

DEC 22 2023

OFFICE OF THE CLERK

23AG17

No. 23-6140

IN THE U.S. SUPREME COURT

—o0o—

IN RE YI TAI SHAO

Yi Tai Shao, Petitioner

vs.

Respondents

Judge Barry G. Silverman, Judge Ryan D. Nelson, Judge Patrick J. Bumatay, Chief Judge Mary Murquía and

Appellees for the underlying case, Shao v. Roberts, et al., Rob Bonta, California Attorney General who is representing California Committee of Judicial Performance, in Appeal No.22-15857 pending with the Ninth Circuit

—o0o—

APPLICATION TO JUSTICE AMY CONEY BARRETT FOR EMERGENCY RELIEF AND STAY OF UNDERLYING APPEAL PROCEEDING

Y7c

[Rule 22; 28 U.S.C. §2106, §1651(a)]

YI TAI SHAO, ESQ. *In pro per*, P.O. Box 300; Big Pool, MD 21711 Tel.: (408) 873-3888; attorneyshao@outlook.com

RECEIVED
SUPREME COURT U.S.

2023 DEC 19 10 5: 06

RECEIVED
SUPREME COURT U.S.

2023 DEC 22 10 1: 44

MD/S49

QUESTIONS PRESENTED

1. Do Due Process and equity justify rehearing sua sponte based on undisputed evidence of judicial conspiracies and frauds on court in dismissing child custody appeals in Petition No.18-569 and Petition No.22-28 which caused Plaintiff permanent parental deprivation, justify immediate release of Lydia Deborah Wang from 13 years' lengthy confinement to unlawful and dangerous custody up to present to enable the child to be with Mother for Christmas, after she had been without Mother for 13 Christmas, pursuant to 28 U.S.C. §2106 and common laws on the US Supreme Court's granting rehearing sua sponte?
2. Does Due Process justify immediate restatement of Plaintiff's California Bar License as the suspension was based on January 25, 2022 order of California Supreme Court's prior Chief Justice, in conflicts of interest, without notice or hearing when the ground of the order is based on enforcement of a void child support order of May 3, 2013 and the May 19, 2023 order is fraudulent as the order is based on a purported Board of Trustee Resolution which does not exist, was without notice nor hearing?
3. Shall California Franchise Tax Board be required to provide accounting on total amount garnished and all communications, electronically or by mail, regarding Petitioner with State Bar of California, California Supreme Court and James McManis ?
4. Shall Tsan-Kuen Wang be ordered to comply with a deposition with production of documents to account for all briberies and

money taken from Plaintiff in the past 13 years?

5. Shall Department of Child Support Services Disbursement Center or Department of Child Support Services at Santa Clara County be ordered to provide accounting on how it allocated the money collected from Plaintiff since May 3, 2013?
6. Shall subpoena be issued to allow investigation on the clear and convincing evidence of conspiracies involved in the dismissal of Shao v. Roberts, et al. with case number of 2:22-cv-00325?
7. Shall Rob Bonta be ordered to provide the complete emails with "California Department of Child Support Services" regarding Shao v. Roberts, et al., 2:22-cv-00325 at the District Court of Eastern California as shown in App.181 of the Petition?
8. Shall Appeal No.22-15857 pending at the Ninth Circuit be stayed pending decision of whether Judge John A. Mendez's order and judgment shall be reversed for undisputedly lack of jurisdiction as Judge Mendez exceeds his jurisdiction in assigning Plaintiff's motions for injunctive relief to a Magistrate Judge and further did not obtain a consent from Plaintiff as a matter of law?

PARTIES IN THIS PROCEEDING

Petitioner, Yi Tai Shao aka Linda Shao, is representing herself, with contacting address at P.O. Box 300; Big Pool, MD 21711.

Respondents: appellate panel at Appeal No.22-15857 at the Court of Appeal, Ninth Circuit, including

Judge **Barry G. Silverman**

Judge **Ryan D. Nelson**

Judge **Patrick J. Bumatay**

And Chief Judge **Mary Murquia**

All appellees at the underlying appeal of Shao v. Roberts, et al. as shown in the docket of 22-15857 in App.7-

Rob Bonta, California Attorney General

and

Judge John A. Mendez, Magistrate Judge Allison Claire

Table of Contents

YI TAI SHAO, ESQ. *In pro per*, P.O. Box 300; Big Pool, MD 21711 Tel.: (408) 873-3888; 1

attorneyshao@outlook.com 1

QUESTIONS PRESENTED..... i

PARTIES IN THIS PROCEEDING..... iii

APPLICATION FOR EMERGENCY RELIEF, STAY AND OTHER RELIEF..... 1

JURISDICTION: 1

MATTERS REQUESTED RELIEF, WITH SUMMARY STATEMENT OF FACTS AND LEGAL BASES:..... 1

 A. EMERGENCY RELIEF A: 1

 B. EMERGENCY RELIEF B: 8

 LEGAL BASES 9

 1. It is a subject for this Petition No.23-6140 9

 2. License suspension should be vacated based on violation of Due Process where there was no hearing 9

 3. As the May 3, 2013 order is void, any order based on that order is void, and thus 1/25/2022 order to suspend Petitioner’s bar license is void. 9

 4. No enforcement for 5 years preceding 1/25/2022’s quiet enforcement 10

 FACTUAL BASIS..... 10

 Exigency 10

 Summary of facts 14

 1. Tani Cantil-Sakauye’s 1/25/2022 order was to cover up a robbery led by James McManis; they did the following to cover up the robberies (1) 1/25/2022 order pretending enforcement being started that time, (2) forged the accounting record to fraudulent date the receipt date of \$6,055.37 being in “April” 2022, (3) hacked into Fidelity

record to alter Fidelity’s records when the May 3, 2013 order was a fraud..... 14

2. May 3, 2013 is fraudulent and void that should have been vacated but Santa Clara County Court delayed hearing by nearly two years then used Judge Maureen A. Folan’s Prefiling Vexatious Litigant Order in the civil case to stall Petitioner’s access to the court..... 16

(a) May 3, 2013 Child Support order is void and reversible per se, as it was based on a void order of August 4, 2010, which had been vacated on October 31, 2011 by Judge Mary Ann Grilli and void (Appendix, pp.34-35). 17

(b) Santa Clara County Court defendants’ efforts in blocking Plaintiff’s Motion to Vacate 5/3/2013 order with the delaying tactic, and with the Prefiling Vexatious Litigant Order that James McManis procured from his attorney Judge Maureen A. Folan who was presiding in the civil case of Shao v. McManis Faulkner, et al (2012-1-cv-220571): 19

(c) May 3, 2013 order is voidable as Commissioner Kristine McCarthy and Rakhee Mehta willfully concealed statutory notice of California Family Code §4251(c), misrepresented the nature of the hearing, and issued an “Order” beyond the commissioner’s jurisdiction. 21

(d) The May 3, 2013 order violated Due Process and is voidable for having imputed income against SHAO impromptu, without any notice, motion, discovery, expert’s supporting opinion, and is void for being beyond the scope in the D.C.S.S. motion. 22

(e) The May 3, 2013 Order is voidable and should have been vacated pursuant to California Family

Code §3691 as it was based on perjured Income and Expense Declaration of Tsan-Kuen Wang. 23

(f) Tsan-Kuen Wang’s child care expense ceased to exist from the very next month following May 3, 2013’s Order, but the Court and D.C.S.S. in Santa Clara County has willfully blocked any change of the May 3, 2013 order which caused Plaintiff to be overcharged with \$83 a month plus usurped interest (about 35%) for 10 years in the amount of \$20,000+, when Darryl Young, Rakhee Mehta and the D.C.S.S. in Santa Clara County defendants willfully failed to file a motion to modify May 3, 2013 order since June 2013 when the D.C.S.S. in Santa Clara County has a statutory duty to file a motion under California Code of Regulations, when Plaintiff was blocked to file a motion. 24

(g) In order to create a debt against SHAO when Wang’s income could not make it happen, Rakhee Metha conspired in putting down a false number of “zero” time share fraudulently, such that May 3, 2013 order is voidable for this extrinsic fraud on court in conspiracy, in violation of 18 U.S.C. §241 and California Penal Code §96.5 and §182. 25

(h) May 3, 2013 order is a fraud on court, a conspiracy that was directed by James McManis and McManis Faulkner law firm that should be void for violation of public policy, California Penal Code §96.5 and §182, and 18 U.S.C. §241. 26

(i) In violation of Due Process, the Santa Clara County Court and the D.C.S.S. in Santa Clara County conspired in not deciding

Plaintiff’s motion to modify child support on May 3, 2013 since August 25, 2009 but aiming at creating a new fraudulent child support debt against Plaintiff on 4/24/2023 26

C. RELIEF NO.4 27

D. OTHER RELIEFS..... 28

VERIFICATION 28

Cases

Bell v. Burson, 402 U.S. 535, 539, 91 S.Ct. 1586, 29 L.Ed.2d 90 (1971)..... 9

Gray v. Superior Court, 123 Cal.App.4th 949 (Cal. Ct. App. 2004)..... 9

Guillemard-Ginorio v. Contreras-Gomez, 490 F.3d 31, 40 (1st Cir. 2007)..... 9

Guillemard-Ginorio v. Contreras-Gomez, 490 F.3d 31, 40 (1st Cir. 2007)..... 9

In re Marriage of Schmir (2005) 134 Cal.App.4th 43. 23

Jordan v. Silverman, 294 F.2d 916, 918 (D.C. Cir. 1961), 9

Mitchell v. Superior Court, 28 Cal.App.3d 759 (Cal. Ct. App. 1972)..... 10

TABLE OF APPENDIX

1	Robert Meek's 5/17/2023 letter disclosing the US Supreme Court Justices's conspiracy in "closing" Petition No.22-28 as early as on October 3, 2022 to make its rehearing procedures thereafter 50 days to be fraudulent based on such predetermination of permanent parental deprivation.
2	November 22, 2022 email from Robert Meek showing a "BR" was manipulating fraudulent notices
3	9/28/2023 letter of Noel Murray disclosing (1) robbery of Fidelity account on 1/13/2022 but provided fraudulent account record to falsify depositing date being April 2022 for \$6,055.37, (2) forged 6 notices to misrepresent 6 enforcements, (3) fraudulent accounting Auditing Summary—\$10,740 deposit in 2022 became only \$3,500 with \$7,200 disappeared!
4	James McManis/William Faulkner's hacking into Fidelity account to alter their archive on Notice from the D.C.S.S. Disbursement Center.
5	Jill Sardeson's note recording Tsan-Kuen Wang's bottom line instruction on the eve of the initial judicial kidnapping
6	Undisputed Julie Serna's Certificate of Court Reporter Waiving Deposit filed on 5/8/2014 that had been purged by Santa Clara County Court when they kept issuing fraudulent Notices of Non-Compliances falsifying Petitioner's failure to procure the transcript and then used that ground to dismiss child custody appeal (H040395)
7	Undisputed evidence that Tsan-Kuen Wang has had dangerous mental disorder

8 ECF 66 order of 12/13/2023 denying stay

APPLICATION FOR EMERGENCY RELIEF, STAY AND OTHER RELIEF
TO JUSTICE AMY CONEY BARRETT PURSUANT TO RULE 22:

JURISDICTION:

Rule 22 of U.S. Supreme Court Rules, 28 U.S.C. §2106 and §1965; common laws on rehearing sua sponte, when the requested relief is related to the subject matters of Petition NO.23-6140 regarding the appeal NO.22-15857 pending with Ninth Circuit. Also, the precedent of Petition No. 12-8660 where when all but Justice Kagan recused, one Justice alone may decide the Petition in the “conference”.

MATTERS REQUESTED RELIEF, WITH SUMMARY STATEMENT OF FACTS
AND LEGAL BASES:

A. EMERGENCY RELIEF A:

Petitioner Yi Tai Shao respectfully requests an order to require Tsan-Kuen Wang to immediately purchase a roundtrip air ticket with the return trip refundable one, for Lydia Deborah Wang to fly from California to Maryland to stay with Petitioner for Christmas and as long as Lydia may wish, including payments of transporting two suitcases, a carry-on, give her a stipend of no less than \$700 cash, to release Lydia Deborah Wang's belongings, musical instruments, and everything under her title, and ship them in good order to Petitioner's residence in Maryland within a month, with a restraining order that Tsan-Kuen Wang and his agents shall not harass Lydia or conduct any electronic stalking/surveillance over Lydia and Petitioner, to set Lydia free from 13 years' lengthy confinement that was caused by judicial kidnappings/conspiracies.

LEGAL BASES: The Supreme Court's sua sponte rehearing power¹ and the power to correct problems even after closure of a case pursuant to 28 U.S.C. §2106. In *United States v. Ohio Power Co.*, 353 U.S. 98 (1957), the Supreme Court may sua sponte request Rehearing out of time to vacate its own order denying rehearing made 6 or 7 months ago; see also; "Rehearing SUA Sponte in the U.S. Supreme Court: A Procedure for Judicial Policymaking", *Chicago-Kent Law Review*, Vol.65, Art. 13 that is in ECF 262-13 in 1:21-cv-01490-CFC, District Court in Delaware, filed on 11/24/2023.

FACTUAL BASES:

Exigency

Parental deprivation has been the top exigent legal issue, yet Lydia was forcibly separated from her mother based on judicial corruption which was prolonged to 13 years because of bribes and judicial kidnappings within the Enterprise led by James McManis, Tani Cantil-Sakauye and Anthony M. Kennedy. Please see **THE EVIDENCE SUPPORTING THE ARTICLE "*What happened to Lydia and how she was judicially kidnapped*"** that was posted on **shaochronology.blogspot.com**. Attorney Meera Fox read the evidence and sponsored with a declaration on judicial conspiracies. Mothers of Lost Children's Director read it and fully supported Petitioner with Amicus Curiae Motion of Mothers of Lost Children filed in Petition No.17-82 (hided by Danny Jordan

¹ In *Brown v. Aspden*, 55 U.S.25, pp.26-27 (1852), Chief Justice Taney stated that the court could and would request rehearing without the consent of counsel whenever the Court deems rehearing necessary: "The Court may and would call for a re-argument, where doubts are entertained which it is supposed may be removed by further discussion at the bar."

Bickell), in Petition No.17-256 which was granted. In Petition No.18-569 which was an appeal from child custody appeal, this court's justices conspired with James McManis in not deciding the Amicus Curiae motion and purged it; the crimes is prima facie as at the bottom of the docket there was appearance by Amicus Curiae attorney but paper was not shown on the docket. The Court blocked 17 Applications to Justice Amy Coney Barrett with 7 of them having been admitted by all Appellees in Petition No.22-350.

Intent of the Justices to conspire in causing permanent parental deprivation of Plaintiff was disclosed by Robert Meek's 5/17/2023 letter when he returned the 16th Application to Justice Amy Coney Barrett. See his letter in **Exhibit 1**. Petition No.22-28 was the last Petition Petitioner strived to save Lydia as her mother out of the very unhealthy custody.

Meek's letter disclosed that the justices determined or conspired secretly to close the habeas corpus case Petitioner made on behalf of Lydia on October 3, 2022, making all remaining proceedings in the following 50 days to be meaningless and fraudulent, based on such predetermination of case closure, even though the Rehearing was denied on November 22, 2022. On Nov.22, 2022, Robert Meek sent an email to Petitioner disclosing that it was a "BR" who coached him by verbatim on the seventh false return notice of Application to Justice Amy Coney Barrett. See a true copy with Petitioner's comments in **Exhibit 2**.

But for such concealed unlawful predetermination in conspiracy on October 3, 2022, and 7 times blocking Petitioner's seeking grievance in front of Justice Barrett

in Petition 22-28 in violation of 18 U.S.C. §§241 and 242, 1506, 1512(b) and (c), Lydia would have returned to her Mother.

In equity, Petitioner respectfully requests her child Lydia may enjoy this Christmas with Petitioner, after 13 Christmas holidays without her mother, when the courts breached their duty to expedite their resolutions on child custody matters.

Summary facts

Petitioner, a great Mom (App.217-218 for Petition No.22-28), had the historically longest supervised visit in the United States up to the eve of Lydia's 18th birthday. [See the professional supervisor Esther Alex-Taylor's affidavits in Petition No.22-28, App. 198-205; her brother Louis Wang's letters in Petition No.22-28, App. 206-212.] Lydia was taken away from Petitioner in an extreme traumatic way of judicial kidnapping through Tsan-Kuen Wang's briberies of government social worker and Judge Edward Davila, in retaliation against Lydia for her reporting Wang's physical abuses in the week of July 19, 2010. See Declaration of a third party preschool teacher Mei Ying Hu filed on August 4, 2010 regarding Social Worker Misook Oh's harassment of Lydia on August 2, 2010, regarding Lydia's statements of her injuries in Petition No.22-28, App.195-197.

Four (4) years later on September 15, 2014, CIGNA Health Insurance disclosed about 275 psychological insurance claim records of Tsan-Kuen Wang, which corroborated with Lydia's complaint of Wang's brutal physical abuse in end of July 2010, including strangling, held her feet up side down and dropped her head against

the hard wood floor, etc.. See Dr. Jeffrey Kline's report in App.220-226 for Petition No.22-28 on a dangerous mental disorder out of 6-7 mental illnesses of Wang. She was abused almost to death then met Jesus and was brought to Heaven.

Santa Clara County Court Appellees knew Wang's psychotic issue, and covered it up by never allowing a psychological evaluation on Wang; in contrast, Petitioner was ordered a full psychological test and evaluation with very positive result.

To cope with the mandatory switch child custody in lieu of discovery of Wang's concealed mental disorder, James McManis manipulated the court, his client, and his attorney Judge Maureen A. Folan, to forge a Prefiling Vexatious Litigant Order on or about June 24, 2015 without any evidence, nor a statement of decision, and let Presiding Judge Rise Pichon to forge a sua sponte order of May 27, 2016 to block Petitioner's filing motions in her divorce case. No deputy clerk would enter this into the docket of the civil case. Two years later, on 8/15/2017, a "contractor" entered Folan's prefiling order into the civil case docket of Shao v. McManis Faulkner et al and forged 6/16/2015 as the entry date.

Due to *unambiguous* stalking and unknown threats by the psychotic Wang, Lydia has not been talking to Petitioner after the supervised visits ceased before her 18th birthday, in early March 2023 even though she is 18.

To release Lydia to Petitioner was one of the Motions for Injunctive Relief for this underlying District Court case (ECF 21 et seq) filed on 3/4/2022, where Judge John A. Mendez assigned to Magistrate Judge Allison Claire without jurisdiction in violation of 28 U.S.C. §636; Magistrate Judge Allison Claire issued summary denial

deliberately without jurisdiction, and Judge John A. Mendez adopted her despite Petitioner had expressly rejected the Magistrate Judge's jurisdiction (ECF 51 in the District Court case; see Appendix for this Petition).

Plaintiff respectfully requests judicial notice being taken over her Petition for Writ of Mandamus filed with Petition No.22-350, because the contents of the Petition had been tacitly admitted about 20+ times. The following headings that are in the Petition for Writ of Mandamus that are relevant to this issue:

- “1. A series of “undisputed” or “irrevocable” admissions to *judiciary conspiracies*, undisputed “briberies” related to 19-5014 dismissal, and discovery of **direct evidence for California courts’ conspiracies of parental deprival** in 21-5210 appeal proceeding.
 - (1)**James Lassart admitted to McManis appellees’ conspiracies** with D.C. Circuit Court of Appeal in summarily dismissing 19-5014 appeal on 7/31/2019
 - (2) **California Chief Justice Tani Cantil-Sakauye “irrevocably conceded” to her conspiracies with McManis, Justice Kennedy and other Justices of this Court in denying all relief to consummate McManis;s plan of permanent parental deprival;**
 - (3) **Admission by all appellees on the direct evidence of California courts’ frauds in dismissing child custody appeal—the child custody trial’s court reporter Julie Serna’s “Certificate of Court Reporter’s Waiving Deposit”**
 - (4) McManis appellees admitted that they wrote Judge Patricia Lucas’s child custody order of 11/4/2013
 - (5) Admissions that McManis’s hacker destroyed all files of Petitioner’s data base by burglarizing Petitioner’s home/office
 - (6) McManis appellees’ additional 8 tacit admissions in the 3rd Supplement (1921981) to 1920120 (uncontested):
 - a. **James McManis conspired with Lucas to purge Julie Serna’s Certificate**, block Petitioner’s access to her Family Case Docket to conceal such purging, burglarize erasing records, and **generate false notices in dismissing appeal from Lucas’s Child Custody order**
[omitted]
- 2. For 7 times, Chief Justice has willfully blocked Petitioner from seeking grievance from Justice Barrett, the only impartial Justice at this Court”

Julie Serna's Certificate as shown in App.25 for Petition No.22-28 is direct evidence of judicial conspiracies² in dismissing Plaintiff's child custody appeal, as the ground California Sixth District Court of Appeal used to dismiss Plaintiff's child custody appeal was Petitioner's purported failure to procure transcripts and this Certificate proves that Petitioner did pay Julie Serna, and the false ground was conspiracies of dismissal of child custody to interfere Petitioner's child custody right, felonies of California Penal Code §278.5, 18 U.S.C. §241, §242, when the Court committed felony of altering records in violation of California Government Code §6200. The court purged this Certificate, concealed purging from being noticed by Petitioner by concealing the divorce docket from public's access by 8-10 months, while James Mcmanis burglarized Petitioner's home and office to wipe out all data, to make the Certificate disappeared from the world, then kept generating false notices of default/non-compliances to let California Sixth District Court of Appeal to use those false notices to dismiss the child custody appeal (H040395/Petition no.18-569).

When Attorney Meera Fox prepared her declaration attesting to judicial conspiracies in blocking child custody to return to Petitioner (App. 160-189), Meera Fox noted the divorce docket's concealment but was unaware of the fact that the court purged Julie Serna's Certificate from the court record.

² Petitioner is drafting First Amended Complaint for RICO as James McManis, Tani Cantil-Sakauye, and retired Justice Anthony M. Kennedy as three leaders of the American Inns of Court Enterprise had influenced all Justices of this Court, present or retired, in retaining their voting right by a conspiracy in each not deciding on his/her recusal regarding Petitioner's 14 duly filed Requests for Recusal in order to be able to use the illegally retained voting right to vote for summary denial of all cases of Petitioner to satisfy the common goal of the Enterprise of permanent parental deprivation and blockage of all access to all courts.

Please see the Introduction section of Petitioner's draft for the First Amended Complaint when it is available.

B. EMERGENCY RELIEF B:

Petitioner respectfully requests the Court to grant relief to order California State Bar to immediately reactivate Petitioner's bar license that was illegally suspended with minimal notice nor hearing, based on the false excuse of enforcement of the void May 3, 2013 child order, when it had not enforced the order for 5 years, which was issued by a Commissioner without verification by a judge with concealment from Petitioner that Petitioner could file an "Objection" in violation of California Family Code §4251(c). Tani Cantil-Sakauye, a defendant at Shao v. Roberts, et al since 2018, with direct conflict of interest, signed the order on 1/25/2022 to cover up a robbery conspired by James Mcmanis and California Department of Child Support Services based on James McManis's burglar's burglary into Petitioner's home in Maryland. See Exhibit A for Petitioner's draft in ¶1.a.iii and ¶1.z.

As part of the illegal enforcement of child support order of May 3, 2013, the Department of State has disallowed passport renewal even though Petitioner had paid double fees twice (About \$192 for expediting service in Feb. 2022 and \$160 to Tel Aviv where Petitioner obtained only an Emergency Passport to return to the US from her mission. Petitioner respectfully request relief to order Department of State to issue a passport to Petitioner when she had paid double fees to renew her passport (\$192 in February 2022 for expeditious service, and \$160 at Tel Aviv Israel after her Middle East mission to return to the U.S.).

LEGAL BASES

1. It is a subject for this Petition No.23-6140

This issue is one of the four Motions for Injunctive Relief Petitioner filed with the underlying District Court of Eastern California in ECF 14. But for the panel being biased, any reasonable judge should have granted Petitioner's Motion for Summary Reversal (ECF 21, see Appendix for Petition), which is pending review by this court.

2. License suspension should be vacated based on violation of Due Process where there was no hearing

It has long been established that a state may not suspend a professional license without a pre-deprivation hearing. See, e.g., *Guillemard-Ginorio v. Contreras-Gomez*, 490 F.3d 31, 40 (1st Cir. 2007). In *Jordan v. Silverman*, 294 F.2d 916, 918 (D.C. Cir. 1961), the Court held that "It is fundamental that an insurance agent's license, once issued and acted upon, may not be suspended or revoked without procedural and substantive due process of law." See, also, *Bell v. Burson*, 402 U.S. 535, 539, 91 S.Ct. 1586, 29 L.Ed.2d 90 (1971) ("Suspension of issued licenses thus involves state action that adjudicates important interests of the licensees. In such cases the licenses are not to be taken away without that procedural due process required by the Fourteenth Amendment.")

According to *Gray v. Superior Court*, 123 Cal.App.4th 949 (Cal. Ct. App. 2004), a professional license cannot be suspended without a notice.

3. As the May 3, 2013 order is void, any order based on that order is void, and thus 1/25/2022 order to suspend Petitioner's bar license is void.

No one can enforce a defective order and an order based on a defective order is void. See, e.g., *Mitchell v. Superior Court*, 28 Cal.App.3d 759 (Cal. Ct. App. 1972)

- In *Mitchell*, the Court specifically quoted that:

“No one can be punished for disobedience of a void order. (*Fortenbury v. Superior Court* (1940) 16 Cal.2d 405 [106 P.2d 411]; *Brady v. Superior Court* (1962) 200Cal.App.2d 69 [19 Cal.Rptr. 242].)”

4. No enforcement for 5 years preceding 1/25/2022’s quiet enforcement

When Tani Cantil-Sakauye issued the 1/25/2022 order based on enforcement of child support order of May 3, 2013, California Department of Child Support Services in Santa Clara County had not enforced for nearly 5 years since April 1, 2017 when Plaintiff moved out of Santa Clara County and further moved to Maryland in 2021.

As will be discussed below, 1/25/2022 order was in fact to cover up a robbery took place 10 days prior.

FACTUAL BASIS

Exigency

1. Petitioner was forced to expend \$30,000 to hire another attorney on her lawfirm’s collection case due to the surprising license suspension as the Judge who is close to Tani Canti-Sakauye appeared to be influenced by the Enterprise and threatened dismissal of the case. Exigency happened now as on October 18, 2023, this attorney, appeared to be influenced by James McManis in that, suddenly continued the hearing of Nov. 18, 2023 for motion

for summary adjudication, behind Petitioner's back, and contrary to Petitioner's prior written instruction not to continue hearing, yet the otherside's Opposition due date will be on December 19, 2023. Petitioner felt uncomfortable to continue the retaining when she had loaned nearly \$30,000 to pay attorney fees as a result of the unlawful license suspension, and has concern of breach of fiduciary duty. Therefore, it is exigent for this Court to grant relief to reactive Petitioner's California Bar License that was suspended without hearing after a quiet robbery done 10 days preceding "enforcement."

2. Regarding the passport, Petitioner should not be abridged her right to travel as she has desires to see her aged mother in Taiwan for Chinese New Year (2/8/2024) and is unreasonably restricted for already about two years.
3. The Appellees are strive hard to keep Petitioner's license suspension by (A) forging accounting that each dollar collected lost its value such as always created debt against Petitioner, (B) refusing to settle with Petitioner in good faith, (C) rushing new child support order fraudulently on April 24, 2023, after Lydia had reached 18 with the second time fraudulent imputation of income against Plaintiff, (D) keep sending invoices for \$500 a month without any supporting order when Lydia is 18 already, (E) quietly proceeding with the seventh suspension fraudulent on May 19, 2023 with a docket of S280063 without any notice nor hearing.

See Exhibit 3 for Noel Murray’s 9/28/2023 letter where they forged 6 notices of warning to pretend that being evidence of enforcement, in conflicts with the docket of S220266. Noel Murray had failed to respond to Petitioner’s inquiries three times since early October 2023 that his letter was non-responsive and not about lump sum payment, due to conspiracies. The forged notices are not evidence of enforcement but they would like to forge them being enforcement, that being inconsistent with he docket records of S220266 where only 5 enforcements and each enforcement shall have license suspension. These false notice violated California Family Code §17522 to stay levy pending judicial review and do not make any sense, other than exhibiting their pattern of frauds.

In hearing someone would help Plaintiff with lump sum payment, California new Chief Justice Patricia Guerrero and State Bar of California followed the same path of Tani Cantil-Sakauye in quietly generating an order and docket S280063 on May 19, 2023, pending suspension by Tani’s 1/25/2022 order, to prematurely ordered suspension of Petitioner’s bar license for non-payment. Just like Tani Cantil-Sakauye’s order allegedly based on a State Bar’s Board of Trustees’ resolution on 7/27/2020 when no such resolution in existence, the new California Chief Justice’s 5/19/2023’s quiet order is also based on a NON-EXISTENT resolution of California Board of Trustee. Their contents are identical. Comparison of the two cases created by two California Chief Justices targeting at suspending Plaintiff’s bar license shows:

	S263527	S280063
Based on NON-existent resolution	7/29/2020 of Tani Cantil-Sakauye: purportedly	5/19/2023 order of Patricia Guerrero—

of Board of Trustees of State Bar of California	based on <i>non-existent</i> resolution of “7/27/2020” of California State Bar Board of Trustees	docketing an Ex Parte “motion for suspension” purportedly based on non-existent resolution of “5/18/2023” of California State Bar Board of Trustees
contents are the same-- illegal premature order to suspend bar license before due date	See Appendix, p.240	See Appendix, p.485
Creation date	7/27/2020	5/19/2023
Closing date	8/24/2020 (Appendix,p.242, as a result of Plaintiff's email dated 8/24/2020, shown on p.243) Second closure was discovered on 9/11/2023. (Appendix, pp.488)	Appendix,p.489, discovered by Plaintiff on 10/12/2023 to be closed
State Bar's notice to Plaintiff	8/14/2020 (Appendix, p.241)	6/2/2023 but mail was returned
Additional 80 fraudulent orders after 8/14/2020 case closure	based on stealing the identities of 80 deceased lawyers, including 75 orders of Tani Cantil-Sakauye ranging from Nov 30 2020 through August 26, 2022 and 5 orders of Patricia Guerrero on 2/8/2023, 6/7/2023 and 9/26/2023.	
Fraud after second closure	9/26/2023 order (appendix, p.492)	
Evidence of Malice: Alteration of Plaintiff's attorney profile to block bar due payments	State Bar Fixed Plaintiff's profile upon complained. See corrected one in Appendix, pp.499-502. Bar due payment section, after corrected, was on p.501.	Up to present State Bar of California still would not fix—Chief Justice suspended Plaintiff's bar license for lack of payment and removed the section in profile to

		<p>allow payment. See Appendix, p.495-496 where the section to pay bar dues was gone.</p>
--	--	---

Moreover, in both situations, Petitioner's State bar profile was altered such that there was no place for payment bar dues, i.e., impossible to pay bar dues.

Previously in S263527, California State Bar corrected the profile upon complaint; this time, so far, California State Bar still maintained the altered profile. Both case are closed. See **Exhibit 4 for the profile corrected in 2020 and the current profile without a section to pay bar dues. See Exhibit 5, that the case was closed, with a mail return that means no notice.**

Summary of facts

1. Tani Cantil-Sakauye's 1/25/2022 order was to cover up a robbery led by James McManis; they did the following to cover up the robberies (1) 1/25/2022 order pretending enforcement being started that time, (2) forged the accounting record to fraudulent date the receipt date of \$6,055.37 being in "April" 2022, (3) hacked into Fidelity record to alter Fidelity's records when the May 3, 2013 order was a fraud.

i. In early January 2022, James McManis's burglar Kenny, Jr. stole the statement of Plaintiff's Ross-IRA Fidelity account of \$6,055.37 that Fidelity Investment mailed to Plaintiff in end of December 2021; **McManis directed California D.C.S.S. Disbursement Center to immediately rob the money, without notice, on 1/13/2022.** Then they covered up the robbery done by the D.C.S.S. Disbursement Center by conspiring with California State Bar and Tani Cantil-Sakauye to forge the 5th enforcement of May 3, 2013 child support order on 1/25/2022 by Tani Cantil-Sakauye as the 6th suspension of Plaintiff's California bar license (another time was based on S263527), when Tani had conceded that she had conspired with James McManis and California State Bar in suspending Plaintiff's

bar license with the excuse of child support order enforcement four (4) times with the last one ending in February 2017, five years ago.

ii. Before this \$6,055.37 robbery, there was a previous stealing of a pure checking in the amount of \$4,984.25 through Kenny's burglary in Plaintiff's Maryland's residence and McManis defendants gave the information for California Franchise Tax Board to commit **quiet robbery** on 11/29/2021 with the false excuse of "imputation of income tax"; after Plaintiff visited FTB office in December 2021, they would not do this again, but promised to refund to Plaintiff the "impute income tax" that they garnished as long as Plaintiff would file her income tax returns even if no income and should have made the refund in January 2022. California Franchise Tax Board delayed "refund" until end of June 2022 in order to "launder" the illegally garnished funds into the hands of the D.C.S.S. Disbursement Center where the FTB only "refunded" \$4,685.16 and refused to give accounting nor explain how much total they had quietly garnished and how come they did not do full "refund".

After April 1, 2017 when Plaintiff moved away from Santa Clara County, Tani Cantil-Sakanuye and James McManis has used California Franchise Tax Board to commit robbery over Plaintiff with the false excuse of "imputation of income tax" to garnish thousands of dollars from Plaintiff's accounts, without any notice nor hearing. When they took \$4,984.25 on 11/29/2021, they "refunded" through money laundering only \$4,685.16, and refused to provide accounting, or explanation.

iii. As January 2022 was the time for California FTB to refund to Plaintiff per their promise in December 2021, FTB apparently refused to garnish the \$6,055.17 in January 2022, and thus, McManis turned to the D.C.S.S. Disbursement Center³ who rushed a quiet robbery over the newly discovered Ross-IRA account in Fidelity on January 13, 2022 without any notice.

³It is unique and unusual that this 1/13/2022 robbery over Plaintiff's Fidelity Roth-IRA was issued from D.C.S.S. Disbursement Center, instead of D.C.S.S. in Santa Clara County and the latter declined knowledge of the fact of 1/13/2022 taking and alleged that being done by D.C.S.S. Disbursement Center which is under the direct supervision of David Kilgor.

iv. In order to justify the robbery, 11 days later, McManis directed the D.C.S.S. Disbursement Center to notify California State Bar to start enforcement of May 3, 2013 order on 1/24/2022; Tani signed the order on 1/25/2022 and entered on the docket of S220266 dated 1/25/2022 as the 5th enforcement of May 3, 2013 order. They all conspired in avoiding any settlement with Plaintiff in order from 2/4/2022 through 2/24/2022 to ensure Plaintiff's bar license would be *automatically suspended* based on Tani's 1/25/2022 order on 2/24/2022.

v. Moreover, in order to cover up the robbery that was made preceding the enforcement, the D.C.S.S. Disbursement **forged the deposit date** for \$6,055.37 to be in "April" 2022 when Fidelity tendered a cashier check in February 2022.

vi. A close examination of their Auditing Summary will uncover another fraud in accounting in that each dollar lost its value about 25-70 percent such that despite they had garnished more than 41 thousand dollars, Plaintiff's account still shows a debt of \$20k+ when the child support was \$385 child support a month. There is always a debt due to D.C.S.S.'s fraudulent accounting. For example, in 2022, the deposit was \$10,740.53, but the "Auditing Summary" showed only about \$3,500 of debt decreasing. **\$7,200+ money was disappeared!**

vii. In December 2023, Petitioner further discovered that they altered Fidelity record to cause Fidelity to issue two different notice of order of withholding. See in **Exhibit 6.**

2. May 3, 2013 is fraudulent and void that should have been vacated but Santa Clara County Court delayed hearing by nearly two years then used Judge Maureen A. Folan's Prefiling Vexatious Litigant Order in the civil case to stall Petitioner's access to the court

The following facts in (a) through (i) proved the frauds involved in May 3, 2013 order.

(a) May 3, 2013 Child Support order is void and reversible per se, as it was based on a void order of August 4, 2010, which had been vacated on October 31, 2011 by Judge Mary Ann Grilli and void (Appendix, pp.34-35).

Despite this issue was *undisputed* by all parties that does not need any more proof, Commissioner McCarthy still used her inability to locate 10/31/2011 order as an excuse to rush creation a debt against Plaintiff on May 3, 2013, even though she did state on the record to the effect that “if SHAO could find Judge Grilli’s 10/31/2011 order, SHAO may file a motion to set aside and I (McCarthy) would vacate this (May 3, 2013) order.”

On May 3, 2013, Commissioner Kristine McCarthy in fact had a statutory duty under California Family Code §4251(e) to join issues concerning custody, and visitation in the child support action filed by the local child support agency, and should have referred the child custody issue to a commissioner or a judge for resolution, with knowledge that the court had illegally maintained the vacated orders of Judge Edward Davila for years *without review* which constituted child kidnapping, but she stated on the record on May 3, 2013 that you would have to go to APJ (Judge Theodore Zayner) on child custody issue, and deliberately rushed into May 3, 2013 child support order, creating an ostrich excuse that the court could not find 10/31/2011 order, when, but for conspiracies, Commissioner McCarthy should have continued the hearing to get the 10/31/2011 order of Judge Grilli (App.101 for Petition No.22-28) which would show in the first paragraph of the order that Petitioner’s Motion to Vacate Orders of August 4 and 5 of 2010 was granted.

Based on her statutory duty under California Family Code §4251(e), in conducting the first hearing that was preceding May 3, 2013⁴, in the first hearing Commissioner McCarthy was mad at the D.C.S.S. child support attorney as to why she had not investigated how a parental deprivation could have been lasting for so long (almost 3 years) *without review*⁵ since August 4, 2010.

On the second hearing, i.e., May 3, 2013, however, McCarthy was coached and **pushed into** issuing an order on that day, which was at odds with her statement made on the record in prior hearing, **McCarthy pretended her being incapable** to locate the October 31, 2011 order, by slowly flipping pages on the volumes on her bench and used that as an excuse to create a child support debt **based on Judge Edward Davila's August 4, 2010 order with knowledge that the 8/4/2010 order had been vacated and had been void.**

McCarthy unreasonably insisted on “locating 10/31/2011 order in order to avoid the May 3, 2013 order”, even though there was a consensus between the parties that August 4, 2010 order had been vacated but *somehow maintained*, such that **the ground to set aside May 3, 2013 order was already in existence since the day the May 3, 2013 order was issued.**

Then, McCarthy has been avoiding to preside over SHAO's divorce case ever since, which caused her invitation for a motion to vacate after locating the

⁴ It appears that Santa Clara County Court had purged the May 1, 2013 hearing from the case docket.

⁵ Judge Edward Davila cancelled “review” and the court removed the docket entry of “review” of his orders of August 4 and 5 of 2010. In the notes of Michael Reedy, as attested by Reedy, Davila conspired with him and Sussman on August 23, 2010 in Davila's chamber that “there would be no review” on the “Temporary Order.”

10/31/2011 order which she stated on the record during May 3, 2013 hearing to be *fraudulent*.

(b) Santa Clara County Court defendants' efforts in blocking Plaintiff's Motion to Vacate 5/3/2013 order with the delaying tactic, and with the Prefiling Vexatious Litigant Order that James McManis procured from his attorney Judge Maureen A. Folan who was presiding in the civil case of Shao v. McManis Faulkner, et al (2012-1-cv-220571):

The enterprise conspired in directing the commissioners to **keep continuing SHAO's motion to vacate 5/3/2013 order by nearly 2 years** without adjudication, then took it off from calendar in September 2015 taking advantage of SHAO's one time miscalendaring; then Judge Joshua Weinstein cancelled the re-filed motion on April 27, 2016⁶ with the false ground of the prefiling vexatious litigant order which McManis defendants procured from their prior attorney of record Judge Maureen A. Folan in Shao v. McManis Faulkner, James McManis, Michael Reedy, et al. (2012-1-cv-220571).

Then-Presiding Judge Rise Pichon at Santa Clara County Superior Court, issued an order on May 27, 2016, *without a motion, notice, nor hearing*, with a holding that Judge Joshua Weinstein violated Due Process in cancelling Plaintiff's 4 motions on April 29, 2016, but ordered that Prefiling Vexatious Litigant Order of Judge Maureen A. Folan from the civil case of Shao v. McManis Faulkner, et al., shall apply to screen Plaintiff's future motions in her divorce case. Rise Pichon, a judge member of Mcmanis's Club, knew that Folan's order was a violation 18

⁶ There was no notice for this order and this order has no proof of service. It was a bit blurry that was apparently faxed from extrajudicial source.

U.S.C. §242 and §1962 for the ulterior purpose of interfering Plaintiff's regaining her child custody, in violation of California Penal Code §278.5, §96.5 and §182, and knew that 5/27/2016 order directly violated California Supreme Court's decision in *Shalant v. Girardi*, 51 C.4th 116 (2011).

Since Pichon's 5/27/2016 order, all Presiding Judges of Santa Clara County Court, including Rise Pichon, Theodore Zayner, Patricia Lucas, and Beth McGowan have consistently denied all⁷ vexatious litigant applications filed by SHAO to change child custody, child support or venue, to block SHAO completely from any access to the family court.

Judge Zayner and McGowan further had refused to set a hearing date for Petitioner's Renewed motion to vacate dismissal and all orders of Judge Maureen A. Folan that was filed in *Shao v. McManis Faulkner, et al.* since November 4, 2021, based on the judges' concealed relationship with James McManis, Michael Reedy and McManis Faulkner law firm. The same motion was filed in both lower courts in California and both courts have willfully infringed upon SHAO's civil rights in violation of 18 U.S.C. §241 and §242 in refusing to set a hearing date to decide for already more than two years!.

⁷ All were denied except one that is not related to change of child custody or child support. That was SHAO's application to vacate Judge Joshua Weinstein's 6/17/2016 order that required SHAO to disclose her residence to Wang, based on conflicts with Grilli's 5/25/2010 order, after SHAO spent nearly \$25,000 in retaining another attorney to fight through appeal.

(c) May 3, 2013 order is voidable as Commissioner Kristine McCarthy and Rakhee Mehta willfully concealed statutory notice of California Family Code §4251(c), misrepresented the nature of the hearing, and issued an “Order” beyond the commissioner’s jurisdiction.

On 5/3/2013, in perpetrating the fraud on court, Commissioner Kristine McCarthy and Rakhee Mehta at the Department of Child Support Services both willfully concealed from Petitioner the statutory notice mandated by Family Code §4251(c) and Rule 2.816 of California Rules of Court that the decision of Commissioner McCarthy would be

“merely temporary in nature as it was issued by a commissioner, that the parties have right to have the child support issue decided by a judge”.

Petitioner suffered prejudice by such concealment of §4251(c) notice. Petitioner **could have easily invalidated the May 3, 2013 order by a simple objection** within 10 days pursuant to California Family Code §4251, and requested de novo review by a judge, if Petitioner were given the statutory notice. Such concealment constituted a misrepresentation by both the court involving the All Purpose Judge Theodore Zayner and Commissioner Kristine McCarthy, and the D.C.S.S. for Santa Clara County as led by Darryl Young and appeared by Rakhee Mehta.

As a direct result of the conspired misrepresentation, Petitioner suffered money damages of (1) \$10,000 undertaking which Judge Theodore Zayner had refused to make a refund to Petitioner after appeal, and **caused the court to convert this money** since May 2013 when Petitioner filed the Notice of Appeal, (2) significant legal fees of at least \$25,000 for the appeal, (3) at least \$10,000 legal fees and costs for a motion to vacate 5/3/2013 order which was delayed without adjudication by the

court by nearly 2 years with at least 4 hearings' appearances, (4) about \$360 in re-filing of the motion after Plaintiff's motion to vacate 5/3/2013 order was "cancelled" by a commissioner in taking advantage of her inadvertent not showing up for the hearing in September 2015 for miscalculation (5) thousand dollars of expert fees paid to Attorney Meera Fox for her declaration (Appendix, pp.113-146), (6) at least \$41,484.09 (Appendix, p.172) on child support payments, (7) at least \$30,000 loan for having to hire other attorney in 2023 because of the Enterprise's illegal suspension of Plaintiff's bar license.

In concealing from Petitioner the statutory notice about the nature of 5/3/2013's proceeding and "order," the D.C.S.S. in Santa Clara County defendants, Judge Theodore Zayner and Commissioner Kristine McCarthy further conspired to deny Petitioner's request to stay enforcement of May 3, 2013 order and immediately started robbing money from Petitioner on May 3, 2013 based on the fraudulent child support debt.

(d) The May 3, 2013 order violated Due Process and is voidable for having imputed income against SHAO impromptu, without any notice, motion, discovery, expert's supporting opinion, and is void for being beyond the scope in the D.C.S.S. motion.

Darryl Young (then lead attorney) and Rakhee Mehta (Attorney) knew this issue but willfully conspired with the enterprise to prepare a child support guideline based on Rakhee's ex parte communications with Tsan-Kuen Wang where Rakhee Mehta went ahead, without jurisdiction, to impute income against Plaintiff, in order to forge a child support debt against Plaintiff.

Rakhee Mehta did not give her child support guideline *to Plaintiff before hearing*.

During Rakhee Mehta's ex parte communication with Tsan-Kuen Wang to prepare the guideline for child support, they knew without imputation of income, Wang would still owe Plaintiff more than \$300 for child support even when he kidnapped Lydia in his sole custody.

To impute income against Plaintiff requires a noticed motion, an evidentiary hearing and expert's opinion. See *In re Marriage of Schmir* (2005) 134 Cal.App.4th 43. Rakhee Mehta simply imputed income against Plaintiff impromptu on 5/3/2013 without any procedural safeguard, which is nothing less than a robbery, and such order is void under prevailing law.

(e) The May 3, 2013 Order is voidable and should have been vacated pursuant to California Family Code §36918 as it was based on perjured Income and Expense Declaration of Tsan-Kuen Wang.

Tsan-Kuen Wang filed a perjured Income and Expense Declaration on or about April 23, 2013 falsifying his rental expense, concealing his purchasing a

⁸California Family Code §3691 states:

The grounds and time limits for an action or motion to set aside a support order, or part thereof, are governed by this section and shall be one of the following:

(a) **Actual fraud.** Where the defrauded party was kept in ignorance or in some other manner, other than through the party's own lack of care or attention, was fraudulently prevented from fully participating in the proceeding. An action or motion based on fraud shall be brought within six months after the date on which the complaining party discovered or reasonably should have discovered the fraud.

(b) **Perjury.** An action or motion based on **perjury** shall be brought within six months after the date on which the complaining party discovered or reasonably should have discovered the **perjury**.

(c) **Lack of Notice.**[omitted the rest]

duplex with rental income of more than \$3,000, and concealed his annual bonus income, and his tax benefit of mortgage interest payment for his new duplex.

Therefore, the May 3 2013 order which was based on Wang's perjured Income and Expense Declaration, which was undisputed, should have been vacated but for conspiracies according to California Family Code California Family Code §3691.

(f) Tsan-Kuen Wang's child care expense ceased to exist from the very next month following May 3, 2013's Order, but the Court and D.C.S.S. in Santa Clara County has willfully blocked any change of the May 3, 2013 order which caused Plaintiff to be overcharged with \$83 a month plus usurped interest (about 35%) for 10 years in the amount of \$20,000+, when Darryl Young, Rakhee Mehta and the D.C.S.S. in Santa Clara County defendants willfully failed to file a motion to modify May 3, 2013 order since June 2013 when the D.C.S.S. in Santa Clara County has a statutory duty to file a motion under California Code of Regulations, when Plaintiff was blocked to file a motion.

The May 3, 2013 Order contains a child care expense of \$83 a month. Immediate from June 2013, Wang cancelled child care for Lydia, the ensuing month immediately following the order, which required a modification of child support pursuant to California Code of Regulation§115530, but the D.C.S.S. has willfully refused to perform its statutory duty to vacate or modify the order for 10 years. The D.C.S.S. for Santa Clara County's continuous enforcement of the May 3, 2013 order without correction in the past 10 years caused SHAO to overpay \$83 a month plus the usury high interest rate (about 35% monthly compound) charged by the Local Child Support Agency for a non-existent child care expense for 10 years, with a total amount of overpay about \$20,000.

(g) In order to create a debt against SHAO when Wang's income could not make it happen, Rakhee Mehta conspired in putting down a false number of "zero" time share fraudulently, such that May 3, 2013 order is voidable for this extrinsic fraud on court in conspiracy, in violation of 18 U.S.C. §241 and California Penal Code §96.5 and §182.

The May 3, 2013 child support order used a false "zero" time share with the child in calculating the purported child support guideline **in order to create a child support debt** against SHAO, in view of the high income of Tsan-Kuen Wang who who earned at least \$250k salary plus stock option income and bonus⁹ income.

SHAO would have no child support debt but for the fraudulent zero timeshare, and imputation of income that was fraudulently input into the child support guideline in conspiracies by Rakhee Mehta.

In fact, but for the fraudulent Guideline prepared by Rakhee Mehta, despite of judicial kidnapping, Tsan-Kuen Wang still needed to pay SHAO under the Guideline due to his high income and SHAO's lack of income when she was embroiled in the complicated lawsuit herself in trying to rescue Lydia out of the strong blockade of this American Inns of Court Enterprise.

⁹ Wang owed SHAO her shares of the stock options and has failed to distribute to SHAO SHAO's share of the stock option pursuant to the parties' stipulated judgment since 2008. Judge Davila willfully blocked SHAO's claims to enforce the stipulated judgment; any person seeing this would believe Davila was bribed by WANG, that caused appeal Nos. H035194 and H040977, with the latter case appealed to the U.S. Supreme Court with Petition No.19-639.

(h) May 3, 2013 order is a fraud on court, a conspiracy that was directed by James McManis and McManis Faulkner law firm that should be void for violation of public policy, California Penal Code §96.5 and §182, and 18 U.S.C. §241.

Moreover, in or about 2017, in the judicial appeal proceeding at D.C.S.S. in Sacramento, California, Darryl Young, then-lead counsel for D.C.S.S. in Santa Clara County, admitted that there were communication records between her and James McManis, even though she refused to provide. Apparently, Darryl Young conspired with Tani Cantil-Sakauye, James McManis, Judge Theodore Zayner, and Commissioner Kristine McCarthy in illegally stopping Wang's monthly payment of the very low amount of child support of \$600 (about \$3,000 below child support guideline) to SHAO on August 1, 2012 without an order and then forged this child support order of May 3, 2013.

(i) In violation of Due Process, the Santa Clara County Court and the D.C.S.S. in Santa Clara County conspired in not deciding Plaintiff's motion to modify child support on May 3, 2013 since August 25, 2009 but aiming at creating a new fraudulent child support debt against Plaintiff on 4/24/2023

By statute, the D.C.S.S. in Santa Clara County was required to support Plaintiff's motion as the stipulated child support in the judgement of May 9, 2008 was way too much below the child support guideline that caused the child support stipulated judgment to be void under California Family Code, but D.C.S.S. for Santa Clara County failed to show up at the trial.

Since latter half of 2008 there was substantial change of circumstances in that Louis had stayed almost 100% of his time with Mom. Moreover, Lydia revealed her being sexually exploited by a "Richard" who had about 5 feet tall, the son of Wang's girl friend, when Wang put Lydia and Richard on the same bed, during Wang's

staying overnight with his girl friend. The original 50/50 arrangement as well as the child support needed to be changed. Plaintiff filed a motion in or about February 2010 asking modification of child custody and support.

In breach of his judicial duty to decide (California Code of Civil Procedure §170), in discrimination, with history of judicial corruptions in this divorce case, Judge Edward Davila and his successor Theodore Zayner willfully failed to decide for years.

In April or May 2013 when Judge Theodore Zayner eventually set for trial on the child custody issue, Zayner also set for hearing on modification of child support filed by D.C.S.S. in Santa Clara County aiming at terminating child support for Louis, and, upon Plaintiff's request, Plaintiff's three years' old motion to modify child support was put on the calendar to be heard simultaneously in front of Commissioner Kristine McCarthy.

Yet, in conspiracy, in order to create debt against Plaintiff, Rakhee Mehta conspired with Tsan-Kuen Wang and Commissioner McCarthy, and Judge Theodore Zayner to disregard Plaintiff's motion to modify child support on May 3, 2013.

C. RELIEF NO.4

Petitioner Yi Tai Shao respectfully request an order to stay the underlying appeal proceeding at Ninth Circuit Appeal No.22-15857, for the reason that the issues for this Petition for Writ of Mandamus based on 28 U.S.C. §2106 and §1651(a) are the issues stated in Petitioner's Opening Brief (Petition, App.90-139) when the same

request for stay was denied by the Ninth Circuit Court of Appeal (ECF 66) recently when as a matter of law, the District Court's Order and Judgment were made in lack of jurisdiction that should be summarily reversed and remanded to another neutral District Court.

D. OTHER RELIEFS

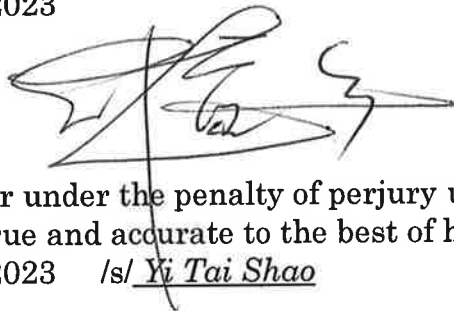
Petitioner respectfully requests Honorable Barrett to use her inherent power to order discovery on Judge John A. Mendez's conspired dismissal issue as shown in App 181 for the Petition and ordered discovery as presented in Questions Presented.

In addition, pursuant to the precedent of Petition No.12-8660, Petitioner respectfully request Justice Barrett to decide this Application.

Dated: December 18, 2023

/s/ Yi Tai Shao

Yi Tai Shao



VERIFICATION

The undersigned swear under the penalty of perjury under the laws of the U.S.A. that the foregoing is true and accurate to the best of her knowledge.

Dated: December 18, 2023 /s/ Yi Tai Shao



No. 23-6140

IN THE U.S. SUPREME COURT

—o0o—

IN RE YI TAI SHAO
Yi Tai Shao, Petitioner

vs.

Respondents

Judge Barry G. Silverman, Judge Ryan D. Nelson, Judge Patrick J. Bumatay, Chief Judge Mary Murquia and Appellees for the underlying case, Shao v. Roberts, et al., Rob Bonta, California Attorney General who is representing California Committee of Judicial Performance, in Appeal No.22-15857 pending with the Ninth Circuit

—o0o—


CERTIFICATE OF WORD COUNT
APPLICATION TO JUSTICE AMY CONEY BARRETT FOR EMERGENCY RELIEF AND STAY OF UNDERLYING APPEAL PROCEEDING
[Rule 22; 28 U.S.C.§2106, §1651(a)]

YI TAI SHAO, ESQ. *In pro per*, P.O. Box 300; Big Pool, MD 21711 Tel.: (408) 873-3888

The Application to Justice Barrett complies with Rule 33; it contains 7677 words.

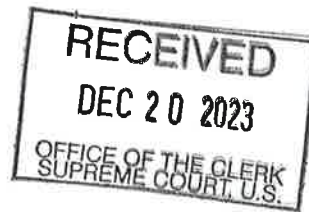
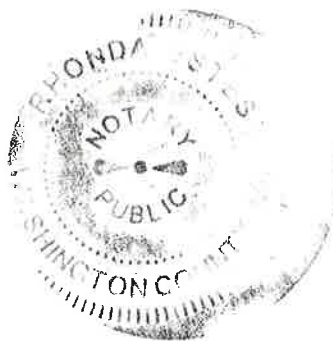
I swear under the penalty under the laws of the United States that the foregoing is true and accurate to the best of my knowledge.

Dated: December 18, 2023

/s/ 
Yi Tai Shao

State of Maryland
County of Washington
Sworn and subscribed on the 18 day of December, 2023,
before me, the subscriber, a notary public of the State
of Maryland, in and for Washington County,
personally appeared Linda Yi Tai Shao
Rhonda Estes
Signature of notary public
Notary Public
My commission expires on June 18, 2024

RHONDA ESTES
Notary Public
Washington County, MD
My Commission Expires June 18, 2024



No. 23-6140

IN THE U.S. SUPREME COURT

—o0o—

IN RE YI TAI SHAO
Yi Tai Shao, Petitioner

vs.

Respondents

Judge Barry G. Silverman, Judge Ryan D. Nelson, Judge Patrick J. Bumatay, Chief Judge Mary Murquía and Appellees for the underlying case, Shao v. Roberts, et al., Rob Bonta, California Attorney General who is representing California Committee of Judicial Performance, in Appeal No.22-15857 pending with the Ninth Circuit

—o0o—

PROOF OF SERVICE

APPLICATION TO JUSTICE AMY CONEY BARRETT FOR EMERGENCY RELIEF AND STAY OF UNDERLYING APPEAL PROCEEDING

[Rule 22; 28 U.S.C. §2106, §1651(a)]

YI TAI SHAO, ESQ. *In pro per*, P.O. Box 300; Big Pool, MD 21711 Tel.: (408) 873-3888

I, Yi Tai Shao, as a representative of the juridical person Shao Law Firm, PC with mailing address of PO Box 300; Big Pool, MD 21711, declare that on December 18 2023, I plan to serve the following parties through their attorneys via email of APPLICATION FOR EMERGENCY RELIEF and STAY TO ASSOCIATE JUSTICE AMY CONEY BARRETT

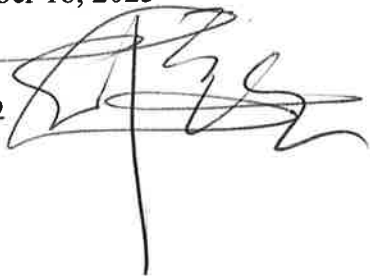
<p>Solicitor General Elizabeth B. Prelogar U.S. Dept of Justice 950 Pennsylvania Avenue, N.W. Washington, DC 20530-0001 SupremeCtBriefs@USDOJ.gov</p> <p>Ethan Torrey, General Counsel of US Supreme Court etorrey@supremecourt.gov</p>	<p>Attorney for Chief Justice John G. Roberts, Jr., Associate Justices Clarence Thomas, Samuel Alito, Elena Kagan, Sonia Sotomayer, Neil M. Gorsuch, Brett Kavanaugh, Ketanji Brown Jackson, Scott S. Harris, Jeff Atkins, Danny Jordan Bickel, Robert Meek, Emily Walker, Anthony J. Blinken as Secretary of State at Department of State, Merrick Garland as U.S. Attorney General</p>
<p>David H. Sussman 51 E. Campbell Avenue, Ste. 400-X Campbell, CA 95008 Via callydsht@gmail.com</p>	<p>Attorney for Tsan-Kuen Wang and for himself</p>
<p>Anik Banerjee, Assistant General Counsel State Bar of California 180 Howard Street, San Francisco, CA 94105</p>	<p>Attorney for State Bar employees</p>

Anik.banerjee@calbar.ca.gov Joan.randolph@calbar.ca.gov	
Gregory Charles Office of County Counsel 70 W. Hedding Street, 9 th Floor, San Jose, CA	Attorney for Noel Murray, Narjeet Randhawa, David Phillip at Department of Child Support Services in Santa Clara County And Gregory Charles himself
Lisa Herrick Santa Clara County Court 191 N. First Street, San Jose, CA 95113	Attorney for then-Presiding Judges Theodore Zayner, Patricia Lucas, Rise Pichon, Presiding Judge Beth McGowan, Judge Maureen A. Folan, retired Judge Gregory Saldivar, Commissioner Jillian Laxton, Civil Clerk Alex Rodriguez
Sean Patterson, Duane & Morris LLP 1 Market Plz, Ste. 2200; San Francisco, CA 94105-1127 Email: CSPatterson@duanemorris.com	Sixth District Court of Appeal Presiding Justice Mary J. Greenwood,
Nicole Julie Kau Rob Bonta, California Attorney General 1300 I Street, Sacramento, CA 95814 Email: Nicole.kau@doj.ca.gov	Attorney for Rob Bonta and California Judicial Committee
William Faulkner wfaulkner@mcmanislaw.com	James McManis, William Faulkner, McManis Faulkner
BJ Fadem bjfadem@fademlaw.com	BJ Fadem
Elise Mitchell elise@e-mitchell.law.com	Elise Mitchell
Janet Everson, Suzie Tagliere, James Lassart jeverson@mpbf.com stagliere@mpbf.com jlassart@mpbf.com	Janet Everson, Suzie Tagliere, James Lassart

I swear under the penalty under the laws of the United States that the foregoing is true and accurate to the best of my knowledge.

Dated: December 18, 2023

/s/ Yi Tai Shao
Yi Tai Shao



**Additional material
from this filing is
available in the
Clerk's Office.**