

No. \_\_\_\_\_

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

ARTECIA BEHROOZI — PETITIONER  
(Your Name)

CHEIF JUDGE JEREMIAH S. JEREMIAH, JR.; VS.  
JUSTICE DEBRA E. DISEGNA; JUSTICE  
LAUREEN D'AMBRA; JUDICIAL OFFICER \_\_\_\_\_ — RESPONDENT(S)  
JOHN E. MCCANN, III

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_  
\_\_\_\_\_, or

☒ a copy of the order of appointment is appended.

Articia Behrooy  
(Signature)  
**RECEIVED**  
JUN 26 2023  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, ARTECIA BEHROOZI, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>1058</u>	\$ <u>N/A</u>	\$ <u>1058</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	\$ <u>1058</u>	\$ <u>N/A</u>	\$ <u>1058</u>	\$ <u>N/A</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A			\$
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 20  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Citizens Bank	\$ 20	\$ N/A
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home  
Value N/A

☐ Other real estate  
Value N/A

☒ Motor Vehicle #1  
Year, make & model Mini cooper 2020  
Value 25,000

☐ Motor Vehicle #2  
Year, make & model N/A  
Value

☐ Other assets  
Description N/A  
Value

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	\$ N/A	\$ N/A
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
N/A		

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 70	\$ N/A
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 325	\$ N/A
Home maintenance (repairs and upkeep)	\$ 35	\$ N/A
Food	\$ 300	\$ N/A
Clothing	\$ 59	\$ N/A
Laundry and dry-cleaning	\$ 30	\$ N/A
Medical and dental expenses	\$ 30	\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 30	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ N/A
Life	\$ N/A	\$ N/A
Health	\$ N/A	\$ N/A
Motor Vehicle	\$ 50	\$ N/A
Other: _____	\$ _____	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): Auto taxes _____	\$ _____	\$ N/A
Installment payments		
Motor Vehicle	\$ 150	\$ N/A
Credit card(s)	\$ 600	\$ N/A
Department store(s)	\$ 30	\$ N/A
Other: _____	\$ _____	\$ N/A
Alimony, maintenance, and support paid to others	\$ N/A	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ N/A	\$ N/A
Other (specify): _____	\$ _____	\$ N/A
<b>Total monthly expenses:</b>	\$ 1709	\$ N/A

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? \_\_\_\_\_

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? \_\_\_\_\_

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 18, \_\_\_\_\_, 2023

28 U.S.C. §1746

Antonia Beltrami  
(Signature)

## **INDEX TO APPENDICES**

<b>APPENDIX A</b>	<b>1-15-2016 Order - District court of RI Forma Pauperis</b>
<b>APPENDIX B</b>	<b>6-29-2021 Order - District court of RI Forma Pauperis</b>
<b>APPENDIX C</b>	<b>8-7-2018 Order - District court of RI Forma Pauperis</b>

**Orders on Motions**

1:15-cv-00536-S-PAS Behroozi v. Behroozi

**U.S. District Court**

**District of Rhode Island**

**Notice of Electronic Filing**

The following transaction was entered on 1/15/2016 at 11:51 AM EST and filed on 1/15/2016

**Case Name:** Behroozi v. Behroozi

**Case Number:** 1:15-cv-00536-S-PAS

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**TEXT ORDER granting [2] Motion for Leave to Proceed in forma pauperis. Assuming that all of the information in Plaintiffs Application, filed under penalty of perjury, is true and that it constitutes a complete statement of her assets, income and liabilities from all sources, including that no one helps to support her or shares in her support in any way, Plaintiffs motion to proceed in forma pauperis is granted.. So Ordered by Magistrate Judge Patricia A. Sullivan on 1/15/2016. (Saucier, Martha)**

**1:15-cv-00536-S-PAS Notice has been electronically mailed to:**

**1:15-cv-00536-S-PAS Notice has been delivered by other means to:**

Artacia Behroozi  
P.O. Box 8252  
Warwick, RI 02888



## **Other Orders/Judgments**

1:18-cv-00400-JJM-PAS Behroozi v. Bedrosian et al

**U.S. District Court**

**District of Rhode Island**

### **Notice of Electronic Filing**

The following transaction was entered on 8/7/2018 at 7:55 AM EDT and filed on 8/7/2018

**Case Name:** Behroozi v. Bedrosian et al

**Case Number:** 1:18-cv-00400-JJM-PAS

**Filer:**

**Document Number:** 4

#### **Docket Text:**

**REPORT AND RECOMMENDATIONS re [2] MOTION for Leave to Proceed in forma pauperis filed by Artecia Behroozi, [1] Complaint filed by Artecia Behroozi. Recommending that Plaintiffs complaint [1] be dismissed as frivolous and malicious, for failure to state a claim and because it seeks monetary damages from defendants who are immune. See 28 U.S.C. § 1915 (e)(2)(B). I also recommend that her motion to proceed in forma pauperis [2] be denied as moot. Objections to R&R due by 8/21/2018. So Ordered by Magistrate Judge Patricia A. Sullivan on 8/7/2018. (Saucier, Martha)**

**1:18-cv-00400-JJM-PAS Notice has been electronically mailed to:**

**1:18-cv-00400-JJM-PAS Notice has been delivered by other means to:**

Artecia Behroozi  
850 Post Road  
Unit 8252  
Warwick, RI 02888

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

**Document description:** Main Document

**Original filename:** n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1096917572 [Date=8/7/2018] [FileNumber=1321017-0]

**Other Orders/Judgments**

1:21-cv-00237-WES-LDA Behroozi v. Chief Judge Jeremiah et al

**U.S. District Court**

**District of Rhode Island**

**Notice of Electronic Filing**

The following transaction was entered on 6/29/2021 at 12:40 PM EDT and filed on 6/28/2021

**Case Name:** Behroozi v. Chief Judge Jeremiah et al

**Case Number:** 1:21-cv-00237-WES-LDA

**Filer:**

**Document Number:** 4

**Docket Text:**

**REPORT AND RECOMMENDATION FOR SUMMARY DISMISSAL PURSUANT TO 28 U.S.C. § 1915(e) and Order - Plaintiff's Motion to Proceed IFP (ECF No. 3) is GRANTED. However, pursuant to 28 U.S.C. § 1915(e)(2)(B), further recommending that Plaintiff's Complaint (ECF No. 1) be DISMISSED WITH PREJUDICE. re [3] MOTION for Leave to Proceed in forma pauperis filed by Artacia Behroozi, re [1] Complaint filed by Artacia Behroozi ( Objections to R&R due by 7/12/2021.). So Ordered by Magistrate Judge Lincoln D. Almond on 6/28/2021. (Noel, Jeannine)**

**1:21-cv-00237-WES-LDA Notice has been electronically mailed to:**

**1:21-cv-00237-WES-LDA Notice has been delivered by other means to:**

Artacia Behroozi  
850 Post Rd, Unit 8252  
Warwick, RI 02888

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

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1096917572 [Date=6/29/2021] [FileNumber=1643541-0]  
] [761b93582eb900c56e00548a97f13e947680286483563bc576acd301f760fe1f8c1  
65bc5a62cd226f400dca162c37a2758269f3387a49ce56d1322c91723fed2]]

NO. \_\_\_\_\_

\_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

ARTECIA BEHROOZI PRO SE - PETITIONER

VS.

CHIEF JUDGE JEREMIAH S. JEREMIAH, JR, ET AL. - RESPONDENT(S)

\_\_\_\_\_

ON PETITION FOR WRIT OF CERTIORARI TO

SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_

Artecia Behroozi  
850 Post Road  
Unit 8252 Warwick RI 02888  
Tei: 401. 437.7090  
Email: arteciabehroozi@cox.net

### **QUESTION(S) PRESENTED**

WHETHER THE RHODE ISLAND FAMILY COURT ACTS AND OMISSIONS TO ACT IN ITS JUDICIAL ROLE HAVE SUBJECT MATTER JURISDICTION OVER THE PREMIUM AMOUNTS PAYABLE FOR THIS AWARD OF ALIMONY TO EFFECT MODIFICATION BASED ON THE GROUNDS OF A CHANGE OF CIRCUMSTANCE

WHETHER THE RHODE ISLAND FAMILY COURT ABUSED ITS JUDICIAL DISCRETION IN APPLY OF HORIZONTAL STARE DECISIS

WHETHER THE US DISTRICT COURT ERRED IN ITS JUDICIAL DISCRETION IN ITS APPLICATION OF FINAL JUDGMENTS PURSUANT TO THE OMIBUS BUDGET RECONCILIATION ACT OF 1986, PUBLIC LAW 99 - 509 REQUIRES STATES TO TREAT PAST DUE SUPPORT OBLIGATIONS AS FINAL JUDGEMENTS.

WHETHER THE US COURT OF APPEALS ERRED IN ITS JUDICIAL DISCRETION IN ITS APPLICATION OF THE POLITICAL DOCTRINE , GIVING RISE TO A CHALLENGE TO THE WAY IN WHICH THE EXECUTIVE BRACH USES ITS POWER.

## LIST OF PARTIES

- [ ] All parties appear in the caption of the case on the cover page.
- [X] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

; JUSTICE DEBRA E. DISEGNA; JUSTICE LAUREEN D'AMBRA; JUDICIAL OFFICER JOHN E. MCCANN,

## RELATED CASES

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION .....	3
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	4
STATEMENT OF THE CASE .....	8-11
REASONS FOR GRANTING THE WRIT .....	12 - 16
CONCLUSION .....	17 - 18

## INDEX TO APPENDICES

- APPENDIX A : January 3 2006 Rhode Island Family Court FINAL JUDGMENT with cover  
page being separate but a part of the Final Judgment that effects an  
ABSTRACT OF JUDGMENT going forth
- APPENDIX B : Rhode Island Family Court Decision of August 2 2005 is within the transcript  
[ *enclosed : transcript August 2, 2005 pages 32 thru 45 certification page* ]
- APPENDIX C : March 20, 2023 - United States Court of Appeals For the first Circuit  
JUDGMENT
- APPENDIX D : June 28, 2021 - United States District Court of RHODE ISLAND ORDER  
to dismiss with prejudice
- APPENDIX E : October 7, 2016 - United States District Court of IDAHO ORDER to show  
cause
- APPENDIX F : November 14, 2016 -United States District Court of RHODE ISLAND  
Memorandum and ORDER

APPENDIX G : March 3 , 2018 - Rhode Island Family Court ORDER defendant [Artecia

Behroozi ] dismissed pursuant to the doctrine of Res Judicata

APPENDIX H: January 7, 2010 - Rhode Island Family Court JUDGMENT on 2 issues to impute

income and reimbursement of medical expenses

APPENDIX I: April 25, 2008 - Rhode Island Family Court ORDER - full settlement of all

arrearages

APPENDIX J : November 24, 2008 - Rhode Island Family Court ORDER to adjudge in

contempt

and conditions, page 25 no reason for contact]

APPENDIX X: June 29, 2005 - [Transcript cover page 2, 51, 52 (25%) , 92 certification page ]



IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☒ For cases from **federal courts**:

The opinion of the United States court of appeals for the first Circuit Judgment March 20, 2023 appears at Appendix C to the petition and is

☐ reported at

The opinion of the United States district court for the district of Rhode Island order to dismiss with prejudice June 28, 2021 appears at Appendix D to the petition and is

☐ reported at

The opinion of the United States district court for the district of Rhode Island show cause order October 7th 2017 and memorandum and order of November 14, 2016 appears at Appendix F to the petition and is

☐ reported at

☒ For cases from **state courts**:

The **opinion** of the Rhode Island Family courts Judgment of January 3 2006 and decision pending entry of final judgment *filed out of time* appears at

Appendix **A** to the petition and is

☐ reported at

The opinion of the highest state [*forum selection clause* - Rhode Island Family court]

**court to review** the merits appears at Appendix **A** *attach to front of Judgment* to the petition and is

☐ reported at

The **opinion** of the Rhode Island Family court order of March 3 2018 appears at

Appendix **G** to the petition and is

☒ reported at Envelope : 1436527

The **opinion** of the Rhode Island Family court Judgment of January 10, 2010 appears at

Appendix **H** to the petition and is

☐ reported at

The **opinion** of the Rhode Island Family court order November 24 2008 appears at

Appendix **J** to the petition and is

☐ reported at

The **opinion** of the Rhode Island Family court order April 25 2008 appears at

Appendix **I** to the petition and is

☐ reported at

## JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was March 20, 2023.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was Mar 3, 2018.  
A copy of that decision appears at Appendix G.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

5 USC § 575

9 USC § 4, 9 USC 2; 9 USC § 6; 42 USC § 1983 taking claim securities exchange act of 1934  
section 17(a) of securities Act 1933

15 USE 78 J(b) ; 17 CFR § 229.1101 (c)(1); 17 CFR § 239.44,

U.S. Constitution 14th amendment , 5th amendment “taking issue”

28 USC § 1343 civil rights ; 28 USC 1443; 28 USC 1446

28 USC § 3201(a) ; 28 USC 1962 ; 28 USC 2412

## **TABLES OF AUTHORITIES CITED**

### **CASES**

### **PAGE NUMBER**

Ryland v. Shapiro 708 F.2d 967 (5th Cir. 1983)

Owen v. Lash 682 F.2d 648 (7th Cir. 1982)

Procurer v. Martinez 416 US 396, 94 S.Ct

Saeid Behroozi v Artecia Behroozi PO4-1950

Kinney v. Vallentyne , 15 Cal. 3d 475

Schwab v. Schwab 274, 397 A.2d 900, 9001 (1979)

### **STATUTES AND RULES**

§ 9-14-1 Statutory proceedings following course of equity

§ 9-6-15 Pleadings of equitable defense in district courts

Federal R.Civ.P. 54

Rule 54(d); Rule 69

Rule 60 (3) fraud

### **OTHER**

### **PAGE NUMBER**

Rooker - Feldman Doctrine

Entitlement Doctrine

Clear entitlement test

Law of the case

## STATEMENT OF THE CASE

### Factual and Procedural background

This case arises out of an issue of proven fraud which granted plaintiff [Artecia Behroozi] relief from the prior judgment of August 2, 2005 conditions, and not that domestic relations issues. The divorce proceedings ended in August 2 2005. [ Appendix T: Trans June 27 2005 pg 52 -63] This is a property interest matter, the domestic relations aspects are long done away with having no bearing here. [ Abstract of Judgment #4 line

The only reason the family court has limited subject matter jurisdiction for the purposes of execution, is because at the time the parties entered into to agreements in the first instance they were divorcing under this courts jurisdiction .

The other reason is defendant [Dr. Saeid Behroozi] was under investigation for defrauding the INS therefore, If plaintiff took these complaints to the Superior court he would be charged with fraud and was on he way to being removed from this country . He was here under conditional status.

The judgments conditions put plaintiff Artecia at a disadvantage [ payment duration reduced to 6 years vs the 12 year to life we discussed, and 15% and maybe 10 % of hie entire future gross earnings - conditional - Appendix V: Trans Jun 29 2005 page 52 ] . The reasoning for the penalty was all <sup>based</sup> ~~bases~~ on intentional misrepresentation and fraud issued by false information supplied by defendant [Dr. Saeid Behroozi].

INS investigation uncovered millions of dollars from investments stocks and alike were cashed out and moved to Swiss bank accounts and various European countries during our divorce proceedings.

Now existing is an Abstract of judgement effecting a lien to attached to the assets of the defendant [ Dr. Saeid Behroozi]. Plaintiffs [Artecia Behroozi] original Judgment has three raised seals on each page, and #8 of the judgment is a seal.

There were no assets in reach of the Rhode Island Family Court or the plaintiff [Artecia Behroozi] . where there are no assets available to attach the lien effects a writ of garnishment , writ of execution and a turnover order.

#### **Family court history**

[Judgment at number 8 line 3] **“either the plaintiff or defendant** shall have the right to supplement the record with testimony or other evidence admissible in a court of law “.

In the position of defendant [Artecia Behroozi] in the family court proceedings for divorce defendant is granted the right to supplement the record with further testimony or evidence admissible in a court of law on the grounds for divorce .

In the position of plaintiff [Artecia Behroozi] in the family court proceedings for divorce plaintiff is granted the right to supplement the record with further testimony or evidence admissible in a court of law. [Judgment at number 8 ]

## **VII. Property Interest:**

Conditions for the property interest are now subjected to the Terms of this final judgment . The Period of Time after the proven fraud upon the court. The future premium payouts up to \$150,000 a year for lifetime.

### **Judgment at number 5 line 2 after the conjunction and**

“ 5) The Plaintiff’s prayer to waive alimony permanently is granted **and** alimony for the plaintiff [Artecia Behroozi] is permanently granted; and

The second reference to plaintiff is this paragraph is distinct. The use of a lower case p [ denoting Artecia Behroozi as the plaintiff in the second part of the discourse] illustrating a period of time after proven fraud.

The interpretation and application for this portion of this **Abstract of Judgment** should be read with applying only the **positive integers** as this judgement commands by the Rhode Island Family court having “**Answered** “ and decision having duly rendered in favor of Plaintiff/Defendant [ Artecia Behroozi] on the 2nd day of August 2005.

alimony for the plaintiff **is** permanently granted; and [*Judgment at number 5 and 6*]

permanently lifetime alimony **shall only be** up to \$150,000 [*Judgement at number 6 line 2*]

**This** award of alimony to the defendant is non-modifiable [*Judgement at number 6 line 14*]

### **Denied her Substantive Constitutional right to Supplement**

The Rhode Island Family acts of continuously carried out proceedings for enforcement as a trial on the merits is directly related to Impede of her absolute entitlement for a sum total payable amount of \$150,000 every year for the rest of her life and the termination of her



medical and dental benefit. There by denying plaintiff of her **Substantive Constitutional Right to to final Judgment as last resort** in accordance with court of law standard issuing a money judgment as a result of proven fraud .

This Rhode Islands Family courts chosen way to exercise its power got in the way of the courts duty of care in accordance with the reasonably necessary cautions demonstrated in the judgments premises for liability [ Abstract of Judgment]

This issue is committed to this Honorable Supreme Court of the Untied States of America on review. The Federal court is the ultimate interpreter of the Constitutional decision making.

## REASONS FOR GRANTING

Plaintiff [Artecia Behroozi] stands to loss her constitutional right to wealth, more importantly even without wealth , her Substantive Constitutional Right to Supplement the record for proven fraud .

The Abstract of Judgment is being adversely subjected to the Forum Selection clause in number 8 . To take notice of the record from 2005 defendant [Dr. Saeid Behroozi] in an attempt to cover that the judgment issued in favor of the Plaintiff [Artecia Behroozi] . Entered the following motions after the fraud was proven

1: Appendix O

2: Appendix Q

3: Appendix R

4: Appendix S

5: Appendix G

The Rhode Island family Court should not aid defendant [Dr. Saeid Behroozi] with his continued fraud.

Each motion is suspiciously entered, Plaintiff [Artecia Behroozi] was the one asking why was it taking so long to enter the divorce decree. Further the final judgment was against him. I suspect with his history of behavior it is an successful attempt thus far to circumvent plaintiff [Artecia Behroozi] ability to enforce her entitled property interest . But thanks to the ingenuity of Justice Murray his Abstract of Judgment rules.

Following motions before fraud was proven

1: Appendix K

2: Appendix L

3: Appendix M

4: Appendix N

5: Appendix W

6: Appendix V

Now I don't believe he had any trouble misunderstanding legal terms such as Alimony, it was a ploy of bait and switch. I warned the court that he was a chest master . That's how he got over on me. The courts should careful not to aid the criminal activity.

**Forum Selection Clause:**

The Abstract of Judgment was meant to deal with the proven fraud . It is meant to protect the property interest .

Plaintiff [Artecia Behroozi] was issued justice in the second instance with constitutional concerns intact. The Rhode Island Family courts actions and omissions to act has denied her property interest , without proper justification. The Forum Selection clause restricts where my entitlements are to be executed not how , the Abstract of Judgment commands that.

The Writ of Certiorari should be granted because this is my last court of resort , its been since 2006 I have been trying to enforce this judgment. I have a legal remedy [a money judgment ] issued in a court of court of equity. Which conflicts with principles this family court normally carries out .

The issue is not about the judges its more about them up holding the law (acts) .

The Rhode Family needs to know that they are in esteemed positions inner society,  
Most of the population look up to judges for guidance and assurance that the law abiding will be  
rewarded and if you don't want to be a law abiding citizen there's a reward for you also just  
might not be what your looking for.

### **Conflict**

1: The United State court of Appeals has decided an important federal question in a way that  
conflicts with a decision by a state court of *last resort* ( *Abstract of Judgment resulting form  
the period of time after proven fraud*).

**Restraining Order** demonstrated at

Judgment at number [5 second sentence ] and [6 at line 13]

Judgment # 6 of this final judgments : line 13

This award of alimony to the *defendant* (Artecia Behroozi) is non-modifiable **and**  
the defendant is forever barred from applying to any court **in the world** to modify  
the amount or duration of this award of alimony.

**Demonstrates** - a condition with respects to a period of time that upon the proven  
grounds of fraud. That the prior *aforsaid* reasons for the approved arrangement  
[arbitration agreement] for the rehabilitative non-modifiable alimony of (15%) of  
plaintiff's gross salary and (10%) of plaintiff's gross salary for six years is  
**vacated**. [(Artecia Behroozi) in the position of *defendant* ]

The other condition with respects to a period of time before proven fraud ; is  
separated by the conjunction [and] serving to express a consequence, antithesis

2: The United State court of Appeals has sanctioned such a departure by a lower court as to call for an exercise of this courts supervisory power.

The Rhode Island Family Court reopened a non-pending previously decided case resulting from appeal on the grounds of proven fraud. The Rhode Island Family court answered with this award of alimony. The RI fam Court should have proceeded by executing the Judicial lien [ levy] arising from the Abstract of Judgment . The effects of an Abstract of Judgment effecting a lien on the assets. In this case there were no assets available to attach to because defendant [Dr. Saeid Behroozi] had moved millions of dollars to Switzerland and Germany. The effects of the Abstract of Judgment where there are no assets it effects writ of execution , writ of garnishment and a turnover order.

3: A state court of last resort decided an important federal question in a way that conflicts with the decision of another state court of last resort.

**Duly rendered** - term phrase of the Abstract of Judgment means in a due manner and in a due time.

The court applied ” defendant “to mean Plaintiff [Artecia Behroozi] in the first instance where she is defendant, but after the proven fraud she is the Plaintiff . [ face of judgment 2nd paragraph after “ANSWERED “] Plaintiff/Defendant is Artecia Behroozi in different periods of time. When a forward slash is used without space in between the thing they are being used to link together. This punctuation is used as a device that serves to indicate an individual considered with respect to the given situation that the defendant Artecia has been recognized as a plaintiff with legitimate claim for remedy against the fraud. “And “ conjunction used a function word to express logical modification, as a result of consequence as indicated in Abstract of Judgment at number 5, 6, 8 and so forth for instance at number 8 line 3 “ the plaintiff or defendant “ = or is not used to indicate an

alternative , either = being the other of two , other 1:b: being the one or *ones distinct from that* or those *first mentioned* or implied. Here this language lies Plaintiff [Artecia Behroozi ] Right to Supplement . The Rhode Island Family Court applied

The Omnibus budget reconciliation act of 1986 , public law 99 - 509 . It is misplaced here because my final judgment for this award of alimony is not based on past due support but instead the result plaintiffs right to supplement the record with evidence and testimony admissible in a court of law.

In the case at hand the term **Alimony** is a means to effectively conveying an aim to transfer and deliver property to defendant/plaintiff [Artecia Behroozi] by sealed writing. The established use of the terms was due to plaintiffs [Dr. Saeids Behroozi] request stating he did not understand legal language. [*trans June 28 2005 pg 22 -23*].

Contrary to the entitlements of this final judgment the Rhode Island Family Court applied the legal definition to the term **Alimony** is a statutory created mechanism by which an obligee obtains a nonpossessory interest in property belonging to the obligatory. [ limiting the duration, limiting the amount, modification based on change of circumstances, carry on supplemental proceedings affording the person proven fraud to submit documents and relying on that ]

Support orders are not considered a final judgments, the full faith and credit clause of the US Constitution does not preclude modification. Thus the order is subject to modification upon a showing of changed circumstance by the issuing court or by another court with jurisdiction.

The judgment [prior to proven fraud] called for an *alteration* with the intent to increase the premium amounts payable [ to the advantage of defendant Artecia Behroozi].

This was a chosen method for preventing future disagreement and ensuring enforcement in accordance with the parties agreed terms effecting an arbitration agreement. It should not be confused with a modification. Such as alimony a showing of a changed circumstance. To support this reasoning number 9 of the Abstract of Judgment line 6 the term **“aforementioned”** means what this document is about. The Abstract of Judgment at number 9 command the manner of contact implying a duty of care upon the court. *Injunctive relief*

Once a court determines that an interest is property, it is due constitutional protections.

The terms of **this** judgment command a permanent injunctive relief which that forever bars the Rhode Island Family court from ever applying alimony standard in accordance with the laws and policies of family court to the disadvantage of plaintiff [Artencia Behroozi].

Without grant of writ of certiorari there will be a gross miscarriage of justice.

### CONCLUSION

The petition for a writ of certiorari should be granted

Respectfully submitted,

Artencia Behroozi

Jun 21 2023



No. \_\_\_\_\_

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

ARTECIA BEHROOZI PRO SE — PETITIONER  
(Your Name)

VS.  
CHEIF JUDGE JEREMIAH S. JEREMIAH, JR.III "et al"  
\_\_\_\_\_ — RESPONDENT(S)

**PROOF OF SERVICE**

I, Artecia Behroozi, do swear or declare that on this date,  
June 18, 2023, as required by Supreme Court Rule 29 I have  
served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*  
and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding  
or that party's counsel, and on every other person required to be served, by depositing  
an envelope containing the above documents in the United States mail properly addressed  
to each of them and with first-class postage prepaid, or by delivery to a third-party  
commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Peter F. Neronha  
RI Office of the Attorney General  
150 South Main Street  
Providence, RI 02903  
(401) 274-4400

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 21, 2023 28 USC § 1746

Artecia Behroozi  
(Signature)

# **APPENDIX A**



STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS

FAMILY COURT  
FINAL JUDGMENT  
(G.L. 15-5-3 Living  
Separate and Apart)

DR 10

COUNTY <b>PROVIDENCE</b>	CIVIL ACTION — FILE NO. <b>P04-1950</b>
PLAINTIFF <b>SAKID BEHROOZI</b>	DEFENDANT <b>ARTECIA BEHROOZI</b>

THE FINDINGS OF FACT HAVE BEEN RECITED IN THE DECISION PENDING ENTRY OF FINAL JUDGMENT  
AND ARE INCORPORATED HEREIN BY REFERENCE.

(☒) answered  
( ) unanswered

This action came on for trial before the Court, **Justice Magistrate Murray**, presiding, and the issues  
having been tried and a decision having been duly rendered in favor of Plaintiff/Defendant on the **2nd** day of  
**August**, **2005**.

RECEIVED  
JAN 3 2006

RECEIVED  
JAN 3 2006

RECEIVED  
JAN 3 2006

RECEIVED  
JAN - 3 2006  
FAMILY COURT  
F. CHARLES HAIGH JR.  
ADMINISTRATOR / CLERK



STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS

FAMILY COURT  
FINAL JUDGMENT  
(G.L. 15-5-3 Living  
Separate and Apart)

DR 10

COUNTY <b>PROVIDENCE</b>	CIVIL ACTION - FILE NO. <b>P04-1950</b>
PLAINTIFF <b>SARID BEHROOZI</b>	DEFENDANT <b>ARTECIA BEHROOZI</b>

THE FINDINGS OF FACT HAVE BEEN RECITED IN THE DECISION PENDING ENTRY OF FINAL JUDGMENT AND ARE INCORPORATED HEREIN BY REFERENCE.

☒ answered  
☐ unanswered

This action came on for trial before the Court, Justice Magistrate Murray, presiding, and the issues having been tried and a decision having been duly rendered in favor of Plaintiff/Defendant on the 2nd day of August, 2005.

NOW THEREFORE, twenty (20) days having expired from the entry of the DECISION PENDING ENTRY OF FINAL JUDGEMENT (G.L. 15-5-8), upon the grounds of having lived separate and apart from each other for the space of at least three (3) years, and no appeal having been taken, or extension of any appeal been granted, it is ordered, adjudged, and decreed that the bond of matrimony now existing between the parties be, and the same is, hereby dissolved upon the said ground of living separate and apart as aforesaid.

- 1) Plaintiff's complaint for divorce is granted, on the grounds that there exists between the parties irreconcilable differences which have caused the irremediable breakdown of the marriage; and
- 2) Defendant's counter-claim for divorce is granted, on the grounds that there exists between the parties irreconcilable differences which have caused the irremediable breakdown of the marriage; and
- 3) Each party shall be solely responsible for any debts whatsoever that they presently have or incur in the future, including but not limited to, debts for medical treatment, education, etc. Each party shall indemnify and hold harmless the other party for any debts that they presently have and any debts that they may incur in the future; and

☒ Check this box if a continuation page is used.

Dated at Providence, Rhode Island, this 3rd day of January, 2006  
Approved: [Signature] 1/3/06  
JUSTICE OF THE FAMILY COURT  
Entered: [Signature]  
CLERK OF COURT

Presented by attorney for prevailing party:

Attorney's  
Name (Printed):

Attorney's  
Signature:

TRUE COPY ATTEST

Edward M. Kja, Esq.

[Signature]

**DECISION OR FINAL JUDGMENT**  
**(Continuation Page)**

4) Each party shall have all right title and interest in any property that they presently own, and shall be solely responsible for any costs associated with that property and shall indemnify and hold harmless the other party for any debts that they incur in relation to that property; and

5) The Plaintiff's prayer to waive alimony permanently is granted and alimony for the plaintiff is permanently granted; and

6) The defendant's prayer to waive permanent lifetime alimony is granted and permanently lifetime alimony is waived. The defendant shall only be entitled to rehabilitative non-modifiable alimony of fifteen percent (15%) of plaintiff's gross salary up to \$150,000.00 and ten percent (10%) of plaintiff's gross salary that he earns above \$150,000.00. Such alimony shall commence when the plaintiff obtains employment that is comparable to both the salary and job title of his last full time job in the United States as a medical professional. Plaintiff's last full time job was that of an attending physician of internal medicine and pediatrics at a hospital in New York State with a yearly salary of \$160,000.00 pursuant to contract. Payments on such alimony shall begin when plaintiff obtains the aforementioned comparable employment in this country or in any country in the world, and shall be payable for a total period of six years. Payment of alimony shall only commence and continue so long as plaintiff has comparable employment. If plaintiff does not obtain comparable employment defendant shall not be entitled to such alimony, and if plaintiff obtains such comparable employment for six years consecutively or six years non-consecutively, defendant shall only be entitled to alimony for a total single period of six years. This award of alimony to the defendant is non-modifiable and the defendant is forever barred from applying to any court in the world to modify the amount or duration of this award of alimony.

7) The defendant shall be eligible to obtain healthcare from plaintiff's employer pursuant to the requirements of the Rhode Island Health Care Continuation Act, R.I.G.L. §27-20.4. The defendant shall be solely responsible to pay any premiums required to obtain such medical insurance. The defendant shall also be solely responsible for all co-payments, unreimbursed medical, dental, or surgical costs, and any

Dated at Providence, Rhode Island, this 3rd day of January 2005

Approved: [Signature]  
JUSTICE OF THE FAMILY COURT

Entered: [Signature]  
CLERK OF COURT

Presented by attorney for prevailing party:

Attorney's Name (Printed): Edward M. Fox, Esq.

Attorney's Signature: [Signature]

[Signature]  
TRUE COPY ATTEST

**DECISION OR FINAL JUDGMENT**  
**(Continuation Page)**

other health care costs that she should incur, including but not limited to, any premiums to purchase any medical, dental, or any other type of health insurance. The Wife shall hold the Husband harmless for all co-payments, unreimbursed medical, dental, or surgical costs, and any other health care costs that she should incur, including but not limited to, any premiums to purchase any medical, dental, or any other type of health insurance. If the Wife fails to pay the premium for such health insurance for two months and such insurance is terminated as a result of her failure to pay such premium, the Wife shall be solely responsible for such termination and reinstatement of such insurance, and the Husband shall have no responsibility whatsoever to incur any costs for such reinstatement or termination of insurance.

8) The record of proceedings of the entire trial for divorce shall be sealed and may only be opened by a Rhode Island Family court order. If the Rhode Island Family Court orders that the record be opened, prior to such opening, either the plaintiff or defendant shall have the right to supplement the record with testimony or other evidence admissible in a court of law.

9) The only contact that either party may have with the other is through a mediator of the Providence Family Court, 1 Dorrance St., Providence, RI, who shall presently be Laurie Giarusso. Each party shall provide such mediator contact information so that she may facilitate communication between the parties only as reasonably necessary and only to carry out the terms and conditions of this final judgment. Such mediator shall maintain the confidentiality of the contact information of each party and not disclose such information to the other party. Other than the aforementioned contact between the parties neither the plaintiff nor the defendant shall have any contact with the other party in any manner whatsoever, including but not limited to face to face, telephone, e-mail, letter, etc.

10) The parties hereby certify that there are no motions pending between them in this matter.

Dated at Providence, Rhode Island, this 3rd day of January 2006  
Approved: [Signature] 1/3/06  
JUSTICE OF THE FAMILY COURT  
Entered: [Signature]  
CLERK OF COURT  
Presented by attorney for prevailing party:  
Attorney's Name (Printed): Edward M. Per, Esq.  
Attorney's Signature: [Signature]  
7.01.06  
CLERK  
TRUE COPY ATTEST

# **APPENDIX B**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PROVIDENCE, Sc. FAMILY COURT

\* \* \* \* \*  
\*  
\* SAEID BEHROOZI \*  
\* vs. \* FC#P-04-1950  
\* ARTECIA BEHROOZI \*  
\*  
\* \* \* \* \*

H E A R D B E F O R E:  
THE HONORABLE FRANCIS J. MURRAY, JR.

AUGUST 2, 2005

APPEARANCES:

FOR PLAINTIFF.....EDWARD PEPE, ESQUIRE

FOR THE RESPONDENT.....KENNETH SCHREIBER, ESQUIRE



1 on that.

2 MR. SCHREIBER: Her sister Polly Price (sic)  
3 who testified earlier who would testify my client  
4 has been a domiciled inhabitant of the state of  
5 Rhode Island at least one year prior to the  
6 Defendant filing his complaint -- Plaintiff filing  
7 his Complaint for divorce.

8 THE COURT: No objection, counsel.

9 MR. PEPE: No objection.

10 THE COURT: Both sides rest?

11 MR. SCHREIBER: I rest, Your Honor.

12 MR. PEPE: I rest, Your Honor.

13

14

\*\*\*\*\*

15

16

17

18

19

20

21

22

23

24

25

1

2

3

4

5

## D E C I S I O N

6

7

THE COURT: Court has before it P-04-1950.

8

The matter was heard on the Plaintiff's Complaint

9

filed on 8/4 and the Defendant's Counterclaim

10

filed 9/9/04.

11

Court finds as a fact the Defendant has been a

12

domiciled inhabitant and resident of the state of

13

Rhode Island and was so for the required statutory

14

period prior to the filing of his Complaint in

15

this matter. Therefore, this Court has

16

jurisdiction.

17

Parties were married April 12th of 1999.

18

There were no children born of the marriage.

19

Based upon the testimony of the parties, Court

20

finds during the course of the marriage there were

21

certain irreconcilable differences that occurred.

22

Basically being different life styles, and they

23

separated on and off during the marriage. One

24

time in 2000 and --

25

(P A U S E)

1 THE COURT: Let me finish my decision please.  
2 And the parties separated a few times during the  
3 period of time, and the final time being July of  
4 '04.

5 At the present time the Court finds this  
6 marriage to be one in name only with no reasonable  
7 possibility of reconciliation. The marriage is  
8 irremediably broken. Accordingly, the Court  
9 grants the Plaintiff's Complaint for Divorce and  
10 Defendant's Counterclaim for Divorce on the  
11 statutory grounds there exist certain  
12 irreconcilable differences which have caused the  
13 irremediable breakdown of the marriage.

14 The parties have no joint debts. Each is  
15 responsible for their own debt and will hold the  
16 other harmless.

17 MR. SCHREIBER: Excuse me, Your Honor. It's  
18 my turn to ask if we can approach.

19 (Conference at the bench)

20 THE COURT: There's no joint assets. Each  
21 will keep their own personal things and each will  
22 be responsible for those as well.

23 The Plaintiff --

24 MR. SCHREIBER: I'm sorry, Judge. My client  
25 keeps interrupting me. If I may, may I ask?

1 Mrs. Behroozzi, do we have an agreement? Or if we  
2 don't, please tell us now, and the Judge will  
3 finish the case another time.

4 MS. BEHROZZI: The divorce shall not be  
5 granted on irreconcilable differences. It's  
6 adultery and abandonment. For religious reasons  
7 that's the only ground I can be divorced from my  
8 husband. It was adultery and abandonment a long  
9 time ago.

10 THE COURT: But it isn't in -- this is a court  
11 of law not a church of religion. And I can tell  
12 you, you talk to both of these lawyers. The three  
13 of us are lawyers and we're all different  
14 religions, okay, and we all respect that and  
15 what's happening here, okay, and it's about the  
16 law, okay. That doesn't mean if your religious,  
17 which I don't know and I'm sure it would be  
18 appropriate some day knowing it, but not today,  
19 and I know his religion might even be different.

20 THE WITNESS: Yes, so what's --

21 THE COURT: Can I finish. I don't say to  
22 bring everyone's religion in and make something  
23 part of this decision, okay? That's why this  
24 country is the way it is. Everybody practices  
25 their religion, and it should not affect how

1       you're your treated. And this is a court of law.  
2       I'll give a decision, and you will be entitled to  
3       go back to your religion if you want something  
4       there. And we need it in writing, and if everyone  
5       agrees, your lawyer can write it up and I can have  
6       it signed. I'm sure they wouldn't object. For  
7       example, I don't mean to use your lawyer as an  
8       example, but his religion is different from mine.  
9       Maybe they need a separate type of thing to get  
10      divorced if they're going to marry again in their  
11      religion maybe. The law is different. I know the  
12      lawyers because they've been before me for years.  
13      I don't know your religion or what you need, but  
14      it's a separate issue.

15           MRS. BEHROOZI: I'm not asking this Court to  
16      honor my religion. I'm just saying it's personal,  
17      It was what each thing is based on. I also  
18      question -- you said you were taking the divorce.  
19      It would be granted under abandonment and  
20      adultery. It was an order I requested a long time  
21      ago. There's was no irreconcilable differences.  
22      He just filed a divorce in January. He had no  
23      marital problems.

24           THE COURT: But that's what divorce is, okay?  
25      Irreconcilable differences in the state of Rhode

1 Island covers a multitude of things, all right.  
2 And that the statute is clear that on the grounds  
3 of irreconcilable differences the Court doesn't --  
4 I didn't even have to allow you to testify the way  
5 you testified, but knowing the lawyers and knowing  
6 in general sometimes it's good for somebody to say  
7 it on the stand and look at the other party, that  
8 we allow it, but that doesn't mean I put it in my  
9 decision. The law is clear. I live by these  
10 green books. I have to, okay? What I do and you  
11 do and everybody does in your private lives is  
12 separate. When you come before me in a case, I  
13 live by these green books not what somebody wants  
14 or somebody tells me to do unless it's my supreme  
15 court. Other than that, I have to live by these  
16 books, okay?

17 MRS. BEHROOZI: So -- I'm sorry, sir. Are you  
18 saying this state does not recognize divorce based  
19 on the grounds of adultery and --

20 THE COURT: I'm not saying that. I'm saying  
21 it has been filed here on the grounds of  
22 irreconcilable differences. You have a  
23 Counterclaim, and I believe it's on the same  
24 ground, is that correct, counsel?

25 MR. SCHREIBER: That's my understanding,

1 Judge. And as you correctly indicated,  
2 Ms. Behrooz, you did testify about that  
3 specifically, although you did not have to allow  
4 it, what the grounds were, which was infidelity,  
5 and you had significant grounds. You heard the  
6 Defendant testify he had sexual relations with  
7 somebody else. I have indicated to my client  
8 conduct of either party is an issue with respect  
9 to irreconcilable differences. This is not a  
10 specific ground, but it's an issue and  
11 incorporated within that issue. So I don't know  
12 if that suffices Ms. Behrooz's concerns. I hope  
13 it does. But, obviously, I can't continue in this  
14 case as her attorney in the event she's going to  
15 continue to walk out. Number one, I'm not going  
16 to handle this case in absentia. Number two,  
17 she's already testified she thought it was in her  
18 best interest when we went through that in a  
19 lengthy nominal over and over again. Now,  
20 basically you're issuing your decision, and I want  
21 to make sure she's in compliance with what she  
22 testified to on the witness stand.

23 THE COURT: Are you, ma'am?

24 THE WITNESS: Yes.

25 THE COURT: All right, so you understand why

1 we don't get into putting fault in a decision on  
2 irreconcilable differences? And maybe you don't  
3 agree with what Mr. Schreiber says, and you don't  
4 understand. But it's a give-and-take situation.  
5 No one is going to be happy, but I think the  
6 evidence that was brought forth, and the witness  
7 had testified to the actual adultery, that the  
8 divorce should be granted.

9 And you had requested to be -- it was  
10 requested that the divorce be granted -- you did  
11 say you would look into it at that time, the  
12 adultery.

13 MR. SCHREIBER: I believe a while ago -- I'm  
14 only going from memory - it was because the trial  
15 lasted, I guess a couple of months, but I may have  
16 made an oral request about either supplementing or  
17 adding a different ground, I believe my brother  
18 rejected it.

19 MR. PEPE: I did object on the record.

20 MR. SCHREIBER: You indicated you would take  
21 it under advisement. Now we have a nominal to go  
22 forward with. The issue of changing the grounds  
23 is a separate issue and has never been discussed  
24 since that specific moment. Obviously Your Honor  
25 would not even take the initiative to address that



1 issue. It's my understanding from the testimony  
2 it was clear it's a marriage in name only and she  
3 testified about those differences. I wanted -- in  
4 order to make my client feel vindicated in some  
5 sense -- I wanted to give her an opportunity to  
6 testify what those irreconcilable differences  
7 were, and the Court permitted me to do so, and I  
8 think she did so for the record. So, again, I  
9 reiterate to Ms. Behroozi, I realize it's a very  
10 emotional moment for her, but I hope she  
11 understands and acknowledges for the record the  
12 divorce today will be granted on the grounds of  
13 irreconcilable differences, and I want to make  
14 sure that's in conformance with what she testified  
15 to today on the witness stand.

16 THE COURT: Do you agree with that, ma'am?

17 MS. BEHROZZI: Sir, you just give --

18 MR. SCHREIBER: You have to say yes or no.

19 MRS. BEHROOZI: I can't. I don't know. I  
20 know my marriage. It's not right. Not  
21 irreconcilable differences.

22 THE COURT: You have to understand, ma'am,  
23 that the law -- you have to understand what your  
24 lawyer just said.

25 MRS. BEHROOZI: I understand that he just said

1 -- I don't know. It's not a big deal with it.

2 THE COURT: Because it is a big deal, I go by  
3 the green books. I go by the pleadings and the  
4 fact this is a nominal.

5 MRS. BEHROOZI: Okay, all right.

6 THE COURT: Are we all right?

7 MRS. BEHROOZI: Yes.

8 THE COURT: All right, all right.

9 MR. PEPE: I don't know, Your Honor. I just  
10 want to make sure it is clear, Your Honor, because  
11 I don't want the record to be confused. I don't  
12 want Mrs. Behroozi to come back to the Court  
13 saying this is not what she intended to do. That  
14 she did intend to enter the agreement, that her  
15 testimony was true. That she understands the  
16 agreement entered into. That this resolved all of  
17 the issues regarding this divorce and that she  
18 understands that.

19 THE COURT: Are you in agreement with that,  
20 ma'am? Do you still feel this is in your best  
21 interest? It's your free act and deed? Nobody is  
22 forcing you to do that, and you understand that,  
23 that's still your testimony now?

24 MRS. BEHROOZI: I agree with the terms of the  
25 divorce.

1 THE COURT: Okay, and no one is forcing you to  
2 do that?

3 MRS. BEHROOZI: No one is forcing me.

4 THE COURT: Okay.

5 On the issue of alimony, the Plaintiff is 42.  
6 He has a medical degree. Asked how his health is,  
7 he said healthy. He is currently not working.

8 The Defendant has testified to some health  
9 issues. She is currently on SSDI.

10 The Court finds both parties are  
11 self-sustaining. Both made a request for  
12 permission to waive alimony permanently, and  
13 except for the rehabilitation non-modifiable  
14 alimony that I'm going to get into in a moment,  
15 both parties understand the nature of alimony and  
16 are aware of the consequences of a waiver thereof.  
17 Both parties may waive alimony permanently. The  
18 wife, however, will be receiving non-modifiable,  
19 rehabilitative alimony for a period of six years.  
20 She will be receiving the sum of 15 percent of the  
21 husband's gross salary up to \$150,000. That will  
22 be 15 percent of \$150,000. If he makes over  
23 \$150,000, every dollar over that she would receive  
24 10 percent. Again, gross salaries. This will  
25 begin, however, only when he has received a

1 comparable medical job similar or like those that  
2 he had prior to this divorce starting. That would  
3 be in either this country, in Germany, or any  
4 country in the world. And it begins only when  
5 that job begins if it's this year, next year, or  
6 whenever, and it will be a period of six years.  
7 And if for any reason in the middle of it he loses  
8 a job or switches, and it stops, but no way is the  
9 rehabilitative alimony to be more than six years.

10 The wife will be receiving health insurance  
11 per the statute. The husband currently has no  
12 health insurance. And if, indeed, when he does,  
13 he will cover the wife. However, she does not  
14 have to accept the health insurance. But if it  
15 costs him more, she will pay that to her attorney  
16 who will forward the money to her husband. If for  
17 any reason she falls more than two months behind,  
18 the husband may cancel it.

19 Is there anything else on this decision?

20 MR. SCHREIBER: Excuse me, Your Honor. My  
21 client just wants to make sure on the premium part  
22 in accordance with the statute, if she elects not  
23 to have it at all and he can cancel her insurance  
24 under his health insurance policy?

25 THE COURT: Correct.

1 Good luck, ma'am. Good luck, sir.

2 Prepare an order please.

3

4

\*\*\*\*\*

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

## C E R T I F I C A T I O N

I, Marcia E. McDonald, do hereby certify that the foregoing pages are a true, accurate, complete transcript of the proceeding, according to my stenographic notes, in the matter of Saeid Behroozzi vs. Artecia Behroozzi, heard before The Honorable Francis J. Murray, Jr., August 2, 2005, in the Providence County Family Court.

*Marcia E. McDonald*  
*Court Reporter*

# **APPENDIX C**

# United States Court of Appeals For the First Circuit

---

No. 21-1744

ARTECIA BEHROOZI,

Plaintiff - Appellant,

v.

CHIEF JUDGE JEREMIAH S. JEREMIAH, JR.; JUSTICE DEBRA E. DISEGNA;  
JUSTICE LAUREEN D'AMBRA; JUDICIAL OFFICER JOHN E. MCCANN, III,

Defendants - Appellees.

---

Before

Barron, Chief Judge,  
Lynch and Kayatta, Circuit Judges.

---

## JUDGMENT

Entered: March 20, 2023

Plaintiff-appellant Artecía Behroozi appeals from the dismissal of her complaint against Rhode Island Family Court judges. After careful review of the record and plaintiff's arguments on appeal, we affirm the district court's dismissal of this case based on judicial immunity. See Cok v. Cosentino, 876 F.2d 1, 2 (1st Cir. 1989) (per curiam) (broad scope of judicial immunity).

The judgment of the district court is affirmed. All pending motions are denied. See 1st Cir. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:

Peter F. Neronha  
Artecía Behroozi



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