is not popular. Jesus commands us to call no one our teacher but God. I believe churches will go to hell as they mislead many there for asking other people for money to give to others, instead of merely asking for their own needs, or giving from self in secret to care for others with no worldly reward, not taking from others to give to those in alleged need, in direct violation of Jesus Christ’s commands in Matthew 6:1-5. This same religion religious violation, Matthew 6:1-5, is why I sued the democrats to run for office without violating my faith as asking for signatures or donations would compromise my beliefs, wrote the US Supreme Court concerning running for President, and is a major concern in the lawsuit I filed against President Trump, and hoped to file against president Biden by substitution.

I believe the rise in religious persecution against me and others in the country relate to the executive orders I mentioned in my complaint, creating a bought or bartered for union of government-religion, that is based on business not freedom, making my God a product to buy and sell. Per John 2:16, those who worship by business are not welcome I church or in heaven per Jesus.

This belief conflicts with the beliefs of my own family, including attorneys. It appears I must stand and fall on my faith in God alone for now.

I am also perplexed by the Delaware Supreme Court's participation, should it be based on the exercise of my First amendment right to exercise religion, speak, associate and petition. I cried about that since I look at them as potential eternal life savers, guiding the misguided with mercy and correction to prevent harm here and condemnation for eternity.

Should the Supreme Court merely care about my poverty and basic needs making the complaint to the arms of the court, instead of seeking to maliciously suppress my exercise of fundamental rights based on disdain for my religious beliefs, I would be grateful.

In that case, Defendants improperly acted. They should have waited after the case, and acted out of concern, not condemnation. I suspect the Supreme Court is defensive, and believe they seek to sue me now, for improper purposes. I am sad even thinking about the evidence indicating to their participation. Only your court can resolve this dispute.

Attached, please find my amended Motion for reargument, and a blackline thereto. Wherefore, I respectfully request this Court grant my order."²⁵

My motions for reargument at DI 20-DI 21 show additional claims and threat of compelled violations of my 1st and 6th Amendment rights leading to foreseeable emotional distress given I informed Defendants in emails of my 5th Amendment and 1st Amendment religious objections to appointed counsel, in addition to showing the court erred as a matter of fact as a matter of law creating manifest injustice in the form of loss of or threat a of loss of fundamental rights and foreseeable emotional distress.

On 12/6/21, I wrote a letter to the court showing bad faith on behalf of Defendant Patricia Swartz, with proof she lied to me to cause me to expend additional money and in an attempt to have the case kicked out. DI 29, not attached.

10. District Court denied my amended motion for a reargument under Younger. I drafted 3 motions under FRCP R. 52(b), and 59 (e) for the Court to alter and amend the judgment of the Court in its December 22, 2021 order to (1) include the availability of new evidence not available previously available, and to later the order (2) to correct a clear error of law, (3) clear error of fact, (4) and to prevent manifest injustice. I indicating my intent was cemented to add the Delaware Supreme court and the members in the 3rd Motion. I included including additional evidence and violations of my 1st, 6th and 14th Amendment rights including but not limited to lack of notice, vitiating of my opportunity to be heard, denial of an opportunity to perform discovery or call witnesses, emotional

²⁵ DI 21

distress forming in the shingles, appointing counsel despite my objection, denial of a fair impartial proceeding, which are within the scope of the appeal I reserved in my motions for reargument.

On 12/22/21 District Court dismissed my motion a second time under Younger.

On 1/11/22, the Court filed my Motion to Amend the finding of facts, and finding of law to amend the order dated 1/10/22, attached hereto and incorporated herein in its entirety with exhibits wherein I averred new facts relating to lack of notice, denial of my motion for an opportunity to perform discovery, call witness or prepare, additional claims for emotional distress forming in physical symptoms of the shingles (Attached hereto as DI 34, with Exhibits at DI 35), wherein I argued:

Plaintiff, Meghan M. Kelly, pro se, this _____, pursuant to FRCP R. 52(b), and 59 (e) moves this Court to alter and amend the judgment of the Court in its December 22, 2021 order to (1) include the availability of new evidence not available previously available, and to later the order (2) to correct a clear error of law, (3) clear error of fact, (4) and to prevent manifest injustice.²⁶

I am getting sued by the government for my faith in Jesus Christ. Defendants appear to think my worship of God instead of money and material gain is a mental disability. Jesus says you cannot serve God and money. (D.I. 20, 21). I believe people go to hell for organized charity, pro bono, fundraising, forcing individuals to work as discipline in violation of the 13th Amend., and **blindly** doing what they are told at a job for money to care for their family, while not caring to **see clearly to love God** as God, instead of money as savior and God, and not caring to **see clearly** to love others, by understanding how their product or service may harm others God loves.²⁷ I believe experts are rendered above the law by adherence to controlled conformity across the board which stifles improvements by freedom of thought and speech, hindered by libel laws, and defense of adherence to professional standards, delegation of duties or ignorance. I believe, fundraising, donations and government funding controls and limits what alleged experts learn, to serve lawless business greed not good, untamed by the rule of law or God's law of love. Our libel laws prevent free speech, debate and criticism to serve business greed. (D.I.4 at Ex 54 to F). Defendants allege my belief in Jesus Christ is illogical, and compel me to conform to the world, when I am commanded to be set apart,

²⁶ See eg. the following for standard of review, *United States v. Fiorelli*, 337 F.3d 282, 288 (3d Cir. 2003); *Max's Seafood Cafe ex rel. Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999); *Harsco Corp. v. Zlotnicki*, 779 F.2d 906, 909 (3d Cir. 1985).

²⁷ See, D.I. US Ex., App E, Ex A-4, A-5, App. F, Ex. A, 1-8, 43, 46, 48, 50, 51, to App F, App H (Emphasis intended, See, *Jn.* 12:40, *Lk.* 11:34)

holy, or risk losing my ability to “buy and sell” by taking my license to work as an attorney.²⁸

The trial against me is scheduled Thursday, Jan 13, 2022, days away, despite the fact I did not receive proper notice, moved to postpone the hearing, and requested an opportunity to conduct discovery to show the cause of action is illegal and to show the state does not have subject matter jurisdiction against me.

On Oct. 25, 2021, I filed a Complaint, and various motions with the District Court based on the arm’s of the Delaware Supreme Court and its agents’ or coconspirators interference with *Kelly v Trump* and retaliation against me for my exercise of Constitutionally protected activity under 42§§§ 1985(2), 1983, and 1988, including retaliation against me by seeking to disbar me for petitioning the Courts to remove a substantial burden upon my free exercise of religion under RFRA against the President for the establishment of government religion, established by *inter alias* executive orders that join the state and religion by partnerships through pay through barter or exchange under the deception of charity to perform government-religious business, and two petitions relating to my request for relief on attorney license dues.²⁹ I sued the President to abolish executive orders that pay churches to perform government business under the guise of charity. It is business, not unconditional charitable love. This is a step to eliminate governments' function of welfare, eliminating social security and other government welfare programs, allowing lawless greed to reign by entities without hearts who have no power to do good, as individual humans may through unconditional love.³⁰ These entities, will not be tamed with just laws or the law of love written on the hearts of man, should the Courts not prevent or reverse the global schemes. I read the plans the *Fourth Industrial Revolution* and the *Great Reset*. (D.I. 9 at Ex. 6, 8, 9). There is a plan through unjust policies to eliminate private property and make everything and everyone no longer free, but for sale to be rented out. *Id.* Schemes may be undone by the Courts before the courts governing power is eliminated by design through privatization and automation. The Court is my hope of a hero.

On Nov. 2, 2021, this Court entered an order without considering, analyzing or providing a legal opinion on all of the relevant facts and legal arguments pleaded to *inter alias* dismiss the Case as an improper forum to determine whether the state case against me is illegal, and dismissing all motions on November 2, 2021, reaffirming such dismissal on December 2, 2021. This court cited Defendant’s 8/23/2021 letter referring to both Chancery and Delaware Supreme Court pleadings as their basis to investigate me in interreference with my active case, pending before the US Supreme Court at the time. (D.I. 16, D.I. 9 at Ex. 5) (Ex. A). This Court overlooked the Defendant’s reference to the **Delaware Supreme Court’s pleadings** as the asserted reason Defendants interfered with my active case, and retaliate against me for exercising protective activity, and evidence of the Delaware Supreme Court’s participation in retaliation against me for the exercise of

²⁸ *Rev. 13:17, Ro. 12:2, Nu. 23:9, Heb 12:14.* Work is not the sin. When your desire for money drives out your love for God and one another, at the cost of human sacrifice, harming others to serve greed, that is sin. The Free exercise Clause permits me to worship or not according to the dictates of my conscience no matter how unreasonable my religious beliefs may be to the state, not the forced worship of business greed, money and material gain by barter or exchange.

²⁹ (DI. 1-17, See especially, D.I. 4 at US Ex., Petition before the US Supreme Court, Ex. A-4 To App E, Ex. A-5 to App E, Ex 2-8 to App F., D.I. 3, with focus on District Court Ex. 11-13, 21-25, D.I. 7, Ex. 1-10).

³⁰ (D.I. 2, D.I. 3, D.I. 4, at Ex A and Ex 2 of Ex F).

fundamental rights.³¹ The Delaware Supreme Court is an improper forum to determine whether the Defendants conduct against me is unlawful as a matter of law under the procedural and substantive Due process clause pursuant to the state actors and entities via the 14th Amend. and under 42 USC §§§ 1985(2), 1983, and 1988, the Equal Protections Clause for disparate treatment, and the 1st Amend. applicable to the state via the 14th Amend., and arguably 28 U.S.C.A. 605, and analyzing a full and fair opportunity to be heard by considering the analysis of (28 USCS §§ 455 (b)(1), 455(b)(5)(iv)).³²

The District Court erred as a matter of law, in violation of the procedural and substantive Due Process Clause, the 1st Amend. and Equal Protections component of the 5th Amend. based on disparate treatment relating to religious political affiliation or pro se, in forma pauperis status, by failing to provide me with the opportunity to be heard and disregarding the clear evidence which shows the Delaware Supreme Court is an improper forum to grant damages for infliction of emotional distress, injunction or nominal damages and other relief, relating to conduct its members or agents, since the state court participated in or incited the conduct which is the subject of this dispute.

The Court also overlooked the facts indicating the Delaware Supreme Court incited or participated in the conduct in interference of and in retaliation of my exercise of Constitutionally protected conduct which is the subject of this dispute, and cannot be the judge of its own relevant conduct or participation relating to this matter, where I am

³¹ (emphasis intended); (D.I. 3, Ex 13 Jan 7 petition relating to attorney fees); (D.I. 4, US Ex App B, Ex A-4, A-5, Ex A of Ex. F, referring to the complaint and two motions relating to second petition relating to attorney fees, App E and F, Briefs).

³² See, *Davis v. Jones*, 506 F.3d 1325, 1330 (11th Cir. 2007) indicates this statute only applies to the **federal courts, not state courts**. The statutes analysis is useful in a procedural due process analysis regarding impartiality and a fair trial, as applied to me. The Third Circuit in *Johnson v. Carroll*, 369 F.3d 253, 259 (3d Cir. 2004) indicates, "28 U.S.C. § 455 [is for federal judges] and not on direct precedent related to the [state] trial judge's appearance of bias." This is distinguished from my case since it dealt with Section 455(a), not section 455(b)(1) and (5)(iv) as I plead. Appearance is not enough for the Third Circuit which is praise worthy because the individual justices are concerned with actual justice, under the facts, not the marketing or popularity of justice as a business). See, *Johnson v. Carroll*, 369 F.3d 253, 259-60 (3d Cir. 2004)

"The Supreme Court held in *In re Murchison*, 349 U.S. 133, 75 S.Ct. 623, 99 L.Ed. 942 (1955), that it was unconstitutional for the same state judge, after a full hearing in open court, to punish contempt, previously committed before him while acting as a one-man "judge-grand jury" permitted under then Michigan laws. "It would be very strange if our system of law permitted a judge to act as grand jury and then try the very persons accused as a result of his investigations." 349 U.S. at 137, 75 S.Ct. 623. The Court concluded that "no man can be a judge in his own case and no man is permitted to try cases where he has an interest in the outcome." *Id.* at 136, 75 S.Ct. 623. That conclusion was based on "the basic requirement of due process" that the defendant receive "[a] fair trial in a fair tribunal." *Id.* The Court commented that although fairness certainly required "an absence of actual bias," "our system of law has always endeavored to prevent even the probability of unfairness." *Id.* The Court acknowledged that its "stringent rule may sometimes bar trial by judges who have no actual bias and who would do their very best to weigh the scales of justice equally between contending parties." *Id.* However, "to perform its high function in the best way justice must satisfy the appearance of justice." *Id.* (internal quotation marks omitted).

not only seeking equitable relief, but I sought damages for emotional distress.³³ I believe I developed the shingles as a result of this case on or around January 3, 2021 too.³⁴

The entire Supreme Court may have reviewed my request to suspend active attorney license registration fees for lawyers facing economic hardship during the pandemic, and my second request for relief relating to attorney license registration fees. De-Lapp, an arm of the court, claimed their interference with my active case, was because I petitioned the Court for relief from attorney dues.³⁵ De-Lapp, an agent of Defendants, was not going to help me. (Ex. C). I already paid the fees. They sought to gather evidence against me, to punish me for my exercise of fundamental rights, including the right to petition the court regarding attorney dues. It appears the Delaware Supreme Court justices or agents incited the arms to attack me by providing the information to DE-Lapp. I made a request for Chief Justice Collins J. Seitz, Jr. to recuse himself. *Id.* So, he did not participate in *Kelly v Trump*. Three Delaware Supreme Court Justices participated in the matter which is a source of Defendants' unlawfully motivated petition against me, Justices, Vaughn, Traynor and Montgomery-Reeves. (D.I. App A, App B); (Ex. D).

Pursuant to Federal Rules of Evidence Rule 605, "The presiding judge may not testify as a witness at the trial." I am not afforded the opportunity to ask the Delaware Supreme Court in the Board's venue or in the Delaware Supreme Court's venue to ascertain the Court's incitement and participation in the action by the Defendants. Neither is the ODC. I am not afforded a fair and impartial trial to determine the legality of the proceeding, for nominal damages, damages for emotional distress, injunctive or other additional equitable relief. The state forum does not afford a venue for the relief I seek. (Ex. E, Notice to the Supreme Courts of my objections of state court jurisdiction). Only the federal courts may afford me a fair, not fixed, opportunity to be heard. There is no guarantee of justice. Yet, injustice is guaranteed if the doors to the only fair, impartial forum, that may afford me, a party, with relief is closed due to pro se, in forma pauperis status, partiality to the state which is not permitted, or based on malicious motives such as religious political beliefs.

The members of the Delaware Supreme Court are material witnesses to the facts relating to my case and the petition against me. Pursuant to 28 USCS § 455 (b)(1) (5)(iv), "(b) [Judges] shall also disqualify [themselves] in the [if to] the judge's knowledge [he or she is] likely to be a material witness in the proceeding." Pursuant to 28 USCS § 455 (b)(1) A judge shall disqualify himself, "(1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding." The Delaware Supreme Court members have "personal bias

³³ (D.I. 2, at pages 8-9, 12-13, 48-52, 59, 68, 70, 71-74, 101,103); (Ex. B attached, Ex. B 2, attached, evidence of harassment to intentional increase emotional distress); (DI. 3 at Ex 1, 2, 3); (D.I. 20, D.I. 21 at Ex. 2, please note I was trembling at the forced violation of my religious belief that a police officer made a wellness check, per D.I. 21. Also note the pleadings relating to the physical threats to my safety based on political-religious association or speech at D.I. 1, D.I. 4, at US Ex. A-4, A-5, US petition of writ of cert, US-Ex. 52, not attached).

³⁴ D.I. 2 page 103. I would also like to include nominal damages, to protect fundamental rights including the right to worship or not according to the dictates of our own conscience, not the dictates of the government. Since this right is more important than money, and is not something money can remedy. Freedom is not for sale by barter or exchange.

³⁵ (D.I. 9 at Ex 1, De-Lapp's letter); (D.I. 3, Ex 13 first petition relating to attorney license fees); (D.I. 4, US, Ex A-4, A-5, relating to second petition relating to license fees).

or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding” in the illegal as applied proceeding in state court. Id.

The facts related to the ODC’s petition arose in the Chancery and the Delaware Supreme Courts (“Courts”), and create the appearance of the Courts’ “personal bias or prejudice concerning a party [me, and]” personal knowledge of disputed evidentiary facts concerning the proceeding.” Id. The Courts through its members or staff appeared to have instigated or participated in the retaliation or/and in interference with the exercise of my access to the courts, based on discriminating against me for my religious associated beliefs reflecting in my petitions and speech. Accordingly, the Courts must recuse themselves, pursuant to 28 USCS § 455, (a), § 455 (b)(1), and § 455 (b)(5)(iv.), and the Procedural and substantive Due process Clause.

The law library also was granted PACER access by the Delaware Supreme Court which is suspicious, evidence the Delaware Supreme Court is preparing a case against me. Justice Traynor also came into the law library looking for federal jury instructions, I believe to prepare someone to sue me in federal court, which if it is true, makes a fair trial impossible in the Delaware Supreme Court. The state Court and the Board are without jurisdiction to hear my grievances for this unlawfully brought petition.

The Court erred as a matter of law, and creates manifest injustice by denying me a full and fair opportunity to be heard in violation of the Substantive and Procedural Due Process clause applicable to me, based on disparate treatment against me motivated by religious-political belief, pro se *informa pauperis* status, or overlooking the evidence, in clear error of the facts and clear error of legal arguments, blinded by partiality towards the state as opposed to the parties as equal under the law.

Since October 25, 2021, new and additional facts have arisen which must be considered by the Court to correct clear error of facts, to correct clear error of law and to prevent manifest injustice preventing me a full and fair opportunity make my case and litigate the issues.

On or about November 3, 2020, the Preliminary Review Committee met and determined a petition may be brought by Defendants against my person relating to my case *Kelly v Trump*.³⁶ Defendant indicated her desire to appoint counsel. I objected on religious and economic grounds. Despite my objection she requested appointed counsel with the Delaware Supreme Court. I filed a letter indicating I would object to appointed counsel, and another letter providing notice that I will object to the Supreme Court’s subject matter jurisdiction. (Ex. E, F). On Fri., Dec. 10, 2021, the Board signed a notice of a hearing. I was not provided proper notice on Dec.10, 2021. On Mon., Dec. 13, 2021, the Delaware Supreme Court appointed counsel despite having notice of my objection to counsel which caused me great emotional distress. On Thur., Dec.16, 2021, I received a letter regarding the appointment. On Fri., Dec. 17, 2021, counsel contacted me. I immediately indicated my objection to his appointment. On Sat., Dec. 18, 2021, I filed the attached letter with the Board objecting to improper service, requiring a postponement on the hearing so I may be afforded discovery, and a decision on counsel, and notice that I intended to file a motion with the Delaware Supreme Court on Monday.

³⁶ The Preliminary Investigative Committee can be removed from my complaint, as the injunctive relief sought is now moot. Additionally, should defendants David White and Kathleen Vavala abstain from involvement I will stipulate to their removal from the complaint, but I do not waive my one free Amendment of complaint before service to Defendants on this.

(Ex. G). On Mon., Dec. 20, 2021, I filed *Respondent's Motion for reconsideration of order dated December 13, 2021, appointing counsel despite my notice of intent to object, and objection of improper service of the Board's Notice of Hearing, dated December 10, 2021*, with the Delaware Supreme Court, with a copy to Defendant, and the Board, albeit the Board's copy was mailed Dec.21, 2021. (Ex. H). On Dec. 21, 2021, I filed the attached letter with the Court rejecting appointment of counsel. (Ex. I). Appointed Counsel moved to terminate his appointment on Dec. 23, 2021. On Dec. 29, 2021, I filed a letter motion with the Court to inter alias object to counsel on 6th Amend. Grounds and postpone the hearing in the interest of justice. (Ex. J). The Court excused counsel.

Defendant and the Court knew appointment of counsel violated my religious beliefs. Defendants failed to provide proper notice of a hearing, and did not respond to my request for an extension of time.

On Thur., Jan. 6, 2022, I E-mailed the Board and Patricia Swartz to check on the status of my request to delay the hearing in order to be afforded a fair opportunity to perform discovery to gather evidence to show the Board it does not have subject matter jurisdiction. (Ex. K).

I have not received a response. The scheduled hearing is in less than 4 days. I did not receive proper notice, and have not received a response regarding discovery or postponement of the hearing. This is not a fair proceeding. This is punishment, to bend my will to conform to the state's worship of business greed at the cost of selling my soul to hell, a cost too great. My faith in Jesus teaches me not to be conformed to the world. The Constitution allows me to hold religious beliefs different from the state. The Constitution protects me from government retaliation for my beliefs, speech, association and petitions relating to my religious beliefs.

This Court must deny me an opportunity to be heard and a fair trial. No one is above the law. No one is below the Law. The constitution is under attack, and the United States needs you to uphold the limits on government that make us free, above procedural and statutes, or our union may dissolve. The world is on your shoulders, not in your hands to mold, but requiring you bear the burden of reading my religious thoughts and petitions, even if you disagree and do not understand my faith in Jesus Christ. You are free to believe differently than I, but you are required to uphold the constitution to protect those with diverse beliefs from mob lawless reign of lusts, with the rule of law. No one is below the law, even a peon like me. You strengthen our faith in equal access to the courts without disparate treatment in violation of the Equal protections component of the 5th amend. by opening the doors of the court to all people, regardless of poverty, religion, race, place of origin or association. You prevent people from taking justice in their own hands through misbehaving might makes right thinking, when might makes wrong. Please hear me your honor. It is the opportunity at justice, not guarantee I seek. WHEREFORE, I respectfully request you amend findings of fact, alter the order, dated December 22, 2021, based on new findings of fact, to prevent clear error of facts, clear error of law, and to prevent manifest injustice.”

On January 18, 2022 I drafted and signed *PLAINTIFF'S SECOND ADDITIONAL*

MOTION PURSUANT TO FRCP R. 52(b), 59(e) and 60(b)(1)(2)(6) TO AMEND FINDINGS OF

FACTS AND ALTER THE ORDER, DATED DECEMBER 22, 2021, BASED ON NEW FINDINGS OF FACT, TO PREVENT, CLEAR ERROR OF FACTS, CLEAR ERROR OF LAW, AND TO PREVENT MANIFEST INJUSTICE, filed January 19, 2022 and attached hereto with table of contents albeit I was not able to attach Exhibits M, N (hereinafter “2nd Motion”), DI 39.

I attached documents, the records and other relevant items from the Delaware Disciplinary proceeding and incorporated it therein in the 2nd Motion I averred:

1. I also am providing notice that I will likely, to my chagrin, amend my complaint to include the Delaware Supreme Court as a Defendant and individual judges for nominal and equitable relief.³⁷ The Supreme Court incited, participated or caused the unlawful retaliatory state Court proceeding and the Delaware Supreme Court arms’ interference in my lawsuit *Kelly v Trump* on violation of 42 USC Section 1985(2). Whether the Delaware Supreme Court’s report to DE-Lapp was out of concern for poverty or a malicious purpose is in issue. A complaint was made apparently by the Supreme Court or its agent based on my petition for relief from attorney dues to the arm’s of the Court. (Ex.1st A). De-Lapp, an arm of the state court, would never have attacked me, but for this petition relating to lawyer license dues, per their own admission. (D.I. 3, District Court Exhibit 13, D.I. 9, Exhibits 1, 2, 3). The Delaware Supreme Court did not grant my petition, and ignored my second petition, deeming me unworthy of the opportunity to be heard on relief from attorney dues, in potential violation of the substantive and procedural due process clause, and in violation of the Equal Protections Clause of the 14th Amend. as applied to me, a party of one, for disparate treatment motivated by my poverty, religious beliefs or exercise of fundamental rights. This Court overlooked the Delaware Supreme Court’s apparent incitement of the unlawful proceeding against me in state Court by its arms, brought to punish me, but for, my exercise of Constitutional rights. I desire to protect the Courts, to protect those I seek to correct in this case. I am sad your honor did not enjoin the state proceeding to date, forcing me to add the Delaware Supreme Court and its members. My hope of a hero to preserve our union and to make it more just and freer is with the Courts.

2. I am getting sued by the government for my faith in Jesus Christ. Defendants appear to think my worship of God instead of money and material gain is a mental disability. Jesus says you cannot serve God and money. (D.I. 20, 21). ((Ex. A), Email to Defendants regarding my religious beliefs since my religious beliefs are in question), also see (Ex. C, Ex D, Ex. Ex. E, internal Ex. F, H, I).

3. I am making this Motion in addition to, not in amendment of or in replacement to the previous motion (also referred to “M1”), I made seeking similar relief, albeit with additional facts which must be included to prevent clear error of fact, of the

³⁷ “I respectfully request to include nominal damages should the Court allow amendments to the complaint. See, *Freedom from Religion Found. Inc. v. New Kensington Arnold Sch. Dist.*, 832 F.3d 469, 490, 2016 U.S. App. LEXIS 14594, *49-50. Also see, *Molina v. Pa. Soc. Serv. Union*, 2019 U.S. Dist. LEXIS 120040, *27, 2019 WL 3240170.

law and to prevent manifest injustice. Since, I filed that motion served to the Court and Defendant via US Mail on 1/10/21, new and additional facts arose which must be considered by this court to prevent manifest injustice.

4. Defendant Board failed to allow me to be heard on two outstanding motions, in contravention to the Procedural and Substantive Due Process requirements under the 14th Amend., and based on disparate treatment in violation of the Equal Protections grounds motivated by disdain for my religious-associated beliefs or poverty, demeaning me as unworthy of being heard, one served 12/18/21 via US Mail, requesting suspension of the hearing due 1. to ineffective service, and, 2. Requesting a suspension of hearing date until, a final determination is made on counsel, and 3. Until discovery is complete, to allow time and opportunity for me to prepare a defense, and the second outstanding motion served via US mail on 12/31/21, with courtesy copy emailed to the Board and Patricia Swartz regarding *Respondent Meghan M. Kelly's objection to and motion to enjoin expert observation and analysis of respondent at hearings and discovery; notice she will move for a protective order during the discovery stage; and requests to prevent costs as going into debt is against her religious beliefs.* (Ex. B, Ex C).

5. **On 12/29/21**, I also served a letter with exhibits with both the Delaware Supreme Court and Defendant Board notifying them,

“The hearing is **two weeks away**, no determination has been made by the Court on my exercise of self-representation under the 6th amendment, and on religious grounds, and on my request to postpone the hearing so I may perform discovery to adequately defend my exercise of Constitutionally protected activity which is the subject of this petition, per the state’s admission. (Emphasis Intended), (Citing M1 at Ex J page 1, and at internal-Ex A part 2 and Petition at 7).

6. On the afternoon of **12/30/21**, two weeks prior to the original hearing date, the State Court granted me permission to represent myself, after fighting for the right to do so since I discovered counsel was appointed. (emphasis intended).

7. I have not been afforded a fair opportunity to prepare a defense, research, gather evidence, and facts and file motions I noticed the Board and Court I intended to file, after a fair investigation was allowed in conformity with the standards of Constitutional due process, 1. to dismiss the petition based on illegality of proceeding and 2. a separate motion to dismiss based on lack of subject matter jurisdiction due to the Supreme Court’s participation in inciting the petition against me, but for the exercise of my Constitutionally protected rights.

8. I repeatedly, checked on the status of my motion to postpone the hearing, and opportunity to prepare a defense, and only heard back on 1/10/22. The Board indicated the hearing was on schedule for 1/13/22. (Ex D at internal Ex. B).

9. On 1/11/22, I filed *Respondent Meghan M. Kelly's Emergency Objections and Emergency Motion filed with both the Board of Professional Responsibility for the Supreme Court of Delaware, and the Delaware Supreme Court, simultaneously, to postpone the hearing against me to prevent manifest injustice to afford me an opportunity to perform discovery, potentially call witnesses and prepare a defense for the state's allegedly illegally motivated petition against me for my exercise of fundamental rights,*

motivated by the state's disdain for my religious political beliefs, dated 1/11/22. (Ex D incorporated in total)

10. I motioned both the Delaware Supreme Court and the Board, simultaneously, on 1/11/22 since the trial against me was scheduled 1/13/22, days away, despite the fact I did not receive proper notice of the hearing, moved to postpone the hearing, requested updates on receipt which were not timely addressed by the Board, and requested an opportunity to conduct discovery to show the cause of action is illegal and to show the state does not have subject matter jurisdiction against me. (Exhibit E incorporated in total with objections and additional Constitutional arguments).

11. On 1/11/22, the Delaware Supreme Court swiftly granted an order denying relief based on jurisdiction. (Ex. E Internal-Ex. B).

12. While I was grateful for the swift determination of this Court, I am concerned by the Court's footnote 2, noting "Procedures and hearings for proceedings to determine incapacity are conducted in the same manner as disciplinary proceedings." *Id.* By the Court's reference to a different proceeding conducted in the same manner as this disciplinary proceeding, it appears my life and liberty are at stake in this case. *Id.* I am scared the court, the Delaware Supreme Court, may seek to put me away for my religious beliefs in a separate proceeding noted in the order.

13. My belief in Jesus is not a mental disability, nor is my poverty. Caring for God and caring for others as myself is not a disability. I must not be punished for the exercise Constitutional rights merely because the State does not agree or understand my religious thinking and religious beliefs.

14. On 1/11/22, the Board granted an order postponing the hearing for eight days **due to alleged illness**, a reason not included in my motion. (emphasis intended) 6(Ex. E Internal-Ex. B). The Board was aware I was not feeling well when I immediately notified them, I was not feeling well, a week earlier. (Ex. E, internal Ex J, and Ex F).

15. Illness was not a reason I included in my motion. I informed the Defendants I was not feeling well to look after the health and lives of my opponents, and my own life, with love, during a global pandemic, where millions are dying. (Ex E)

16. I notified the Board and ODC of my opposition to examination by health or mental health professionals based on religious objections in my Answer to the petition, and through E-mail, despite the ODC seeking to tempt me to include such an argument in a motion. (Ex. E. at Internal Exhibits G, H, I, L, M), (Ex F).

17. The board was aware of obstacles I was facing, and the stress Defendants caused me by their desire to rush a proceeding, which required I act swiftly to object to running on empty or waive fundamental rights. (Ex. E, G)

18. Despite having knowledge, I have been under the weather, needed time to research, perform discovery, and prepare a defense, including the defense of lack of subject matter jurisdiction, and illegality of proceeding, as applied, was not heard on outstanding motions, including a motion served on 12/18/22 via mail to postpone the hearing for opportunity to perform discovery and to file motions, and a motion relation to my religious objections against being observed or examined by a health or mental health professional served via US mail, courtesy copy to the Board and ODC via E-mail on 12/31/22, and desired to file additional motions, including a motion to dismiss based on lack of subject matter after collecting evidence for clarity, the Board denied rendering an order on my 12/18/21 motion to postpone the hearing. Instead, the Board did not respond

to previous week's status update requests, or the Dec. 2021 status of receipt and update requests. The Defendants ignored, and did not afford me an opportunity to be heard on past motions in violation of the substantive and procedural due process clause, and possibly in violation of the equal protections clause as applied to me, by treating me disparately based on religious beliefs, in contravention to the norms of a fair proceeding. (Ex. E, Ex. L)

19. On 1/12/22, I appealed the Board's Order by filing *Respondent Meghan M. Kelly's Motion Appealing the Order of the Board on Professional Responsibility of the Supreme Court of the State of Delaware dated, January 11, 2022, granting postponement of the hearing for 8 days due to illness, not a reason identified in her motion to grant postponement to afford her opportunity to prepare a defense, perform discovery, research, file motions, be heard on outstanding motion(s) unaddressed by the Board, to defend her exercise of fundamental rights and to preserve her license to practice law, on the grounds the amount of time is not enough and a hearing date should be postponed until after a fair opportunity to build a defense*, dated January 12, 2021. (Ex. E incorporated herein in total).

20. On 1/13/22, I filed a motion for the state Court to make an immediate emergency determination on my motion to appeal. (Ex. G, internal Ex. F)

21. On 1/14/22, Defendant attempted to provide a response to the December 18, 2022 Motion served December 21, 2022 beyond 20 days allowed, when the issue was already determined by the Board by the 1/11/22 order, to harass me and distract me from preparation when I already indicated to the Board and Court, I do not have enough time to research or prepare a defense.

22. The Defendants assert I have an opportunity to call witnesses, despite only having an order allowing me to represent myself granted on December 30, 2021, with no time permitted to date for discovery, and no time allowed to issue subpoenas in contravention of the Substantive and Procedural Due Process and Equal protections Clause as applied to me.

23. So, I made a motion, once again to suspend the hearing date, to call witnesses, and perform discovery for my defense of exercise of fundamental rights without the state's punishment for my exercise. I have the right to believe, think and exercise my faith differently than the majority. Individual liberties, such as my right to an impartial proceeding, an opportunity to be heard, adequate notice, opportunity to perform research and a defense without disparate unfair treatment, motivated by the state's disdain for my religious beliefs, are protected by Constitutional Law from government backed mob reign of controlled, conditional, conformed lusts. I am not sitting on this, but am acting in haste to protect and assert my Constitutional rights to prevent waiver.

24. On 1/15/22, I filed a motion for immediate emergency relief, and a new motion with the Board, attached hereto, and incorporated herein in total, *Respondent's more particularized motion to suspend the hearing, scheduled for January 21, 2022 to allow me opportunity to research and prepare a defense, requesting opportunity to draft requests for admission, interrogatories and subpoena opposing counsel, Patricia Swartz, as a necessary witness in her defense, and subpoena other necessary witnesses, including but not limited to, Chief Justice Collins J. Seitz, Judge Kenneth S. Clark, Jr., due to his admission he interrogated me based on my exercise of fundamental rights incited by the*

ODC, and Arline Simmons, to show unconstitutional motive for this petition, to allow, the accused, respondent an opportunity to defend herself on the defense illegality of proceeding, as applied to her, motivated by disdain by the state for her religious associated beliefs and exercise of fundamental rights, and lack of jurisdiction based on the Delaware Supreme Court's apparent participation in inciting this petition against respondent.

25. There are only 3 business days before the rescheduled hearing. I informed Defendants I am not ready, and need time to prepare a defense, to subpoena witnesses, to perform legal research and to draft motions based on additional facts found in discovery. The Defendants fail to grant me a fair opportunity to build my defense, despite my multiple requests in contravention of conformity with the requirements of a fair proceeding under the Due Process Clause. There is no legitimate or important reason for Defendants to rush this matter at the cost of eliminating my right to an opportunity to prepare a defense and at the cost of creating an unfair proceeding in violation of the substantive and procedural Due Process Clause and the Equal Protections Clause of the 14th Amend.

26. The Defendants deny me of the opportunity to call witnesses, gather facts, research and present evidence for a defense against me to protect my life and liberty, against state punishment for the exercise of First Amendment rights.

27. "Congress, the Executive, and the Judiciary all have a duty to support and defend the Constitution." *Salazar v. Buono*, 559 U.S. 700, 717 (2010). Defendants act above the law, and declare me below the law, by denial of Constitutional protections, motivated by disdain for my religious beliefs and poverty.

28. I will suffer continued irreparable harm if I am unable to gather testimony and facts to provide a defense of dismissal of the petition, based on subject matter and illegality of proceeding, as applied, under the facts of the case, to chill the exercise of my fundamental rights, thereby chilling the rights of others by such unconstitutional precedent. "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Mullin v. Sussex Cnty., Delaware*, 861 F. Supp. 2d 411, 427 (D. Del. 2012); Citing, *Indian River Sch. Dist.*, 653 F.3d at 283 n. 14 (quoting *Elrod v. Burns*, 427 U.S. 347, 373, 96 S.Ct. 2673, 49 L.Ed.2d 547 (1976)).

29. The Defendants may have power, but it does not have the power to act above the law, above the Constitution. Even I, an accused Christian am afforded Constitutional rights, including but not limited to the right for a fair and impartial proceeding, right for an opportunity to prepare a defense, right to be heard, right to notice, right to free speech, association, religious exercise, and the fundamental right to petition the courts for relief, without interference and disparate retaliation against me from the state but for my exercise of fundamental rights. Defendants have not met the burden of strict scrutiny to infringe upon my exercise and assertion of Constitutional rights.

30. The right for the opportunity at justice is not a guarantee. It is the right to petition the Courts, without state punishment, that must be protected. Otherwise, only the Courts may selectively apply who has rights or not in violation of the Equal Protections Clause.

31. Courts are a government service of the people, created to govern and guide not control, not exploit people for the bottom line. The government does not run on money.

32. The government runs on individual free choice, the collective free choice of the many who agree to respect the Constitutional laws' protections of all people regardless of race, religion, poverty, gender, age or place of association. When individuals within government no longer respect the Constitutional laws that make us free by limiting their government power, we are no longer a free people, but a for sale enslaved people in violation of the 13th Amend.

34. The Free exercise of speech, association, right to petition, and religious exercise, and freedom of conscience have not been sold, making it not a freedom, but a bargaining chip to exchange by relinquishment to serve business greed.

35. I have not sold soul to hell in exchange with the license to practice law.

WHEREFORE, this court must amend findings of fact, alter the order, dated December 22, 2021, based on new findings of fact, to prevent clear error of facts, clear error of law, and to prevent manifest injustice.” DI 39, 3DI 155

I specifically advised opposing counsel and the court I would seek to amend the complaint to add the Delaware Supreme Court and its members as Defendants in the 2nd Motion. I specifically told the court I seek damages citing to case law supporting monetary damages, and I averred new facts causing additional irreparable injury, irreparable harm, additional violations of Constitutional law and claims in the 2nd Motion.

I filed *PLAINTIFF MEGHAN M. KELLY'S 3rd EMERGENCY MOTION PURSUANT TO FRCP R. 52(b), 59 (e), 60(b)(1)(2)(6), and 65* (hereinafter “3rd Motion”) by mail and I actually hand delivered it by driving the 4 hour round trip in hopes to prevent irreparable injury it on my birthday January 19, 2022. So it appears on the record twice at DI 36 filed on January 19, 2022 and DI 41 on January 21, 2022, attached hereto and incorporated herein.

39. In 3rd Motion I averred:

“1. Since yesterday, January 18, 2022, after I served a second emergency motion pursuant to pursuant to FRCP R. 52(b), 59 (e), and 60(b)(1)(2)(6) additional facts must be presented and considered by the court to prevent manifest injustice, and to allow for relief this court Plaintiff already requested pursuant to FRCP R. 65 in her motions for a preliminary injunction and temporary restraining order. (D.I. 6, 7, 8, 9, 10, 11, 33) (Ex. A, Return receipt of January 18, 2022 motion served to the court).

2. The Defendant Board rendered a decision, attached hereto, denying me of the right to subpoena witnesses, cross examine witnesses, and present evidence, by denying her ability to collect the same, in defense of my exercise of fundamental rights without state interference and punishment by bringing the petition against me, but for my religious beliefs and exercise of fundamental rights including the freedom of conscience to think, believe, exercise religious beliefs, speak based on her beliefs, petition the courts, and associate. (Ex B, informal decision along with critical emails)

3. The State has brought a petition against me for my faith in Jesus Christ. Defendants appear to think my worship of God instead of money and material gain is a mental disability. Jesus says you cannot serve God and money. I believe people go to hell for organized charity, pro bono, fundraising, forcing individuals to work as discipline in violation of the 13th Amend., and **blindly** doing what they are told at a job for money to care for their family, while not caring to **see clearly** to **love God** as God, instead of money as savior and God, and not caring to **see clearly** to love others, by understanding how their product or service may harm others God loves.³⁸

4. On December 13, 2017, the Delaware Supreme Court appointed counsel despite having notice of my objection.

5. I experienced emotional distress relating to this government compelled violation of my religious belief and filed a number of papers before the Delaware Supreme Court granted me permission to represent myself on December 30, 2021.

6. Prior to that date, I filed a motion for time to prepare a defense, research and perform discovery to determine which witnesses to call.

7. I followed up numerous times with the Board on the status of my motion, but it was not until January 10, 2022, that an indirect determination was made. The Board ignored my motion, escaping an appealable order to deprive me of an opportunity to be heard in violation of the substantive and procedural due process clause, arguably basing their disparate treatment towards me, by partiality towards the state, demeaning my religious beliefs, religious exercise and exercise of the right to petition, and associate and speak, as unworthy of protection in violation of the Equal Protections Clause, and the Due process and substantive due process clause of the 14th Amend. (Ex B).

8. On January 11, 2022, I filed an emergency motion, simultaneously with the Board and Delaware Supreme Court, appealing the refusal of the Board to afford me an opportunity to prepare a defense, gather facts, research and perform discovery.

9. The Delaware Supreme Court denied my appeal, since the unofficial decision rendered by the Board maliciously designed to prevent a fair opportunity for me to be heard and appeal, was not deemed a final appealable order by the Delaware Supreme Court.

10. The Board rendered an order later on January 11, 2022.

11. Without delay, I appealed this order with the Delaware Supreme Court on January 12, 2022.

12. The next day, January 13, 2022, I filed a motion for an emergency immediate decision on my January 12, 2022 appeal.

13. The following day, January 14, 2022, the State brought an answer to a motion rendered moot to harass and distract me, knowing I argued I did not have enough

³⁸ (Emphasis intended, See, *Jn.* 12:40, *Lk.* 11:34)

time to prepare and present a defense, with no opportunity for discovery or to call witnesses.

14. The day after that, Saturday, January 15, 2022, I served a different motion with the Board to call specific witnesses, requesting subpoenas, and additional time to send Requests for admissions and interrogatories to Defense Counsel, which are necessary for my defenses to this case, the illegality of the proceeding as applied, motivated by the state's desire to punish me for my exercise of protected conduct in contravention to the First Amendment applicable to the State pursuant to the 14th Amend., and in violation of the Equal Protections Clause by disparate treatment towards me based on my religious beliefs and poverty, deeming me unworthy to be heard and unworthy of other Constitutional rights.

15. Immediately after the holiday weekend, two business days after my appeal, on Tuesday, January 18, 2022, the Delaware Supreme Court denied my appeal, which was based on protecting my fundamental rights. (Ex C., attached Order, dated January 18, 2022, Ex D, prior Order of the Supreme Court, dated January 11, 2022, Ex F, prior order of the Board, dated January 11, 2022).

16. My defense of subject matter jurisdiction is based on the Delaware Supreme Court's participation in inciting the illegal proceeding, as applied.

17. On my January 15, 2022 motion filed with the Board, , I noted the court's apparent participation, and the need to cross examine Chief Justice

18. The Court maliciously indicated, indirectly the right to a fair, impartial, opportunity to be heard, opportunity to defend basic liberties was somehow frivolous, to allow the lawless reign of lusts, their will be done, instead of honoring the Constitutional protections afforded to me, the least of these, in violation of the Equal Protections Clause, and substantive and procedural due process clause. (Ex. C)

19. The Delaware Supreme Court is depriving me of an opportunity to be heard and a fair trial. The Board denies me the right to prepare a defense, to subpoena witnesses, and cross examine necessary witnesses. This is not a lawful proceeding. This is my hanging but for my belief in Jesus the Christ. I am in great immediate danger.

20. The Court indicated it would not hear any frivolous motions, giving a colluding sign to the Board not to file an official order, to prevent my opportunity to be heard on appeal.

21. On January 18, 2022, the Board rendered a decision, while not placing the decision in an official Order with the intent to deprive me of the opportunity to be heard on appeal. (Ex. B).

22. An unlawful secret proceeding is scheduled against me on Friday, January 21, 2022, with the purpose to punish me for exercising my religious beliefs, speech defending the exercise of such beliefs without government sponsored burdens, and petitions relating to my exercise of fundamental rights, and my associated rights as a Christian, as an American and as an attorney to believe in Jesus Christ without compromise, and without sacrifice of fundamental rights or my license to practice law. (Ex B)

23. The Supreme Court appears to be conspiring with Defendants to punish me in violation of 42 USC Sections 1983, 1988, and in potential violation of 1985(2), with intent to harass and interfere with my assertion of Constitutional rights, by depriving me of a fair opportunity to be heard.

24. The Court and its members must be included on the Complaint as necessary Defendants, including Chief Justice Collins J. Seitz, Jr., Justice Traynor, Justice James T. Vaughn, Jr., and Justice Tamika R. Montgomery-Reeves. The latter three reviewed and rendered orders in *Kelly v Trump*. I seek equitable relief and nominal relief for deprivation of my constitutional rights.

25. I am grateful I informed the Court of my intent to add the Delaware Supreme Court and its members as Defendants, prior to receipt of the January 18, 2022 state Supreme Court order by service of my Motion, *Plaintiff's Second additional motion pursuant to FRCP R. 52(b), 59(e) and 60(b)(1)(2)(6) to amend findings of facts and alter the order, dated December 22, 2021, based on new findings of fact, to prevent clear error of facts, clear error of law, and to prevent manifest injustice*, incorporated herein by reference in its totality.

26. My intent is now cemented by the great injustice towards me, and injustice towards all Americans by disparate selective application of who is worthy of Constitutional rights, by denial of my rights merely because they disagree with my personal beliefs.

27. In America I am free to believe differently, even have beliefs others find repugnant, or unsound. In America I should be free to worship Jesus Christ without sacrificing fundamental rights, and without sacrificing my paid for active license to practice law.

28. On October 26, 2021, I asked a Court representative, Renee Buskirk, to ask the Chief Justice whether he filed a complaint against me to get De-Lapp and the ODC, in hopes to get an affidavit to prevent the need to subpoena the Chief Justice as a witness. (Ex. B)

29. To my horror, I discovered Renee appeared to work for Defendant, ODC, as I later discovered her on an email with the Defendants. (Ex. F)

30. The Defendants knew of my desire to question Chief justice and other witnesses. I asked for opportunity to perform discovery in hopes to gain answers in a gentler form than subpoenaing witnesses. (Ex. B) However, with the recent denial of the Board on January 11, 2022, and denial of the appeal to the Supreme Court, dated January 18, 2022, I had no choice but to act in presumptive haste by filing a motion on January 15, 2022 to subpoena witnesses to cross examine during the state court hearing.

31. The Delaware Supreme Court's assertion relating to ignoring frivolous appeals, while not calling the appeal frivolous is a signal for the Board not to render an order so as to deprive me of the opportunity to be heard on appeal.

32. The Delaware Supreme Court's assertion that having an opportunity to prepare and present a defense based on 1. illegality of proceeding as applied, and 2. lack of subject matter jurisdiction, due to its own incitement or participation in inciting its arms of the court to attack me, but for the exercise of fundamental rights, is unworthy of consideration, is clear evidence of its inability to be impartial in my case.

33. I object to the illegal proceeding as applied. I object to the deprivations of my substantive and procedural due process rights, as applied to me by denying me opportunity to research, collect evidence and prepare a defense. I objected to lack of notice and the form of notice provided as insufficient by the Board for any hearing. I objected to the denial of my right to cross examine and present a defense in violation of the 6th Amend.

34. The State must meet strict scrutiny to overcome any of my objections, which it cannot meet, rendering these violations of my Constitutional rights inexcusable.

35. I am incredibly disappointed in the lawlessness exhibited by the state.

36. I also objected to the closed proceedings, and requested the proceeding be conducted in open court to protect me from secret, concealed collusion from the state to let their will be done, instead of applying limitations on the state with the rule of Constitutional law.

37. On January 18, 2022, I filed a different motion with the Court, the Court is scheduled to receive today with information that I include and incorporate herein by reference in its totality.

38. I do not waive my motions to exemption of PACER fees, but am filing this now, so as not to violate a greater sin against God by failure to assert my rights. Not all sins are weighted the same per Jesus the Christ. (*Matthew 23:23*). Injustice in the courts is damnable per God, by loving costs, convenience and comfort more than God or one another. (*Amos 5:15*); (*Also see, Isaiah 10:1-2* “Woe to those who enact unjust statutes and issue oppressive decrees, to deprive the poor of fair treatment and withhold justice from the oppressed.” Whenever God says “Woe to you” I believe it means damned to hell are you should you not repent by unhardening your head and unhardening your hearts to love to overcome lusts that lead to the second death.)

Wherefore I pray the Court grants my motion to appeal and immediately reconsiders my motions for a temporary restraining Order and preliminary restraining order to enjoin the hearing scheduled January 21, 2022.”

11. I filed a Motion to Amend my Complaint was as a matter of right, but accidentally did not mail out the signature page. I moved the court to amend my complaint as a matter of right to conform the complaint to the facts of the case in a rolling Motion. DI 58, and continuously moved to add new evidence reserving my right.

I averred facts where Delaware Supreme Court members and Defendants violated my right to notice, a fair opportunity to be heard, the right to subpoena witnesses, perform discovery, prepare and other Constitutional rights and caused others harm. I indicating my intent was cemented to add the Delaware Supreme court and the members in the 3rd Motion.

On 1/19/22, I filed an emergency motion to expedite consideration of Motion to amend findings of fact and the order with exhibits from the DE Disciplinary case showing irreparable injury. DI37, DI 41. (I drove the 4 hour round trip in addition to mailing it to prevent irreparable injury)

On 1/24/22, I filed a Motion to amend the Complaint once as a matter of right under FRCP Rule 15 to add additional claims arising since the inception of the Civil rights case and to add the DE Supreme Court as Defendants for violations of notice, procedural due process, First Amendment, 6th Amendment, emotional distress forming into the shingles, denial of a fair opportunity to defend my life and liberty, denial of my opportunity to call witness, and I attached pleadings in the state disciplinary proceeding to the previous submitted motions, and yet new and additional claims continue to arise since then. DI 43

It appears the signature page was missing as a desperately acted to file it. So, I mailed out a second copy to Defendants' counsel. DI44. I did not have access to view ECF by free glance at this time. So, I did not know the signature page was missing from the District Court. This may have been why the District Court did not address DI 43 in any of its orders.

On 2/14/22, I mailed a Second Motion for a preliminary injunction, with a waiver of bond with the threat of new irreparable harm, and new injuries, Constitutional violations, objections to the Court reporter's inaccurate report, and other relevant facts. DI 47. I reserved my right to object to the court reporter's inaccurate prejudicial transcript beyond my objections included as exhibits herein. Id, Also see DI 77-79. App X, incorporated herein in its entirety.

On 2/14/22, I filed a *Motion to expedite, Plaintiff's Motion for an urgent Emergency preliminary restraining order to be applied immediately, with a waiver of bond, to prevent immediate and irreparable injury by compelled violations of my religious beliefs, but for the exercise of religious beliefs*, along with a Memorandum in support of this Motion. (DI 48,49)

On 3/10/22, I filed a letter stating:

I am following up on my Plaintiff's Motion for an urgent emergency preliminary restraining order to be applied immediately, with a waiver of bond, to prevent immediate and irreparable injury by compelled violations of my religious belief, but for my exercise of religious belief, dated February 13, 2022, filed February 14, 2022.

The filing deadline for Defendants has expired. I respectfully request you make a determination on the papers because I am in immediate danger of irreparable harm.

The Clerk of Court confirmed on February 22, 2022, the entire Court reviews petitions relating to attorney dues, and reviewed my petitions. It appears the Delaware Supreme Court did in fact incite DE-Lapp's interference to impede my case in Kell v Trump. If you recall, De-Lapp's interference was based on my petitions to the Delaware Supreme Court for relief on attorney dues.

The Delaware Supreme Court also colluded with the Defendants, and the Board of Professional Responsibility for the Supreme Court ("Board"), by denying me a fair hearing, by denying me an opportunity to prepare and present a defense, and by colluding with the Board by denying me an opportunity to appeal until my Constitutional rights under the Procedural Due Process Clause of the Fourteenth were already violated.

The Board has already made its recommendation, and I am working on objections to submit to the Delaware Supreme Court. There is not much time for this Honorable Court to prevent irreparable injury to me.

In its recommendation, the Board accuses me of disloyalty to the law because I sued President Trump to uphold my Constitutional right to free exercise of religion, without government substantial burden for such exercise, by dissolving the establishment of government religion. (Exhibit A) [the Board speaks of loyalty to associations and organizations not the rule of law]

Upholding the Constitutional limits upon government agents, not the lawless, lustful desires of government agents, is loyalty to the law, as opposed to leaders in positions who violate the law. Holding the President, and government agents, including the Defendants, to the law, to the Constitutional limits on their authority, helps government leaders better serve their people. Upon request, Court's have a duty to guide misguided government agents, such as the President and other government agents by exercising their most important Constitutional check to balance out the other branches.

The Board ignored some outstanding motions, dated December 18, 2021, December 31, 2021, January 15, 2022, January 25, 2022, and January 31, 2022, while rendering two orders in E-mail, non-appealable form to evade my right for an opportunity to be heard on appeal. (Please see attached, Exhibits A and B, and look at email rendered decision of the Board.)

The Delaware Supreme Court refused to consider orders until it was too late to prevent the irreparable loss of my right to a fair proceeding by denying an opportunity to perform discovery, subpoena witnesses, prepare and present evidence by cross-examining witnesses at a hearing by indicating it would only consider any Board's orders after the hearing was conducted and a report was rendered. (Exhibit C)

The Court stated:

'The decisions of the panel chair or panel may not be appealed before submission of the panel's final report and recommendation to the Court for review.

Respondent will have an opportunity to object to the report and recommendations as well as prior rulings of the panel chair.'

The Supreme Court evaded allowing me an opportunity to be heard on appeal until it was too late, and my Due Process right for an opportunity for a fair hearing, with

witnesses, and discovery was already violated. Therefore the Court encouraged or supported Due process violations against me in the hearing before the Board.

The Supreme Court caused additional alarm by their reference in the footnotes of the Court's Order to a separate proceeding regarding incapacity....

I have religious objections to being examined by mental health and healthcare professionals. I believe people are thrown into the fires of hell for blindly trusting mental health experts as authority, as guides or God, in place of using their own brain to critically think, to know, in order to love humanity, not sacrifice humanity for money and material gain.

Please note, I was required to think outside of the box to force the Board to render a decision as they sat on my motions by filing it with both the Board and the Court. The Board made a decision. I appealed the decision to Delaware Supreme Court, and made another motion to the Board on January 15, 2022, which you have in my other filings.

The Delaware Supreme Court wants my head on a platter, but for my religious beliefs, and denied me the opportunity to perform discovery, subpoena witnesses, prepare and present a defense by claiming my opportunity to prepare and present a defense [in the Board's new order] was a frivolous request to appeal in a second order labeled as Exhibit D...

The Delaware Supreme court violated my opportunity to be heard on appeal in the state proceeding, and appeared to make its decision on my defenses before I was afforded an opportunity to be heard by rendering them frivolous.

The fact the DE Supreme Court noted my appeal for due process violations, preventing me the opportunity to prepare, subpoena witnesses to deny me of a right to a fair trial by affording me opportunity to present a defense was frivolous, shows they already made a decision on my defense before I was afforded a fair opportunity to be heard, or even a hearing."

Please enjoin this matter.... There is no subject matter jurisdiction when the Courts violate the Fourteenth Amendment Due Process Clause by an unfair trial. This case is different because the Court overseeing my case appeared to incite the case against me and participated in denial of opportunity to be heard in violation of the substantive and procedural due process cause. It is manifest error to deny me justice by delaying justice before it is too late." (DI 51) App V

On 3/29/22, I drafted a letter to the Court regarding the emergency 2/14/22 TRO, Preliminary injunction and emergency motion and notice of new immediate danger of compelled violations of my religious beliefs, with an outline of the documents filed in the Delaware Disciplinary proceeding, excluding other exhibits. DI 53. App. W, App X

On 4/4/2 I drafted a Second Motion for an exemption to appear in person and to appear remotely by phone, since I placed my tags with the DMV since auto insurance was unaffordable and debt is against my religious belief.. DI 54. I filed attachments thereto including evidence 91

now more central banks will take over the court's function by reign by the mark of the beast to eliminate the government.

On 4/14/22 I filed a letter with exhibits showing I was denied access to the law library, and the Supreme Court refused to docket my exhibits on public record in violation of my right as an accused for a public proceeding, and a fair and full proceeding to appeal to the US Supreme Court, where I averred inter alias,

“The Clerk confirmed she would take my physical exhibits and scan them in prior to their due date. The filing of exhibits is material to my case to show, in part, the Board of Professional Conduct, (hereinafter, “Board”), the Delaware Supreme Court (“Court”) and Defendants colluded and continue to collude, in conspiring to deny me the opportunity to be heard, in fact denied me a fair and impartial opportunity to be heard and ignored and did not address various motions, including but not limited to motions dated December 8, 2022, December 31, 2022, January 13, 2022, January 15, 2022, and January 31, 2022.

Then in bad faith, with intent to harass me, and fix the proceedings below, the Board had the audacity to claim I sat on my rights in their report when they sat on my motions and denied my requests **two days** before the r=hearing and rescheduled hearing. They sat on my pleadings twice, both times delaying in bad faith with the intent to prejudice me, both times affording me merely two business days before the scheduled proceeding to respond....”

The Board sat on my motions, in bad faith with unclean hands to ignore or deny “DI 55.

The State Court would not even allow me to self-represent until about two weeks before the hearing giving notice prior to a holiday Christmas weekend, where I would not be able to subpoena the hidden witnesses with 10 days of advanced notice.

On 4/21/22, I filed a letter with the District Court regarding my religious beliefs and parts of the global sustainable plan that violate them. I also include exhibits I incorporate herein by reference. DI 56.

On 4/26/22, I moved to amend my complaint under a rolling motion to include inter alias Constitutional arguments against disciplinary rules, including Rule 13 and 14, to add new and additional facts and claims, and to prevent additional injustice prior to the Court's order on my 3

Motions for reargument. I sent the attached letter, along with three videos to be used as evidence on a memory stick noticing the court of my intent to amend the Complaint to contest the Constitutionality of the Disciplinary rules. I also had other Constitutional arguments on the record concerning the Constitutionality of the proceeding including but not limited to arguments contained in two motions filed in the DE Disciplinary proceeding attached hereto at Exhibits T, T-2, T-3, T-4, and more, excluding other arguments I reserve the right to assert against the rules like the compelled violation against the 5th Amendment right against self-incrimination of disability or discipline under the threat of separate penalty in the Delaware and Federal disciplinary rules, should this be remanded and include an additional arguments.

I included more facts on the record before this Court and the Third Circuit showing to my horror the DE Supreme Court participating in removing two witnesses from the Chancery Court staff to prevent their testimony while specifically ignoring my motion for time to subpoena one. I would have had a hard time subpoenaing Arline Simmons because she was no longer with the court. I also discovered the entire Supreme Court members appeared to have incited the state attacks against me in *Kelly v Trump*, not merely Chief Judge Seitz. Lisa Dolph indicated the entire court not merely one member reviewed my motions for relief relating to bar dues.

On 4/26/22, I filed a letter regarding a running motion to allow the complaint to be amended to reflect the facts, two material witnesses in my favor were secretly concealed and eliminated. Both Court staff Katrina Kruger and Arline Simmons were compelled to retire to conceal their testimony in my favor. Defendants concealed they retired during the proceeding and denied me time and an opportunity to call them to conceal the Brady, bad faith violations. I also supplied a memory stick containing.

1. Video where I spoke at a Democratic function, showing I misbehaved by accepting donations from the Democratic party before I learned how it caused

oppression and injustice per Jesus the Christ's teachings in Matthew 6:1-4. I sinned and I am sorry your honor.

2. Video of a vulture that was pecking at the window that was not scared of me despite yelling at it in the winter of 2022.

3. Video of me on TV in the news complaining of rats in my dorm apartment from a Christian School Duquesne Law School.

4. Pictures of Judge Hardiman and me in law school, to show my personal connection to argue he should not be assigned the case should he be chosen due to potential partiality.

5. Pictures of me attending a Democratic function, misbehaving, when I should have been available to all people, regardless of party to prevent conditional conformity with the party's agenda, which prevents unconditional love and service for all citizens, regardless of each individual's position and party affiliation.

6. Video of me lamenting about how Nancy Pelosi and congress people misbehaved by failing to impeach. Nancy Pelosi remarked on respecting the flag when she transferred the articles for impeachment, placing her hand to my face on my article of impeachment to safeguard the NFL player's freedom to associate and speak out on alleged disparate treatment towards Black Americans in the judicial system. Our officials put on a deceptive horse and pony show, feigning concern on government racist persecution of the people. They do not seek justice for the oppressed as I asked them to. They misbehave, and are need of Court correction and guidance.

7. PDF's of the pleadings I filed against the democrats, suing them without violating Jesus Christ's teachings by asking for donations or signatures, which I believe damns people to hell. I would be a bad leader if I encouraged conduct that harmed people in this life and damned them to hell forever your honor.

8. I also attached some of my marketing material so you can understand my heart, but I feel dirty. Government is a service not a business. Officials should be elected not based on appearance or popularity but based on their heart. The people should vote on their ideas not appearance. Jesus teaches us judge correctly, not based on appearance. The title marketing appears naughty to me, your honor" DI 58.

Later the same day, April 26, 2022, the District-Court entered an order denying my three outstanding motions while not considering this evidence on the record of my intent to amend my Complaint once as a matter of right under a rolling motion to include Constitutional arguments on rules, and the fact the DE Supreme Court actually copied the Defendants in response to my request to be excused from the notary requirements showing they actually incited the

interference in Kelly v Trump. The Court never ruled or considered the motion to amend my complaint on January 24, 2022.

Since then, I moved to amend the complaint with additional legal arguments, facts causing manifest injustice, sought a rolling motion to amend thrice or more times to move the court to permit me to amend the complaint to include additional ever arising evidence, facts, harm, claims to prevent manifest injustice. (DI 61, 62, 63, 64, 65, 66, 69-75, 77, 80, 81, 82, 83, 85, 86, 88, 89. 90, 91, 95, 96)

I moved to withdraw my original motion to amend the complaint, dated January 24, 2022 to allow me to amend the complaint once as a matter of right before any complaint is served upon any Defendant. The District Court indicated it would not consider the motions since the appeal is stayed. DI 43, DI 81. Nevertheless, if the case should go back to this Court on remand, I may refer to the docket items and information contained therein arising in real time with prior notice to the court and opposing counsel of the additional evidence, parties, and facts I intend to include in an amended complaint as a matter of right, per this District Court's staff's brilliant suggestion. DI 69-75, 77, 85, 96... I filed additional Motions to conform complaint to the additional facts and legal arguments as they arise as if included in the original complaint once as a matter of right. DI 77-85

12. DE made a finding of disability causing reciprocal suits. Kelly asserted a physical limitation under the ADA before the DE Supreme Court in the DE Disciplinary case and reserved the potential claim on the record below

After Kelly v Trump concluded and after I filed Kelly v Swartz, the ODC started a proceeding against me where No 7 in the petition alleged my religious beliefs and citations to the Bible where my religious beliefs were in issue in Kelly v Trump as the source of the discipline/disability proceeding, where they denied me the ability to defend myself and

demeaned my poverty as not having a working computer which were noticed of in the Motion for reargument as an additional source. (See Exhibit A, B, C, D).

The Board refused to allow me to self-represent until about 2 weeks before the hearing date, while the Board ignored my motions objecting to notice, appointed counsel, religious objections to examinations by healthcare and mental healthcare professionals, assertions of the right to subpoena witnesses, despite having fewer days to call them and other motions.

I developed the shingles. I also asserted my right to live and made it known that I require time in order not to die or harm my health due to the bad surgery I had as a youth. See DI 43.

I want to make it clear. I believe people go to hell for requiring others to trust in science, professionals, mental health and healthcare professionals or their technology, product or service they sell as guides and I see as minigods. *Romans 1:25* I also believe people go to hell for using people as products in data, science, to sell products. In *Kelly v Trump* I indicated I have religious objections for my data to be collected in science. DI 4.

I have religious objections to the worship or deference of science, experts or their products as demi-gods above God. The Bible teaches God will destroy in hell anyone who exploits, harms or destroys my body or other people's lives or eternal lives for material gain even knowledge, if they do not repent. Citing, 1 Corinthians 3-17. The fact professionals did what they were trained to do is guilt to God when they are blinded by a paycheck and convenience to care for their own, they did not care to consider the harm their paid or volunteered work caused others. I believe judges may save healthcare workers from certain damnation in hell when they too used their own minds to discern whether standardized practices harmed people so they may prevent people from murdering or oppressing or otherwise harming others for money in business.

The Board and the Supreme Court were advised of my asserted healthcare requirements. I attached to Kelly v Trump and to my answers to the Board's petition Exhibit 43, attached hereto at Exhibit D. I emailed them. I showed them a picture of the rash I believed was the shingles.

Yet I moved to suspend the hearing date to allow me fair opportunity to prepare in light of the unfair denial of my ignored motion to suspend the hearing date to allow me a reasonable and fair opportunity to perform discovery and call witnesses to defend my liberty, life and licenses 2 days before the hearing by an email, not a formal order, not based on the shingles and weakness.

I was compelled to attend the proceeding where the Court reporter inaccurately and prejudicial made up things I did not say. My proceeding was compromised and I maintained my objections after noting with horror some of the outlandish words she distorted.

I did not have a working computer at the time. Defendants compelled me not to work as an attorney. I did have money to buy another computer. It is against my religious beliefs to go into debt. I believe people go to hell for requiring people be enslaved to debt to money as master, savior, guide and God. Debt is against my religious beliefs. The bible specifically states that people go to hell for charging interest on debt. I am not violating my religious beliefs to please my attackers as they seek to destroy me because they find my religious beliefs in Jesus not money as God repugnant. Matthew 6:24 The help my parents give is different in that they obey God by forgiving debt which cannot be paid.

I did not have a phone in early Jan 2022. My mother mailed me a phone in the nick of time. I only attended the hearing wherein I made a special appearance and objected to lack of

sufficient notice, lack of a fair opportunity to be heard to call witnesses and other objections to prevent a crooked finding of contempt to appear. The panel included a participant also participating by phone.

The Board found me disabled. I appealed the decision and incorporate my Objections and my June 7, 2022 by reference in their entirety. DI 77-79.

I filed various motions before the DE Supreme Court including a Motion to exempt the swearing in and affirming requirements as against my religious beliefs. I also reserved an ADA claim for lack of requirements given my weakness and threat of death and fainting if I am not afforded time to care for my health by resting, drinking gallons of water and exercise not only in this civil rights case but in the DE Disciplinary proceeding at T-3, paragraph 36, attached hereto with every exhibit and DI and 3DI incorporated herein by reference in full with exhibits, even if not attached hereto.

In the 6th Affidavit in the District Court at DI 105, I also indicated I sought time under the ADA, not related to mental disability, but a permanent physical need I have had to assert for more than 20 years in order not to die for the vanity and convenience of others and averred:

“25. I asked opposing counsel his stance on additional motions. The government through its arms should not compel me to violate my religious beliefs against debt in order to exercise my right to be heard, or cause me to forgo my 1st and 14th Amendment rights. I should be afforded time to draft necessary motions.

26. I am threatened with harm to health and even possible death due to severe dehydration should this court not accommodate me by granting me time I require to sustain my life and health in addition to defending my liberties before the Courts. I have religious objections to healthcare and mental healthcare.

27. I believe people sin when they thoughtlessly refer people to doctors, mental health specialists or professionals to pay to fix their problems misleading others to exploitation to serve greed. Many professionals are rendered above the law. Their standards are the letter of the law Courts wrongly adhere to in determining whether

workers performed the requisite duty of care. This creates poor products, bad services and evil businesses that are left uncorrected when they harm people for profit.

28. I believe that courts can save lives and eternal lives by correcting people paid to perform business who ignorantly or indifferently kill, steals, oppresses or destroys human life and health for the bottom line. Matthew 23:23, Amos 5:15.

29. I have strong religious objections to healthcare and mental healthcare. I believe people sin by blindly doing what they are trained to do, told to do, paid to do without choosing to see clearly to care about the potential harm they cause towards those they profess to serve. I believe people sin for teaching others to trust professionals in place of God. I believe business greed, conditionally caring is the mark of lawless lusts stemmed in no salvation from hell in people, without repentance.

30. In an exhibit, I incorporate herein as Exhibit 6, I previously provided to this Court, the US Supreme Court, the Delaware Board, Delaware Chancery, and Delaware Supreme Court I stated:

‘Due to the surgery referred herein, I am (self) required to drink water, rest, exercise and eat. So, I do not faint or die due to dehydration when I have my period. I lose five pounds of water weight each month. This is still a challenge. I must assert my right to live because people serve Satan by hardness of heart. Many do not want to be inconvenienced to care, to adapt to safeguard the lives and health of others, including my own. I am a child of God. My body is not my own. I am commanded to be holy because God is holy, to care for and treasure my body, and the lives and health of others too. ‘I am not my own’ Other people are loved by God too.’ [Exhibit 43, Exhibit D]

31. I had surgery more than 20 years ago, and I have to assert my right to live. I am very dehydrated, dangerously so now, and it has lasted beyond a week. I must be afforded time, an accommodation to sustain my life and health.

32. I used to drink a big gallon of water at the gym. Since the Delaware Supreme Court prevents me from returning to my former firm, I cannot afford to go to the gym. I have not been able to drink water or take time to care for my body as I should because of the time required to attend to this case and related proceedings.

33. Dehydration is serious. In undergrad at UD, I fainted during a class due to dehydration. When I awoke, no one was there but me. I was so embarrassed to discover I peed my pants, but at least I was not dead. Having enough water, and time to care for myself is required. It is not a disability to be human with individual unique limits. Nevertheless, I assert the ADA act’s requirements for access to the courts and accommodations, if applicable, nevertheless. (42 U.S.C. §§ 12181- 12189) I should be afforded an accommodation to sustain my life and health as well as my licenses and liberty interests. The accommodation of a stay or more time does not prejudice opposing

counsel or the Courts. Instead, it will likely prevent duplicity in work, requiring time I need to defend my liberty and sustain my life.³⁹

34. My First motion for additional time in the amount of 45 days to response to the PA-ODC's motion was denied.

35. This Court granted a second motion in the amount of 14 days, which is not sufficient under the circumstances. I am prejudiced.

36. After everything was rejected, I alerted the Clerk I would draft a new motion given the new facts and circumstances necessitating a stay and at least a continuation.

37. The Clerk understands my computer broke, and I noted I would draft a motion without delay for a continuation.

38. The Clerk cited the November 8, 2022 order that no further extensions would be considered, as to discourage my filing. And yet in other cases Courts state the same or similar language and still grant time to prevent manifest injustice and avoid procedural due process violations. See for example, *Mir v. Bureau of Pro. & Occupational Affs.*, No. 2557 C.D. 2015, 2016 WL 6407477, at *3 (Pa. Commw. Ct. Oct. 31, 2016)."

In August 2022, the DE Supreme Court rendered an order against me which initiated immediate reciprocal law suits against me. I asserted my 5th Amendment right against self-incrimination in the US Supreme Court and DC. After I discovered the Defendant

I asserted a number of Constitutional arguments on the record albeit some are from reciprocal cases against Board proceedings and certain rules. I reserved my right to add more.

³⁹ "Congress has abrogated states' sovereign immunity for cases that arise under Title II of the ADA if they implicate the "fundamental right of access to the courts." *Tennessee v. Lane*, 541 U.S. 509, 533-534 (2004)." *Reed v. Illinois*, No. 19-1164, at *4 (7th Cir. Jan. 9, 2020); *McDonough, Petitioner*, 457 Mass. 512, 519 n.16 (Mass. 2010) ("The United States Supreme Court has concluded that Title II of the ADA applies "to the class of cases implicating the fundamental right of access to the courts," and as such "constitutes a valid exercise of Congress' § 5 authority to enforce the guarantees of the Fourteenth Amendment" on the States. *Tennessee v. Lane*, 541 U.S. 509, 533-534 (2004) (ADA validly applies to States to extent that State court facilities are so constructed as to bar physical access to courts by individuals with disabilities)."); 42 U.S.C. § 12182 "(i) **Denial of participation**, It shall be discriminatory to subject an individual or class of individuals on the basis of a disability or disabilities of such individual or class, directly, or through contractual, **licensing**, or other arrangements, to a denial of the opportunity of the individual or class to participate in or benefit from the goods, services, facilities, privileges, advantages, or accommodations of an entity."

42 U.S.C. § 12182 (a) "No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation."

The Disciplinary proceedings cause injustice by eliminating Constitutional freedoms for business, making professionals whose standards harm, enslave, kill, steal or destroy human life, liberty or health above court correction by granting professionals the power to be their own judge of their own partial professions or personal interest in serving business not people or freedom.

The Board found me disabled. I appealed the decision and incorporate my Objections and Respondent's reply to ODC's Corrected Response to Respondent's Objections to the Report and Recommendation of the Board on Professional Responsibility, dated June 7, 2022, along with exhibits by reference in their entirety. DI 77-79.

In August 2022, the DE Supreme Court rendered an order against me which initiated immediate reciprocal law suits against me. I asserted my 5th Amendment right against self-incrimination in the US Supreme Court and DC.

I am exhausted. I had a bad surgery in my youth and must demand time to drink gallons of water to rest, exercise and care for y health in order not to harm my health or die. I have religious objections to healthcare examinations. I require time to rest, exercise, and drink gallons of water to sustain my life and not die for the vanity of men.

I have severe dehydration each month which is life threatening if I am not afforded opportunity to alleviate it. I actually do not feel well as I write this. My mouth peels because of severe dehydration. I become extremely weak, which is expected from severe dangerous dehydration.

While I attempted to mailout a pleading to PA ODC in a reciprocal case, I collapsed to the floor and could not stand at the post office due to severe dehydration. A customer got my water to revive myself. In the DE Disciplinary proceeding I reserved an ADA claim and I

reserved the discretion to add it in this case should it be remanded below. However, I am more concerned about my ability to exercise my private 1st Amendment rights including religious belief with government incited persecution, and my ability to buy and sell as an attorney being removed but for my religious beliefs in Jesus.

13. Judge Phipps' created an obstacle so great as to vitiate my access to the US Supreme Court to appeal the original disciplinary decision by denying my asserted right to fair access to other courts by denying my Motion to stay the proceeding pending the US Supreme Court's determination of the original disciplinary proceeding, and by instead expediting the hearing date before briefing was due.

The State of Delaware's Disciplinary proceeding caused other reciprocal suits to arise. Given my poverty, limited access to resources, my asserted 1st Amendment right to live given my health requirements including time to sustain my life due to the bad healthcare I received as a youth, I sought to stay the civil rights case in order not to vitiate my access to the US Supreme Court to exercise my right to petition the original disciplinary finding, which was denied by Judge Phipps vitiating my First Amendment right to petition, 5th Amendment right to fair access to other courts and the Constitutional rights and my license I sought to defend on appeal. Judge Phipps expedited the hearing date and set the date before I filed my brief making it an impossibility for the US Supreme Court to grant my requests for a petition before judgment and an application for an interim stay pending a full court's determination of the petition before judgment regarding Judge Phipp's denial of a stay relief.

Per exhibit P incorporated herein containing a letter from my case manager of the US Supreme Court, my initial petition for writ of certiorari to appeal the DE Order placing my license to practice law on disabled inactive was rejected on 2/7/23, since I filed a Motion for leave for additional pages prior to filing the petition instead of simultaneously therewith. The new due date and potential proceedings before the US Supreme Court concerning matter No.

22A476 incorporated herein by reference overlapped with the civil rights proceeding. I had insufficient resources to fairly fight the original case, this civil rights case, and the reciprocal cases. I required a stay, given my lack of adequate time and resources to even sufficient paper, ink, transportations costs, access to research. Judge Phipp's Order vitiated my access to the US Supreme Court Courts by denial of a stay pending a determination of the US Supreme Court's determination on appeal of the original Delaware Disability Order. I also was deprived of an adequate opportunity to petition for a rehearing of this Court's denial of my petition in Kelly v Third Circuit Court of Appeals, a Reciprocal case, No. 22-6584, and No. 22A478

Phipps denial of a stay pending an appeal of the original disciplinary case and a reciprocal case and the US Supreme Court's delay in docketing rendered my right to petition the original disciplinary case vitiated under the facts of this case.

An interim stay was required to prevent foreclosing my 1st Amendment right to petition and 5th and 14th Amendment opportunity to be heard in this and other forums to prevent irreparable injury in terms of loss of fundamental rights, licenses and harm to life.

I have not been able to work as an attorney due to the Defendants placement of my license on disability, and I have insufficient resources to fairly fight all law suits simultaneously.

On January 1, 2023, I filed Appellant Meghan Kelly's Motion for additional time to file a brief in reply to Defendant's Answer in the amount of 45 days. 3DI-126-127, incorporated herein by reference.

I realized I could not fight all cases simultaneously fairly. So, on January 4, 223 I moved Judge Phipps for to stay the proceeding below until the conclusion of the originating disciplinary proceeding, until final non-appealable determinations are made or the time of appeal has lapsed.

I further move the Court, for good cause for permission to file the “for cause” motion 30 days after the stay is lifted. 3DI-129. On January 4, 2023, I filed corrections at 3DI-130.

On January 6, 2023, Phipp’s denied the motion for a stay, and granted 45 day extension.

On or about February 6, 2023, I filed a Petition for Writ of Certiorari before judgment to this United States Supreme Court pursuant to 28 U.S.C. § 2101 (e) to the United States Court of Appeals for the Third Circuit, Case Numbers 22-8037 and 22-2079 to vacate a denial of a stay pending this Honorable Court’s determination or denial of writ of certiorari of both the Third Circuit Reciprocal Disciplinary Case US Supreme Court Number 22-6584 and the Delaware Disciplinary case. US Supreme Court No. 22-6783.

On February 7, 2023, I filed Appellant Plaintiff Meghan M Kelly’s Motion for an interim stay of the Proceeding until the conclusion of the appeal of this Court’s Order at Third Circuit Docket Item Number (hereinafter “3DI”) 3DI 131 denying a stay. (3D-138)

On February 9, 2023, Judge Phipps of the Third Circuit denied my motion for an interim stay. (3DI-141). Pursuant to Supreme Court 23 (3) “the relief sought [an interim stay] is not available from any other court or judge,” since Justice Phipps denied it.

On or about February 9, 2023, I submitted an interim application for a stay to prevent irreparable injury to my life, liberty, licenses and eternal life that this Justice Alito denied, I incorporate herein by reference. Justice Alito denied my application for an interim stay on or about February 22, 2023, No. 22A747.

On or about February 15, 2023, I alerted my case manager and opposing counsel that the United States Supreme Court docketed my appeals of this Court’s Orders denying my motion for a stay to slow down the matter to prevent irreparable injury to me in the form of loss of

fundamental rights, loss of the opportunity to be heard and to petition, harm to health, life and other injuries. I incorporate herein by reference Third Circuit Docket Items (hereinafter “3DI” 3DI-131, 3DI-141, also see and incorporated herein 3DI-119, 3DI-126, 3DI-129, 3DI-130, 3DI-138, regarding harm and 3DI-133 regarding to appeal to the US Supreme Court where the Third Circuit is a party, No. 22-6584).

On February 16, 2023, I filed Appellant Meghan Kelly’s Motion for this Court to waive costs for preparation and transmittal of the record to the US Supreme Court, should the Court require the record and other costs, fees, expenses, taxes or charges at 3DI- 146 incorporated herein by reference. I argued therein at paragraph 38:

“I respectfully request this Court render on Order on my motion to exempt any charges, fees, taxes, and costs (1). in order not to compel me to violate my religious beliefs in exchange for access to the courts or (2). suffer an economic substantial burden so great as to deny me access to the courts in defense of my First Amendment liberties, license and related interests and (3). to prevent government compelled involuntary servitude to sin by making money savior in place of God, prior to scheduling a new hearing date. 3DI-137.”

Later that day, February 16, 2023 the Court expedited scheduling, indicating this case is “tentatively listed on the merits on Tuesday, April 11, 2023 in Philadelphia, PA.” (3DI-147)

On February 16, 2023, the Third Circuit expedited the case before briefing was complete, by scheduling it on April 11, 2023, with knowledge this prejudices me in term of loss of time and resources I require in order not to forgo my right to petition in other cases by government compelled, not free choice. This expedition also prejudices me in terms of loss of the 5th amendment right to be heard, and the First Amendment right to petition before this Honorable Court by rendering my petition moot before it is heard if this Court doesn’t have time to grant emergency relief.

Despite my two appeals requesting a stay to this Court to prevent irreparable injury harm to health and life, reputation, licenses and loss of fundamental rights as well as other injury, in bad faith the Third Circuit filed a notice of a hearing unusually before briefing was complete, and before rendering orders on outstanding motions with the intent to eliminate my right to petition and opportunity to be heard at the US Supreme Court in utter disregard for the irreparable injury to me.

The Third Circuit in bad faith scheduled the conference prior to the completion of briefing. The due date for my reply brief was not yet due.

The court knew I was seeking to slow down the case to prevent irreparable injury to me. As a response the Court retaliated by expediting the case, in hopes to evade review by the United States Supreme Court by rendering the issue of a stay moot. (3DI 131, 3DI 141)

Later the same day, February 16, 2023, the Court entered a docket entry a 3DI-138 “NOTICE from U.S. Supreme Court. Petition for Writ of Certiorari filed by Meghan M. Kelly on 02/06/2023 and placed on the docket 02/15/2023. Supreme Court Case No. 22-6783.”

I immediately filed a motion with the Third Circuit on the same day, February 16, 2023 to move the Court to postpone scheduling the hearing so I may be afforded access to other courts including but not limited to this United States Supreme Court should this Court accept my appeal on 22-6584 to prevent irreparable injury in terms of loss of fundamental rights and other irreparable harm. (3DI-149)

On March 3, 2023, I talked with my case manager and indicated it had been about 4 days or so since the time for opposing counsel had lapsed to address my motion objecting to the hearing date and other outstanding motions relating to recusals since Judge Phipps was in charge

to the best of my knowledge. I did not understand why my motion to postpone the hearing so as not to deprive me of an opportunity to petition and be heard and other harm was not referred to a panel. She did not have an answer other stating it was pending or being reviewed. She noted on other motions “referred to a panel,” after the time for opposing counsel to respond had lapsed. No such notation was on the docket for the outstanding motions on the docket despite it being past time for opposing counsel to respond, unlike other motions.

It appears the hearing at 3DI-147 was scheduled in bad faith to cause me to forgo my access to other courts, to harm my health and to pressure me into forgoing my right to petition the courts in violation of the 5th Amendment’s Equal Protections component as applied to me based on my genuine religious beliefs for which Defendants appeared to discipline me for too.

On February 16, 2023, my case manager indicated the scheduler was charged with scheduling, not her.

I called the scheduler on February 16, 2023. He directed me to talk with my case manager to discern who requests the scheduler to schedule. He mentioned in passing case managers at time contact him to schedule, but could not answer my question as to who directed him to schedule the hearing in bad faith, knowing I face irreparable injury for the expedition of this matter.

I have multiple law suits against my person due to the Defendants’ bad faith disciplinary case against me. I faced irreparable injury, the foreclosure to access to other courts by wrongful expedition of the Third Circuit case, loss of fundamental rights, and harm to health. My case manager knew I was seeking to eliminate the threat of compelled debt, and compelled violations

of religious belief against debt before it is too late and a compelled violation occurs denying me of the opportunity to petition against it. US Amend 1, V.

The scheduler indicated Third Circuit Linda Blank usually sends out a letter to pro se and attorneys on cases to pick a good week for hearing. I did not get a letter. The scheduler could not pull a letter for me, but Linda Blank may have sent opposing counsel a letter January 25, 2023.

On February 16, 2023, I requested to speak with Linda Blank. My request was denied.

I sought to prevent irreparable injury in terms of loss of access to other courts as to vitiate my 1st Amendment the original disciplinary proceeding 3DI Phipp's denied my motion for a stay but granted 45 days.

I appealed the denial of a stay to the US Supreme Court and incorporate my filings in here by reference in Numbers No. 22-6783. I requested an interim stay by Justice Alito until a determination of the petition before judgment was made by the entire the court at No. 22A747.

Justice Alito denied my application. I swiftly filed a letter for Justice Jackson's dated March 10, 2023 consideration. The letter was not accepted by the court after 7 days. So, I filed a second letter dated March 21, 2023. (App Y). Neither of the letters were placed on the docket until the about March 27 or 28th, more than two weeks since the date I sent it.

The US Supreme Court's delay in docketing the letters, and scheduling of a conference of at a time relief would be moot as to render my access to the courts essentially vitiated. So, I moved to dismiss the petition and application, and my Right to petition was vitiated by an obstacle so great as to den me access to the courts in defense of my 1st Amendment belief in Jesus and other rights.

14. During my proceeding the Appellate Court below, reciprocating courts, and the Defendant Delaware Supreme Court and staff punished me to chill my First Amendment right to petition to correct the Court staff's docketing mistakes.

I had licenses to practice law in PA, DE, DC, Third Circuit, DE District Court, DC, and the US Supreme Court.

The DE Order placing my license to practice law on inactive disabled initiated requirements to assert my 5th Amendment right against self-incrimination or report to every jurisdiction where I have license interests.

On or about Monday, August 22, 2022, I contacted the Third Circuit to speak with the case manager Desiree regarding 5 separate mailings coming in for a reciprocal disciplinary matter, not this Civil rights law suit.. DI 77-88.

I learned Desiree, the case manager was on vacation until August 30 or 31,st 2022.

I called the Third Circuit and spoke with a representative to alert them that mailings were coming in for the disciplinary matter, not the civil rights suit brought because of the wrongful disciplinary proceeding against me.

Representatives confirmed they would be on the lookout for mailings and would not place them on my civil rights case.

I emailed Pam, my case manager to alert her that I had mailings coming to the Third Circuit. I asked her not to file these mailings for the disciplinary matter in the Civil Rights proceeding.

Pam confirmed Desiree's team were looking out for my mailings.

Despite my attempts to prevent documents relating to a confidential proceeding from being uploaded on the wrong case publicly, on August 24, 2022, a documents for the disciplinary file was uploaded onto this matter by mistake at DI 77.

There was a total of five separate mailings I have already sent out which should be in the Third Circuit's possession, with even more DI items to be uploaded in the separate disciplinary matter. (App DD)

I requested the Court strike the mistake by letter, than drafted motions for the court to remove them. (App DD)

I telephoned and emailed the staff to inform them I was mailing the Third circuit filings for a reciprocating law suit against me. I stressed the importance of not docketing it on this case per the various motions, but it was placed on this case. I did not understand how this could have happened.

I note with prejudice that the misfiled prejudicial order was easy to read. Whereas my attachments were lighter and harder to read. The misfiling was quite prejudicial. It placed me in an unfavorable light. (App DD)

On August 17, 2022, the Clerk filed an Order

“1) Appellant's Letter Regarding the Order of the Supreme Court of Delaware Transferring Her to Disability Inactive Status

2) Appellant's Letter Regarding Last Paragraph of Earlier Letter _ The appellant electronically filed the foregoing letters on the dockets of these appeals. They will remain on these dockets for whatever consideration the Court deems appropriate. Any proceedings that may be opened regarding the appellant's bar status in this Court would, however, be conducted separately from these appeals and under a different docket number.”

Thereafter I filed formal motions to remove the misfiled documents, and an amended motion. (App DD)

I requested a panel not the clerk to correct the docket after multiple attempts by letter, motion under rule 10 and amended motion under rule 10 as I worked swiftly as I faced potentially 6 law suits against me at the time with heartless lawyers with hawk eyes staring at the

civil rights case and the documents filed in a prejudicial manner in hopes to devour me like buzzards. (App DD)

The Clerk made false allegations in bad faith stating a falsehood that I emailed documents for the Third Circuit disciplinary case using the special emergency email instead of mailing it. The Court in bad faith threatened sanctions against me for petitioning to remove prejudicially filed documents from the docket meant for the reciprocating case in light of the emergency email.

I did not use the emergency email

The mailing envelop and proof of postage was on the docket along with the misfiled documents. I attach the proof it was mailed on the docket and incorporate it herein in App DD. Yet the Clerk indicated a threat of punishment in retaliation for my request to fix the court's error and for allegedly filing the documents under the special emergency email, which I did not use in filing the disciplinary documents.

Another reciprocating Court the PA Supreme Court refused to docket my 1st Amendment petitions to safeguard my religious belief in Jesus not money as God. I made motions no other person has made to defend my religious belief and exercise of belief in Jesus as God, not money as God. I believe I believe people go to hell for creating debt penalties and using money as guide and God, reflecting the image of the lawless one by making mammon God.

The Court staff in the Eastern District Court, the District like the DE Supreme Court and the Third Circuit punished me in retaliation for petitioning the Court its own correct perceived mistakes or misconduct, which impeded my exercise of the right to petition to defend my claims and constitutional rights effectively. App DD, internal exhibits P, Q, R, S, T, U. When my case

manager was out, another staff misfiled thousands of pages misfiled, placed items out of order, with missing items and placed another pro se litigants filings and health information on my docket in 22-45 for the Eastern District of PA, attached hereto in App DD.

I moved the Third Circuit Court to correct the misfiled documents in the Eastern District Court of PA by filing the thousands of pages showing about 20 years of state persecution against me for my exercise of fundamental rights, even before I was barred in Delaware. I seek to protect the court, even when I file petitions to correct the court. After the DE made an order, I attempted to adhere to the law by asserting my 5th Amendment right or by providing notice to each of the courts I am licensed to practice law concerning the DE order.

15. Defendants the Board and Disciplinary Counsel violated Rule 9 and Rule h of the disciplinary rules in additional ways by failing to provide documents 10 days in advance of any hearing date to me and preventing me from calling witnesses by allowing me to self-represent with fewer than the 10 days required to not only subpoena witnesses but to provide expected testimony of witnesses to opposing counsel preventing me asserted right to call and cross examine witnesses

I was not mailed notice on the date the Board alleged notice was sent December 10, 2022. I objected to lack of notice and lack of sufficient notice.

I not only did not receive notice on December 10, 2023, I did not receive notice 20 days before any alleged hearing date and was prejudiced. Del. Law. R. of Disciplinary Proc. Rule 9 (d)(3) provides, “The Administrative Assistant shall serve a notice of hearing upon the ODC and the respondent, identifying the members of the Board assigned to the matter, and the date and place of the hearing. The notice shall be given at least **20 days in advance of the date of the hearing.**” The rule was made to protect me the accused.

Unbeknownst to me the Delaware Supreme Court appointed counsel on December 13, 2022 despite my prior objections based on my 1st Amendment right to religious belief and my 6th

Amendment right to self-represent. Jesus teaches me to allow the holy spirit to be my advocate when I am wrongly brought to court based on my religious beliefs in Jesus. Albeit I may be amicable to allow an attorney to represent me in this case.

The attorney reached out to me. I did not accept representation. On Friday December 16, 2022 I fired him by copying people after he would not accept my firing to protect my religious belief in Jesus Christ's teachings. He argued I did not have capacity to fire him which is insulting. Then I immediately filed a motion in letter form. (DI 3 District Court exhibits). The letter format is the same letter form opposing counsel used to petition the Delaware Supreme Court to appoint counsel despite my prior objecting to counsel. I objected to insufficient notice and moved the Board and the Court to grant me time to perform discovery, and I petitioned the board and the court to suspend the hearing date to a date after the counsel issue and discovery issue were resolved.

The Board and the Court never addressed this Motion, despite my follow ups until two days before the hearing date which was postponed for a reason I did not request the shingles for 8 days fewer days than required by the Board.

I was not afforded the right to self-represent until December 30, 2023 per the Order attached herein, less than 2 weeks before the initial date, January 13, 2023. App Z, Exhibit B

I filed a variety of other motions the Board ignored in motion format. In addition I filed motions in motion format after the Board denied my December 18th petition two days before the hearing. I sought to suspend the hearing until the court and parties sort out representation, and time for discovery. I also objected to notice. I filed additional motions objecting to notice,

moving to stay the proceeding until I had been afforded an adequate opportunity to prepare and perform discovery, objecting to examinations as against religious beliefs.

Upon receiving an Order to move the hearing 8 days fewer than the more than 10 days required to call witnesses and trade documents under Rule H, for a reason not requested shingles, I appealed to the DE Supreme Court a second time to prevent the vitiation of my rights, after the Court denied my appeal of the email order.

The Court indicated it would not hear my appeal until the harm occurred.

Disciplinary Counsel violated additional disciplinary rules to protect me in addition to the Constitutional claims I made I incorporate hereto in my Reply attached hereto. She never provided documents she presented to the Board to me prior to or during the hearing in accordance to the rules 10 day requirement. Id. The Board deprived me of the opportunity to call witnesses by denying me time to call them within the scope of the rules where no ordinary reasonable attorney would have time under the circumstances too.

Del. Law. R. of Disciplinary Proc. Rule 12 (h) provides:

“Exchange of information. The ODC and the respondent shall exchange names of witnesses and copies of documents to be used by each side in its case in chief 10 business days prior to any hearing, and may supplement those lists thereafter with the approval of the opposing party or the chair of the Hearing Panel. Recorded statements, if any, of all witnesses so designated shall be exchanged at the same time. The exchange may take place by first-class mail to the respondent’s last known address. The Hearing Panel may exclude any evidence offered by a party who fails to comply with this Rule.”

I filed a formal motion for time to subpoena Arline Simmons and Judge Clark and others, with fewer than two days to the proceeding since I did not know whether the Board would grant my motion to suspend the hearing until two days before.

Opposing counsel never provided documents in accordance to Del. Law. R. of Disciplinary Proc. Rule 12 (h). I requested for the documents submitted to the Board members in advance to be given to me after the hearing on January 31, 2023 per the attached emails contained in App X Cont. Exhibits, C, D, E.

I was not afforded the time to even subpoena people more than 10 days before the hearing date or to gather information. I was denied a fair opportunity to present my case, call witnesses, cross examine them, and a bunch of other rights I previously stated herein or in the attached documents hereto including but not limited to my motions for rehearings and the reply. (Also see, (DI 36) Cont. E Rehearing rescheduled for a reason I did not request with fewer days than the rules permit to call witnesses, attached hereto)

16. Kelly was denied access to the law library. Defendant Patricia Swartz in bad faith lied to cause needless expenses in an attempt to prevent my petition. Delaware Supreme Court refused to place my appeal on the record in full without fighting by taking additional steps to place them on the docket

Other issues arise, per DI 53 and DI 55 not attached hereto. I was denied access to the law library and the Clerk of Court refused to make my physical exhibits to my Answer part of the record in the original disciplinary case. I was required to expend money and travel to Del Tech who turned me away at first due to religious political beliefs before I received permission to scan as a former UD student. I had to make more trips to gain permission. It was painful as I outlined on the record in the District Court prior to the April 26, 2022 order I appealed.

After I scanned in all of the items, then the Supreme Court allegedly placed them on the docket.

After I filed my answer, I received confirmation of receipt that Defendant Patricia Swartz received it. Nevertheless, I sent an email to confirm receipt. Defendant Patricia Swartz waited

until the next week on the due date to lie by indicating she had not received it, despite the fact I had confirmation of receipt. So, I printed everything out and mailed it to her a second time in an expedited expensive fashion.

When I came home after driving to the post office Patricia Swartz in bad faith lied indicating the box came by US Post Office that day. I did not even mail the second box until the hour I checked the email. So she could not have received it then.

The State is not above the law and I am not below the law's protections. I did not sell my soul to hell by making the evil desires of man for convenience, avoidance of costs and productivity at the cost of human sacrifice and liberty to be guide, master or god, which is the mark of the beast the mark of lawlessness based on lusts leading to certain damnation in the fires of hell God, should people not be made clean. I was quite upset. DI 29.

17. Denial of access to the records where I am a party to discern if I was denied the right to be heard by failure to docket my motions

I filed a variety of motions prior to the December 30, 2022 Order giving my right to self-represent. I have a right to know whether they were received by the Delaware Supreme Court, including but not limited to the attached exhibits in DI 35.

(DI 35) Cont. EXHIBIT F Letter to court, dated November 22, 2021, regarding my intent to object to appointment of counsel on religious grounds.

(DI 35) Cont. EXHIBIT G Letter Motion to the Board, dated December 18, 2021, regarding intent to object to appointed counsel, request to postpone hearing, request time for discovery and a determination on counsel

(DI 35) Cont. EXHIBIT H Respondent Meghan Kelly's Motion for Reconsideration of Order dated December 13, 2021, appointing counsel despite my Notice of intent to object, and objection of improper service of the Board's notice of hearing

(Internal Exhibits) Exhibit 1, the Delaware Supreme Court Order relating to Counsel, dated December 13, 2021

Exhibit 2, Letter from Appointed Counsel

Exhibit 4 Email to appointed counsel after I declined forced representation concerning another idea for the court to entertain.

(DI 35) Cont. EXHIBIT I Letter to the state court, dated December 21, 2021, concerning I declined representation from counsel, per attached letter to appointed counsel, and requested the court honor my motion. For reconsideration of the order dated December 13, 2021 appointing counsel, despite my objection.

(DI 35) Cont. EXHIBIT J Letter to the Board of Professional Conduct of the state of Delaware and the Delaware Supreme Court, dated December 29, 2021, two weeks from the hearing, concerning the court's and board's determination of postponement of the hearing in the interest of justice, and status of a determination of my 6th Amendment right to self-representation. [I never heard back until 2 days prior to the hearing date in a nonappealable email form despite calls and filed letter requesting status]

(DI 35) Cont. Internal Exhibits (Exhibit A) First Page of the Office of Disciplinary's April 23, 2021 letter indicating the Supreme Court's pleadings as a source of their concern.

(Exhibit A part 2) Page 2-3 of Defendants petition showing the reason why they bring the state law suit against me is for my religious beliefs, citing the bible as authority for my beliefs, and their inability to understand my beliefs in Jesus.

(Exhibit B) E-mail to Attorney Generals, dated December 16, 2021, showing my distress at appointment of counsel, in the form of tears, admissible present sense impression, putting planning to prevent an economic crash on the back burner.

(Exhibit C) November 23, 2021 letter to DE Supreme Court indicating I intend to object on subject matter grounds and why.

(Exhibit C part 2) Email to Attorney General, dated December 15, 2021, concerning PACER, and showing emotional distress, and the need to protect free exercise of religion from the forced worship of money by the state, and discussions of the planned, preventable, reversible economic crash.

(Exhibit D) Certificate of Service of Respondent's Motion for Reconsideration of Order Dated December 13, 2021, appointing counsel despite notice of my intent to object, and objection of improper service of the board's notice of a hearing, dated December 21, 2021, (This shows I gave the board a copy a day after I served opposing counsel and the Court)

(Exhibit E) Email to Defendant, dated November 4, 2021, objecting to improper service of the August 23, 2021 letter and requiring paper mailed copies, also objecting to the appointment of counsel on religious grounds, and grounds of harassment and intentional infliction of emotional distress, providing notice to the Defendant appointment of counsel uniquely upsets me, and copying loved ones for my safety.

(Exhibit F) Email, dated December 22, 2021, to Defendant opposing appointed counsel

(Exhibit G) E-mail dated December 21, 2021, to the Court, Board and Defendant, indicating I did not accept representation from appointed counsel, and requested a docket, and an attachment of the

December 21, 2021 letter objecting to counsel, attached letter to Counsel declining representation, dated December 20, 2021

(Exhibit H) Email dated, December 22, 2021, E-mail to court about representation forwarding my email to counsel showing I fired him.

(Exhibit I) E-mail dated, December 27, 2021, to the court regarding concern not all documents were filed with the court, and attached docket where appointed counsel moved to withdraw per my request. My documents apparently were not docketed depriving me of the fair opportunity to be heard.

(Exhibit J) E-mail dated, December 28, 2021 to the Court, indicating appointed counsel did not have the documents I filed, and the Court did not send him all of the documents I sent, which may be needed in case of an appeal.

(Exhibit K) E-mail dated, December 23, 2021, to the Court regarding my religious oppositions to expert examinations, and confirmation of receipt of filings, with attached filings for the Monday December 20, 2021 Motion filed with the court and board.

(DI 35) Cont. EXHIBIT K Email, dated Jan. 6, 2022, one week from the hearing, I sent to the Board of Professional Conduct of the state of Delaware and opposing counsel to check on the status of my motion to postpone the hearing scheduled Jan. 13, 2022

In App Z attached hereto and incorporated herein I requested the Delaware Supreme Court through the Clerk of Court Lisa Dolph grant me access to the docket and the pleadings that were filed in the Matter of Meghan Kelly, Case Number 541 against me, the party, concerning the appointment of counsel.

On January 10, 2023 in response to Lia Dolphe denying me access to the pleadings filed in the DE Supreme Court matter No 541 against me with regards to appointment of counsel, I replied back while copying US Attorney General David Weiss and asserted:

“ I am entitled to know the record that was used against me. It is concerning especially that my motions objecting to counsel and other documents are not on the record where my life, liberty and eternal life are at stake, to show my pleas, and to show I at no time delayed but asserted my rights.

It is prejudicial that they are not located on the correct docket 22-58, for the matter against my person and license.

I cannot trust the court since it ex parte concealed records in my favor, terminated two material witnesses to prevent their discovery, preventing my motions to perform discovery to prevent me from finding out.

Please reconsider your stance. I believe I am entitled to records used against me as a party in a proceeding. I am entitled to see if my pleadings were on the record or if I was denied an opportunity to be heard in contravention to 1st and 14th Due Process with disparate treatment based on religious-political belief and poverty. US Amend I, XIV. See, *N. Jersey Media Grp. Inc. v. United States*, 836 F.3d 421, 434 (3d Cir. 2016), “We have previously recognized a right of access to judicial proceedings and judicial records, and this right of access is beyond dispute.” *Pansy v. Borough of Stroudsburg*, 23 F.3d 772, 780-81 (3d Cir. 1994) (internal quotation marks omitted); see also *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 98 S.Ct. 1306, 55 L.Ed.2d 570 (1978) (recognizing that, in the context of criminal proceedings, the press has a historically-based, common law right of access to judicial records and documents). That right is rooted in common law and predates the *Constitution*. *Bank of Am. Nat'l Tr. & Sav. Ass'n v. Hotel Rittenhouse Assocs.*, 800 F.2d 339, 343 (3d Cir. 1986).

Even the poor, and those with religious beliefs who do not conform with the majority are afforded Constitutional protections that may not be eliminated without a necessary reason more compelling than fundamental rights and protections created to protect citizens including me from government overreach.

I am entitled to the record in any case where I am a party no matter the form the court maintains them or conceals them or seeks to eliminate them as they seek to eliminate my existence by sealing records previously in *Kelly v Trump*”

I never got the records I am entitled to in the case against me.

18. Meghan Kelly’s religious beliefs

Nothing was normal in my proceeding. My religious beliefs are not normal. My believes are genuine and are the source of government persecution.

My religious beliefs do not conform to the standards of the norm. I believe in God not the church or mere man in place of God. I believe Jesus Christ is God.

I believe Court correction can save lives and eternal lives. I believe people go to hell on the last day for not using their brain to care to know in order to love.⁴⁰ I believe Courts can help

⁴⁰ Hosea 4:6 (“My people are destroyed for lack of knowledge: because thou hast rejected knowledge, I will also reject thee, that thou shalt be no priest to me: seeing thou hast forgotten the law of thy God, I will also forget thy children.”); Romans (“They exchanged the truth about God for a lie, and worshiped and served created things rather than the Creator—who is forever praised.”); 2 Thes. 9- 12 (“9The coming of the lawless one will be in accordance with how Satan works. He will use all sorts of displays of power through signs and wonders that serve the lie, 10and all the ways that wickedness deceives those who are perishing. They perish because they refused to love the truth

guide the misguided and help the blind see to guide them to repent by turning away from evil business greed at the cost of human sacrifice. I believe most people go to hell which makes me sad. That is why I became a lawyer in hopes to ask the courts to save lives and eternal lives. The 2030 economic model violates my religious beliefs against debt and slavery outlined in the motion to file in forma pauperis. I believe the digital economy tempts humanity through slavery debt to do the will of those who control the resources only to lose their eternal life at a far greater level than our current economic model.

I believe we are born damned to hell and must be born again. *Psalms* 51:5, (“Surely I was sinful at birth, sinful from the time my mother conceived me.”) I believe children are taught to be enslaved to sin by people who tell them to do what they want, chase their dreams, heart or happiness to be enslaved by those who entice their desires, not free in Christ. See, *Luke* 16:15, (“And He said to them, “You are those who justify yourselves before men, but God knows your hearts. For what is highly esteemed among men is an abomination in the sight of God.”); See, *Matthew* 16:24-26 (“Then Jesus told his disciples, “If anyone would come after me, let him deny himself and take up his cross and follow me. 25 For whoever would save his life[a] will lose it, but whoever loses his life for my sake will find it. 26 For what will it profit a man if he gains the whole world and forfeits his soul? Or what shall a man give in return for his soul?.”). By soul God means eternal life to the second death in hell. I believe we must be born again to be saved from hell by laying down our desires to do God’s desires. Citing *John* 3. It is more tragic when babies and kids die since they are born in need of salvation from God and have fewer opportunities to be saved as opposed to being controlled by sin to escape death in hell.

and so be saved. 11For this reason God sends them a powerful delusion so that they will believe the lie 12and so that all will be condemned who have not believed the truth but have delighted in wickedness.”)

I believe Jesus teaches us not to do what we or people want, but lay down the desires and vanities of men to overcome temptations of lusts to love by doing what is right.

Justice in the courts is what God wants. *Citing Amos 5:15, and Matthew 23:23.* Injustice occurs when the government and the courts are **partial towards appearance** towards its selfish positions, business and material gain by selling souls and the freedoms of those they are charge to serve not sacrifice and exploit. See, *John 7:24* ("Do not judge by appearances, but judge with right judgment."); See *Matthew 12:34-38* concerning discerning what is in the hearts of men.

I have religious beliefs against partiality by the courts. I place my faith in God the father, son and holy spirit including the holy spirit revealed to us by people within the Bible. The Bible teaches me partiality by judges even toward productivity of its own courts as opposed to the impartial application of the Constitutional rule of law creates injustice. (See footnote 8)

The Board proceedings violate the 5th Amendment requirement of impartiality by partiality towards business by seeking productivity, avoidance of costs, marketing deceptive appearance and material gain at the cost of eliminating Constitutional liberty and preventing people from buying and selling should they not worship the beast sin business greed. See, *Revelation 13:17* ("Thus no one was allowed to buy or sell things unless he bore the mark of the beast").

The Board proceedings also are used by judges who defer to private professionals' boards or standards and law makers who wrongly delegate the judicial authority to professionals in place of judges. So judges do not improve the world by judging professionals to prevent standards that oppress, harm human life, health or liberty.

I made Constitutional arguments against regulating the US Supreme Court by a Code of Ethics or disciplinary proceedings to prevent the Court from partiality towards the rules and persuading and pleasing those who regulate their seats by self-regulation or otherwise instead of the impartial application of the Constitutional rule of law to safeguard my 5th Amendment right to a fair proceedings, as a party of one, and other claimants whose claims are preempted by the regulations instead of the superseding Constitutional rule of law.

Regulating the Supreme Court, professionals and through other entities like the EPA violates my God's teachings against partiality in the Courts with bias towards the mark of the beast lawless lusts leading to hell business greed. It is my religious belief courts should judge in cases and controversies, not regulator professionals on Boards of Professional boards, third party regulators or even attorneys, professionals or judges by self-regulation. Nor should agencies judge like the EPA.

In 2016, I discovered non-attorneys out of state title companies practiced real estate law without an attorney license. After meetings with the real estate section of the DE Bar I discovered non attorneys were practicing law for decades messing up the chain of title on the deeds and costing taxpayers' money.

I contacted the Office of Disciplinary Counsel who did not help. I did not realize until they sued me that their jurisdiction was limited to lawyers not non licensed professionals and entities who practiced law without a license.

I also contacted law makers and the title commissioner in hopes to resolve the problem of non-attorneys practicing law.

The problem persisted. So, I ran for office in 2018 to resolve the problem. I discovered partial, corrupt lobbyists picked candidates to be their puppet. They did not pick me and asked me not to run.

I ran anyways. I did not know how evil the world was until I ran for office. I was willing to accept money from Democrats as a party because I am a Democrat. I did not think they could buy me because I was already theirs. I was wrong, and unhardened my head and heart by learning what Jesus the Christ mean in *Matthew* 6:1-4. I learned people sin leading to damnation in hell by fundraising, volunteering and organized charity unless they repent. I seek to repent.

In *Matthew* 6:1-4 Jesus teaches:

“Be careful not to practice your righteousness in front of others to be seen by them. If you do, you will have no reward from your Father in heaven. [meaning they will go to hell in the second death spoken of in *Revelation*]

“So when you give to the needy, do not announce it with trumpets, as the hypocrites do in the synagogues and on the streets, to be honored by others. Truly I tell you, they have received their reward in full. But when you give to the needy, do not let your left hand know what your right hand is doing, so that your giving may be in secret. Then your Father, who sees what is done in secret, will reward you.”

When I ran for office I learned organized charity taught giving out of one hand to get out of another such as a conditional collective interest, marketing, tax break or connections or good times taught people the mark of the beast-business greed was charity. Fundraising and collecting signatures drives out unconditional love and respect for one another from the hearts of man for the love of money and material gain. Since Jesus teaches in *Matthew* 6:24 “You cannot serve God and Money.” I did not want to sin against God or mislead others to sin to potentially be damned to hell on the last day at the resurrection of the dead.

So in 2019 and 2020 I sought permission to run against US House of Representatives Democratic Candidate Lisa Rochester without violating my religious beliefs. The democrats

said no. The Department of Elections said no. So, I sued them in the Delaware Chancery Court and attached the law suit in Kell v Trump and in this case with other documents in Kelly v Trump in DI 4 I incorporate herein by reference.

In 2018, the Democrats shipped in out of staters to prepare Biden to run. They had a pre-planned agenda I disagreed with. I proposed healthcare laws that would care for people by improving our bad care. It was as if democrat lobbyists preplanned the pandemic since they planned more bad care as I discussed in a newspaper article in DI 4.

I also proposed ways to reduce pollution to safeguard the environment to safeguard people. I disagreed with throwing money at problems to allow wrong doing charities and businesses to profit off of sustaining the problem to sustain their positions and profit streams.

As I attended more forums like the chambers of commerce where governors and other elected officials spoke I noticed that their agendas aligned to agendas spewed globally by the World Government Summit and World Economic Forum and other lobbyists who like Satan in Isaiah 14 and 1 John 5 sought ordered control over the world by eliminating free choice in a forced, fixed not fair economy. I believe we need just laws to prevent charities and businesses from oppressing, enslaving, killing, stealing and destroying human life, health or liberty to sustain profit, positions or powers. Unjust laws rule by economic, physical or social pressure as opposed to alleviating it. The Bible teaches damned to hell are those who pass unjust laws that oppress the weak should they not repent. Isaiah 10:1-2: I wanted to seek to alleviate the burden off the backs of the people not rule by it.

I learned of a plan to eliminate the government to eliminate the rule of law that restrains the government backed private and foreign partners under the lie of improving health and saving

the Earth only to sacrifice human life and liberty while destroying the Earth to sustain debt to sustain debt control, power, position and profit through the carbon debt credit plan.

There is a plan to eliminate the authority of the courts to eventually eliminate the rule of law that creates the government to eliminate the governments that restrain entities from enslaving the people to the conditional will of those who control the resources through unjust recoupment.

Preventing regulation of the US Supreme Court would help prevent the overthrow of the government by allowing judges to judge not the regulators who control the no longer independent branch to their dictates in order to maintain their seats.

As a Christian I have religious objections to debt. I incorporate my motion to file in forma pauperis herein by reference outlining my beliefs.

The 2030 and 2050 agendas rule over people by slavery debt in a carbon credit debit system where the governments are not control. The private central banks and those who coin money out of slavery debt are in control and rule instead of allowing governments to to govern and guide the misguided.

The 2030 plans allow the new corporate structure beneficial entities to use other people's money in investments to violate Jesus's commands in Matthew 6:1-4 by stating it is for charity or beneficial aims.

I believe the way money is coined now, the Babylon way, created out of enslaving people to debt to gain something the central banks and banks never had is a reason why Jesus teaches few people go to heaven. *See Matthew 7:13-15, Luke 13:23-28, also see, Isaiah 10:22* ("For

though your people, O Israel, be as the sand of the sea, A remnant of them will return; The destruction decreed shall overflow with righteousness.”)

I believe the way money is created and distributed also violates the 5th and 14th amendments Equal protections component and the 13th Amendment against involuntary servitude and the freedoms of the people from slavery debt in a forced unfair market where the government gives private and foreign partners loans they pay off by writing off debt as tax breaks, grants and government contracts in violation of the Equal protection’s component of the 5th and 14th Amendments.

I believe both the grantees and grantors of government contracts, grants and loans receive unjust gains spoken of by God in the bible leading to their certain damnation in hell should they not repent as they harm others in a forced not fair or free market which protects diverse ideas. Instead it standardizes all professional practices creating profit incentive as the aim at the cost of human sacrifice of life and liberty which is lawlessness leading to hell. See, Ezekiel 34:2-5, See, Proverbs 15:27,

I see grants and government contracts as bribes to gain government backing for government officials who exploit those they are charged to serve to serve themselves and their seats in violation of my religious beliefs especially since the Courts protect partiality towards political positions arguably in violation of equal protections based on view point of beliefs. I hate unjust case law that allows elected officials to disparately treat government contracts and grants. I seek to dissolve government partnerships with foreign and private partners to uphold the independence the government needs to govern and guide as opposed to collude with private and foreign entities allowing the private and foreign partners to be above the law because of the unclean hands of the purported guardians and executors of the law.

I desire the courts to judge not defer to professionals and experts thereby eliminating Equal Protections by partiality to lawless lusts I believe leading to damnation in hell by serving greed for wicked convenience and evil desire for productivity, security in positions or profit as opposed to justice as a matter of truth not as a matter of barter or exchange.

In sum, I discovered a plot to overthrow the government by allowing the governments private and foreign partners to take over the government authority to govern and guide until the government had no authority and the rule of law had no power to restrain those who controlled the resources from enslaving and harming not safeguarding the people the government serves.

I believe one way to prevent the schemed overthrow is to deem any person or entity who receives a government contract, loan, grant or delegated power like the federal reserve and the banks or other entities coining money, a government agent not protected by the Constitution namely the contracts clause but instead limited by it to preserve the people from being enslaved to debt the federal government owes and recoups by schemed foreclosures and other means.

This would prevent the government from enslaving the people by increases in taxes and carbon credits and debts to serve those the government owes or the people are deemed by the lie of stakeholder interest to owe.

The overthrow will happen as schemed by increase of real estate taxes and other taxes to lose tax revenue in bulk b pushing out people from their homes in a foreclosure boom to allow the government and banks to recoup the real property through liens to give it to those the government owes, those who receive unjust gains through government contracts, grants or delegation like the federal reserve.

In the Complaint in this case, I also proffered how to coin correctly without violating the people's Constitutional liberties in the same matter Presidents Lincoln, Jackson and Kennedy proposed which would prevent an economic model that would be used to eliminate the government sometime after 2050 per the Club of Rome's agenda.

I was ready to sue Biden and Yellen to make them coin correctly and to allow for a foundation of case law to prevent the overthrow if Congress defaulted on the debt limit while allowing one branch to be weakened the judiciary to prevent their ability to place checks on the other two branches. My goal was to protect the security of the nation, equal protections of my case, and place a seed in the hearts of this Court to prevent the lawlessness scheme that will allow for the overthrow of our government.

I believe I should be entitled to plead my case in the district Court so they courts may choose to save themselves or not, to hopefully save the only branch that safeguards our freedom from being eliminated by the vote.

I believe there is also a plan to eliminate freedom of religion through government backed partnerships I sought to dissolve to protect both the church and the state from dissolution

I believe I should be permitted to petition to safeguard my fundamental rights, licenses, and other claims in hopes to safeguard the public and the world from scheme lawlessness to safeguard not merely the Country from dissolution but the lives, liberty and eternal lives of all mankind.

19. Third Circuit denied Meghan Kelly motion to recuse Judge Phipps based on his partial interest in punishing me for suing Trump to secure a potential Supreme Court seat by Trump since he was a nominee for US Supreme Court and will likely be a nominee should Trump get reelected and based on relationships with Duquesne since I petitioned the law school about rats in 2005

On February 14, 2023 I moved to recuse Judge Phipps (“Phipps”) wherein I stated:

“1. Defendants admit in their letter sent to me on August 23, 2021, that my religious restoration act pleadings against former President Trump in the Delaware Chancery and Delaware Supreme Court are the source of the State’s interference, witness intimidation, and disciplinary case against me. Exhibit A

2. This letter was intended to intimidate me to cause me to forgo my right to petition by appeal the Delaware Supreme Court’s decision in Kelly v Trump. It did in fact intimidate me causing me to expedite as opposed to forgo my appeal in Kelly v Trump by mailing it out to the US Supreme Court later that same day, August 23, 2021.

3. Defendants admit that my religious beliefs contained in my petitions are the source of their disciplinary case in their disciplinary complaint against me at 7. Exhibit B.

4. My religious beliefs contained in my petitions to safeguard my religious belief includes my belief that Former President Trump reflects the image of the devil by conducting his life by lawless lusts and enticing the populace to give into temptations of their desires instead of using their free will, their brain, to do what is right.

5. I believe former President Trump misleads people to harm and hell under the guise of Godliness by enticing people to give into temptations to be controlled and enslaved by those who tempt their desires in violation of US Amend I, XIII.

6. I believe people serve lawlessness leading to damnation in hell when their eyes are focused on productivity, pleasure, position, profit, praise and power blinding their eyes from upholding justice by caring for the people while respecting their Constitutional liberties with the limit to refrain them from enslaving others to their will.

7. I believe people sin and serve lawlessness in violation of US Amend I and XIII when they look at people for what they may contribute materially or as products to buy and sell to use for material gain instead of people to respect, unearned required.

8. I believe the mark of children of the devil not yet adopted by God is business greed. I believe that every government official whose eyes are on jobs, the economy and money enslave the people in violation of US Amend XIII. Jesus teaches people who do business or their job as worship are not welcome into heaven. Citing John 2:16. Worshipping employees, employers, businesses and job creation leads to damnation in hell in a fixed subpar economy with poor products and services and defamation laws which stifle innovation created by honest criticism which helps us improve. Worshipping the beast, business greed eliminates freedom by teaching people to look at everyone and everything to buy or barter or sell instead of as a free people. US Amend XIII.

9. I believe the lawless way Congress gave away its Article 1 Section 8 coining power to the private bank the federal reserve unnaturally enslaves the government who in turns enslaves the people to debt and debt on interest.

10. This Babylon way of coining the Federal Reserve adopted from the Bank of England eliminates freedom of many in a selective master slave state in contravention of the 5th Amendment's Equal protections component by disparately treating people in a fixed, not free economy based on material bartering not minds which improves products and services.

11. The Court appears to be enslaved to serve lawlessness under the color of the law when its focus is on business productivity, money and saving of costs as opposed to equal access to truth under the impartial rule of law not bent towards material gain, but towards equal access towards the law with limits on government official conduct to protect freedom of citizens.

12. If money was coined lawfully without US Amend XIII, the court would not be tempted towards partiality towards funding its seats or the government. Government funding would not be in an issue if the government took back the coining power from the federal reserve and the banks.

13. Banks used to be able to lend out or invest up to 90 percent of people's deposits. That has changed to 100 percent which places people's money in the bank in a precarious situation.

13. I believe the elimination of the fiat dollar will be used to eliminate the courts as money is schemed to be coined in a far more oppressive manner, so as to dispense of the need of judges by making the central banks above the law and the judge of all things in the years to come if schemes are not unraveled by the courts before the courts are unraveled.

14. I do believe the courts are in danger. I am seeking to save not destroy them.

15. It is my religious belief former President Trump reflects this lawlessness based on partial lusts, misleading people to attack me and others giving the rise of government sponsored private persecution based on perceived religious-political beliefs, speech, petitions or association.

16. The Honorable Peter J. Phipps was twice appointed a nominee to the US Supreme Court by former President Trump.

17. I forgot that the Honorable Peter J. Phipps was twice a nominee by President Trump to be placed on the United States Supreme Court.

18. I actually wrote the Honorable Master Patricia Griffin of the Delaware Chancery Court that I was concerned about being heard by Justice Phipps and other Trump appointees in Kelly v Trump in the attached letter dated October 19, 2020, I incorporated herein as Exhibit C.

19. The temptation to be partial towards the President who may give Justice Phipps a seat at the US Supreme Court creates partiality or the appearance of partiality.

20. I seek to overturn Kelly v Trump based on voidable or void subject matter jurisdiction for procedural due process violations, some of which I was not aware of until after both Kelly v Trump and the Disciplinary hearing, including but not limited to the sealing of my petitions regarding other procedural Due Process violations, without being afforded notice or an opportunity to be heard, and the firing of material witnesses Court staff, by the Delaware Supreme Court's agent which appeared to have happened before the conclusion of Kelly v Trump.

21. Former President Trump seeks to run for President of the United States.

22. Former President Trump may get nominated.

23. Justice Phipps may unknowingly be partial towards the man who twice chose him to be on a list of nominees to the US Supreme Court since Former President Trump may be reelected and would then likely nominate Justice Phipps again should another vacancy at the US Supreme Court occur.

24. In addition, I would sue President Trump again to keep my God's name holy not used for the vanity of politicians by establishing government religion with every blasphemous word or dollar in the bought and bartered for union of church and state, not based on freedom but making speech and power for sale, while the many are for sales slaves in contravention of US Amend XIII and my religious beliefs in Jesus and against debt so as not to go to hell.

25. Justice Phipps appears a respectable judge. My genuine religious beliefs that former President Trump reflects evil not good is not upon Judge Phipps.

26. Nevertheless, I move this Court to recuse the Honorable Justice Phips to preserve impartiality needed to protect my 5th Amendment procedural Due Process rights, my property interests in my licenses to practice law, my exercise of fundamental rights, and my right to petition to seek redressability for their violations before the courts.

Wherefore, I pray this Court grants this motion" DI 3DI 142

On 2/15/2023 I supplemented the complaint in 3DI 143 noting:

"...I called my case manager to confirm I required to file documents on this Court's record in order to comply with the US Supreme Court's Rule 26 (8) to eliminate costs and dispense of the need for a record. She directed me to contact the US Supreme Court, not this Court with US Supreme Court procedural questions.

The US Supreme Court has not addressed this question I asked them, and indicates file things. If I get it wrong, they will let me know after I file them.

I believe the US Supreme Court incorrectly rejected a filing in 22-6582 while refraining from referring to Supreme Court Rule 43, while noting the reason Rule 28 motions for exemptions should be included in the motion to file in forma pauperis.

I have electronic records of all filings rejected and accepted, except this one became missing when it was rejected. This was strange. See, Exhibit A attached hereto.

I am scared. People have talked about shooting me, made threats against me, thrown things at my vehicle based on my perceived religious political beliefs, speech or affiliation. This violence against me stems in the government's establishment of government religion in the mark of the beast, business greed, as Godly and good. Worship of the beast eliminates freedom by making everything and everyone a product to buy, barter or sell, instead of serve and care for as opposed to control. I am a Christian. I associate as a Catholic and a Democrat, but I place my faith in God, not man. I independently critically think and make no man my master and God, but God. My love for humanity and God unearned is not what this misguided world teaches. Yet, the First Amendment should protect my unpopular beliefs in Jesus's teachings.

Every day I face irreparable injury, loss of my license to buy and sell but for my belief in Jesus Christ.

I sought to petition the US Supreme Court for help in this matter on February 6, 2023. The US Supreme Court received my pleadings on February 8, 2023. It is more than a week since it was physically received. Yet, I see no notation of acceptance or rejection on the United States Supreme Court's electronic filing system.

The post office lost track of my Emergency Motion. Per the attached tracking my Emergency motion was received Monday February 13, 2022. (Exhibit B)

I am scared. Justice Phipps taught as an adjunct professor at Duquesne, the School. (Exhibit C) On the record below, I pled Duquesne increased my rent in retaliation for complaining about rat babies at my school apartment. I incorporate my complaints from DI 2, and in the exhibits thereto at DI 3 and 4, and in the video contained on the jump stick of me on TV at Duquesne.

Duquesne is a Catholic School. It is weird that my Constitutional law School Professor used the same secretary as Third Circuit Court of Appeals Judge Thomas Hardiman, and it appears he may have assisted my schoolmate Bill Stickman to receive a federal judicial position. He may have helped Justice Phipps get appointed too. After all, schools help their students and faculty gain employment. I incorporate herein by reference Exhibit C.

I do not believe it is right and just to gain money, power and position based on who you know as opposed to how you serve, even if that is what is taught to kids in schools. In the pictures President Gormley helped Judge Phipps, and Bill Stickman. President Gormley also helped Judge Hardiman. He helped me too. It doesn't make it right or make me more worthy of a position based on the connections I have. I wish the Courts would judge people correctly independent of association to respect individual liberties. Citing Jesus, John 7:24.

President Gormley vouched for my US Supreme Court admissions too. So, my hands may be unclean in this statement, and yet I am required to have the

testimony of one or two in order to gain admissions to the bar. There was no testimony of outside witnesses to place my licenses on inactive disabled. This is not fair.

I am concerned about Catholic institutions, including my law school Duquesne School of law, receiving government aid or collaborating with the government creating government belief through bartered for partnerships.

I am from Lower Delaware. Some folks down here think Catholics go to hell and the Pope is the Anti-Christ. Do I believe this, no, but I respect people's freedom to believe. I do not respect their threats of violence towards me or others based on such belief. That is where the law must protect not collude in such violence. This dangerous union of church and state may get innocent people like me killed, as a Catholic, democrat independent critically thinking human.

I am scared. I filed Kelly v Trump because my faith in Jesus is the most important thing I have, and hold in my heart even if lose everything, even my life. I should not get into trouble for asking the government to respect the law instead of violating the law for money and material gain. People I love may disagree with my desire to create a wall between church and state. I seek a wall to safeguard both the church and the state, the union of which is based on a foundation of sand of money not liberty which will make this house fall down in times of turmoil. Citing, Jesus, Matthew 7:26-30.

I called the Delaware District Court and confirmed I must place the Delaware District court exhibits and other Complaint exhibits on this Court's docket in order to plead on the Record per Supreme Court Rule 26 (8) to eliminate costs.

Thank you. I hope I am not denied the opportunity to be heard at the US Supreme Court. I hope at least they docket my pleadings." 3DI 143

The Court denied my Motion to recuse him and allowed him to preside as Judge in the other Third Circuit 22-3372 of an appeal Judge Diamond's orders in the Eastern District Court of PA matter wallowing Defendants attorney to create bias without allowing me an opportunity to be heard or cross examine their false allegations where any normal ordinary person would be prejudiced against me in hopes to gain a seat at the highest seat in the World the US Supreme Court.

The conflict of interests violates due process.

20. Third Circuit denied Meghan Kelly motion to recuse Judge Scirica based on my pleadings against attorney disciplinary rules and regulations which mimic the rules he drafts, and regulations of the US Supreme Court and federal Courts by eliminating the rules he is the appointed chair on drafting to prevent US Supreme Court regulation, Constitutional arguments against

On June 8, 2023 I moved to recuse Judge Scirica by stating:

“I Meghan Kelly, pursuant to FRAppP Rule 27, my 5th Amendment right to a fair trial to defend the exercise of my private 1st Amendment rights of petitioning, speech, religious belief, exercise, and association, 28 U.S. Code §§ 144 and 455, 29 CFR § 2200.68, or other applicable law move for the recusal and to prevent the participation of the Honorable Judge Anthony J. Scirica in this case.

1. I asked opposing counsel for her stance per the attached Exhibit A. She has not objected.

2. I requested a panel rehearing of the original panel.

3. The Honorable Judge Anthony J. Scirica is on the original panel.

4. Judge Scirica has a conflict of interest with my case I was not aware of until after I filed my motion for a rehearing on June 3, 2023. (Third Circuit Docket Item (“3DI”) 3DI-199

3. I have stumbled upon evidence the Honorable Judge Anthony J. Scirica appears to be the former chair of the Executive Committee of the Judicial Conference of the United States, former chair of the Standing Committee on rules of Practice and Procedure of the Judicial Conference of the United States and was a member of the Advisory Committee on Civil rules. The Honorable Judge Scirica currently chairs the Committee on Judicial Conduct and Disability and is a member of the Committee on International Relations. I attach, and incorporate herein as affidavit 41 as necessary information providing evidence I incorporate herein, at District Court Docket Items (“DI”) DI 149, as an exhibit hereto.

5. To my horror I discovered Judge Scirica is the current Chair

I believe there is an attack on judges to eliminate the judiciary to eliminate the rule of law, as I mentioned previously.

6. Should judges give into the temptation to behave as cowards and defensive, they will be controlled by those who entice their desires not free to uphold the freedoms of the people by the impartial application of the Constitution on the rule of law.

7. I believe the courts must limit the purview of correcting judges to the purview of the Constitutional limits without waiver, 1. Cases and controversies such as mine, 2. or impeachment, to preserve these United States from schemed overthrow.

8. I am terrified, absolutely mortified that one of the reviewing judges is in charge of the rules disciplining the federal judges. I believe such rules guarantee injustice by judges who fear punishment and seek to uphold the mere rules to the extent they compromise the impartial rule of law.

9. I believe regulations will be used to assist the other two branches to exceed the Constitutional limits to impeach and control a no longer free, independent and impartial judiciary. This may be used to eliminate the courts down the line if left unstopped.

10. The fact I argued on the record below, my desire to eliminate or prevent disciplinary rules of federal judges and the United States Supreme Court creates a conflict of interest.

11. I also argue certain disciplinary rules violate the Constitution and create injustice and constitutional violations leading to harm, and though not states below certain damnation in hell.

12. My case is not about vengeance, but correcting and protecting the Defendants and those they misguidedly harm, including my colleague. My colleague Richard Abbott, Esq. appears to be in trouble for requiring the government adhere to the impartial rule of law, including a county and the members of the Delaware Supreme Court without disparate economic treatment arguably in violation of the Equal Protections Clause applicable to state and county governments via the 14th Amendment.

13. I seek to preserve the Constitution, the rule of law, and the government from schemed very real threats of dissolution and demise.

14. Thank you for your time. I write in haste with anguish, because my voice may be cancelled out and eliminated by even the United States Supreme Court by concealing my pleadings too. I incorporate herein by reference. DI-121-DI-154.

15. This Court may guide even misguided judges to preserve the rule of law.

16. I believe this Court may preserve these United States should it only care to entertain the individual liberty interest of those who do not conform to the standardized beliefs and conduct of the alleged norm, like me.

17. No disciplinary rules or regulations should control the federal judiciary. Disciplinary rules and regulations create injustice by tempting federal judges to partiality towards Disciplinary Rules or tempts them to act with favoritism towards those who administer or draft the rules, making judges puppets not independent critically thinking discerners of the facts as applied to the Constitutional laws which safeguard life and liberty. The fear of punishment for alleged violation of disciplinary rules interferes with judges' capacity to independently administer the impartial application of the Constitution to the superseding rule of law upon the people and other two branches. Disciplinary rules creates injustice and allows judges to be set up as I have been set up for the partial whims of a vindictive Delaware Supreme Court which abused its discretion to serve its unconstitutional unrestrained lusts.

18. Other branches may not eliminate the only check the courts have upon the other two branches by regulating the Constitution away which preserves our rights, the people's rights, not merely the Court's rights and duties. **The argument the Courts may waive their right to self-incrimination by waiving the 5th does not allow them to waive the rights of the people of the substantial burden the disciplinary rules will have and have upon their equal protections by the courts.** The Court may not waive the rights of the people only to be deceived into placing the United States Supreme Court under a greater microscope and certain horse and pony impeachment shows to get misbehaving men election seats. This makes a mockery of the courts and justice.

19. **I argue below consistently the Supreme Court and federal judges must only be corrected within the purview of the Constitution's provisions of 1. Cases and controversies like my case, or impeachment to preserve the Court and prevent the planned attacks that will be used to eliminate the rule of law and government if the courts do not stop it. The courts must not waive the Constitutional limits by allowing disciplinary rules and regulations to preserve the impartiality of the courts to safeguard the Constitutional freedom of the people. The disciplinary rules compromises the partiality of the integrity of judges making them partial to disciplinary rules or those who control or administer them instead of the impartial application of the Constitution to the rule of law.**

20. I used my case for problems with the Courts within the purview of cases and controversies to prevent harm. For example, I have a problem with the United States Supreme Court docketing my pleadings. I have previously drafted a motion to place exhibits on the docket of my PA Appeal. Kelly v PA ODC, 22A981. Then, I had problems searching and viewing the docket. So, the public may also have a problem. The reasons for the problem may be a human mistake or by intentional vindictive design in violation of the First Amendment with the goal of dissuading me from petitioning the courts and the 6th Amendment right to public record and the Equal Protections Clause as applied to me because of disparate treatment by the US Supreme Court. The proper place to remedy any harm is by going to the one who may have committed the alleged mistakes or misconduct directly. If that does not work the proper place is the court in my case to correct mistakes or misconduct, not disciplinary cases by those who seek to control a no longer free and independent court. Those who enforce or apply disciplinary rules serve business greed not good by upholding what is not for sale, freedom. These rules eliminate justice. The Disciplinary rules create the deception of maintaining a standard to care for the people, when it merely cares for profit and position allowing misconduct to continue in a standardized more massive way. Deferring to standardized rules and conduct within a profession allows harmful and even deadly conduct and standardized care or products to be above correction. The Courts tend to misbehave by deferring to alleged experts, scientists and professionals, essentially colluding with them to eliminate freedom in favor of making a no longer free people for sale.

21. Standards also allow the automation and elimination of people judges and people lawyers under the lie sameness is fairness and equality when it is elimination of Equal protections under the Constitution which protects every freedom to think, believe and act according to the religious dictates of one's own conscience when religious beliefs do not fit in the box of standards the algorithms permit.

22. While, I saw this conflict may be an opportunity to argue certain Federal Rules are unconstitutional in passim, such as the disparate favorable treatment the federal rules grant federal officials, agents and employees in that they have a longer period to respond to a complaint 60 days. Whereas common people like me are afforded fewer days to respond to a complaint arguably in violation of the Equal Protections Component of the 5th Amendment applicable to the federal government with no rational basis, but an evil one, valuing convenience, and business weightier than the Constitution and federal rights of citizens, the prejudice is too great for this slight potential opportunity to make our system more just, fair and free.

22. While the courts are granted statutory authority under the Rules Enabling Act Rules Enabling Act, and amendments thereto 28 U.S.C. § 2071-2077, the Court limited that power within the rules and by case law. “ No rule can enlarge or restrict jurisdiction. Nor can a rule abrogate or modify substantive case law.” The federal courts acceptance of disciplinary rules abrogates substantive case law by guaranteeing injustice not equal application of the rule of law by their own sinful vanities to sustain their seats. US Amend V, XIV (Equal Protections)

23. On an aside, I am a Christian. I believe people commit lawlessness called sin when they train others to seek money and material things Jesus Christ calls Mammon as God, savior, master or guide in their life. Matthew 6:24. I believe sin is lawlessness leading to damnation in the fires of hell despite ignorance, should people not repent. See, Bible 2 Corinthians 4:4, Matthew 13. I do not want people, even judges to go to hell for their confusion, nor do I want them to sacrifice people’s lives or Constitutional liberties for material gain of the alleged many or the few. That is the same lawless lusts those in ancient religions committed when they sacrificed humans in secular-religious worship for material gain or better crops. Under the similarly false belief many unjust policies, rules, regulations or laws in the US sacrifice, exploit and oppress the poor so some may get as much as they can for as little as they can while teaching the poor and middle class to praise the conniving, not smart oppressors. Constitutional challenges to such government conduct must be permitted under the Equal Protections arguments and arguments against involuntary government backed slavery under the 13th Amendment.

24. Government grants and contracts are repugnant to me. It is the same as throwing people in a volcano for a false God Money and mammon when the Courts sacrifice the poor under the lie job creation is savior. See Romans 4:4 where I believe God scolds us that job creation is not charity or good. I believe those who create jobs, like President Biden alleges, and train people to be their colluding private partners trained slave in a fixed not free subpar economy by education from kindergarden through 12th grade enslave the people to their dictates. I believe they serve Satan and will go to hell if left uncorrected or unrepented by government backing or charitable backing. Courts should save lives and eternal lives, not throw them into the fire to burn or sacrifice the weak, the poor, the lame like a wolfpack eating not tending the sheep. Such educational goals do not safeguard freedom, but eliminate it by government backed forced control in contravention of the 13th Amendment. The value of the human is not based on business, money, marketing or material gain, but is immeasurable. God calls the disparate favoritism by government contracts and such unjust gains, which I believe arguably violates the Equal Protections Clause component of the 5th when the federal government backs by words or grants, contracts, marketing material support in an unequal fixed slave not free market. See Romans 4:4, Matthew 6:1-4. I believe lawyers, even lawyers labeled disabled have a duty to uphold Constitutional liberties from being sacrificed for material gain under the lie of the common good, the deception the vote is a waiver of every other Constitutional liberty or the lie of saving the world.

25. There is a new replacement economy which will use the lie of saving the world only to manufacture harm to control it under the new carbon credit debt system. The arguments I make under the equal protections clause and the 13th Amendment against government contracts and grants to entities should be made to prevent the fixed,

slave, controlled market that will eliminate every single one of our Constitutional freedoms by eliminating the courts and governments authority to restrain entities who will rule of control of resources, not based on just decrees.

26. The new economy will be replaced again to eliminate the government and the rules of law that restrain businesses and charities from harming, oppressing, killing, stealing and destroying human life and human liberty under the lie of the common good if the courts do not stop it. I attach DI 147, and an additional article in hopes this Court may see through the government backed private partners lobbyists plans.

27. One way to prevent the schemed attacks on the courts is to prevent them from getting set-up to fall by preventing regulating the US Supreme Court, and to allow cases including mine to correct the Court. Please see DI-121-DI 154 to see when I have concern with the Supreme Court I go to them the Court or other courts to correct it in the open. Going behind their backs in a secret Board or agency proceeding, when it may be based on mere misunderstanding creates injustice, confusion, and biased administration of the rule of law by those who destroy Constitutional liberties in favor of the mark of lawlessness leading to certain damnation in hell, the mark of the beast, business greed. The secret disciplinary proceedings dumbly mercilessly destroys people, making professionals dumbed down puppets, not free to use their own brains to improve care to serve people as opposed to the profession's wicked desire to market, gain profit, power and maintain positions. DI 77-79

28. I seek to eliminate the disciplinary rules Judge Scirica is charged to care for. There is a conflict of interest. While I made an argument against the disciplinary rules below, I also have constitutional arguments against a number of specific Delaware Disciplinary Rules beyond the arguments made below I must be afforded an opportunity to make so as not to violate my procedural due process opportunity to be heard and the right to petition.

29. Due process is violated by allowing a judge who is charged with drafting or improving disciplinary rules which mimic state rules I seek to make Constitutional arguments against. Judge Scirica's inherent bias and a personal interest against part of my case since Judge Scirica likely takes special care in revising the rules I will attack. There is bias against my arguments based on a personal stake he will subconsciously defend. There is an appearance of impartiality regarding arguments attacking something he personally worked hard to create.

30. I write in haste. Please excuse any typos because I do not want the Honorable Judge Scirica to needlessly invest time in reviewing my motion for a rehearing before the original panel, nor do I desire to waive my rights by asserting them too late. I apologize. I am a poor typist.

Wherefore, I pray this Court grants this motion" (emphasis intended, Citing, 3DI-200).

I filed two Motions for caveats for the motion to recuse Judge Scirica. On June 9, 2023, I filed motion for a 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, wherein I stated:

“I Meghan Kelly, Esq., pursuant to Fed. R. App. P. 27, move to include a caveat to Petitioner’s motion for this Court to recuse Judge Scirica and 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.

1. I ran for State local office in 2018 because no one would do anything about the rampant problem we have here in Delaware. Non-attorneys-out of state title companies are practicing real estate law without a license to practice law.
2. I lost, but I care because this is bigger than Delaware. I have uncovered a plan that intends to allow those who control entities through technology to practice law, judge and govern without authority by the people or the law.
3. DE Office of Disciplinary Counsel did not help lawyers, or help me when I complained about the problem of non-lawyers practicing law without a license back in 2016. I did not know why until they sued me. I was compelled to read their rules of limited jurisdiction before the Board, which does not allow my federal claims, nor does it give office of disciplinary counsel in Delaware or Pennsylvania subject matter jurisdiction to discipline, correct or protect nonlawyers and nonjudges from acting as judges and attorneys without a license.
4. The plan in the schemed overthrow is to allow entities to behave above the law, above correction from the government, to take over government to eliminate it down the line.
5. Per the attached two email I sent opposing counsel, Walmart and businesses are already governing without election or government authority restricting my right to buy and sell.
6. Since the overthrow and unnatural fall of the US is based on nonlawyers and nonjudges lawyering and judging without government authority I thought it imperative to seek Judge Scirica’s consideration of drafting laws to prevent nonjudges from taking the place of judges, even by controlling automation. Non-people courts already exist in China.
7. I attach an affidavit I filed in Delaware District court for this Court’s consideration.

8. I was alarmed lobbyists wrote Judge Scirica to lobby control over the rules controlling the Judiciary, the only impartial branch. (Exhibit E to the Affidavit.)
9. In Exhibit E to the attached affidavit, you will find their letter. What makes this even more alarming is they lobbied to allow non-attorneys to practice law without a license.
10. Should this not be stopped, the rule of law will be eliminated, our government may fall as schemed.
11. I should like the Honorable Judge Scirica's consideration of this narrow issue. I respectfully request he consider whether he may draft laws to prevent non attorneys from practicing law or judging in the place of people judges without government authority.
12. I pray Judge Scirica considers drafting federal rules granting state Office of disciplinary counsel through federal law authority to discipline and correct non-lawyers from acting as lawyers on behalf of another, as opposed to pro se.
13. I pray Judge Scirica drafts federal disciplinary rules to prevent nonjudges from taking the place of judges by giving the U Attorney General or/and state Office of Disciplinary Counsel authority to prevent the schemed elimination of people judges by automation." (Citing, 3DI 201)

On June 15, 2023 I filed a 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 wherein I averred:

"I Meghan Kelly, Esq., pursuant to Fed. R. App. P. 27, and US Const Amendments I, and V move to include a Second caveat to Petitioner's motion for this Court to recuse Judge Scirica and 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.

1. The Honorable Judge Anthony J. Scirica is the Chair for the federal rules to discipline federal judges.
2. It has come to my attention a number of federal judges create the appearance of bias or the actual partiality towards political beliefs of the political think tank with whom not all citizens agree, the Federalist Society. (Exhibits A, B, C)
3. Judges should remain impartial. I was uncomfortable when the Honorable Justice Ruth Ginsberg spoke out on political beliefs. (Exhibit D) Justice Ginsberg likely chilled the political beliefs of those who think differently than she. I am similarly uncomfortable when Federal Judges speak at partial political forums.

4. Individual exercise of Constitutional freedom is chilled when the only impartial government branch, the judiciary engages in partial, biased, politicking, association, support and speaking engagements.
5. The First Amendment of the US Constitution protects citizens' freedom to associate without disparate unequal favoritism by the courts towards certain associations and disparate treatments towards individuals whose ideology do not conform towards the courts favored lobbyists associations including the Federalist Society. (US Amend V, Equal Protections Component, and procedural Due Process protections of a fair not politically biased proceeding)
6. While I oppose regulating federal judges through federal rules, it appears the alleged potentially unconstitutional acts of the judiciary are left unchecked by the purview of the limits on judicial conduct by cases or controversies or impeachment.
7. Federal Judges should have more limited rights under the First Amendment in order to uphold and not chill the Constitutional freedoms of those they are charged to serve.
8. I respectfully move Judge Scirica for judicial consideration of drafting rules to prevent judges from speaking engagements on behalf of political think tanks such as the lobbyists at the Federalist Society and other political organizations or entities to protect the impartiality of the courts.
9. I believe attorneys, even attorneys labeled disabled have a duty to require the impartiality of the courts, not the mere appearance, but actual impartiality of the courts within the purview of the Constitutional limits to prevent favoritism towards the partial political interests of lobbyists like the Federalist Society. Judicial opinions and dissents should speak for themselves without encouraging favoritism towards certain viewpoints in lawsuits through judicial lobbying by speaking engagements or lobbyist groups.
10. My religious beliefs require I uphold the impartiality of the courts as a religious exercise as a party of one. (See. Deuteronomy 1:16-17, "...Hear the disputes between your brothers, and judge fairly between a man and his brother or a foreign resident. Show no partiality in judging; hear both small and great alike...")

21. Justice Alito denied 30 day extension required to draft this appeal prejudicing my ability to appeal. Kelly would consider retaining another attorney who got into trouble for doing the right thing so long as I do not go into debt which violates my religious beliefs

Defendants' placing my license on inactive disabled has inhibited my capacity to seek to regain my position at my former law firm. I believe government officials violate the 13th Amendment by compelling people to serve Satan by seeking money as God by forced not free choice to work to pay off compelled debt which I do not agree to. I have very genuine religious objections to debt. I did not exchange my soul for money to lose it in hell by debt by making

mammon God. I believe Jesus when he teaches you can not make God and money and material gain as guide in life. Matthew 6:24. I assert my right against debt and involuntary servitude to pay off debt as against my First Amendment religious beliefs, exercise of religious beliefs and the 13th Amendment and my 5th Amendment right to access to the courts and my First Amendment right to petition in defense of my claims below. Government should coin money to protect the freedom of the people to buy and sell by free choice not by oppression and government compelled forced choice by extracting labor and wealth by the lawless way money is coined and distributed by unjust gains through grants, aide, loans, contracts executive orders or treaties in a fixed forced unfair subpar market where made to break, repair, borrow, disintegrate goods that enslave people to debt to pay for wicked evil job creation in a forced market to pay for service of shoddy by design goods. Bad business is rewarded instead of prevented by just law suits because judges and other government agents choose to sin against God and man by deferring to science, professionals and experts or their standards instead of improving them by Court correction. *Romans* 1:25. Judges also violate Equal Protection by partiality and bias towards experts and professionals or their standards than those they oppress, enslave or harm by committing human sacrifice of life, health or liberty for mammon.. US Amend. V, XIV. There is a worse way money will be coined under the 2030 plans to enslave not to safeguard liberty on a far more heinous level.

I am compelled to assert rights imperfectly and in full under the fear of God that this Court also sue me based on disdain of my religious beliefs in many things the government condones, requires or causes is sin or my assertion of religious beliefs by seeking waivers against compelled violations of my belief in Jesus. I keep myself separate by not doing what I believe is sin even if it is praised as lawful or good. I have to send something out to assert and not waive

my rights or I have none. I am prejudiced by Justice Alito's denial of my request for more time under the circumstances.

I have limited ability to print, research, travel by car because poverty creates a substantial burden on preparation and fair access to this court. In fact I cannot afford the time for my super slow printer or the ink or paper to even reprint the documents. I see typos and I cannot afford to pay for paper to reprint as I rush to assert my right to religious belief without losing my ability to buy and sell because I do not worship the beast 666 by glorifying man and man's creation as guide and God and the punishments outlined in Genesis 3 as the reason to live which teaches pride damning people to hell instead of humility and edification the punishments of original sin were intended to be to save their souls from damnation. Genesis 3.

There is another attorney I read about in a case, Richard Abbott, Esq. He was threatened with punishment by the Defendants for asserting the rights of those he represents from government violations, misconduct or mistakes. He was in trouble for doing the correct thing holding the government to the Constitutional application of the rule of law that limits their authority.

Although Jesus Christ teaches me to allow the holy spirit to be my advocate when I am brought to the Court unjustly for my religious beliefs, I am bringing this civil rights case to safeguard my 1st Amendment private rights to speech, petition, religious belief, exercise of religious belief, and association, 6th Amendment right to self-represent, and cross examine my accusers, 1st, 5th and 14th Amendment right to a fair impartial proceeding, damages and nominal relief for intentional or reckless emotional distress, economic harm, other ancillary claims, my license to buy and sell without restrictions based on my exercise of religious belief, equitable relief and other claims.

I require the courts hold the government agents to serve people and protect liberty, not enslave the people under the lie of freedom to serve partial business greed by backing of government partners who are rendered above the law. I understand it is attorneys' fault, including my fault if no one asks the court to uphold the Constitution. So I ask or request the ability to ask the court below to safeguard these United States from schemed dissolution.

It is the Courts and the rule of law not money or might that hold this country together as a free people. It is the courts and people judges who are my hope and the world's hope of a hero.

**B. SUMMARY OF APPLICATION OF FACTS ABOVE TO THE LAW PLUS
ADDITIONAL REBUTTAL OF THIRD CIRCUIT'S FINDINGS**

This case arises from Defendants, the Delaware Supreme Court and the arms of the Court's interference in my RFRA law suit against former President Donald J. Trump made with the intent an to intimidate me a to cause me to forgo my case based on the Defendants disdain for my religious-political beliefs contained in my speech, in my petitions, or poverty and my petitions to correct and stop Court misconduct.⁴¹

I initially brought Kelly v Swartz, et al, on or about October 25, 2021, for equitable relief, and damages caused by the Delaware disciplinary counsels', court members' and the State's interference in my Religious Freedom Restoration Act lawsuit ("RFRA") against former President Donald J. Trump (referred to as "Kelly v Trump"), in violation of 42 USC §§§ 1983, 1985, 1988. I sought claims for emotional distress, First Amendment violations, loss of employment opportunities, or other economic harm, and harm to my reputation. (DI 2-4).

I also sought claims for Defendants' selective prosecution in bringing a disciplinary action against me to demean my reputation by placing me on inactive disabled to conceal

⁴¹ (DI 2-4, Exhibits A-D. App 1-B, 1-C, 1-D)

Defendants misconduct in collusion with the Delaware Supreme Court, and to punish me for exercising the right to access the courts and First Amendment rights, based on Defendants disdain for my religious-political beliefs contained in the speech in the Religious Freedom Restoration Act petitions and other petitions. Id.

I later amended the Complaint to include additional facts showing the Delaware Supreme Court instigated the disciplinary proceeding against me, colluded with Defendants to prejudice my case, concealed evidence and witnesses, while denying by ignoring my motions to perform discovery. I also included additional claims procedural due process violations, denial to access to the law library and other disparate treatment by the Delaware Courts made in bad faith, which occurred during the Delaware Disciplinary proceeding as distinguished from Kelly v Trump. I sought nominal damages, damages and additional equitable relief, including but not limited to voiding the Delaware Disciplinary proceeding and Kelly v Trump due to procedural due process violations which shock the conscience, including evidence I discovered after the case concluded including sealing A-4 A-5 and firing witnesses in my favor, Court staff writing on praecipes, instructing me to cross off the address to prevent service, misleading me to miss an appeal date, sending Judge Kenneth Clark to attack me at a store, along with sending threatening letters through DE-Lapp and DE ODC in hopes to get me to drop my case. The fact I did not serve local counsel based on the misconduct or mistakes of the Court's staff in preventing service does not prevent making the case void or voidable on subject matter grounds due to procedural Due Process Violations so great as to deprive me of a fair proceeding. I moved to add the Delaware Supreme Court as a party. (DI 43, 58-60, 69-75, 77, 80-82, 85)

I include and restate and incorporate by reference Respondent's reply to ODC's Corrected Response to Respondent's Objections my to the Report and Recommendation of the

Board on Professional Responsibility, dated June 7, 2022, and all documents referred therein and incorporated thereto. (DI-77,) I include, restate and incorporate by this reference my Objections to the Report, the exhibits referred therein, and the Memorandum of Law (“MOL,”), and all arguments and points made in each and every one of these documents, filed on May 21, 2022, are restated in this reply. (DI. 69-75) (“Objxn” and “-” or “-Ex-” for specific exhibits therein) (DI 69-72, 75).

The Court abused its discretion by dismissing my appeal in part as moot, since the issue of enjoining an unlawful proceeding is capable of repetition yet evading review.

The Court committed clear error of law, of fact, creating manifest injustice, by dismissing under the initial complaint under Younger.

Younger does not require abstention to my case. There is no state case to abstain from. The state case has concluded. There is no bar. Even if there was a case: 1. Younger does not apply to my claims for damages. The Court erred by dismissing instead of staying the case 2. Younger does not apply to federal constitutional claims in the or ancillary claims I had no opportunity to assert on the state forum. For example, 42 U.S.C.A. §§§ 1983, 1985, 1988. Younger does not apply to my claims for violations of my right to petition for bar dues, the right to petition in Kelly v Trump, Equal protections claims for damages, nominal damages constitutional arguments against the disciplinary rules, proceeding and 3. Bad faith, harassment, or extraordinary circumstances have arisen in my case that make abstention inappropriate, 4. The Court erred in denying my motion to amend the complaint to include procedural and substantive due process violations, equal protections violations, and other conduct and claims that required I add the Delaware Supreme Court and the members to my complaint on January 24, 2022. (DI 43) I should be granted leave to amend the complaint, to include additional arguments to prevent

manifest injustice that shocks the conscience in terms of loss of procedural Due process violations that make the findings in Kelly v Trump and the Disciplinary void or voidable, loss of fundamental rights, and government punishment for the exercise of my rights, including the right to petition. 5. The new and additional facts and arguments contained in my motions and pleadings must be considered to prevent abuse of discretion, clear error of law, clear error of fact and to prevent manifest injustice against me by denying me the opportunity to be heard to safeguard my exercise of First, 6th, 5th, 13th and 14th Amendment rights, creating loss of First Amendment rights and my interest in my ability to work in my profession.

The District Court and the Third Circuit Panel (collectively and individually also referred herein as “Court”) abused its discretion by affirming the District Court’s judgments at District Court Docket Item Number (Hereinafter “DI”) DI-16-17, DI-30-31, DI-59-60.

I showed availability of new evidence, clear error of law, clear error of fact, evidence of Defendants harassment and bad faith causing manifest injustice requiring the orders below be vacated and the case be remanded to the District Court. Moreover, even without the new evidence contained in the motions of reconsideration and other motions the Court errs in affirming the judgments below dismissing based on Younger. DI-2-16.

Appellate Court errs as a matter of law in finding no legal bar in presenting my claims before the state forum. The Disciplinary proceeding forbids asserting my claims for damages, nominal relief and equitable relief against the Defendants and State court under the state disciplinary proceeding. The proceeding is limited in subject matter jurisdiction under Del. Disc. Rule 1(a), 5, 8, 10.

Del. Disc. Rule 5 limits jurisdiction to disciplining attorneys to

“Rule 5. Jurisdiction.

(a) Lawyers admitted to practice. Any lawyer admitted to practice law

in this jurisdiction, including any formerly admitted lawyer with respect to acts committed prior to suspension, disbarment, transfer to inactive status or retirement, or with respect to later acts which amount to the practice of law or constitute a violation of these Rules or of the Delaware Lawyers' Rules of Professional Conduct, or any rules or code the Court adopts later; any lawyer specially admitted by a court of this jurisdiction for a particular proceeding; and any lawyer not admitted in this jurisdiction who practices law or renders or offers to render any legal services in this jurisdiction, is subject to this Court and the Board's disciplinary jurisdiction."

The claims for damages, nominal damages and equitable relief are prohibited and not within the scope of the Board's jurisdiction, including the claims for damages in my initial complaint. See, *In re a Member of the Bar of the Supreme Court, of the State Enna*, 971 A.2d 110, 125 (Del. 2009), regarding limited jurisdiction. Moreover, even if the State Court entertained my claims, my procedural due process rights are violated by a partial, unfair, biased forum. US Amend I, XIV. The Federal Forum is the only forum which has jurisdiction over my claims. The Supreme Court had no jurisdiction to resolve claims for damages, nominal relief and equitable relief against the state and itself in a disciplinary proceeding. This creates a bar. The lack of personal jurisdiction over the Delaware Supreme Court members which violates the 14th Amendment also places a bar to my claims in the state proceeding. Allowing the State Court to rule in its own favor in a partial forum offends the notions of fairness and jurisdiction apparently may be upheld under the Fourteenth Amendment Due process Clause applicable to the Defendants and the state Court. The Delaware Supreme Court does not have personal jurisdiction over its own alleged Constitutional and federal violations wherein it is the judge and party. *Ins. Corp. of Ir. v. Compagnie Des Bauxites De Guinee*, 456 U.S. 694 702-03 (1982) ("The requirement that a court have personal jurisdiction flows not from Art. III, but from the Due Process Clause. US Amend XIV. The personal jurisdiction requirement recognizes and protects an individual liberty interest. It represents a restriction on judicial power not as a matter

of sovereignty, but as a matter of individual liberty. Thus, the test for personal jurisdiction requires that "the maintenance of the suit . . . not offend 'traditional notions of fair play and substantial justice.'" *International Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945).

The Court abused its discretion by denying the additional deprivation of Constitutional liberties that arose since the filing of the petition that I placed on the record and appealed, including the disciplinary proceeding that would result I manifest injustice against me in term of loss of my 1st Amendment fundamental rights and other claims should the case be affirmed.

The fixed, unfair partial disciplinary proceeding brought in conspiracy by the Delaware Supreme Court, Chancery Court agents, ODC and Board, (collectively, and individually "State") to conceal Court agents' unconstitutional interference with the "due process" adjudication of Kelly v Trump, and thereby in interference with my personal-religious-political-speech; personal-religious-beliefs; personal-religious-political-exercise; and personal-religious-political-petitions has punished me and violated by constitutional protections by selective disparate treatment against me, for the exercise of fundamental rights, as a party of one, as an indigent individual with religious-political beliefs in God as savior and the state as civil authority curbed by the first amendment from "establishing religion."

The findings below must be rejected as a matter of law as an abuse of discretion, clearly erroneous findings of fact, an errant conclusion of law, and an improper application of law to facts.

The hearings and actions taken against my professional license in retaliation for my exercise of Constitutional rights are in violation of the First Amendment, the Procedural and Substantive Due Process Clause and Equal Protection Clauses of the Fourteenth Amendment.

They must be rejected as by “rule of law” rather than personal vendetta for my personal-religious-political speech contained in the petitions. (US Amend I, XIV)

The State denied me of substantive and procedural due process rights in this disciplinary proceeding. The record shows clear and convincing evidence that the proceedings were brought, with religious-political animus, in retaliation against me for filing *Kelly v Trump*, for petitioning the court regarding bar dues to safeguard my liberties and for petitioning the Court regarding the state’s and its members violations of my Constitutional rights.

The state abused its discretion by 1. Vindictive prosecution, which constitutes a violation of due process, and by Selective prosecution, which constitutes a denial of equal protection.

I have a right to petition the courts when I believe a transgression has been committed against me by the establishment of government religion by President Trump and for retaliation for the exercise of my fundamental First Amendment right to petition to safeguard my exercise of the First Amendment right to religious belief, contained in my private 1st Amendment exercise of protected private speech contained in my petitions in *Kelly v Trump* and for bar dues..

I uphold my oath by requesting government agents, judges, presidents and members of congress to adhere to rule of law by allowing me to exercise my Constitutional rights. The steps taken to orchestrate this proceeding circumvent due process protections and, thereby, manifest selective; targeted; unjust persecution.

The Third Circuit erred as a matter of law in denying my asserted claims that arose since the filing of the petition that I placed on the record, which would cause manifest injustice against me should they not be heard since the statute of limitations approaches and poverty creates a

substantial burden so great as to deprive me of access to the only court which may grant me relief especially since the statute of limitations has expired for some claims and approaches expiration for other claims and my poverty creates a substantial burden to access to the courts should I be compelled to start all over. For example, the petitions relating to bar dues have expired.

The Court overlooked the additional facts I alleged below showing violations of my 1st Amendment religious beliefs, 6th Amendment right to self-represent, 14th Amend. procedural due process violations, violations of Equal Protections, and specific facts showing lack of adequate notice, denial of asserted rights, denial of fair meaningful opportunity to be heard, to call witnesses, to cross examine my suspected accusers, to prevent evidence in my favor, additional conduct causing emotional distress manifesting in the shingles, the state's elimination of evidence in my favor and other voluminous evidence on the record below, including in my motions for a reconsideration. DI-14, DI-20 through DI-24, DI 29, DI-34 through DI-37, DI-39 through DI-44, DI-47 through DI58, and additional docket items after the Order at DI-60. This new and additional evidence contained in DI-14 through DI-58 must not be ignored. It is part of the record on appeal. The Court also erred by ignoring my challenges to state rules. See DI 58, for one example. I met the standard for reconsideration.

The claims I asserted in my Motions of reargument and the orders denying them must in the interest of justice be considered by the Court as not waived but asserted on the record in the trial and appellate court. For example in the First Motion for reargument and the amendments thereto, I discussed the State's violations relating to appointment of counsel on December 13, 2022. I immediately informed the state court I declined representation. I faced foreseeable emotional distress at violating my beliefs in Jesus by such appointment over my objection. Jesus

teaches us to let the holy spirit to be our advocate when we are brought to the courts for our religious beliefs. The fact I fought hard to fire the counsel who was removed less than two weeks before the improperly scheduled hearing date, does not remove the Defendants' and the Delaware Supreme Court's violation of my First Amendment right to religious belief and exercise of belief and Sixth Amendment right to self-representation, to opportunity to call witness and other rights applicable to the state pursuant to the 1st, 6th and 14th Amend.

The US Supreme Court in *Faretta v. California*, 422 U.S. 806, 95 S. Ct. 2525, 45 L. Ed. 2d 562 (1975) held,

“Sixth Amendment does not provide merely that defense shall be made for accused but grants to accused personally the right to make a defense; right to self-representation to make one's own defense personally is necessarily implied by structure of the amendment.” U.S.C.A.Const. Amend.”

In my other motions the Court denied I outlined other Constitutional defects in the Delaware Disciplinary proceeding that in the interest of justice must be considered by this Court in the court's denial of my motion to amend the complaint once as a matter of right.

The Delaware Disciplinary procedure was so lacking in notice or opportunity to be heard before the Delaware original disciplinary proceeding as to constitute a deprivation of due process in the Delaware forum. There was such an infirmity of proof as to give rise to the clear conviction that this court could not, consistent with its duty, accept as final the conclusion by the state court.

The Court refused to give me pleadings in a case against me to conceal the fact it denied me the opportunity to be heard in objecting to the appointment of counsel, Number 541. I am entitled to records used against me as a party in a proceeding. I am entitled to see if my pleadings were on the record or if I was denied an opportunity to be heard in contravention to 1st

and 14th Due Process with disparate treatment based on religious-political belief and poverty. *US Amend I, XIV. See, N. Jersey Media Grp. Inc. v. United States*, 836 F.3d 421, 434 (3d Cir. 2016).

The lawyer Disciplinary proceedings before the Defendants and Delaware Supreme Court deprived me of a meaningful opportunity to be heard, the opportunity to prepare, call witness, receive adequate notice, the right to self-represent, to present evidence without the State forum's collusion to conceal evidence and other vitiations of my asserted, not waived Constitutional protections and rights in the Delaware Disciplinary Proceeding. *Greene v. McElroy*, 360 U.S. 474, 475 (1959) ("this Court will not hold that a person may be deprived of the right to follow his chosen profession without full hearings where accusers may be confronted and cross-examined").

The US Supreme Court further held, "It is accused, not counsel, who must be informed of nature and cause of accusation, who must be confronted with witnesses against him, and who must be accorded compulsory process for obtaining witnesses in his favor. U.S. Const. Amend. 6." *Faretta v. California*, 422 U.S. 806, 95 S. Ct. 2525, 45 L. Ed. 2d 562 (1975). I was denied the right of notice, opportunity to confront and right other rights. The Court erred in ignoring these denials contained in my motions for reargument and other motions below.

The State denied me of the meaningful opportunity to litigate the question of subject-matter jurisdiction in the sham proceeding against me, and thus I may reopen that question in a collateral attack based on adverse judgment. This Court has not allowed me the opportunity to present the facts to show this. I must be afforded notice and the opportunity to be heard under the 5Th Amendment applicable to the federal courts to prevent unconstitutional vitiation of rights by this Court. US Amend I, V.

I incorporate herein by reference in its entirety along with the pleadings referred therein 3DI-98, the memory stick referred to at DI-58, and the District Court items DI-62 to DI-148 since this Court appeared to consider the additional Orders at DI-106, DI-111. The Court errs as a matter of law and as a matter of fact creating manifest injustice against me by ignoring the legal arguments, claims and additional facts on the record below. Id.

The Court errs as a matter of law for not considering my motion to withdraw my motion to amend the complaint at DI 43, my additional motions to amend the complaint once as a matter of right to include all the additional claims, facts, foreseeable harm and additional information discovered and arising in the course of this litigation, including but not limited to items in DI-43, DI-58, DI 69-75, DI-77, DI-81, DI-85-87. DI 95.

The Court abused its discretion in denying me the right to amend the complaint as a matter of right, despite the lower Court not ruling on my motion to amend which I withdrew and reserved the right to amend as a matter of right prior to the Order at DI 60, (DI 58) and more specifically after the order when the case is remanded DI 43, DI 58, DI 69 through 81.

My claims relate not only to my petitions in Kelly v Trump but also First Amendment violations of my right to petition applicable to the state pursuant to the 14th Amendment regarding petitions for bar dues. DI 2-4, 3DI 74. Should this case be dismissed the statute of limitations would foreclose me an opportunity to assert my claims anywhere in the only forum which may offer relief, the District Court. This Court was apprised of the Delaware Supreme Court's collusion in Kelly v Trump and the DE Disciplinary proceeding, and my claims for damages, nominal relief and equitable relief other than enjoining the disciplinary proceeding. DI 43, DI 58, 3DI-6 page 3 through 11, 3DI-26 through 3DI-29, 3DI-31-32, 3DI 36 through 3DI 46, 3DI 51 through 3DI 62, 3DI-68, 3DI-69, 3DI-71-3DI-76, 3DI-83-84, 3DI-93, 3DI-95 through

3DI-99, 3DI-103-107, 3DI-119-3DI-198; See, Reed v. Goertz, No. 21-442, at *5 (Apr. 19, 2023)(“*Ex parte Young* doctrine allows suits like Reed’s for declaratory or injunctive relief against state officers in their official capacities.”) Id at 6-7 and 24 (*Rocker-Feldman* and 28 USC 1257 do not prohibit violations of procedural due process claims); See, *Centifanti v. Nix*, 865 F.2d 1422, 1430 (3d Cir. 1989).

Further whether Rooker-Feldman applies to claims I have not yet made is not ripe on appeal. The District Court did not review the merits of my claims. This appeal is limited to the improvident dismissal under *Younger*, and denial of my asserted right to amend the complaint once as a matter of right. The claims if accepted as pled show independent federal claims I must be allowed to argue before preemptive denial, including but not limited to void or voidable subject matter jurisdiction of the Delaware forum. US Amend V.

I also seek to amend the complaint to include a number of new claims too numerous to outline that I must be afforded the opportunity to be heard on before being preemptively denied in violation of the US Amend V opportunity to be heard, including but not limited to assertions that DE Disciplinary rules are unconstitutional per se and some as applied which are not prohibited by the Rooker-Feldman doctrine. See, *Parkview Assoc. Partnership v. City of Lebanon*, 225 F.3d 321, 327-28 (3d Cir. 2000) (Constitutional challenges to rules are not barred bar Rooker-Feldman); DI 77-79, DI 58; See, *Skinner v. Switzer*, 562 U.S. 521, 532 (2011)(“If a federal plaintiff ‘present[s][an] independent claim,’” it is not an impediment to the exercise of federal jurisdiction that the ‘same or a related question’ was earlier aired between the parties in state court.” (internal citations omitted)); Id at 33 n 10(“The Court further observed in *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 292–293, 125 S.Ct. 1517, 161

L.Ed.2d 454 (2005), that “[w]hen there is parallel state and federal litigation,” state preclusion law may become decisive, but “[p]reclusion ... is not a jurisdictional matter.””).

The Third Circuit and District Court (hereinafter “Courts”) overlooked the fact I invoked my right to amend the complaint once as a matter of right under FRCP 15. Though the Court argues my plea to enjoin the case against me as moot. This is capable of repetition and evading review, and has created manifest injustice against me as well as other lawyers and professionals who have legitimate claims for which they should not be punished for making in violation of the First Amendment right to petition, merely because the claims are against the government or government agents. This disparately favors government agents in violation of the Equal protections Clause in their private and official capacity, making it impossible to correct misconduct by just decrees.

I must be granted leave to amend the complaint as a matter of right under FRCP15 (a), to correct any defects or arguments relating to a Younger dismissal to prevent manifest injustice that shocks the conscience in terms of loss of fundamental rights, and government punishment for the exercise of my rights, including the right to petition. See, *Mayle v. Felix*, 545 U.S. 644, 663 (2005). The Supreme Court in *Foman v. Davis*, 371 U.S. 178, 182 (1962) held the “outright refusal to grant the leave [to amend the complaint] without any justifying reason appearing for the denial is not an exercise of discretion; it is merely abuse of that discretion and inconsistent with the spirit of the Federal Rules.” This Court abuses its discretion by denying my asserted right to amend the complaint. 3DI 98.

The new and additional facts and arguments contained in my motions and pleadings must be considered to prevent abuse of discretion, clear error of law, clear error of fact and to prevent manifest injustice against me by denying me the opportunity to be heard to safeguard my

exercise of First Amendment rights, creating loss of First Amendment rights and my interest in my ability to work in my profession

The Appellate Court abused its discretion by ignoring the evidence averred showing bad faith and harassment including but not limited to Court staff prevented service of my pleadings by writing on the praecipe, instructing me to cross off local counsel's address and for misleading me in hopes I miss a deadline to appeal an order I had not yet received. The DE Supreme Court sent Court of Common Pleas Judge Kenneth S. Clark to attack me to compel me to forgo my Kelly v Trump, the court fired witnesses, sealed documents in my favor without providing me notice and an opportunity to be heard to conceal evidence in my favor in both Kelly v Trump, and the Disciplinary proceeding sending additional Delaware Supreme Court arms and agents to cause me to forgo Kelly v Trump, Defendant Swartz lied in an attempt to fix the proceeding and cost me additional money time and resources. Defendants violated not only my Constitutional first Amendment rights to petition, religious belief, speech, association and exercise of belief, the court denied me fair notice by violating its own disciplinary rules, denied me the right to self-represent, a fair opportunity to be heard, the right to call witnesses. DI 2, 3DI 98, Exhibit A-D

I sought claims for emotional distress, violations of procedural due process, Equal Protections claims, First Amendment violations of **private right to petition**, religious belief, exercise of belief, speech and association, loss of employment opportunities, or other economic harm, and harm to my reputation during Kelly v Trump. (DI 2)

New claims arose during the law suit which I later amended the Complaint to include additional facts showing the Delaware Supreme Court instigated the disciplinary proceeding against me, colluded with Defendants to prejudice my case, concealed evidence and witnesses, while denying by ignoring my motions to perform discovery. I also included additional claims

procedural due process violations, denial to access to the law library and other disparate treatment by the Delaware Courts made in bad faith, which occurred during the Delaware Disciplinary proceeding as distinguished from Kelly v Trump. I sought nominal damages, damages and additional equitable relief, including but not limited to voiding the Delaware Disciplinary proceeding and Kelly v Trump due to procedural due process violations which shock the conscience. I moved to add the Delaware Supreme Court as a party. (DI 43, 58-60, 69-75, 77, 80-82, 85)

I also sought claims for Defendants' selective prosecution in bringing a disciplinary action against me to demean my reputation by placing me on inactive disabled to conceal Defendants misconduct in collusion with the Delaware Supreme Court, and to punish me for exercising the right to access the courts and First Amendment rights, based on Defendants disdain for my religious-political beliefs contained in the speech in the Religious Freedom Restoration Act petitions and other petitions. Id.

I respectfully request this Court vacate the District-Order, and remand the case back to the Delaware District Court for review, granting leave to amend the complaint in the amount of 30 days from the date of the order or longer period to allow me to consult with opposing counsel in good faith since I believe the courts and the government are in peril. I believe the courts are our hope of a hero to prevent or reverse an economic crash, which appears to be designed to eliminate the government down the line. I hope the court may use this case to safeguard the Constitutional limits which preserve these United States from demise.

Court overlooked the fact I have colorable claims against the Delaware Supreme Court and its members in both their professional and personal capacity, under an Ex Parte Young

theory as well as equitable claims for prospective and other relief. In *Ex Parte Young*, 209 U.S. 123, 28 S.Ct. 441, 52 L.Ed. 714 (1908).

Delaware brought a disciplinary case against me to conceal and cover up its violation of federal laws and my Constitutional rights, and to punish me for the exercise of Constitutional rights including but not limited to the First Amendment right to petition the courts for disparate treatment by its own members based on religious-political-or poverty animus and procedural due process violations. DI 2-4 My religious beliefs in Jesus outlined in my petitions are the source of Defendants adjudication of disability. They indicate my religious beliefs confuse Defendants. They cite my belief in the Bible as a source of the disciplinary proceeding at Number 7 of the petition. They cite my protected private speech outlined in my private petitions outlining my private religious beliefs and exercise of religious beliefs in the letter dated August 23, 2023 as the source of concern of disability.

The baseless allegations the panel cites, that I allegedly “lack competence to practice law and endanger prospective clients, the public and the orderly administration of justice” is to cover up my petitions to the courts for the governments’ violation of the Constitution and federal law, including its own violations. The State Court intentionally secretly sealed my petitions in violation of my First Amendment right to petition to conceal material evidence in my favor to cover up its own violations of my procedural and substantive due process rights. This concealment is also a procedural due process violation.

The Court asserts my legitimate arguments are not cogent, in order to cover up its own misconduct, while further covering up State misconduct by adjudicating me disabled. It may not be convenient to uphold justice. It is easier to orderly administer standardized injustice than to uphold the 1st Amendment applicable to the State via the 14th to accommodate individuals whose

religious beliefs or arguments are not standardized to the common norms. Nevertheless, the asserted Constitutional limits supersede eliminating freedom for convenience, productivity and administration of court business. Freedoms are not for sale, or none are free. We are for sale products to bargain favor with foreign and private government partners. My license to practice law was not exchanged for the freedom to belief in Jesus Christ or other Constitutional liberties.

This Appellate Court improvidently cites to the mere allegations that my religious beliefs in the petitions are not clear, unfocused [to the Defendants' aim] and confused the Defendants. My religious beliefs need not be clear, nor do they need to understand them for me to assert my First Amendment right to genuine religious belief without a government incited substantial burden but for the exercise of religious belief and other First Amendment rights. Moreover, they are relevant to this matter, *Kelly v Trump*, and the disciplinary proceedings even if Defendants do not find my religious belief in Jesus Christ not money as savior and God reasonable. *Matthew 6:24*.

This Court improvidently cites the false allegation my pleadings “were non-complaint with the Court rules.” There is no rule I violated during *Kelly v Trump*, or the Delaware Disciplinary proceeding since my asserted 1st Amendment invoked rights to religious belief and 5th amendment right against self-incrimination supersede the compelled mental examination despite my invoked objections on Constitutional grounds of religious objection and interference in my access to the courts in the exercise of the 1st Amendment right to petition in *Kelly v Trump* supersede state rules. It is my religious belief the field of mental health, psychology, psychology and behaviorists teach the way to certain damnation in the fires of hell by teaching physical, chemical, environmental conditions also known as temptations may be manipulated to control a person's no longer free will in contravention with the teachings of Jesus Christ.

Moreover, the Defendants were non-compliant with disciplinary rules 9 and 12, preemptive federal law and the preemptive Constitution limits which restrain their conduct within the purview of superseding federal laws.. The allegation my defense of religious beliefs contained in my speech “were confusing and unfocused and irrelevant to the issues at hand” are to cover up the very real issues that were relevant to whether the disability proceeding was brought in retaliation for my exercise of the right to petition the State over the course of about 20 years, and my right to private religious-political belief, private-religious exercise of belief, private right to associate based on religious-political belief without being restrained by a mere license to practice law, and right to equal protections, procedural due process and to be free from collusion to intimidate me to cause me to withdraw my petitions in Kelly v Trump in violation of 1985 and 1988, the First Amendment applicable to the state pursuant to the 14th Amendment, other federal law, and state claims for intentional or reckless infliction of emotional distress, defamation and other claims.

Defendants made a motion by short letter despite my objection to appointed counsel in violation of my First Amendment right to petition. I certainly was permitted to draft a letter, dated December 18, 2022. Albeit, I also drafted motions. DI 1-DI 58.

This Court errs as a matter of law and as a matter of fact by claiming the “Delaware Supreme Court's order adjusting her status, claiming she was denied notice, discovery, an impartial judge, an ability to present evidence and witnesses, and the like are beyond the scope of this appeal.” I asserted these claims in legal and factual arguments below, including in my motions of reargument. They are material to the District Court’s clear error of fact, clear error of law and this appeal to prevent manifest injustice against me, and others by creating case law

which will chill the exercise of professionals' religious beliefs under the threat they may no longer buy and sell and die of want.

This case presents a unique important Constitutional question as to whether a disciplinary proceeding brought to punish petitions against the government, in violation of the US Amend I right to petition, and right to speech on subject matter grounds, or other Constitutional exercise and the Equal Protections Clause is subject to voidability. Defendants seek to discipline Colleague Richard Abbott for petitioning against the County and Courts. Are the courts above the law, or will this Court rule judges may be corrected within the purview of the Constitutional limits 1. Cases and controversies and 2. impeachment, without vindictive retribution for correction.

This case presents a unique important Constitutional question as to whether a disciplinary proceeding brought in violation of the Equal Protections Clause based on disparate treatment with religious-political animus, place of origin animus too since two judges demeaned me by telling me by one Judge Slights telling me to go back to PA and a second Judge Court of Common Pleas Judge Smalls called me a Philadelphia lawyer, and political animus regarding my run for office without violating my religious beliefs by organized fundraising or signatures, and

The Delaware Supreme court may not restrain me in following my chosen professions on the basis of fact determinations concerning their fitness made in proceedings in which I was denied the traditional procedural safeguards of confrontation and cross-examination. See, Amend I, VI, and XIV, regarding procedural due process. *Also See, Greene v. McElroy*, 360 U.S. 474, 492 and 493(1959) ("the right to hold specific private employment and to follow a chosen profession free from unreasonable governmental interference comes within the "liberty" and "property" concepts of the Firth Amendment," and so by extension the 14th Amendment), *Dent v.*

West Virginia, 129 U.S. 114; *Schware v. Board of Bar Examiners*, 353 U.S. 232; *Peters v. Hobby*, 349 U.S. 331, 352 (concurring opinion); cf. *Slochower v. Board of Education*, 350 U.S. 551; *Truax v. Raich*, 239 U.S. 33, 41; *Allgeyer v. Louisiana*, 165 U.S. 578, 589-590; *Powell v. Pennsylvania*, 127 U.S. 678, 684”). The US Supreme Court extended the 6th Amendment asserted right of confrontation in noncriminal matters. *Mattox v. United States*, 156 U.S. 237, 242-244; *Kirby v. United States*, 174 U.S. 47; *Motes v. United States*, 178 U.S. 458, 474; *In re Oliver*, 333 U.S. 257, 273, *Southern R. Co. v. Virginia*, 290 U.S. 190; *Ohio Bell Telephone Co. v. Public Utilities Commission*, 301 U.S. 292; *Morgan v. United States*, 304 U.S. 1, 19; *Carter v. Kubler*, 320 U.S. 243; *Reilly v. Pinkus*, 338 U.S. 269. Nor, as it has been pointed out, has Congress ignored these fundamental requirements in enacting regulatory legislation. *Joint Anti-Fascist Committee v. McGrath*, 341 U.S. 168-169 (concurring opinion).

The Delaware Disciplinary procedure was so lacking in notice or opportunity to be heard before the Delaware original disciplinary proceeding as to constitute a deprivation of due process in the Delaware form and that there was such an infirmity of proof as to give rise to the clear conviction that this court could not, consistent with its duty, accept as final the conclusion on that subject in that the Delaware Supreme Court covered up material evidence by sealing pleadings to my defense, firing two material witnesses to my defense, denying me the write to subpoena them or to perform discovery,

I was denied the reasonable opportunity under the circumstances to conceal the fact the Delaware Supreme Court fired two witnesses material to my defense. Moreover two members of the Delaware Supreme Court retired from the Delaware bench in hopes to evade service. It is notable I sought to substitute President Biden for President Trump to dissolve his continuation of former President Trump’s misconduct in the establishment of government religion by partnering

with churches in government business, eliminating the freedom by compelled force for me as a party of one.

This Court must hold that judges must uphold and not violate the Constitutional laws that protect claimants including me and Richard Abbott, Esquire without exhibiting partiality and bias towards itself, members and the appearance of the courts' members.

I respectfully request this Court vacate the District-Order, and remand the case back to the Delaware District Court for review.

C. ARGUMENT

1. THE COURT ERRED IN RULING THAT THE YOUNGER ABSTENTION REQUIRED DISMISSAL, BUT REGARDLESS THE CASE IN DELAWARE IS OVER, YOUNGER DOES NOT BAR MY CASE FROM PROCEEDING

The District Court erred in ruling that the Younger abstention required dismissal. Regardless of the error, the issue is moot because the state disciplinary proceeding has concluded.

The District Court need not abstain under Younger since the Delaware Supreme Court's case is over. The District Court should stay the case, pending my intended appeal to the US Supreme Court.

The Third Circuit explained, "Younger abstention ... applies when certain types of state proceedings are ongoing at the time a federal case is commenced" *PDX N., Inc. v. Comm'r N.J. Dep't of Labor & Workforce Dev.*, 978 F.3d 871, 882 (3d Cir. 2020). The case before the Delaware Supreme Court is not ongoing. The Delaware Supreme Court made this clear by ordering "the Clerk of the Court is directed to refuse any further filings from Kelly in this matter." In re Kelly, No. 58, at *3 (Del. Sep. 7, 2022)

Younger does not apply. The state proceeding is over. This case may continue and I request the Third Circuit to please remand the case to the Delaware District Court. I note, the District Court made no analysis on the facts or law beyond denying my case under Younger. I pray the District Court grants a stay until the conclusion of my appeal to the US Supreme Court. So, I can focus on the appeal which may prevent duplication of work, narrowing of the issues, and possible elimination of claims to prevent needless waste of resources for the parties and the Court.

2. THE COURT ERRED IN APPLYING YOUNGER BECAUSE I ASKED FOR DAMAGES AND RELIEF UNAVAILABLE IN THE STATE FORUM. THE COURT SHOULD HAVE STAYED, NOT DISMISSED THE CASE

The District Court erred as a matter of law by relying on the Younger abstention doctrine, and in dismissing my complaint and motions. The District Court based its decision on mistakes of fact. It would be an abuse of discretion, creating manifest injustice to dismiss my case.

This court's reliance on an abrogated case, *Middlesex* in its Orders is also misplaced. *Middlesex* merely related to procedural due process concerns relating to lapse of time, as distinguished from my case. *Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, (1982); *Abrogation Recognized by Harmon v. Department of Finance*, 3rd Cir.(Del.), April 27, 2020; *Citing, Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69,(2013), *Malhan v. Sec'y U.S. Dep't of State*, 938 F.3d 453, 462 (3d Cir. 2019).

In my case, I was denied a fair, impartial forum and a reasonable opportunity to be heard. The State's prosecution against me, as a party of one with individual-religious-political beliefs, for my exercise of genuinely held religious-beliefs, religious-political speech, religious-political-association, and the right to petition the courts when I believe there has been a grievance against

me by a government agent, no matter my poverty, religious beliefs, or political orientation, violates my First Amendment rights and equal protections of the law.

The District-Court in its November 2, 2021 Memorandum, whether misleadingly or inadvertently, referred to Defendant's August 23, 2021 letter indicating my Chancery Court religious-political pleadings in my active case as the reason Defendants brought the state proceeding. (DI 16, DI 3, District Court Exhibit 21) However, this court omitted the letter's reference to the Delaware Supreme Court pleadings as a reason. This omission is material to my argument the Delaware Supreme Court (hereinafter "Court" or collectively with Defendants in the case "State"), instigated the disciplinary proceeding against me. Therefore, the Court cannot present itself as impartial. (DI 9, Exhibit 5, DI 16-17). This Court also omitted my claim for damages in all of its orders, despite the fact I pointed to my claim for damages in pleadings. (DI 16-17, 30-31, 34-35, 59-60). I acknowledge the Court allegedly replaced the complaint at DI 2, as misfiled, with the page containing the claim for damages. I requested this be published to the public. The Court may have initially overlooked my claim for damages; however, I apprised the court of my claim for damages before I discovered the filing (DI 34-35, DI 61).

This Court also omitted my motions to amend the complaint to include additional counts, to include the Delaware Supreme Court justices in their personal capacity, and to include additional relief including declaratory, injunctive, damages and nominal relief. (DI 43, 58-60). Admittedly, I sought to withdraw my Motion to Amend the Complaint at DI 43 by DI 81, in order to motion the Court for permission to amend the complaint, after the appeal for the state proceeding is complete or the time for appeal lapsed, as new and additional evidence continuously arose, and will likely continue to arise during this time. (DI 69-75, 77, 80-82, 85).

This Court overlooked the fact I sought damages, not merely injunctive relief, in my original complaint, and other relief unavailable in the state courts. I sought relief, including but not limited, damages and equitable relief, under 42 USC §§§ 1983, 1985 and 1988, for, *inter alias*, court members' and the State's interference in my Religious Freedom Restoration Act lawsuit ("RFRA") against former President Donald J. Trump ("Kelly v Trump"). The Court ignored my claims for infliction of emotional distress, defamation, loss of employment opportunity and lost wages. The Court also failed to consider my arguments concerning the loss of my right to exercise First Amendment Constitutionally protected liberties, including the exercise of my religious-political petitions, religious-political beliefs, religious-political association, religious-political exercise, and religious-political petitions, and loss of my property interest in my license to practice law. (DI 2-4, 34-35-2, 61-62) Nor did this Court look at the Defendants' interference with Kelly v Trump to entice me to forgo my case. This case relates to the harm caused by the Defendants in both the disciplinary proceeding and Kelly v Trump.

In the original complaint I stated:

Per the Complaint I made many claims for relief including for damages and later in my motions to amend the complaint once as a matter of right for additional nominal and equitable relief. For example in the original complaint I pled:

“Patricia and the ODC are retaliating against me with an additional intent to inflict emotional distress, or in reckless disregard of infliction of emotional distress, and have caused emotional distress embarrassment, sleepless nights, heart pain. anxiety, grinding of teeth, utter horror, fear, tears, and emotional harm.

187. In the pleadings I indicated the Court staff appeared to demean me of unworthy of access to the courts because of poverty, religious beliefs or association, which upset me and made me cry. See US-A-4, US-A-5, attached hereto and incorporated herein.

188. Patricia and the ODC Knew or should have known that interference with my exercise of my First Amendment Right to petition to safeguard my civil liberties from substantial burden, by so burdening my free exercise of the right to petition, speech, association and religious belief, by threat of pecuniary harm, taking away my active license would upset me causing emotional distress, embarrassment, humiliation, and pain

in my chest. I attached evidence that I exhibited an increased blood pressure and pain in my heart but for caused by government sponsored attacks against me for the exercise of my civil liberties, including my free exercise of religion, speech, association, and freedom to petition the government to address grievances. US Ex-Ex 52

189. In 42 USCS § 1983 actions for emotional distress, embarrassment and humiliation, proof of elements of tort of intentional infliction of emotional distress is not prerequisite for recovery of compensatory damages; it is only necessary for plaintiff to show that (1) plaintiff has in fact suffered emotional distress, embarrassment and/or humiliation, and (2) defendant's actions proximately caused plaintiff's injury. *Aumiller v. University of Delaware*, 434 F. Supp. 1273, 1977 U.S. Dist. LEXIS 15317 (D. Del. 1977).

190. If proven, compensatory damages are available under § 1983 for mental distress. *Agosto v. Aponte Roque*, 631 F. Supp. 1082, 1986 U.S. Dist. LEXIS 27992 (D.P.R. 1986), remanded, 889 F.2d 1209, 4 I.E.R. Cas. (BNA) 1827, 1989 U.S. App. LEXIS 18910 (1st Cir. 1989).

191. Expert medical testimony is not required to prove emotional distress damages in 42 USCS § 1983 action. *Bolden v. SEPTA*, 21 F.3d 29, 9 I.E.R. Cas. (BNA) 676, 146 L.R.R.M. (BNA) 2065, 127 Lab. Cas. (CCH) ¶ 57650, 1994 U.S. App. LEXIS 6575 (3d Cir. 1994); See, *Flores v. Pierce*, 617 F.2d 1386, 1980 U.S. App. LEXIS 17814 (9th Cir.), cert. denied, 449 U.S. 875, 101 S. Ct. 218, 66 L. Ed. 2d 96, 1980 U.S. LEXIS 3269 (1980), (42 USCS § 1983 are not limited to out-of-pocket pecuniary loss but can also be awarded for emotional and mental distress caused by intentional tort.);

192. There is little question that once constitutional violation is made out under 42 USCS § 1983 plaintiff may recover damages for emotional distress, embarrassment, and humiliation, and in appropriate cases, punitive damages are also recoverable; in order to recover such damages plaintiff need only show that (1) he in fact suffered such damages, and (2) defendant's actions proximately caused plaintiff's injury. *Board of Trustees v. Holso*, 584 P.2d 1009, 1978 Wyo. LEXIS 228 (Wyo.), reh'g denied, 587 P.2d 203, 1978 Wyo. LEXIS 245 (Wyo. 1978).

193. In my petition for a writ of certiorari before the US Supreme, I alleged or referred to through documents emotional distress resulting in physical symptoms, as evidence of the alleged harm caused the Presidents' establishment of government-religion.

194. Patricia and the ODC knew or should have known that attacking me based on my pleadings relating to the most sensitive issue in my life, my faith in Jesus Christ, would cause me additional emotional distress. On October 3 through the 11th of 2021, I did not sleep through the night, and I usually have no problem sleeping soundly. I have foreseeably experienced severe anxiety, clenching my teeth, harming my teeth, tears, and heart pain, as a result of Patricia and the ODC's conduct, which has increased and intensified the amount of emotional distress based on government agents substantially burdening my religious beliefs, and my speech and petition to address grievances before the court to safeguard my religious exercise of my beliefs.

195. The fact Patricia and ODC may not understand my beliefs or the fact my belief in Jesus Christ or other beliefs may not make sense to them does not justify persecuting me based on my defense of my beliefs by seeking to label me as disabled preventing me from becoming gainfully employed as an attorney or otherwise.

206. The arms of the court, Defendants, endanger my life in retaliation for my

exercise of constitutionally protected rights and in response by me against court officials for seeking to sabotage, interfere, impede my case. The ODC appears allege my belief in Jesus is crazy and seeks to declare me disabled. The fact I think for myself, not trained, conditional forced thinking based on temptations of reward and punishment, and conditional relationships, praise and ridicule, makes me reasonable of sound mind.

SPECIFIC DELAWARE GOVERNMENT AGENT RETALIATION

213. I write to alert this Honorable Court concerning actions by state government agents taken apparently to impede and obstruct my access to the courts in *Kelly v. Trump*.

214. “The interference with and potential prejudice to the right of access to redress in state court rises to the level of a constitutional deprivation.” *In re Cincinnati Radiation Litigation*, 874 F. Supp. 796, 823 (S.D. Ohio 1995); Citing *Fisher v. City of Cincinnati*, 753 F. Supp. 681, 687 (S.D. Ohio 1990)

215. The First Amendment prohibits state officials, employees, and agents from retaliating against claimants, such as myself, for exercising their right to access to the courts.

216. “Retaliation by public officials against exercise of First Amendment rights is itself violation of the First Amendment.” *Zilich v. Longo*, 34 F.3d 359 (6th Cir. 1994), *U.S.C.A. Amend.* 1.

217. The state of Defendants officials intentionally retaliated against me for the exercise of my right to access to the courts, based on their disagreements as to my speech, religion and association, and beliefs, I seek to protect, even the right to criticize government officials, including Delaware arms and agents, and to stand up for my beliefs, no matter how repugnant the Defendants or others find my beliefs.

218. Arline Simmons (“Arline”), a Chancery court staff member in the state of Delaware, was my friend, prior to impeding my case. At least, I thought she was my friend in real life.

219. Arline advised me telling her things would not get back to the court, and was not the court, when I came to the Courthouse in person, near the inception of the case.

220. Arline was my facebook friend, and I thought my friend in real life too.

221. Arline indicated her support for former President Trump and for the ability of the government to share religious beliefs through its employees, by her communications at the courthouse and online.

222. My case, *Kelly v Trump*, seeks to dissolve government-religion, which conflicts with Arline Simmons beliefs.

223. Arline, intentionally misled me to almost miss the deadline to file an exception to the Honorable Master’s final report, in an attempt to prevent my case from going forward based on her disagreement with my religious, political beliefs. See attached US Ex Exhibit A-4, which includes Appellant’s Motion for the Delaware Supreme Court to rei(g)n in its arms through its agents from unlawfully pressuring appellant to forgo or impede her case to protect her free exercise of religion by relief it deems just, with the internal exhibits thereto, Exhibit 55, a December 1, 2020 letter by Meghan to the Honorable Master Patricia W. Griffin (“Master”), regarding Due Process concerns, E-mails attached thereto, and a letter I wrote to the Master, dated October 19, 2020, regarding Plaintiff Not officer of the Court/Economic Crash/Forum (“US Ex, Ex A-4”).

224. I asked the Master for help. She kindly helped me. Id. At December 1, 2020 letter, my request for help, and District Court Exhibit 11, the Master Patricia W. Griffin’s

kind December 7, 2020 letter granting me relief. See District Court exhibit 12, my response to the December 7, 2020 letter.

225. The representatives at the Chancery Court demeaned me apparently based on poverty, association, speech, and religious beliefs. *Id.*

226. I experienced foreseeable embarrassment, loss of sleep, clenching of teeth, tears, humiliation, hurt and emotional distress as a result of the intentional retaliatory interference with my case to stand up for my free exercise of religion, speech and association without government suppression, manifesting in sleepless nights, which were rare to me prior to this case, clenching of teeth, pain in my heart, and tears at the betrayal of someone I cared about.

227. Arline also instructed me to cross off the address of the civil process clerk, the Delaware local counsel in *Kelly v Trump*, with the intent to prevent the case from going forward based on covering up her misconduct and based on her belief in Trump-religion, both in violation of my first amendment rights. See attached US Ex-Appendix G, attached hereto, which includes therein a letter from me to the Delaware Supreme Court justices regarding the reason for the withheld subpoena to the civil process clerk, and the praecipes, dated October 12, 2020 for President Donald J. Trump, Civil Process clerk for the US Attorney's office for the District of Delaware, and US Attorney General William Barr, Esquire ("US Ex-App G").

228. My inability to serve the US Attorney General David Weis in the District of Delaware, caused great anxiety, confusion and distress. When I discovered the address crossed off, I became heart-broken because I still care about Arline outside of the court case.

229. Arline also kindly offered to allow me to email her documents so I would not have to drive to the library to print documents. She appeared to have the authority during this pandemic to do so. So, I accepted her kind help to keep us safe, especially since the Defendant former President Trump had contracted Covid-19, and I incorrectly thought the US Attorney General William Barr did too.

230. Another Court representative Katrina Krugar indicated Arline and I should stop Emailing, and all communications should be done through Katrina's email instead, during these confusing times of covid 19.

231. Arline and I both complied, temporarily as covid 19 continued to wreak havoc on the skeletal court staff that held up the Chancery Court in person, and I filed a Notice of Exception to a Vice Chancellor, who works with different court staff.

232. In addition, the ODC impermissibly interfered with this case by contacting Judge Kenneth Clark, per Judge Clark's admission, to interrogate me as if I was on trial for exercising my right to petition the Court to safeguard my freedom to worship Jesus Christ without government incited persecution, substantially burdening my exercise of my religious belief.

233. In April 2021, Judge Kenneth Clark ("Judge Clark"), a Court of Common Pleas judge for the state of Delaware judge appeared to threaten me at a local BJ's in Millsboro, Delaware, a bulk grocery store, while acting under the color of judicial and state authority, as if I was on trial for standing up for my faith in Jesus, solely based on retaliation of my exercise of seeking judicial relief in court for petitioning the court to alleviate the government sponsored burden government-religion has caused on my exercise of religion in the action *Kelly v Trump*.

234. It is improper and unlawful for state actors, especially judges to pressure a party in a case to drop, interfere or impede or prevent my access to the courts.

235. The ODC and Judge Clark clearly violated and encouraged the violation of my first amendment right to petition the courts, by seeking to use their government power, under the color of statutory or regulatory law to obstruct my case, and to retaliate and punish me for bringing my case.

236. The 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, 176 (3d Cir. 2015)

237. Judge Clark and the ODC knew or should have known that seeking to use his cloak of government authority, under the color of regulatory law, 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 First Amendment Right to petition the Court, and arguably my fundamental right to speak, exercise of religion, and associate relating to my communications in my pleadings in *Kelly v Trump*, and communications in general.

238. My right to a fair, unobstructed trial to alleviate a substantial burden upon my free exercise of religion is a constitutional right.

239. "Congress, the Executive, and the Judiciary all have a duty to support and defend the Constitution." *Salazar v. Buono*, 559 U.S. 700, 717 (2010); See, *United States v. Nixon*, 418 U.S. 683, 703, 94 S.Ct. 3090, 41 L.Ed.2d 1039 (1974) ("In the performance of assigned constitutional duties each branch of the Government must initially interpret the Constitution, and the interpretation of its powers by any branch is due great respect from the others").

240. "There is no 'de minimis' defense to a First Amendment violation." , *Doe v. Indian River School Dist*, 653 F.3d 256, 283 n.14 (3d Cir. 2011) ("*Elrod v. Burns*, [427 U.S. 347, 374, 96 S.Ct. 2673, 49 L.Ed.2d 547](#) (1976) ("The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury."); see also *Schempp*, [374 U.S. at 225, 83 S.Ct. 1560](#) ("[I]t is no defense to urge that the religious practices here may be relatively minor encroachments on the First Amendment."))

241. I will suffer irreparable harm if injunctive relief is denied.

242. "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." " *Mullin v. Sussex Cnty.*, Delaware, 861 F. Supp. 2d 411, 427 (D. Del. 2012); Citing, *Indian River Sch. Dist.*, 653 F.3d at 283 n. 14 (quoting *Elrod v. Burns*, [427 U.S. 347, 373, 96 S.Ct. 2673, 49 L.Ed.2d 547](#) (1976)).

243. I will face irreparable injury to my exercise of my speech, association, and exercise of religious beliefs by the government burden Defendants seek to cause upon me from such defamatory title, "disabled," embarrassment, emotional distress, lack of future employment, harm to my reputation if an injunction is not granted to prevent the Defendants from retaliating against me for exercise of my First Amendment Rights by bringing an action to declare me "disabled" but for my exercise of my First Amendment rights.

244. I am 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.

245. I am permitted to believe differently than the government through its agents, even if what Jesus teaches, my beliefs, seem foolish or crazy to the Defendants. 1 *Corinthians* 1:18, 2:14-16.

246. I am disappointed in Judge Clark, and have high regards for him, but he knew better, as Arline knew better, De-Lapp knew and the ODC knew better than to obstruct and impede and seek to prevent my access to the courts in violation of clearly established law, the first amendment.

247. “A Government official's conduct violates clearly established law when, at the time of the challenged conduct, ‘[t]he contours of [a] right [are] sufficiently clear’ that every ‘reasonable official would have understood that what he is doing violates that right.’” *Werkheiser v. Pocono Twp.*, 780 F.3d 172, 176 (3d Cir. 2015); *Citing, Ashcroft v. al-Kidd*, 131 S.Ct. 2074, 2083, 179 L.Ed.2d 1149 (2011) (quoting *Anderson v. Creighton*, 483 U.S. 635, 640, 107 S.Ct. 3034, 97 L.Ed.2d 523 (1987) (all alterations in original)). “In determining whether a right has been clearly established, the court must define the right allegedly violated at the appropriate level of specificity.” *Id.* *Citing, Sharp v. Johnson*, 669 F.3d 144, 159 (3d Cir.2012).

248. The Defendants obstruction of my access to the courts and retaliation against me for seeking to petition the Court concerning civil rights is clearly violating my First Amendment rights to petition the court.

249. “The opportunity to be heard is an essential requisite of due process of law in judicial proceedings” *Richards v. Jefferson County*, 517 U.S. 793, 798 n.4 (1996).

250. I wrote a letter to directed to the Honorable Chief Justice Collins J. Seitz, Junior of the Delaware Supreme Court (“Chief Justice”) under the suggestion of Mark Vavala, a former commissioner, and agent of the Delaware Bar Association, seeking a waiver of attorney registration fees during the pandemic, as the pandemic prevented me from working at my old law firm. See US Exhibits US Ex-Ex A-4 and US Ex-Ex-A-5, and District Court Exhibit 13, the January 7 letter where I made my request for exemption of fees.

251. On February 2, 2021, the court sent a letter indicating:

“The Court acknowledges receipt of your letter dated January 7, 2021, wherein you request that the attorney registration fees for lawyers out of work due to the pandemic be waived. Attorneys wishing to have an assessment fee waived must file a formal request. The Cort will take each request under consideration as received and act appropriately.” *Citing, the letter contained in US Ex-Ex-A-5.*

252. On February 5, 2021, I responded to the Court’s February 2, 2021 letter in part:

“...is accepting applications for waivers on a case by case basis violates the Equal Protections Clause applicable to the states agencies, even the courts via the 14th Amendment, disparate treatment within a class. I am likely not the only one out of work due to the pandemic. Others are struggling too. A case by case determination would likely be per se unconstitutional. I will likely never have standing to stand up for those similarly situated with myself. Yet, if I made such a request, I would be asking the Court to treat me with preference instead of impartiality as required

by law. My conscience may not allow me to make such a request, tempting this Honorable Court to misbehave to serve my own gain. I can however, request that all fees for attorney registrations be the same regardless of years barred. So, I am making such a request for future consideration for 2022 and beyond. Please treat all lawyers the same by requiring the same lawyer registration fee for every lawyer, without persecution towards lawyers with more years of experience by an increased fee. There is no rational basis for an increase in lawyer's fees based on number of years, except the desire for more money. It is wrong to assume the longer you have been barred, the more money you have or must pay. I am saddened when I see unjust decrees and policies based on the love of money, desire for money, at the cost of driving out the love for humanity, the people the state serves..." US Ex-Ex-A-5

253. I paid the filing fees for my active attorney license to practice law on February 6, 2021 in the amount of \$353.00, since no relief was granted by the court, per my request. See US Ex-Ex- A-5.

254. After such fees were paid, De-Lapp, a disciplinary arm of the court, so tied with the government it is considered a government agent, reached out to me offering to allegedly help, in the attached, May 24, 2021 attack letter.

255. In the May 24, 2021 Carol Waldauer and Eleanor Kiesel state, "We understand that you are experiencing some financial difficulties with regard to license fees."

256. They did not reach out to me to offer economic help since such fees were already paid, but to connive to gather evidence to retaliate against me, punish me, for my exercise of my first amendment rights.

257. Two people knew of my request to suspend attorney license fees, the Delaware Chief Justice Collins J. Seitz, Jr. ("Chief Justice") and Mark Vavala.

258. I filed *Appellant's motion for the Delaware Supreme Court to reign in its arms through its agents unlawfully pressuring Appellant to forgo or impede her case to protect her free exercise of religion by relief it deems just*, dated May 25, 2021, with the Delaware Supreme Court, with no relief from the Court. US Ex-Ex A-4.

259. I filed *Appellants Motion for the Delaware Supreme Court to require the recusal of the Honorable Chief Justice Collins J. Seitz*, dated May 28, 2021, with the Delaware Supreme Court, with no relief from the Court. US Ex-Ex-A-5.

260. It appeared the Chief Justice may have contacted the ODC, since Mark Vavala appeared to prove he was not the one who told about my fee waiver request.

261. Since only two people appeared to know of my request, and one of those two appeared to make a complaint to the arm of the court, DE-Lapp, recusal should be required of the Chief Justice in *Kelly v Trump*.

262. A judge should not interfere with a party's case, my case or intimidate a party, intimidate me, or give the appearance of interfering or intimidating a party, me, before his court with knowledge that such interference would violate my First Amendment rights, my right to petition, exercise of speech, association and exercise of religion, based on my exercise of my right to petition the court to address grievances, including but not limited to the right to petition the Court for exemptions for attorney fees, the right to petition for relief from the arms in its charge to prevent an unfair trial, and the right to petition the court against grievances in *Kelly v Trump*.

263. It is the right to petition for relief without government retaliation that must

be protected, not the guarantee that such relief will be granted. It is the opportunity at justice that must be protected and not taken away based on retaliation for the exercise of the right to petition, not taken away based on the exercise of speech, religious beliefs, or association, or even based on poverty, and the lack of resources an attorney advocate would ordinarily have if she should be representing a party, or even errors, or mistakes.

264. Perfection is not a requirement for an American to have the right to petition.

265. My speech concerning my beliefs and faith in Jesus may appear crazy to others, and yet even unpopular beliefs are protected. *Cantwell v. State of Connecticut*, 310 U.S. 296, 60 S. Ct. 900, 84 L. Ed. 1213 (1940). Nevertheless, I have the freedom to believe by the dictates of my conscience, no matter what the government through its agents believes. See *Matthew* 6:1-5. Also see, *State ex rel. Tate v. Cabbage*, 210 A.2d 555, 557, 1965 Del. Super. LEXIS 67, *1, 58 Del. 430, 433, (“It is no business of courts to say that what is a religious practice or activity for one group is not religion under the protection of the First Amendment. Nor is it in the competence of courts under our constitutional scheme to approve, disapprove, classify, regulate, or in any manner control sermons delivered at religious meetings.”); See, *Africa v. Pennsylvania*, 662 F.2d 1025, 1025, 1981 U.S. App. LEXIS 16448, *1, (3d Cir.), cert. denied, 456 U.S. 908, 72 L. Ed. 2d 165, 102 S. Ct. 1756 (“It is inappropriate for a reviewing court to attempt to assess the truth or falsity of an announced article of faith. Judges are not oracles of theological verity, and the founders did not intend for them to be declarants of religious orthodoxy. However, while the truth of a belief is not open to question, there remains the significant question whether it is truly held. Without some sort of required showing of sincerity on the part of the individual or organization seeking judicial protection of its beliefs, the U.S. Const. amend. I would become a limitless excuse for avoiding all unwanted legal obligations.”); *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 682, 134 S. Ct. 2751, 2759, 189 L. Ed. 2d 675, 680, 2014 U.S. LEXIS 4505, *1. (“Courts have no business addressing whether sincerely held religious beliefs asserted in a RFRA case are reasonable.”); *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U.S. 872, 887, 110 S. Ct. 1595, 108 L. Ed. 2d 876 (1990). (“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.”); *Presbyterian Church in U. S. v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U.S. 440, 450, 89 S. Ct. 601, 21 L. Ed. 2d 658 (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, 194 L. Ed. 2d 231, 235-236, 2016 U.S. LEXIS 991, *10-12. See, *Holt v. Hobbs*, 574 U.S. 352, 352, 135 S. Ct. 853, 856, 190 L. Ed. 2d 747, 747, 2015 U.S. LEXIS 626, *1, 83 U.S.L.W. 4065, 93 A.L.R. Fed. 2d 777, 25.”...

268. My personal beliefs and speech relating to those beliefs do not make me disabled.

269. I believe people go to hell for trusting in what mental health employees and healthcare employees sell.

270. I have religious objections to mental health care and healthcare.

271. As stated in my writ of certiorari and in a Motion to the Delaware Supreme Court,

“...I informed the DE Supreme Court of some of my religious objections to alleged healthcare...I certainly hope this Honorable (Delaware Supreme) Court did not

instigate the abuse by its arms. If so, please desist. 26. DE-LAP was looking after its own interests, which conflicts from mine. 27. I am a Christian. I believe people go to hell for trusting in what psychologists, mental health professionals, psychiatrists and behavioral theorists teach, which often is focused on being happy or productive materially instead of being holy. The organization premises its existence on mental health theories which I believe harm people. I believe such theories teach patients to seek to fulfill their own material desires instead of doing what is right, thereby teaching people to reflect a little piece of hell on earth, the image of Satan by living for self, conditionally caring based on relationship, reward and avoidance of harm with no sacrificial unconditional love or God in them, teaching a lie that damns. See Isaiah 14 to understand how Satan wanted to be his own God, as high as God, to place self-first. I believe their thinking misleads patients to hell, especially B(F) Skinner's theories, which most teachers, including myself learned. 28. These mental health professionals focus on misleading people to feel good, not be good, which is not good. I believe it is evil, misleading those they exploit for a paycheck to harm and hell." See, Ex US, Petition."

272. Carol Walhauser created the appearance of a threat by her comment requiring a response within ten days.

273. I have the freedom to chase after God's will instead of chasing after money.

274. I have the freedom to pursue my religion by justice in the courts to protect my freedom to worship by the dictates of my free will, not the forced will, not the dictates of the state through its agents to worship money, as savior, which I believe leads to damnation in hell...

305. I have been a nervous wreck as this experience is traumatic, going through it alone, with little resources or help. My heart has been hurting pretty badly.

306. The government threats by Delaware government officials, Judge Clark, De-Lapp, ODC, Patricia and Defendants conspiring to seek to suppress my free exercise of religion, speech, association, and right to redress grievances, under the facts of the case., but for my petition for grievances violate the First Amendment applicable to the Defendants pursuant to the Fourteenth Amendment, and caused emotional distress.

307. The threats continued. On August 23, 2021, the ODC attached a letter to an Email, which I have not received by US mail, signed by Defendant Patricia B. Swartz, stating:

"This Office has reviewed several pleadings you have filed in the Court of Chancery and the Supreme Court in connection with the law suit *Meghan Kelly v. Donald Trump*. The content of these documents raise serious concerns as to your mental fitness to practice law... Therefore, the ODC requests you voluntarily submit to a mental health examination to determine your fitness, and mental capacity to practice law. This Office has scheduled an examination with Joseph C. Zingaro, PH.D., located at 1129 Airport Road, Milford, DE 19963 on Tuesday September 7, 2021 from 1:00 p.m. to 4:00 p.m. If you do not submit voluntarily to the above referenced examination, the ODC will petition the Board to order such an examination." District Court Exhibit 21.

308. I responded to the ODC's E-mail dated August 23, 2021:

"Desist in contacting me to interfere in my case. No, I will not be evaluated.

I have religious opposition to mental healthcare and healthcare. Do not interfere with my case any further. I am trying to file a writ of cert as we speak. Stop impeding justice, to bend my freedom of conscience to your will. My belief in Jesus may appear to be crazy to you, but my freedom to believe as I choose is a protected right, same as the... right to an unobstructed trial. Desist in contacting me.” District Court Exhibit 22.

309. I rushed to the law library to file my writ of certiorari to the United States Supreme Court relating to *Kelly v Trump* the same day, August 23, 2021, with some errors, under great duress, since I believed the August 23, 2021 letter was meant to discourage and distract me from appealing the Delaware Supreme Court’s determination before the United States Supreme Court.

310. I tried to get on the internet at the law library, after I electronically filed, and my laptop stopped working, that day, August 23, 2021.

311. I filed *Kelly v Trump* case as an injured party, not as an attorney.”

In *Deakins v. Monaghan*, the Supreme Court held only that “the District Court has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding.”⁴² I made it clear to this Court, I pled defamation, Constitutional injury and

⁴² Citing, *Deakins v. Monaghan*, 484 U.S. 193, 108 S. Ct. 523, 98 L. Ed. 2d 529 (1988) “Federal district court must stay rather than dismiss claims that are not cognizable in parallel state proceeding.” *Deakins v. Monaghan*, 484 U.S. 193, 202, 108 S. Ct. 523, 529–30, 98 L. Ed. 2d 529 (1988) “In reversing the District Court's dismissal of the claims for damages and attorney's fees, the Court of Appeals applied the Third Circuit rule that requires a District Court to stay rather than dismiss claims that are not cognizable in the parallel state proceeding.”); *See also*, *Brindley v. McCullen*, 61 F.3d 507 (6th Cir. 1995); *See also Quackenbush v. Allstate Ins. Co.*, 517 U.S. 706, 719 (1996) (“we have applied abstention principles to actions ‘at law’ only to permit a federal court to enter a stay order that postpones adjudication of the dispute, not to dismiss the federal suit altogether.”); *Lewis v. Beddingfield*, 20 F.3d 123, 124 (5th Cir. 1994). (It was proper to stay rather than dismiss the federal suit because the damages could not be claimed in the criminal prosecution.); *Jones v. Prescott*, 702 Fed. Appx. 205, 209 (5th Cir. 2017) (Younger abstention does not apply to federal suits seeking only money damages) (citing *Alexander v. Ieyoub*, 62 F.3d 709, 713 (5th Cir. 1993)); *See also, Boyd v. Farrin*, 575 Fed. Appx. 517 (5th Cir. 2014); **Third Circuit:** *Abbott v. Mette*, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), aff'd, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021) (A court “has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding.”); *Abbott v. Mette*, No. CV 20-131-RGA, 2021 WL 327375, at *3 (D. Del. Jan. 31, 2021), report and recommendation adopted, No. 20-CV-131-RGA, 2021 WL 1168958 (D. Del. Mar. 26, 2021), aff'd, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021) (“As a general matter, assuming that a federal court has jurisdiction over a case, the federal court's “obligation to hear and decide [the] case is virtually unflagging.” *Sprint Commc'ns, Inc. v. Jacobs*, 571 U.S. 69, 77 (2013) (internal quotation marks and citation omitted); *f v. Fauver*, 762 F.2d 325 (3d Cir. 1985) (“District court should have retained jurisdiction over correctional

emotional distress, by pleading damages, albeit unartfully in my original Complaint. (DI 2, 34-35). In addition, I showed my intent to seek nominal damages, damages, and equitable relief too. (D.I. 43, 58, 69-75, 77-79). My claims for damages were unavailable in state court.

A court “has no discretion to dismiss rather than to stay claims for monetary relief that cannot be redressed in the state proceeding.” *Citing, Abbott v. Mette*, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), *aff'd*, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec.

officers' civil rights action arising out of their discharge, even if it properly declined to exercise jurisdiction over federal claims, and stayed action pending outcome of related state proceeding where officers were relegated for prudential reasons to state proceeding which could only afford them dismissal of charges and back pay, with attorney fees only to extent that back pay award was reduced by interim earnings, but officers sought constitutional damages and attorney fees, and new complaint upon termination of state proceedings may have been time-barred.”); *Williams v. Hepting*, 844 F.2d 138, 145 (3d Cir. 1988) (The Third Circuit held, “Accordingly, we hold that the district court should have stayed instead of dismissed without prejudice Williams' failure-to-investigate and suggestive pretrial identification claims. Because these particular federal court claims for damages seek relief that is unavailable in Williams' ongoing state proceedings, the allegations should be stayed pending the outcome of his state court appeal on the underlying conviction.”); *Nimer v. Lichfield Twp. Bd. of Trustees*, 707 F.3d 699 (6th Cir. 2013) (*Younger* abstention applies to § 1983 damages claims, but district court must stay rather than dismiss federal suit; in other words district court has no discretion to dismiss federal suit); *Carroll v. City of Mount Clemens*, 139 F.3d 1072 (6th Cir. 1998) (when federal suit seeks damages and *Younger* is invoked, federal suit should be stayed, not dismissed; this likely will be a formality, given probable preclusive effect of state court decision); *Watkins v. Ohio Dep't of Educ.*, No. 2:21-CV-04482, 2022 WL 672565, at *8 (S.D. Ohio Mar. 7, 2022)(“ Further, when a plaintiff seeks both equitable and legal relief, many courts in the Sixth Circuit stay the entire case rather than treat each form of requested relief differently.”); *Maraan v. Off. of Ohio Disciplinary Couns. for Supreme Ct. of Ohio*, No. 1:18CV645, 2021 WL 3173311, at *3 (S.D. Ohio July 27, 2021) (Court “stayed until the conclusion of the state disciplinary proceedings, rather than be dismissed.”), *citing, Kalniz*, 699 F. Supp. 2d at 975 (explaining that where a plaintiff is bringing constitutional civil rights claims in a federal court case in which *Younger* abstention was proper, the stay protects against the possibility that the statute of limitations could deprive the plaintiff of the opportunity to present the merits of her damages claims); see also *Meyers v. Franklin Cty. Court of Common Pleas*, 23 F. App'x 201, 206 (6th Cir. 2001) (and cases cited therein); *Yamaha Motor Corp. v. Stroud*, 179 F.3d 598 (8th Cir. 1999) (when damages are sought in § 1983 action subject to *Younger* abstention, and damages are not available in pending state proceeding, federal action should be stayed, not dismissed); *Night Clubs, Inc. v. City of Fort Smith*, 163 F.3d 475 (8th Cir. 1998) (when § 1983 complaint seeking damages is subject to *Younger* abstention, federal action should be stayed rather than dismissed).

14, 2021); *See, Watkins v. Ohio Dep't of Educ.*, No. 2:21-CV-04482, 2022 WL 672565, at *1 (S.D. Ohio Mar. 7, 2022).

Abstention is not appropriate, staying the action was required. *See, Meyers v. Franklin Cty. Court of Common Pleas*, 23 F. App'x 201, 206 (6th Cir. 2001); *Maraan v. Off. of Ohio Disciplinary Couns. for Supreme Ct. of Ohio*, No. 1:18CV645, 2021 WL 3173311, at *3 (S.D. Ohio July 27, 2021); *Watkins v. Ohio Dep't of Educ.*, No. 2:21-CV-04482, 2022 WL 672565, at *8 (S.D. Ohio Mar. 7, 2022); (“Further, when a plaintiff seeks both equitable and legal relief, many courts in the Sixth Circuit stay the entire case rather than treat each form of requested relief differently.”).

The Delaware District Court abused its discretion by dismissing as opposed to staying the proceeding and denying all motions as moot with its dismissal.

The Younger abstention does not apply to additional claims I included for money damages for First Amendment violations, loss of employment opportunity, emotional distress, and loss to reputation. (DI 2, 3, 4).

3. YOUNGER DOES NOT APPLY TO MY FEDERAL CONSTITUTIONAL CLAIMS OR ANCILLARY CLAIMS I HAD NO OPPORTUNITY TO RAISE IN THE STATE COURT

I had no adequate opportunity to raise my federal claims or ancillary claims for damages and nominal relief in state court. (DI 2 and DI 43). I asserted Constitutional defenses.

Nevertheless, the state court precluded my meaningful opportunity to be heard on my defenses and motions, prevented discovery, denied me the opportunity to call witnesses, denied me access to the law library, sealed pleadings to conceal evidence, and fired two witnesses to prevent their testimony in my favor to prejudice the proceeding against me. (DI 55, 70-75, 77)

I moved the Court to amend the complaint to include the Delaware Supreme Court as a party, for additional relief, including but not limited to, additional equal protection violations, and additional procedural and due process claims. I also seek to void *Kelly v Trump* and the disciplinary matter. I also requested other equitable relief, and nominal damages. I also sought to amend the name of a Defendant, and other matters I include herein by reference to the docket item numbers.⁴³ (DI 43-44, 55-56, 58, 69-75, 81-82, 85).

The state court does not have subject matter jurisdiction or jurisdiction is voidable. The Younger abstention is not appropriate to enjoin a forum without subject matter jurisdiction. The Delaware Supreme Court is without jurisdiction for its violations of procedural and substantive due process. Its judgments must be deemed void. (*See, May v. Anderson*, 345 U.S. 528, 537 (1953) “It is void ... if it denies due process of law.”); (*Pease v. Rathbun-Jones Eng. Co.*, 243 U.S. 273, 276 (1917) Judgments “ are void for lack of due process of law, or should be set aside for error.”). The state-court does not have subject matter jurisdiction or jurisdiction is voidable. The Younger abstention is not appropriate to enjoin a forum without subject matter jurisdiction. The Delaware Supreme Court is without jurisdiction to rule on its own alleged violations of procedural and substantive due process, violations of First Amendment rights, conspiracy and collusion under 1985, or whether it had subject matter jurisdiction. Its judgments in *Kelly v Trump* and in the disciplinary cases may only be deemed void by the Federal District Court, not the state court.

⁴³ *Constr. Drilling, Inc. V. Chusid*, No. 03-3786, 2005 WL 1111760, at *3 (3d Cir. May 11, 2005) (The Third Circuit held, “A judgment may also be void if a court "acted in a manner inconsistent with due process of law.""); See Respondent’s Exhibits to the Hearing (“R-Ex”) Exhibits 35, 37 Part 2, 42, R 44

I had no adequate opportunity to raise my federal claims in state court. I asserted Constitutional defenses. Nevertheless, the state court precluded my meaningful opportunity to be heard on my defenses and motions, prevented discovery, denied me the opportunity to call witnesses, denied me access to the law library, sealed pleadings to conceal evidence, and fired two witnesses to prevent their testimony in my favor to prejudice the proceeding against me. (DI 55, 70-75, 77)

There was no opportunity to ask the Delaware Supreme Court to void its own decision in *Kelly v Trump* and the disciplinary matter or to seek equitable relief, money damages or nominal damages against itself and its agents and arms. I seek to sue the Delaware Supreme Court. They cannot decide the case against itself, because they are a defendant. The Delaware Supreme Court is partial to the state and itself. I am entitled to an impartial judge, in accordance with the 1st and 14th Amendment procedural and substantive Due Process protections.⁴⁴

State procedural law barred presentation of my Constitutional claims.

I will face irreparable injury in terms of loss of First Amendment rights and my property interest in my license should this Court deny me of the opportunity to be heard.

A lawyer's right, my right to pursue my profession constitutes a property protected by the due process clause of the Fourteenth Amendment, and of which I cannot be deprived for any

⁴⁴ US Const. Amend I, V. (See, *Schweiker v. McClure*, 456 U.S. 188 (1982) reversed on other grounds; *Gibson v. Berryhill*, 411 U.S. 564, 570 (1973); *Ward v Village of Monroeville*, 409 US 57 61-62 (1972) (“Petitioner is entitled to a neutral and detached judge in the first instance.”); *In Re Murchinson*, 349 US 133, 136 (1955); *Tumey v State of Ohio*, 273 US 510 (1927); *Withrow v. Larkin*, 421 U.S. 35, 46 (1975); *McCool v. Gehret*, 657 A.2d 269, 277 and 280 (Del. 1995) (“excluding evidence [in my case emails] of efforts to influence a witness' testimony [to exclude evidence] constitutes reversible error.“Opinion testimony by a judge creates the appearance of partiality on behalf of a litigant, is greatly prejudicial to the adverse party...”); *Inc. v. Lopez*, CIV. No. 14-1223 (PG) (D.P.R. Oct. 27, 2015); *United Church of the Medical Center v. Medical Center Comm'n*, 689 F.2d 693, 701 (7th Cir. 1982); *Utica Packing Co. v. Block*, 781 F.2d 71, 77 (6th Cir. 1986); *Hammond v. Baldwin*, 866 F.2d 172, 177 (6th Cir. 1989).

whimsical, capricious or unreasonable cause, including the state's disagreement with my religious-political beliefs, outlined in *Kelly v Trump*. The Defendants point to my religious beliefs and citations to the Bible in their petition at 7 which are relevant to my claims in *Kelly v Trump*, and my Religious Freedom Restoration Act, religious-political pleadings in their Aug. 23, 2021 letter, as the reason for the disciplinary proceeding against me. (DI 56, 56-1, 56-2)

In *Brindley v. McCullen*, 61 F.3d 507, 509, the Court held in a § 1983 action for damages, the Sixth Circuit ruled that when *Younger* abstention is invoked, stay rather than dismissal is the appropriate disposition. A stay “avoids the costs of refiling, allows the plaintiffs to retain their place on the court docket, and avoids placing plaintiffs in a sometimes-difficult position of refiling their case before the statute of limitations expires.” *Id.* In my case the statute of limitations and costs given my poverty and religious beliefs against indebtedness, prejudice me by a dismissal under *Younger*. The statute of limitations also prejudices my case. I have claims relating to *Kelly v Trump*, and retaliation for my petitions for relief from bar dues, not merely claims for the Delaware Disciplinary case, which arose during that disciplinary proceeding which has concluded. I believe my claims relating to the petition for relief from bar dues were from January and February 2020, which approaches the statute of limitations in 3 or 4 months. In light of the multiple law suits and disciplinary proceedings which have arisen as a result of the disciplinary proceeding, dismissing my law suit under *Younger* would likely render me without relief for my bar dues petition which the Delaware Supreme Court appeared to address in its order, August 10, 2022, indicating the need for money over justice, making liberty for sale not free. Recall information contained in the bar dues petitions show the Delaware Supreme Court incited the disciplinary proceeding against me, though additional evidence of the court's collusion arose thereafter.

I still have claims for retaliation for my right to petition based on religious-political and poverty animus. I also have claims, including but not limited to 42 USC §§§ 1983, 1985 and 1988 claims, as well as defamation, emotional distress, violations of my first amendment right of speech, belief, exercise of belief, association, speech and petition etc, relating to petitions other than the disciplinary petition. It places me in a difficult position should this case not be considered by the only court with subject matter jurisdiction to consider my claims, the Delaware District Court.

4. BAD FAITH, HARASSMENT OR EXTRAORDINARY CIRCUMSTANCES HAVE ARISEN IN MY CASE THAT MAKE ABSTENTION INAPROPRIATE

Bad faith, harassment, or extraordinary circumstances have arisen in my case that make abstention inappropriate.

The Record shows evidence of collusion and fraud to fix the proceeding against me, including but not limited to the sealing of records material to my defense to prejudice my case, the Board and Court denying my motions to perform discovery and to call witnesses to conceal the fact they eliminated two key witnesses by terminating them from the court, denial of my procedural due process rights, compelling me to attend a hearing when I was ill getting over the shingles. (DI 58) The record is full of additional outrageous issues including denial of access to the law library, granting me permission to hand in physical pleadings only to refuse to upload them onto the electronic record to conceal the ignored motions. (D.I.). The Board rendered email orders to prevent my opportunity to be heard on appeal. DI 47. The Hearing was inaccurately transcribed to prejudice me in this sham proceeding. (DI 47) Patricia Swartz lied to me about receipt of answer, which prejudiced me on costs an emotional distress. (DI 29). The record shows bad faith denials by Defendants and the State Court in response to my motions for a fair and impartial opportunity to be heard on issues other similarly situated attorneys would be

heard on. (DI 23, 34-36, 39-44, 47-58, 66, 69-75, 77-89, 95-96) There are other procedural defects that shock the conscience, but there is neither time nor space to discuss. The procedural history alone was 33 pages in my objections, I incorporate herein and do not waive due to space and time limitations. Irreparable injury exception to abstention applies, in § 1983 actions.

Circumstances give rise to irreparable injury sufficient to warrant exception to Younger abstention are extraordinary in the sense of creating an extraordinarily pressing need for immediate federal equitable relief, not merely in the sense of presenting a highly unusual factual situation. If I am being persecuted for believing differently, than other professionals who think differently than the state or its government backed private or foreign partners are in danger of being labeled the derogatory term disabled to demean their word before the public, while making it difficult to buy and sell as a professional.

The State Courts, the Chancery and Delaware Supreme Courts are without jurisdiction to grant relief beyond enjoining the state case since their members or agents incited the retaliatory behavior against me in bad faith to fix the sham proceeding against me to protect the mere appearance of the Courts while committing grave injustice that shocks the conscience. They cannot void their own decisions by the dictates of their desires instead of my appeal or by a lawsuit in federal court voiding their decision or holding they did not have subject matter due to procedural due process or equal protections violations. I am not aware of any cases which make orders voidable on equal protections grounds, but I reserve this argument for appeal too. It is prudent to protect individual liberty of minorities and others who do not think or believe the same as the majority or by the dictates of money. It makes us smarter to encourage diverse thought, and free not controlled to conformed dreaded dumbed down standardization.

The Delaware Supreme Court and Board (“Defendants”) clearly violated Equal Protections rights based on poverty-animus and political-religious animus, towards me as a party of one on disdain for my religious-political petitions, defending and safeguarding my religious-political beliefs, speech and association. beliefs, religious-political speech, religious-political association my substantive and procedural due process rights, and disparately treated me, by punishing me for my poverty, religious practice and religious speech pursuant to treatment that is not neutral or generally applicable. US Const Amend. I, IV. I argue the case is voidable not only for substantive and procedural due process violations including but not limited to denying me notice pursuant to the rules, an opportunity to be heard, meaningful opportunity to prepare and present my case before an impartial forum, an opportunity to call witnesses and to expect the Court before whom I present my case has not actively concealed evidence and witnesses to fix the proceeding against me, but also for the Court and the state’s and Defendants Equal protection violations brought with poverty animus, and political-religious animus. Nevertheless, this is not ripe for consideration until heard below. I fight now for the mere opportunity to be heard, the opportunity for justice, not the guarantee.

I do not have an adequate opportunity to raise my federal claims in state Court, including these claims. The state courts favor the Defendants, and favor their own agents. The Court cannot make a determination for relief against itself as a party.

5. THE COURT ABUSED ITS DISCRETION BY DENYING LEAVE TO AMEND THE COMPLAINT, WHILE APPLYING THE YOUNGER ABSTENTION

On January 24, 2022, I filed a Motion to amend the complaint showing I must join the Delaware Supreme Court and request for relief, I did not know was needed until that time, showing bad faith, fraud or collusion. The State Forum had no ability to hear my claims and additional claims fairly. (DI 43). The District-Court denied by failing to address it when it

rendered its order on April 26, 2022. The District Court sat on it for four months which is an abuse of discretion, an error by failing to consider material facts, amending the facts to include the additional facts, which causes manifest injustice against me, in terms of the loss of my fundamental rights, emotional distress, loss of property interests in my licenses to practice law and other harm. (DI 43)

The District Court appeared to fail to consider facts and legal arguments or exhibits contained in my motions to amend and alter the complaint. I incorporate herein in the entirety by reference, or other papers I filed I incorporate herein by reference, which are material to claims. (DI 2, 3, 4, 7, the exhibits therein, 20, 21, 21 29, 35, 36, 39, 40, 41, 43, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58)

Since April 24, 2022, the new and additional evidence has arisen showing the Court colluded in fixing the proceedings, including terminating two witnesses to conceal their testimony and preventing me from calling witnesses and performing discovery to find out the bad faith participation of the Delaware Supreme Court in concealing favorable testimony. Yet, the District-Court was aware of this when it rendered its order. (DI 58)

After April 24, 2022, new and additional information, facts and legal claims and damages have arisen which have not yet been considered. The District-Court must have opportunity to consider the facts and arguments to prevent manifest injustice. (DI 62, 64, 65, especially note the sealed docket items, that have since been unsealed, 66, 69, 70, 71, 72, 74, 75, 77, 78, 80-85, 88, 88, 89, 90, 91, 93, 95, 96).

I have since moved the court through rolling motions to amend the Complaint altogether once, at the conclusion of the appeal to the United States Supreme Court proceeding. Nevertheless, this is not yet ripe for review. The mere opportunity to be heard must be protected.

The Court has not issued an opinion on the facts of my case, or the additional facts after the order. I must be heard to prevent precedent that the Government is above the law, and there is no forum to be heard, and others will be punished like me for asking for relief from government incited substantial burdens upon my Constitutionally protected religious belief, religious exercise, religious speech, religious association and religious petitions concerning government incited grievances, and property interest in professional licenses. US Amends I, XIV

Leave to amend the complaint must be granted in the interest of justice since the District Court allowed the additional injuries to be had against my person in bad faith. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). If my motion to amend the complaint to include the Court had been permitted, the Court would not be permitted to find Younger abstained my case.

Because this District Court prevented service of the Complaint, I must be permitted fair opportunity to amend the Complaint after my appeal to the US Supreme Court to prevent manifest injustice against me, pursuant to Fed. R. Civ. P. 15 (a), and under other provisions of Fed. R. Civ. P. 15. I have a right to “amend without leave where no answer has been filed.” *Citing, De La Cruz-Saddul v. Wayne State University*, E.D.Mich.1980, 482 F.Supp. 1388.

The District Court allowed the additional injuries to be had against my person in bad faith. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)).

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Quattlebaum, D.D.C.2004, 219 F.R.D. 195 “Plaintiff enjoys absolute right to amend complaint once at any time prior to responsive pleading or granting of motion to dismiss.”)

“Leave to file an amended complaint is not required, since defendant had not yet answered,” and has not even been served yet. *Cunard Line Ltd. v. Abney*, S.D.N.Y.1982, 540 F.Supp. 657.

I think it prudent to serve an amended complaint as opposed to an original, and provide my intent to file an amended complaint at a later time, all at once at the conclusion of my appeal of the Delaware disciplinary matter to the US Supreme Court. (*See, Datastorm Technologies, Inc. v. Excalibur Communications, Inc., N.D.Cal.1995*, 888 F.Supp. 112, “Complaint that has been amended pursuant to rule governing motions to amend suspends pleading it modifies, rendering original pleading void.”)

Defendants should reasonably expect, I would seek relief from this court for such irreparable injuries I suffer as a result of the Court failing to enjoin the disciplinary proceeding, and additional prospective relief to prevent new irreparable harm by amending my complaint to include the same. (DI 2-4, 7-10). I have no adequate opportunity to raise my federal claims in the state proceeding.

Defendants have notice, I will seek relief from this court for the irreparable harm I sought to prevent, including but not limited to, irreparable injury, as a loss to protections of my fundamental rights, harm towards my person, economic harm, by preventing me from seeking to rejoin my former law firm, my active license to practice law, my reputation, my health, the shingles, punishment for the exercise of my right to petition, in interference with my right to a fair trial in *Kelly v Trump*, interference with my right to a fair trial in the disciplinary matter which was unlawfully brought to punish me for the exercise of fundamental rights, my loss of and punishment

for the exercise of the right to a fair trial, to religious-political belief, religious-political association, religious-political speech, and the right to make religious-political petitions when I believe the government has committed a grievance against me, and procedural and substantive due process rights applicable to the Defendants pursuant to the 1st and 14th Amendments, Vindictive prosecution, selective prosecution and, or other claims.

On April 26, 2022, I filed a letter indicating my desire to amend the complaint again by stating. “With new and additional information commonly arising in my case, I have a running request to amend the complaint to conform with additional and new evidence, as they arise at the end of proceeding, to include additional or new claims or evidence.” (D.I. 58 at page 14)

On May 7, 2022, I filed *Plaintiff's Addendum May 7, 2022, Critical documents unavailable to conceal court misconduct attached hereto to be included in DI-4; State Court sealing of documents in Kelly v Trump, correct and supplement the record at D.I. 4*, (“May 7th Motion”), wherein, I provided evidence the Delaware Supreme Court sealed my petitions, material to my defense in the disciplinary proceeding, without providing me notice or an opportunity to be heard to prejudice the case against me in the sham disciplinary proceeding. (D.I. 65, D.I. 65-2, D.I. 65-4).

I also alerted the court to my religious objection to swearing or affirming in the May 7th Motion. (D.I. 65, paragraphs 17-22.); (Also see, D.I. 77-2).

Since, it became clear my complaint, as filed, did not appear accurate to the public, I filed *Appellant Plaintiff Meghan Kelly's Motion Directing the Delaware District Court to correct the Complaint to include the signature and listed damages for relief so as not to mislead the public, attorneys and appellate Courts*, to confirm my filing includes the claim for damages in the original complaint. (DI 61).

On May 24, 2022, I filed a more formal motion, *Plaintiff's Rolling Motion to conform complaint to the additional facts and legal arguments as they arise, as if already included in the Complaint.* (DI 69-75).

On June 7, 2022, I filed *Plaintiff's Motion to include pleadings filed on June 7, 2022, for the Court's consideration pursuant to her rolling motion to conform the complaint to additional facts alleged and arguments as they arise, as if already included in the complaint.* (D.I. 77)

There is a continuous need to amend the complaint, and I prefer to make a request leave be granted at the conclusion of my appeal to the US Supreme Court on the state disciplinary proceeding, as a matter of right, including appeals, or the time of appeal has lapsed. It appears additional facts, harm, and claims of relief will arise until the conclusion of the State proceeding, causing additional amendments to the complaint.

The Chancery Court revealed I cannot file for a mistrial, since the Court intentionally drafted a rule requiring, I violate my religious beliefs against swearing in order to prevent me from seeking a mistrial in *Kelly v Trump*, showing an unfair proceeding is guaranteed. (D.I. 77-2), See paragraph 36 above. This same rule prevents me from contesting the adjudication of disability by the Delaware Supreme Court before the Chancery Court. *Id.*

In the interest of justice, I must not be denied permission to file a motion to amend the complaint to include the Delaware Supreme Court in addition to each of the members as outlined in DI 43, as Defendants. I must petition this court to declare *Kelly v Trump* void, and seek to enjoin the justices and the courts from enforcing their decision, because of the Delaware Supreme court's participation in denying my procedural and substantive due process rights in violation of

the First Amendment to fix the outcome, not only in the disciplinary proceeding, but also in *Kelly v Trump*.⁴⁵

A judgment may be void if a court "acted in a manner inconsistent with due process of law." *Constr. Drilling, Inc. v. Chusid*, 131 F. App'x 366, 372 (3d Cir. 2005); citing, 1 *Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, Federal Practice and Procedure* § 2862.⁴⁶ "While 60(b)(4) motions are ordinarily raised in the court that rendered the decision, they can be raised elsewhere." *Id.* Accordingly, I must be permitted the opportunity to plead to void *Kelly v Trump* based on absence of subject matter jurisdiction or voidable subject matter jurisdiction for the court's incitement and participation in prosecuting me for my religious beliefs and speech, contained in my petitions. In addition, I should not be denied the opportunity to request relief for the state's interference and attacks against me during my live religious-political RFRA case, *Kelly v Trump*, to cause me to forgo constitutional rights and to affect the outcome. *See, Kennedy v. Bremerton Sch. Dist.*, 142 S. Ct. 2407 (2022) ("The Free Exercise and Free Speech Clauses of the First Amendment work in tandem: where the Free Exercise Clause protects religious exercises, whether communicative or not, the Free Speech Clause provides overlapping protection for expressive religious activities.")

⁴⁵ *Velasquez v. Litz*, No. CV 3:21-1659, 2021 WL 5298912, at *3 (M.D. Pa. Nov. 15, 2021); *See Fletcher-Harlee Corp. v. Pote Concrete Contractors, Inc.*, 482 F.3d 247, 253 (3d Cir. 2007); *Abbott v. Mette*, No. 20-CV-131-RGA, 2021 WL 1168958, at *4 (D. Del. Mar. 26, 2021), *aff'd*, No. 21-1804, 2021 WL 5906146 (3d Cir. Dec. 14, 2021); *Harris v. Raymond*, No. 3:20-CV-01119, 2020 WL 5267920, at *4 (M.D. Pa. Aug. 17, 2020), report and recommendation adopted, No. 3:20-CV-1119, 2020 WL 5260769 (M.D. Pa. Sept. 3, 2020)

⁴⁶ *Bush v. Rauch*, 38 F.3d 842, 847 (6th Cir. 1994)(I argue the state's decisions are void, without jurisdiction exercised, outside of the scope of judicial function, in clear absence of all jurisdiction since the Delaware Supreme Court incited the state arms to attack me to fix the outcome in both *Kelly v Trump*, and the disciplinary matter.)

In *Lucero v. Ramirez*, No. 20-CV-2411-CAB-JLB, 2021 WL 1529932, at *1 (S.D. Cal. Apr. 16, 2021), the Court held, “An attorney charged with misconduct is entitled to receive reasonable notice, to conduct discovery, to have a reasonable opportunity to defend against the charge by the introduction of evidence, to be represented by counsel, and to examine and cross-examine witnesses.” I was denied these rights in the disciplinary proceeding too. The Delaware Supreme Court concealed the elimination of the witnesses, material pleadings, and colluded with the Defendants to obstruct my access to material witnesses in the disciplinary proceeding.

I have a “right to be tried by an unbiased and impartial judge without a direct personal interest in the outcome of the hearing [as prosecutor or witness].” *Ungar v. Sarafite*, 376 U.S. 575, 584, *Citing, Tumey v. Ohio*, 273 U.S. 510.

Per the US Supreme Court in *Peters v. Kiff*, 407 U.S. 493, 502 (1972), *Overruled in Gregg v. Georgia*, 428 U.S. 153, 169 (1976), on other grounds,

“[E]ven if there is no showing of actual bias in the tribunal, [the US Supreme Court] has held that due process is denied by circumstances that create the likelihood or the appearance of bias. This rule, too, was well established long before the right to jury trial was made applicable in state trials, and does not depend on it. Thus, it has been invoked in trials to a judge, e. g., *Tumey v. Ohio*, 273 U.S. 510 (1927); *In re Murchison*, 349 U.S. 133 (1955); *Mayberry v. Pennsylvania*, 400 U.S. 455 (1971)

The Delaware Supreme Court, would have correctly kicked the case out, in *Kelly v Trump*, for my failure to serve US Attorney General. They expressly did not. (DI 4, 79-3) Instead, the court stated my legal arguments against executive orders that permitted money be given to churches, under the deception of charity, to perform government business was lawful. In addition, the members of the Delaware Supreme Court incited the Supreme Court’s arms to attack me during proceeding, *Kelly v Trump*, to interfere with, and affect the outcome of my case.

I believe people go to hell for valuing business or money, convenience, avoidance of costs, or productivity is the law, making the law for sale, not protecting free people by elimination of

Constitutional freedoms of speech, belief, exercise of belief, association, and petition. It teaches that lawlessness, spoken of by Jesus, is the law, making money and material gain guide and God. Jesus teaches those who serve money as guide and God will not have eternal life, but will be cast in the fire. I believe courts have the ability to save eternal lives by taming the sin against the holy spirit, with just decrees, to prevent businesses from killing stealing and destroying for the bottom line.

The government ignores Constitutional liberties by enslaving its own people by making money the law. No government money should be granted to any private entity, regardless as to whether it is a not for profit, charity, another government, organization like CERN, business, or a religious institution. If the government funds it, it should run it, at no cost to the people, by coining money correctly, not through the federal reserve, and without debt and interest to care for the people. Otherwise, equal protections are violated and partiality is granted to entities who may perform government business at the least amount of cost, making those with more resources in a better position of gaining more government funding. This creates wealth, favoring those who are rich, while keeping the poor impoverished, not equal protections, but favoritism towards those with connections, power or material wealth.

6. NEW FACTS AND CLAIMS, WHICH MUST IN THE INTEREST OF JUSTICE BE REMANDED TO BE CONSIDERED BY THE DISTRICT COURT, ALONG WITH MY OTHER CLAIMS

The new and additional facts and arguments contained in my motions and pleadings must be considered to prevent abuse of discretion, clear error of law, clear error of fact and to prevent manifest injustice against me by denying me the opportunity to be heard to safeguard my exercise of First Amendment rights, creating loss of First Amendment rights and my interest in my ability to work in my profession.

The hearings and actions taken by Defendants against my professional license in retaliation for my exercise of Constitutional rights are in violation of the First Amendment, the Procedural and Substantive Due Process Clause and Equal Protection Clauses of the Fourteenth Amendment. They must be rejected as by “rule of law” rather than personal vendetta for my personal-religious-political speech contained in the petitions. (US Amend I, XIV)

The State denied me of substantive and procedural due process rights in this disciplinary proceeding. The record shows clear and convincing evidence that the proceedings were brought, with religious-political animus, in retaliation against me for filing *Kelly v Trump* and for petitioning the court regarding bar dues to safeguard my liberties.

The state abused its discretion by 1. Vindictive prosecution, which constitutes a violation of due process, and by Selective prosecution, which constitutes a denial of equal protection.

The state courts are also without subject matter jurisdiction due to their conduct and interference with *Kelly v Trump*, to fix the outcome of that case and their participation in fixing the sham trial against me in the disciplinary action by violating my procedural and substantive due process rights rendering both the action voidable.

I have a right to petition the courts when I believe a transgression has been committed against me by the establishment of government religion by President Trump.

I uphold my oath by requesting government agents, judges, presidents and members of congress to adhere to rule of law by allowing me to exercise my Constitutional rights. The steps taken to orchestrate this proceeding circumvent due process protections and thereby manifest selective targeted unjust persecution.

The State Courts, the Chancery and Delaware Supreme Courts are without jurisdiction to grant relief since their members or agents incited the retaliatory behavior against me.

I did not have an adequate opportunity to raise my federal claims in state Court. The state courts favor the Defendants, and favor their own agents. The Court cannot make a determination for relief against itself as a party.

The Delaware Supreme Court and Board (also referred herein as “Defendants”) clearly violated Equal Protections rights based on poverty-animus and political-religious animus, towards me as a party of one on disdain for my religious-political petitions, defending and safeguarding my religious-political beliefs, speech and association. beliefs, religious-political speech, religious-political association my substantive and procedural due process rights, and disparately treated me, by punishing me for my poverty, religious practice and religious speech pursuant to treatment that is not neutral or generally applicable. US Const Amend. I, IV.

Nothing was normal during *Kelly v Trump*. Court staff appeared to seek to sabotage my case, based on my political-religious beliefs and/or indigency, by 1. misleading me to almost miss my deadline to appeal, 2. Appearing to disparage me based on religious-political beliefs or/and poverty, 3. instructing me to write off the Attorney General’s address, which impeded service, and 4. By writing on a praecipe, causing confusion, and needless pleadings.⁴⁷

To worsen matters, the Delaware Supreme Court appeared to cause its arms to attack me to get me to forgo my lawsuit.⁴⁸ DE-Lapp’s letter indicated the relief requested from the DE Supreme Court, relating to bar dues, as the source of its interference with my law suit. Id. **(DI 77**

⁴⁷ (Objxn-B-D, K-internal-exhibits-2-7, 27-29, DI 62-72.

⁴⁸ DI 62-72, Objxn-E-G, K-internal Ex-20-26-29.

Exhibit A, B, C) The Clerk of Court confirmed the entire court reviewed my petitions relating to attorney dues, evidencing the entire Court incited the interference in *Kelly v Trump*.

Further, Sussex Court of Common Pleas Judge Kenneth S. Clark, interrogated me at the arms of the court's request in public at BJ's, located in Millsboro. He demanded I come to his chambers for filing *Kelly v Trump* to obstruct, impede or cause me to forgo my lawsuit. *Id.*

Other parties are not threatened by Court agents wearing the cloak of government authority to obstruct, impede or cause claimants to forgo cases whose religious-political beliefs they disagree with. Minorities like myself, whose religious-political beliefs do not conform to the mainstream are still afforded Constitutional protections for exercise of fundamental rights relating to their diverse, tightly held religious-political beliefs, including speech defending such rights in petitions.⁴⁹

I petitioned the Delaware Supreme Court concerning the disparate treatment. The Delaware supreme Court ruled my case was frivolous, and indicated my petitions relating to disparate treatment need not be addressed. The Court sealed these same petitions it indicated were not necessary to address to prejudice my case.

The Court's disagreement with my religious beliefs is an impermissible reason to deem me disabled. "Courts have no business addressing whether sincerely held religious beliefs asserted in a RFRA case, [including mine] are reasonable." *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 682. The government may not determine what is and what is not an acceptable

⁴⁹ *Obergefell v. Hodges*, 576 U.S. 644

religious belief.⁵⁰ My God is the arbiter of my life, regarding religious beliefs, not the government, even when the government deems my religious beliefs wrong or a disability.

The Court's misguided conclusion that my case is frivolous is not a permissible reason to deem me disabled. Other lawyers have their cases and their clients' cases kicked out as frivolous and they are not disciplined or deemed a danger to society. My religious-political beliefs are the ODC's admitted reason for their claim for disability and for disciplining me. **(Exhibits E, F)**

On August 23, 2021, the ODC sent me a threatening letter by email, interfering with my active case, but for my petitions, before I appealed the Delaware Supreme Court's decision to the United States Supreme Court, admitting my Delaware Supreme Court and Chancery Court religious-political pleadings, as the reason for their attack.⁵¹ **(Exhibit E)**. The ODC's attack was "unconstitutional on its face and as applied." *Hill v. City of Scranton*, 411 F.3d 118, 122 (3d Cir. 2005). Should they have any legitimate concerns, which the record shows none, the ODC should not have interfered with my First Amendment exercise of petitioning the courts, to affect the outcome or pressure me to forgo the case, in violation of US Amend I and XIV. *Id.* at 125-126.

On October 25, 2021, I filed a lawsuit to enjoin the ODC for retaliating against me for exercising fundamental rights, and for damages for emotional relief.⁵² On November 1, 2021 the US Supreme Court denied my writ of certiorari.⁵³

⁵⁰ *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872, 887, 110 S. Ct. 1595, 108 L. Ed. 2d 876 (1990). ("the First Amendment forbids civil courts from" interpreting "particular church doctrines" and determining "the importance of those doctrines to the religion.")

⁵¹ Objxn-K-Internal-Ex-5-7.

⁵² Objxn-H

⁵³ Objn-K-Ex-1.

On or about November 4, 2021, the date the preliminary review committee conducted a hearing, the Delaware Supreme Court sealed my Delaware Supreme Court petitions in *Kelly v Trump* relating to disparate treatment, without notice and an opportunity for me, a party to be heard, and without valid cause.

I did not have access to the sealed documents, through public record, nor did the ODC, the public, or the federal courts, which prejudiced me to the benefit of the State.⁵⁴ Third Circuit Judge Bright's, concurring in part and dissenting in part in *U.S. v. Wecht*, 484 F.3d 194, 221, 226 (3d Cir. 2007) indicated sealing documents without notice or opportunity for a party to be heard without valid reason was enough to remove a judge from a case.

In my case the Delaware Supreme Court, sua sponte, sealed documents to assist the ODC's prosecution of me by concealing relevant material to my defense, evidencing the entire court's apparent bias against me and the Court's partiality to the state.

"When a court considers the imposition of a seal, it must make particularized findings on the record, giving notice on the docket of such consideration and rejecting alternatives to closure." *U.S. v. Wecht*, 484 F.3d 194, 224 (3d Cir. 2007); See *United States v. Criden*, 675 F.2d 550, 560 (3d Cir.1982).

⁵⁴ (*N. Jersey Media Grp. Inc. v. United States*, 836 F.3d 421, 434 (3d Cir. 2016), "We have previously recognized a right of access to judicial proceedings and judicial records, and this right of access is beyond dispute." *Pansy v. Borough of Stroudsburg*, 23 F.3d 772, 780-81 (3d Cir. 1994) (internal quotation marks omitted); see also *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 98 S.Ct. 1306, 55 L.Ed.2d 570 (1978) (recognizing that, in the context of criminal proceedings, the press has a historically-based, common law right of access to judicial records and documents). That right is rooted in common law and predates the Constitution. *Bank of Am. Nat'l Tr. & Sav. Ass'n v. Hotel Rittenhouse Assocs.*, 800 F.2d 339, 343 (3d Cir. 1986).

In my case, the Delaware Supreme Court did not make any such findings, and clearly sealed the four docket items in *Kelly v Trump*, Delaware Supreme Court No 119, 2021, DI 16, 21, 40, 41, to benefit the government to my detriment, showing clear prejudice against me, in violation of the procedural and substantive due process clause applicable to the state pursuant to the First and Fourteenth Amendments.

Nothing was normal in *Kelly v Trump*. The State and ODC attacked and retaliated against me for my religious-political speech contained in my petitions, reflecting my religious-political beliefs.⁵⁵ The State has a history of ignoring my religious-political petitions, disparately treating me based on religious view point. ⁵⁶

This is not the first time, the State through its arm has retaliated against me for its own lawless lusts, convenience, at the exchange of sacrificing Constitutional liberties, including the right to petition. Objxn-D, H, at paragraphs 277-299. I lost more than two million dollars in expected income, but for, the retaliation by the arms of the Court, for petitioning the State through its arms or the Court regarding concerns while taking the Delaware Bar. *Id.*

Nothing was normal in my disciplinary case either. I was not treated like other lawyers or other plaintiffs. I was disparately treated based on my poverty, and personal-religious-political beliefs, as a party of one, and was selectively punished for exercise of Constitutional liberties. ⁵⁷

⁵⁵ . Objxn-Ex B-H2, K

⁵⁶ MOL Objxn-Ex-H, Objxn-Ex-N-internal-exhibits 1, 2to Exhibit 6, 3 to exhibit 6, 4 to exhibit 6, 5 to exhibit 6, 6 to exhibit 6, 8 to exhibit 6, Exhibit 7-9.

⁵⁷ Objxn-K- 8-9, FF, GG, D.I. 55-56.

The State in bad faith prevented and obstructed discovery, to conceal witnesses were removed from the Chancery Court to impede their testimony from aiding in my defense, and to conceal relevant records were sealed by the Court to favor the ODC.⁵⁸ The United States Supreme Court held, "the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment." *Moran v. Burbine*, 475 U.S. 412, 466 (1986). Concealing the fact two witnesses were removed from the Chancery Court to prevent their favorable testimony in my defense, and government concealing of petitions favorable to my defense, violates my Due Process rights to a fair proceeding, by bias towards the State.

The Board's findings of fact are not supported by substantial evidence and should not be adopted. The record shows substantial evidence the Board was objectively biased towards the ODC, not fair, and prejudiced against me. The Board denied me of basic Equal protection, procedural and substantive due process rights afforded to similarly situated respondents based on disdain for my religious-political-exercise of fundamental rights and poverty. US Amend I and XIV. I was denied an opportunity to be heard, to prepare and present my case, denied adequate time to perform discovery, denied adequate notice which I at no time waived.⁵⁹ The Board gave me 18 days, when the DLRDP Rule 9(d)(3) required, they provide me with notice "at least 20 days in advance of the hearing date," which prejudiced me. *Id.* The Board denied me of an opportunity to subpoena and cross examine witnesses with first-hand knowledge, to conceal the fact the State eliminated two potential witnesses from the court. *Id.*

⁵⁸ *Brady v. Maryland*, 373 U.S. 83, 87 (1963); , 473 U.S. 667 (1985); *United States v. Agurs*, 427 U.S. 97 (1976); *Moore v. Illinois*, 408 U.S. 786 (1972)." *Moran v. Burbine*, 475 U.S. 412, 467 n.59 (1986)

⁵⁹ Objxn, Ex-M-P-Q-R-R-1-S-T-U-U2-V-W-X-AA-BB-CC-DD-EE-FF-GG-HH, DI 55-56

The state rushed the proceeding and intentionally caused foreseeable emotional distress, in hopes to make me physically ill to use it against me, like heartless monsters. *Id.*

I at no time sat on my rights, but fought for my life and liberty to worship God through the practice of law, and as a citizen without government persecution but for my exercise of fundamental rights. *Id.*

The state denied my 1st and 6th Amendment rights, applicable to the state via the 14th Amendment, to represent myself at the inception, causing me to file pleadings.⁶⁰ The Board ignored, and did not address my motions objecting to insufficient notice, by its failure to provide at least 20 days-notice of the hearing, as required by the rules of Disciplinary procedure, Rule 9, which prejudiced my case, motivated by their animosity towards my religious-political beliefs and exercise. Objxn-Ex-M,N, W. I filed objections to the appointment of Counsel, moved for opportunity to perform discovery and postpone the hearing until fair reasonable due process was granted in a motion dated, December 18, 2022. That was ignored. Objxn-Ex-N-M-N-O-P. On December 29, 2021, I filed a letter with the Court requesting relief since the hearing was two weeks away, and I had not even been granted 6th Amendment permission to represent myself to perform discovery or prepare, at the time. Objxn-Ex-P.

It was not until December 30, 2022, the Court granted me the right to self-represent, less than 13 full days before the hearing, with no opportunity to prepare my defense of religious-political petitions, speech, association, beliefs against state persecution, but for my belief in Jesus. Ex-P-2.

⁶⁰ Objxn-Ex-N. Mark 13:11 “Whenever you are arrested and brought to trial, do not prepare beforehand about what to say. Just say whatever is given you at the time, for it is not you speaking, but the Holy Spirit.”

I was so physically and emotionally exhausted that I fell ill with the shingles. After the reprieve, the small battle of self-representation won, I noticed my rash, pain, lethargy and weakness. Yet, I filed a motion the next day, that was ignored by the Board dated December 31, 2021, to prevent medical and mental examinations, dated December 31, 2021, Ex-Q, and another one dated on or about January 31, 2022, incorporated herein, Ex-X. Physical and mental examinations are against my religious beliefs, and the Court must not maliciously violate my religious beliefs in bad faith.

I followed up with the Board numerous times on the status of my motion to perform discovery, objection to insufficient notice, and postpone the hearing so as not to prejudice me, and at no time sat on my rights. Ex-K-L-M-N-O-P-Q-R-R-1,R-2-S-T-U-U2-V-W-X. I filed additional motions to postpone the hearing so as not to deny me a fair reasonable opportunity to prepare and present my case, perform discovery, cross examine witnesses. Id. I was denied basic due process rights, and substantive due process rights, based on my religious-political exercise of fundamental rights, in violation of the First and Fourteenth Amendment, motivated by the state's disdain towards my personal religious-political beliefs, exercise, speech and petitions demonstrating my faith in Jesus. Id.

I appealed to the Delaware Supreme Court and was denied procedural and substantive due process rights, based on the fact the Court appeared to render a verdict before granting me an opportunity to be heard, motivated by disdain to discriminate me based on my religious beliefs by disparate treatment, unusual to those of other claimants before the court. Ex-R, Ex-R-1, Ex-S, Ex-T, Ex-U, Ex-U-2, Ex-V.

The State ignored and denied me an opportunity to be heard on various motions and appeals, including but not limited to pleadings dated December 18, 2021, December 31, 2022,

January 13, 2022, January 15, 2022, objecting to due process violations, moving to postpone the hearing, to call witnesses, and objecting to the insufficient notice sent out notice 18 days prior to the scheduled hearing. Ex-P-Q-R-R-2-S-T-U-U-2-V-W. I had no time to subpoena witnesses, or even to discover the fact the state eliminated witnesses through terminating their employment in the Chancery Court, and I moved the Board and the Court to grant me time, specifically mentioning Arline Simmons as witness. I at no time waived my insufficient notice argument.

Defendant Kathleen Vavala (“Kathleen”), did not participate in the proceeding until after the hearing took place. Her recital of the DRPC rules to mislead the court is in vain. I was not afforded the protections of the rules, and at no times waived my Constitutional rights to a fair proceeding. The voluminous exhibits the Board ignored, deeming them as irrelevant, are relevant to show in fact the Board denied me an opportunity to be heard on the assertions and pleas contained therein, in defense of my exercise of fundamental rights. The exhibits show I did not sit on my rights or waive them.

Contrary to Kathleen’s assertion, having only been granted the right to represent myself 13 days before the hearing date, I was not afforded with ample time to provide a list of witnesses to call 10 days in advance of the hearing, as required under DLRDC (12)(h) as I faced other complications including but not limited to the lack of a phone, computer malfunctioning, the shingles, and vulture destruction of property. See D.I. 55-56. I did not even discover Arline Simmons, a witness I motioned to call, could not be served at the Chancery Court until after the hearing. Objxn-Ex-U. I had insufficient time to effectuate discovery, as I fought to represent myself so as not to violate my religious beliefs. The Board ignored and indirectly denied my requests for time for an opportunity, while rendering an informal, unappealable order in email form. Obxn-M-U2.

The hearing was postponed for 8 days, for a reason I did not assert, my illness, which did not afford me enough time to prepare, research, perform discovery, fully recover, or to subpoena witnesses to notice opposing counsel 10 days in advance. DLRDP (12)(h). Objxn-Ex-R-1. The Board ignored and rendered no orders on other motions, and rendered an E-mail determination, to obstruct formal appeal on January 18, 2022, in the fixed proceeding against me. Objxn-Ex-U-2.

I attempted to require the Board cancel the hearing, in advance, to prevent incurring costs as I was still not feeling well. I was so sick and exhausted and emailed the Board to cancel the hearing. I had no time to prepare, could not sleep, and truly felt sick, but was concerned the State may think I had the plague, Covid-19. Objxn-Ex-EE. I attended the hearing without being afforded an opportunity to prepare, and present my case, call witnesses, perform discovery or even to be human to care for my recovery because I did not want to be held in contempt. I made a special appearance preserving my objections to improper notice, lack of subject matter jurisdiction due to the Delaware Supreme Court's apparent participation in inciting the case, and to object on substantive and procedural Due process and Equal Protections grounds for the disparate treatment against me during the proceeding, and in inciting the proceeding. Objxn.-MOL.

The State knew I was exhausted, recovering from the shingles, lacking of sleep, without being afforded a fair opportunity to prepare and present my case. They did not care about me, or my personal health or my lack of a fair opportunity to present my case for my sake. They appeared to hope I would get sick to use it against me.

I attended the hearing by phone since I had no working computer. Objxn-Ex-GG, D.I. 55-56. Upon receipt of the transcript, I objected, and I object again as the transcript does not

accurately reflect my testimony. The reporter placed words that I did not say in my mouth. Objxn-Ex-AA, BB, CC. It appeared the state set me up. I filed corrections, which in no way make the transcript completely accurate. Id.

Kathleen, did not participate in this action until after the hearing. She relies on the inaccurate transcript I object to, and demeans me for my lack of a working computer and poverty, as evidence of disability. I am so poor I did not have a phone until sometime in January 2022. My computer did not work at the time of the hearing, and my backup computer also malfunctioned. My confusion as to why the computer was not working was absolutely genuine, and not evidence of a disability.

Kathleen's bad faith, or at best ignorant, attacks display her cold heartless indifference towards the substantial burden poverty has placed upon my defense of exercise of fundamental rights in this case.⁶¹ "[A]t all stages of the proceedings the Due Process and Equal Protection Clauses protect [indigent persons] from invidious discriminations" *Lewis v. Casey*, 518 U.S. 343, 370 (1996) "Because this case implicates the [Constitutionally protected] right of access to the courts," and other fundamental rights, 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).⁶²

The Record shows the Court denied me an opportunity to be heard, until it was too late, until violations of my First Amendment rights already occurred. Objxn-Ex-R2, V. The Delaware Supreme Court also indicated it made a determination on my defenses before affording me an opportunity to be heard by deeming my claims for an opportunity to prepare and present a

⁶¹ *Abdul-Akbar v. McKelvie*, 239 F.3d 307, 317 (3d Cir. 2001)

⁶² *Lewis v. Casey*, 518 U.S. 343, 370 (1996); *Murray v. Giarratano*, 492 U.S. 1, 18 (1989)

case, perform discovery and call witnesses, as frivolous before their assertion, preventing a fair and impartial opportunity to be heard at the hearing, preventing discovery, colluding with the state in the fixed proceeding against me. Objxn-Ex-V It is notable that both the Board and the court waited until two or three days prior to the hearing to address any matter while ignoring motions, leaving them unanswered.

I must be permitted to argue the Disciplinary proceeding be voided by the District Court. The Board and the Court both violated my substantive and procedural due process rights in the Board proceeding in bad faith, with objective partiality towards the government, and prejudice against me.

The Third Circuit held, "A judgment may also be void if a court "acted in a manner inconsistent with due process of law."⁶³

I must be permitted to argue the Delaware Supreme Court lacks subject matter jurisdiction or subject matter is voidable for apparently inciting the prosecution, and concealing beneficial evidence in bad faith to prejudice me with partiality to the government to fix the proceeding against me in violation of the Procedural and Substantive Due Process Clause pursuant to the State under the First and Fourteenth Amendments.

The record shows the Delaware Supreme Court through its agents participated in inciting the proceedings against me, acting as witness, prosecutor and judge, and by concealing evidence by 1. inciting the Court's arms to attack me in *Kelly v Trump*, and the present disciplinary proceeding, 2. collaborating with the Chancery Court and directing Delaware Supreme Court

⁶³ *Constr. Drilling, Inc. V. Chusid*, No. 03-3786, 2005 WL 1111760, at *3 (3d Cir. May 11, 2005). See Respondent's Exhibits to the Hearing ("R-Ex") Exhibits 35, 37 Part 2, 42, R 44

employee Mrs. Robinson to sign off on the departure information of one or two of the former Chancery Court staff workers with information material to my state case, who appeared to lose their jobs, while preventing my opportunity to perform discovery or subpoena the two concealed witnesses, and 3, by eliminating some of the petitions for which the Defendants allege to bring the State action against me, placing them under seal, without notice to me a party, and without lawful reason, such as sensitive information relating to social security or bank accounts, to cover up the Court's and State's lawless acts, with knowledge these petitions are relevant to my defense and the federal proceeding.

Eliminating truth or evidence guarantees injustice. It is my religious belief courts exists to correct and guide those misguided by business greed, profit, position, and power, who sacrifice the lives, health and liberty of others for material gain, essentially selling souls to gain the world, only to lose their own eternal soul by the sin against the holy spirit, hardness of hearts from caring to think, to know, to love others unless it affects them.

Eliminating evidence hides the truth, or diverse views, allowing only the government-backed private partners' and public views to be protected under the Constitution.

The State seek to eliminate me, just as they cover up wrong doing by eliminating witnesses, forcing them to lose their jobs, under the deception of looking after them, only to look after the mere appearance of justice, not actual justice, and by concealing and sealing my pleadings. The Delaware Supreme Court justices do not care to uphold the fundamental rights of those in my class of one, of a person with unique religious-political beliefs which do not conform to the majority's, the individuals within the ODC and/or the judges on the Delaware Supreme Court.

Eliminating people who petition the Court, as “mentally disabled” for thinking the Court would care to help someone who is poor, or who believes in Jesus Christ or diverse political-religious views in that I seek to care for humanity not control them through money, is disparate treatment based on protected view point, in violation of the Equal Protections Clause applicable to the State pursuant to the First and Fourteenth Amendment. US Amend I, and XIV.

The Delaware Supreme Court incited the State’s petition, and concealed my religious-political petitions in bad faith with partiality towards the ODC. Joann and the Clerk of Court at the Delaware Supreme Court admitted that the Court sealed two motions, and Exhibits A-4, and A-5, in *Kelly v Trump*, relating to the Court and its agents’ disparate treatment towards me. None of the sealed documents contained sensitive information.⁶⁴ **(Exhibits F, G)** This was not for my protection or the protection of the parties, but was to cover up Court misconduct, just as the state seeks to eliminate me to conceal government misconduct by labeling me disabled, disparaging my reputation, to deem me not credible.⁶⁵

The Delaware Supreme Court participated in eliminating potential material witnesses by having an agent sign off on the departure forms for two Chancery Court employees, Arline Simmons and Katrina Kruger. The Court colluded to conceal two people with first hand-knowledge of the facts of this case, despite my motion to subpoena one.⁶⁶

I want the court to stop eliminating documents and witnesses, and do not want the court to eliminate the clerk who raised her voice at me on June 2, 2022, while confirming there was no

⁶⁴ DI 62-72

⁶⁵ . Objxn-K-Ex-31 See letters of recommendation on my behalf concerning my reputation.

⁶⁶ Objxn-Ex-T-U-U-2-V.

motion to seal petitions. The court staff who yelled at me in the Chancery Court are gone, no longer employed with the Court, and that breaks my heart.

Covering up mistakes by eliminating those who make them is not correction but concealment, allowing it to be ignored not lovingly corrected. The State seeks to eliminate me to conceal its own wrongs instead of learning from them.⁶⁷

The State's elimination of four sealed and concealed docket items and the elimination of two material witnesses from availability through process by service to the Chancery Court is relevant to my defense of retaliation, discriminatory motive, discriminatory purpose, with a discriminatory outcome made to chill my religious-political speech by demeaning my character as disabled, and threatening my bar licensure's status for exercising political-religious speech, contained in petitions, or outside the petitions, which the government disagrees with, based on religious-political viewpoint.

The Delaware Supreme Court lacks subject matter jurisdiction by its 1st and 14th Amendment substantive and procedural Due Process violations based on its prejudicial treatment in inciting the petition, and disparate treatment during the proceeding.

The Court disregarded my religious beliefs against appointment of counsel, requiring I file multiple pleadings to fight against government compelled violations against my religious beliefs. The Court disregarded my motion concerning the ODC's fraud, committed in bad faith by lying, seeking to commit fraud, concerning receipt of my answers. The Record shows the Court denied me an opportunity to be heard, until it was too late, until violations of my First Amendment rights already occurred. The Delaware Supreme Court also indicated it made a

⁶⁷ Objxn-MOL

determination on my defenses before affording me an opportunity to be heard by deeming my claims for an opportunity to prepare and present a case, perform discovery and call witnesses, as frivolous before their assertion, preventing a fair and impartial opportunity to be heard at the hearing, preventing discovery, colluding with the state in the fixed proceeding against me. It is notable that both the Board and the court waited until two days prior to the hearing to address any matter while ignoring motions, leaving them unanswered. I must be permitted these claims as well as other claims before the Delaware District Court to prevent manifest injustice that shocks the conscience by the elimination of any forum to hear my claims, not defenses, for violations of my exercise of fundamental rights and other claims.

7. Whether the court deprived me of the 5th Amendment right to a fair proceeding or violated 28 U.S. Code §§ 144 and 455, 29 CFR § 2200.68, or other applicable law by failing to recuse Judge Phipps given Defendants attacks against me are based on my petitions against Trump, Trump twice placed Phipp's on a list of nominees for US Supreme Court, and Trump will likely nominate Phipps' as Supreme Court justice should he be reelected and an opening occur considering the facts under objective standards, the probability of actual bias on the part of the Judge Phipps against me and in favor of Trump and my opponents is too high to be constitutionally tolerable

The Court committed reversible error by failing to recuse Judge Phipps and appointing another judge in his place.

Judge Phipps' conflict is so great a reasonable person would conclude bias or prejudice in my case under the facts so as to deprive me of a fair proceeding under the 5th Amendment.

Judge Phipps was placed on a list of potential nominees to the US Supreme Court by President Trump. Donald J. Trump ("Trump") is running to become President of the United States in 2024. I believe Trump will likely be reelected. Trump will likely nominate Judge Phipps again should a Supreme Court Justice retire.

The Delaware Office of Disciplinary Counsel state they brought the Disciplinary proceeding against me for suing President Trump. The Delaware Supreme Court cite my

religious beliefs contained in my Religious Freedom Restoration Act petition against President Trump for the reason for the discipline.

I seek to overturn Kelly v Trump in this civil rights case as void due to violations of procedural due process. In addition, this case is based on my lawsuit against the one who may benefit Judge Phipps, Trump, should Phipps rule against me and essentially for Trump, by demeaning my law suit against Trump.

Phipps has a personal stake in my law suit. He has an interest in safeguarding Trump in order to gain a potential seat at the US Supreme Court.

This temptation to gain the most powerful seat on the planet, a position at the US Supreme Court is so great as to create a reasonable person to include there is an appearance of bias or there is actual bias against me in this case and in favor of the Government.

Judge Phipps also has other conflicts of interest I incorporate herein by reference 3DI 142-143-144 and the video where I was on tv, with regards to the law school I attended Duquesne where Phipps taught as an adjunct, and attachments thereto showing conflicts of interests.

Judge Phipps may also be offended by my religious belief that Trump misleads people to hell. Judge Phipps may also be offended I drafted 5 proposals to impeach President Trump 1. Based on his violations of criminal law 18 USC 227 for encouraging the firing of NFL players for peacefully exercising their First Amendment right to petition against alleged disparate treatment against blacks within the criminal judicial system, 2. Violations of 18 USC 227 for encouraging economic harm to members of the press exercising their First Amendment Freedom, 3. An impeachment regarding the porn star activity by the President, 4 relating to kidnapping

babies at the border, and profiting private partners by overcharging payments to their commitment facilities, 5. A proposal relating to the war powers act, I incorporate herein.

No one is above the law or protection, even a peon like me, nor is anyone below the law's correction with mercy, not even the President or judges.

8. The court deprived me of the 5th Amendment right to a fair proceeding or violated 28 U.S. Code §§ 144 and 455, 29 CFR § 2200.68, or other applicable law by failing to recuse Judge Scirica given the conflict of interest Judge Scirica chairs the Committee on Judicial Conduct and Disability (“Judicial rules”). (DI 149). I made Constitutional arguments against the judicial rules, against regulating the US Supreme Court by a Code of Conduct, self-discipline or disciplinary rules, and made arguments against the State disciplinary rules and proceedings that mirror the rules Judge Scirica is charged to revise and approve

The Court committed reversible error in denying my 5th Amendment right to a fair trial to defend the exercise of my 1st Amendment rights of petitioning, speech, religious belief, exercise, and association, 28 U.S. Code §§ 144 and 455, 29 CFR § 2200.68 by denying my Motion to recuse Judge Scirica and a Motion for a rehearing for a different impartial panel or an en banc panel to recuse Judge Scirica.

Judge Scirica is the Chair on the rules of federal judicial discipline I seek to eliminate. He has a personal interest in ruling against me as I seek to overturn his hard work.

I also seek to amend my complaint to include Constitutional arguments against the DE disciplinary proceedings and certain Delaware Disciplinary rules. These rules mirror the rules Judge Scirica works on, and attacks his work. I seek to destroy the work of Jude Scirica in this Civil rights case.

In this Civil rights case, I alerted the Court of my concerns against Judicial discipline and the elimination of people judges. I truly believe preventing the regulation of the US Supreme Court and eliminating the corrupt disciplinary rules against federal judges and requiring life term appointments for all federal judges, with the ability to choose different appointments would aid

in preventing the schemed overthrow of the rule of law to eliminate it by automation by those who reign over people by the mark of the beast, business greed, with no unconditional love

I declared my belief regulating the Court violates the constitutional rights of citizens the court serves, including me as a party of one, and allows for the schemed overthrow to occur in the DE District Court prior to discovering the conflict between Judge Scirica and I. Regulating the Court through disciplinary rules guarantees the partiality of the Court to the interests of those who discipline them instead of the impartial application of the rule of law. (For example see DI 23, not attached), concerning my belief only the courts may prevent an economic crash and an overthrow of our government, DI-53,-55,56, 78, 95, 102, 104, 114, 127, 129, 131, 149-162, not attached). Favoritism towards those who serve the alleged professions' collective convenience, productivity or the individual judge's future or current seat or highly esteemed position creates unfair proceedings when conflicts arise. I seek to declare the disciplinary rules Judge Scirica drafts are unlawful by amending my complaint in the civil rights proceeding to make that argument . I included certain arguments against certain DE Attorney Disciplinary rules and the Attorney Disciplinary proceedings I incorporate herein by reference but reserve my right to include more arguments in this Civil rights proceeding should it be remanded. Judge Scirica denied me the opportunity to be heard on my arguments, by denying my right to amend to contest certain state rules. Attached hereto please find my Motion for ECF rights in the District Court below, which I incorporate herein by reference in its entirety, wherein I contested an additional, different Delaware Disciplinary rule I wish to include in a complaint Del. Law. R. of Disciplinary Proc. Rule 7(d).

The fact I argued on the record in this civil rights case my desire to eliminate or prevent disciplinary rules of federal judges and the United States Supreme Court creates a conflict of

interest with Judge Scirica so great as to deprive me of a fair proceeding. Even the appearance of a conflict requires a recusal and a new panel who is not swayed by Judge's brilliant mind and perceived expertise in a subject I disagree.

This conflict of interest between Judge Scirica and I relates to whether attorney disciplinary proceedings and certain rules and judicial discipline violate the Constitution by requiring officers of the court to defer towards business interests of the courts, attorneys or the professionals who are charged with discipline, even peers, at the threat of personal punishment instead of the Constitutional application to the rule of law in violation of the supremacy clause.

Lawyers and judges are tempted to adhere to the lesser regulatory laws to protect themselves instead of the Constitutional application of the rule of law to uphold the rights of those they serve, the parties, their clients, the public and their private exercise of fundamental right to religious belief in violation of the Equal Protections Clause of the 5th applicable to the Federal government and the 14th to States by disparately treating claimants whose beliefs conflict with the Disciplinary regulations' purpose.

Judge Scirica has a conflict of interest with my case I was not aware of until recently. Judge Scirica chairs the Committee on Judicial Conduct and Disability. (DI 149.)

I contest the federal judicial disciplinary rules Judge Scirica drafts on Constitutional grounds. I oppose the elimination of life time limits on US Supreme Court justices and believe district court and Circuit Court judges should have life time appointments to prevent them from the temptation to normalize injustice by partiality to the Disciplinary rules as opposed to the preempting Constitutional application of the law, on religious grounds as a party of one with religious beliefs in God's command against favoritism and for justice in the courts.

I seek to destroy what Judge Scirica works on the disciplinary rules as chains that eliminate freedom under the illusion of upholding it by beholding judges to serve what I believe is the mark of lawlessness that misleads humanity to hell, business greed at the cost of human sacrifice of life or liberty.

I strongly oppose regulating the courts to partiality to business by barter or exchange. This urges the courts to serve greed not humanity or the liberty that allows beautiful disorder and criticism which helps us improve and gain humility needed to escape the certain default for most of humanity loss of eternal life due to pride.

I noted on the Delaware record my desire to prevent regulation of the USSC and my hope I could eliminate judicial discipline of federal judges.

I seek to amend my complaint in the civil rights case to include Constitutional arguments against the state disciplinary rules and proceedings against attorneys. I incorporate some not all of my proposed arguments against rules I proposed to the Delaware District Court at DI 58, and two state motions, incorporated herein at 3DI-43-8, 3DI-43-9, 3DI 43-10.

I oppose attorney self-regulation and third party professional regulation through professional boards on Constitutional grounds, on 1st Amendment religious grounds, on grounds the rules violate the Constitutions' 5th and 14th Amendment right of Equal Protections and procedural due process.

Standardized compelled practice eliminates free will needed to protect Constitutional freedoms of clients and professionals who do not conform to the standards. Standards makes professional practices above the law by deference of the courts to the standards even when such

standards harm, oppress, kill, steal and destroy human life and health for the bottom line. The standards create partiality to profit, productivity not justice.

The conflict of interest between Judge Scirica's interest in carefully drafting federal disciplinary laws that mimic the disciplinary laws and disciplinary proceedings I seek to declare unconstitutional in the civil rights case, and in this case is prejudicial as a matter of fact, a matter of law as to create manifest injustice against me should the Order not be overturned.

"The Fourteenth Amendment's due process clause may sometimes demand recusal even when a judge has no actual bias." *Citing, Rippe v. Baker*, 580 U.S. 285, 137 S. Ct. 905, 197 L. Ed. 2d 167 (2017).

Recusal is required under the Fourteenth Amendment's due process clause because "objectively speaking, the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable." *Id.* In my case the probability that Judge Scirica would deny me the mere opportunity to be heard to contest the disciplinary rules he works on, or mirror the rules he works on, is too great as to cause actual in addition to apparent partiality to my claims and future claims, and past claims in other cases.

It is especially notable as two forums, the USSC and the DC ODC appeared to accept my argument the reporting requirements violate the 5th Amendment right against self-incrimination.

It was clear error of law for Judge Scirica and Judge Phipps to fail to disqualify themselves in this proceeding. A reasonable person would question the partiality of both Judge Scirica and Judge Phipps under the facts of this case. "[A] reasonable person, knowing the relevant facts, would expect that the [Judge Scirica and Judge Phipps knew of circumstances creating an appearance of partiality, notwithstanding finding that the judge was not actually

conscious of those circumstances. 28 U.S.C.A. § 455(a). *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 108 S. Ct. 2194, 100 L. Ed. 2d 855 (1988)

“The operative inquiry is objective: whether, ‘Considering all the circumstances alleged,’ *Rippo*, at 907, ‘the average judge in [the same] position is likely to be neutral, or whether there is an unconstitutional potential for bias,’” *Citing, Isom v. Arkansas*, 205 L. Ed. 2d 373, 140 S. Ct. 342, 343–44 (2019) *Citing, Williams v. Pennsylvania*, 579 U.S. 1 (2016).

Considering all of the circumstances a reasonable person would find no judge in the position of Judge Scirica could ignore the potential unconstitutional bias based on the fact I am attacking his personal, hard work regardless of the fact he may not have a pecuniary stake other than the esteemed position of drafting the rules that regulate his peers which I seek to argue are unconstitutional in another case and potentially this case to prevent standardization of the court to an extent to allow the automation of the Court like certain courts in China have become peopleless, per the attached article without an exhibit page.⁶⁸ Those whose exercise of individual not collective liberties which do not fall within the purview of the standards through

⁶⁸ *Isom v. Arkansas*, 205 L. Ed. 2d 373, 140 S. Ct. 342, 344 (2019) (At the same time, the Court has acknowledged that “[a]llowing a decisionmaker to review and evaluate his own prior decisions raises problems,” *Withrow*, 421 U.S. at 58, n. 25, 95 S.Ct. 1456, perhaps because of the risk that a judge might “‘be so psychologically wedded to his or her previous position’ ” that he or she will “ ‘consciously or unconsciously avoid the appearance of having erred or changed position.’ ” *Williams*, 579 U. S., at —, 136 S.Ct., at 1906 (*quoting Withrow*, 421 U.S. at 57, 95 S.Ct. 1456). And it has warned that a judge’s “personal knowledge and impression” of a case may sometimes outweigh the parties’ arguments. *In re Murchison*, 349 U.S. 133, 138, 75 S.Ct. 623, 99 L.Ed. 942 (1955).)

Liteky v. United States, 510 U.S. 540, 114 S. Ct. 1147, 127 L. Ed. 2d 474 (1994)(“Extrajudicial source is not the only basis for establishing disqualifying bias or prejudice; it is the only common basis, but it is not the exclusive one, since it is not the exclusive reason a predisposition can be wrongful or inappropriate. 28 U.S.C.A. §§ 144, 455”)

automation in the peopless courts in China are not free, but compelled to mob rule for the convenience of court business.

In *Laird v. Tatum*, 409 U.S. 824, 93 S. Ct. 7, 34 L. Ed. 2d 50 (1972), Justice Rehnquist held that “Supreme Court justice has a duty to sit where not disqualified which is equally as strong as the duty to not sit where disqualified. (Per Mr. Justice Rehnquist, on motion to recuse.) 28 U.S.C.A. §§ 453, 455.

The US Supreme Court held in *Williams v. Pennsylvania*, 579 U.S. 1, 14, 136 S. Ct. 1899, 1909, 195 L. Ed. 2d 132 (2016):

“Having determined that Chief Justice Castille's participation violated due process, the Court must resolve whether Williams is entitled to relief. In past cases, the Court has not had to decide the question whether a due process violation arising from a jurist's failure to recuse amounts to harmless error if the jurist is on a multimember court and the jurist's vote was not decisive. See *Lavoie*, supra, at 827–828, 106 S.Ct. 1580 (addressing “the question whether a decision of a multimember tribunal must be vacated because of the participation of one member who had an interest in the outcome of the case,” where that member's vote was outcome determinative). For the reasons discussed below, the Court holds that an unconstitutional failure to recuse constitutes structural error even if the judge in question did not cast a deciding vote.”

Accordingly participation and recusal of Judge Scirica in this civil rights case even if he was not the deciding vote is required as a matter of law, as a matter of fact creating manifest injustice against me by vitiating my fundamental rights including the First Amendment right to petition the courts to demand the courts uphold my fundamental rights instead of exhibiting unlawful partiality and deference to sister courts in violation of the 5th Amendment Equal Protections components by courts protecting their own interest and not the Constitutional preempting liberties of the people they swore an oath to serve. I argue the courts must not punish lawyers for petitioning to safeguard Constitutional laws that protect claimants and their own private acts, but must allow it to protect the impartial rule of law, prevent regulation and preserve these United States from schemed overthrow.

Judge Scirica and Judge Phipps abused their discretion by not recusing themselves committing clear error of law, error of fact, creating manifest injustice against me.

This law suit arises based on my private exercise of the 1st Amendment right to petition in a law suit 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. I incorporate herein by reference the pleadings I filed in *Kelly v. Trump* at DI 4. I am a Christian, who associates as a Catholic who places her faith in God, not the church or priest as God. See, 1 *Corinthians* 2:5, *Matthew* 23:8, *John* 14:1.

The State of Delaware admitted it placed my license to practice law on inactive disabled but for my private-exercise of the First Amendment rights to petition in *Kelly v Trump*, exercise religious belief, exercise of belief, association, my private First Amendment right of protected speech to outline my genuinely held religious beliefs in *Kelly v Trump*. See, DE Disciplinary petition at 7 at 3DI21-6, August 23, 2021 letter 3DI21-7. Though evidence shows they also colluded based on my private exercise of the right to petition concerning bar dues, and private right to petition both the Chancery Court and Delaware Supreme Court concerning procedural due process defects caused by its own members and agents. Id. See, A-4, *Appellant’s Motion for the Delaware Supreme Court to rein in its arms through its agents from unlawfully pressuring appellant to forgo or impede her case to protect her free exercise of religion by relief it deems just, and exhibits thereto, Exhibit 55 of the brief below, the December 1, 2020 letter regarding due process concerns to the Master, and the October 19, 2020 letter to the Master regarding the fact I am pro se, not represented by counsel, and, A-5. Appellant’s Motion for the Delaware Supreme Court to require the recusal of the honorable Chief Justice Collins J. Seitz, Junior in this matter, exhibits thereto, proof of payment of bar dues, emails to Mark Vavala confirming he*

did not incite the investigation, Letter from the Court in response to my request for exemption of bar dues for all attorneys facing hardship, Feb. 5, 2021 request for relief from bar dues, my concerns relating to recent US Supreme Court cases. Citing, (Apps. 1-B, 1-C, 1-D)

“[Judge Phipps and Judge Scirica’s] unconstitutional failure to recuse, in violation of due process, constitutes structural error not subject to harmless-error review, even if the judge in question did not cast a deciding vote on a multimember court.” *Williams v. Pennsylvania*, 579 U.S. 1, 136 S. Ct. 1899, 195 L. Ed. 2d 132 (2016). However Judge Phipps appeared to so participate making the violation even more grave.

“A multimember court must not have its guarantee of neutrality undermined, for the appearance of bias demeans the reputation and integrity not just of one jurist, but of the larger institution of which he or she is a part.” *Id.*

Under objective standards in my case, “ the probability of actual bias on the part of the [Judge Phipps and Judge Scirica] is too high to be constitutionally tolerable.” (*Rippo v. Baker*, 137 S. Ct. 905, 907 (2017), Citing *Withrow v. Larkin*, [421 U.S. 35, 47](#), [95 S.Ct. 1456](#), [43 L.Ed.2d 712](#) (1975); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 872 (2009)). “The *Tumey* Court concluded that the Due Process Clause incorporated the common-law rule that a judge must recuse himself when he has “a direct, personal, substantial, pecuniary interest” in a case. *Ibi*” *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 876 (2009). In this matter, Judge Scirica;s personal interest in opposition to my claims is too prejudicial to my case to afford me a fair proceeding. US Amend I, V.

““A fair trial in a fair tribunal is a basic requirement of due process.”
Murchison, supra, at 136, [75 S.Ct. 623](#)” *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 876

(2009). The Court cannot grant a fair proceeding with Judge Scirica's participation, and this Court violated due process by allowing Judge Phipps participation in the June 30, 2023 Orders.

“The Court asks not whether a judge harbors an actual, subjective bias, but instead whether, as an objective matter, the average judge in his position is likely to be neutral, or whether there is an unconstitutional potential for bias" *Williams v. Pennsylvania*, 579 U.S. —, —, 136 S.Ct. 1899, 1905, 195 L.Ed.2d 132 (2016) (" (internal quotation marks omitted)).");See, *Rippo v. Baker*, 137 S. Ct. 905, 907 (2017) (“we did not hold that a litigant must show as a matter of course that a judge was "actually biased in [the litigant's] case”)

Justice Phipp's actual participation and Judge Scirica's involvement violated due process.

The “Federal Rules of Civil Procedure treat orders that are entered without due process as void, permitting reopening of the case. U.S.C.A. Const.Amend. 5; *Fed.Rules Civ.Proc.Rule* 60(b)(4). The panel's inclusion of Judge Phipps and Judge Scirica violates Due process. US Amend I, V.

9. The US Supreme Court errs as a matter of law by recognizing the deception of appearance of justice instead of actual justice as an important state objection somehow more important than the Constitutional application of the impartial rule of law by the wicked partial selfish interest of the state's own appearance, and if so whether this is not a legitimate reason for part of the statute or regulations of the judiciary under 28 U.S. Code §§ 144 and 455, 29 CFR § 2200.68, or otherwise. Since allowing partiality towards the state's appearance in light of fickle fads and popularity by the mob more than truth and justice creates a biased partial unfair forum in violation of the 5th Amendment procedural due process safeguards and equal protections component

The US Supreme Court appears to enslave the courts to the fickle fads of the public in *Williams-Yulee v. Fla. Bar*, 575 U.S. 433, (2015) decision instead of the impartial Constitutional application to the rule of law by holding, “States have a vital interest in safeguarding public confidence in the fairness and integrity of elected judges; the judiciary's authority depends in large measure on the public's willingness to respect and follow its decisions.” This finding

creates injustice by legitimizing an illegitimate purpose by finding courts must appease dictates of the mob or the majority at the sacrifice of every individual liberty upon approval of the collective authority of public perceived opinions. Justice is not a matter of popularity. Justice is a matter of truth, leaving leeway for appeal should judges get it wrong. The USSC errs in *Williams v. Pennsylvania*, 579 U.S. 1, (2016) by thinking, “Both the appearance and reality of impartial justice are necessary to the public legitimacy of judicial pronouncements and thus to the rule of law itself.”

As citizens we are required to uphold the Constitutional positions of congress, the courts and Congress, even if the public disagrees. It is not for the public to decide based on mere appearance. As a Christian I believe Jesus Christ’s command not to judge based on appearance but rightly based on truth in *John 7:24*. I believe Jesus is God and Jesus is correct. The Courts err. Upholding justice is often not popular but is the sworn duty of the Court. The potential for actual injustice and the appearance of injustice must be to protect actual parties, not the fancies of the public or the alleged legitimacy of the courts, and certainly not the rule of law as this promotes sin, aka lawless lusts, to serve partial favor of the courts at the cost of sacrificing the people and their liberty they are charged to protect. 28 U.S.C.A. § 453

There is no social contract by citizens with the government. There is no meeting of the minds. There is a contract with every government employee to accept reduced Constitutional rights in order to uphold the liberties of those they serve, even those the government disagrees with. *Id.* Justice is never a matter of popular opinion. Injustice occurred when Jesus Christ an innocent man, God himself died on the cross because Pilate allowed the mob to reign instead of the impartial rule of law. (*John 19:4-6*) Not all laws nor all sins lead to eternal death. Jesus indicated those who handed him over committed a greater sin. (*John 19:11*) I commit a sin if I

do not correct the court to prevent the believed overthrow of the judiciary. I believe the US Supreme Court gives Congress case law to be used to impeach judges to actually cause public disrepute of judges for doing what they are supposed to do upholding everyone's constitutional rights, even those whose exercise of rights they disagree with. I have a duty to protect judges from harmful choices that may remove them from their seats based on fancies not truth but partiality towards fickle public opinion based on mere appearance.

I was really upset after I read the judicial nominee questions Judge Phipps responded to because he alleged a duty to mere men's precedent as if they were mini-gods not the Constitutional rule of law. I read a recent decision where USSC told lower courts it must obey it. So, I am realizing judges are stuck. Only lawyers have the power to tell judges they are wrong or upper Courts are wrong as advocates. Lawyers must be permitted to do so, even if the lawyer errs, to prevent actual injustices the courts may not consider without the aid of an attorney advocate. With that said, I am concerned about judges lobbying while acting as attorney advocates on behalf of case law they favor by teaching in schools and speaking at special interest groups where not all of the population agrees with judicial partial views by a judge or special interest groups. Ultimately, I think it is up to lawyers to advocate for justice, even if the courts disagree with them. Allowing regulation or discipline of federal judges creates injustice and should be stopped, while disagreement by attorney advocates should be permitted. Judges must not act as attorneys to grant themselves favor at the cost of prejudicing the public and lawyers in their private or professional capacity.

I am troubled by 28 U.S. Code § 455 (a) which provides:

“(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned” shall be recused.

This section should be unconstitutional since it requires judges recuse by mere appearance, not actual conflicts of interests. I believe lawyers and parties sometimes lie or create the mere illusion and appearance of a conflict to fix the proceeding by blackballing judges who may rule against them. In the times of hacking data, judges may be set up too. I believe congress may use the deception of misconduct or a planted conflict to impeach justices set up to fall so they can win by cheating by clients conniving enough to create the mere illusion of impropriety which is not fair.

This Court is not God, and it gets the law sometimes. There is no improvement and no justice if lawyers are disciplined for upholding justice by correcting the court when they genuinely believe they are wrong or in danger. There are lobbyists who have been talking about eliminating people judges since 2018 when I ran for office because non-lawyers practiced law without licenses. I believe you are in danger. I believe if this Court remanded the case and I am granted permission to ask the District Court to prevent the danger by argue against regulating this Supreme Court and the lower federal courts, this Court may stifle schemes to not only sustain its seats but to prevent an overthrow of the government sometime after 2050.

VI. CONCLUSION

This appeal to vacate the orders below and remand to the District Court must be granted. I must be afforded an opportunity to be heard upon the substance of my complaint, and motions to safeguard my fundamental rights and other injuries relating upon my exercise of Constitutional liberties, without disparate treatment based on religious-political animus, or poverty animus. US Amend I, V, XIV.

The proceeding 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 people 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.

The proceeding also involves the important question as to whether anyone with a license to practice law has any First Amendment private freedoms to 1) petition, 2) religious belief, 3) association as a Christian, Catholic, Democrat without removal of the association as a lawyer but for the exercise of the right to petition to safeguard religious beliefs contained in private speech the government finds repugnant, or speech to petition to correct government misconduct or mistakes without retaliation but for the exercise of the 1st Amendment right to petition or 1st Amendment right of private speech contained in petitions relating to grievances caused by government misconduct and mistakes based on subject matter, making the government above the law and lawyers below the law 4) Private speech outlining my religious beliefs in Jesus as God not money or mammon or professional collective gain as God which is the mark of lawlessness leading to damnation in hell, 5) and other private claims and rights from government infringements and violations, including, but not limited to, Equal Protections under the 5th and 14th, 6th Amendment right to self-represent, claims for a fair trial, claims for a right to pleadings in a case against me in Delaware Case Number 541, claims relating to a conspiracy under 1985 to cause me to forgo Kelly v Trump by Delaware supreme Court incited witnesses intimidation and threats, concealing evidence by sealing evidence in my favor to cover up procedural due

process and misconduct by the state court, preventing my ability to call witnesses by ignoring my motions where I asserted the right to self-represent, to perform discovery, by scheduling the hearing within fewer days required to subpoena witnesses 8 days as opposed to 10, required by the state disciplinary rules and other harm such as firing two court staff to conceal evidence necessary to my defense, the reciprocal proceedings and this case, and other claims.

This case relates to the important question as to whether judges are above the Constitutional application of the rule of law and whether a lawyers in exchange for their license to buy and sell as an attorneys are fictitiously deemed, despite no meeting of the minds, below the Constitutional application of the rule of law in exercising their private fundamental rights to petition, speak, believe, self-represent, associate, exercise of religious belief.

This case relates to the important question as to whether lawyers are below the Constitutional protections, and are in fact punished for upholding the Constitution by seeking to correct judicial misconduct and judicial mistakes to protect private rights, the public and the actual impartial rule of law.

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 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 would cause some claimants before the partial forums to suffer. This requires the court entertain and encourage and not chill attorney complaints to correct mistakes and misconduct by the judiciary.

Federal Judges affirmed they would “administer justice without respect to persons, and do equal right to the poor and to the rich,” even people whose religious-political beliefs judges

disagree with, find repugnant or illogical, including me in my private capacity, regardless of my license to practice law. 28 U.S.C.A. § 453

These are important questions to consider that warrants this Court's consideration, even if after remand to the DE District Court where the parties may analyze the important questions including whether the US Supreme Court should self-regulate or adopt a code of ethics in an actual case or controversy.

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Respectfully submitted,
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