

**APPENDIX**

**UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

No. 23-2222

JEAN COULTER, Appellant

v.

JAMES P. COULTER; SUSAN VERO COULTER;  
KAREN VERO MORROW; ... U.S. DISTRICT  
JUDGE MARILYN HORAN; JAMES L. COULTER;  
JOSEPH C. COULTER (D.C. Civil Action No. 2:22-  
cv-01806)

**SUR PETITION FOR REHEARING**

Present: CHAGARES, Chief Judge, JORDAN,  
HARDIMAN, SHWARTZ, KRAUSE, RESTREPO,  
BIBAS, PORTER, MATEY, PHIPPS, FREEMAN,  
MONTGOMERYREEVES, and CHUNG, Circuit  
Judges

The petition for rehearing filed by Appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,  
s/Patty Shwartz

*i.*

Circuit Judge  
Dated: February 28, 2024

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 23-2222

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JEAN COULTER,  
Appellant

v.

JAMES P. COULTER; SUSAN VERO COULTER;  
KAREN VERO MORROW; ... U.S. DISTRICT  
JUDGE MARILYN HORAN; JAMES L. COULTER;  
JOSEPH C. COULTER

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On Appeal from the United States District Court  
for the Western District of Pennsylvania  
(D.C. Civil Action No. 2:22-cv-01806)  
District Judge: Honorable Mark A. Kearney

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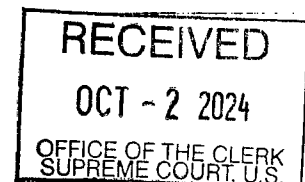
Submitted Pursuant to Third Circuit LAR 34.1(a)  
January 10, 2024  
Before: SHWARTZ, RESTREPO, and FREEMAN,  
Circuit Judges

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JUDGMENT

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*ii.*



This cause came to be considered on the record from the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on January 10, 2024. On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the judgment of the District Court entered June 7, 2023, be and the same is hereby affirmed. Costs taxed against the appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

s/ Patricia S. Dodszuweit  
Clerk

Dated: January 16, 2024

NOT PRECEDENTIAL  
UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 23-2222

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JEAN COULTER,  
Appellant

v.

JAMES P. COULTER; SUSAN VERO COULTER;  
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JUDGE MARILYN HORAN; JAMES L. COULTER;  
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Submitted Pursuant to Third Circuit LAR 34.1(a)  
January 10, 2024  
Before: SHWARTZ, RESTREPO, and FREEMAN,  
Circuit Judges  
(Opinion filed: January 16, 2024)

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OPINION\*

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PER CURIAM

Jean Coulter, a frequent litigant, claimed a vast conspiracy amongst the defendants to deprive her of her rights. The defendants (her siblings and their families; her neighbors; lawyers, judges, and other court employees involved in state court proceedings relating to her mother's estate; and police and fire department employees who came to her house, seemingly to perform a welfare check), filed, in groups, motions to dismiss her amended complaint for lack of jurisdiction and failure to state a claim. The District Court granted the motions. In a thorough 53-page opinion, the District Court explained that a small subset of Coulter's claims was outside its jurisdiction and that the rest of Coulter's allegations of violations of federal law failed to state any claim upon which relief can be granted. The

District Court also stated that it was declining to exercise jurisdiction over any state law claims. Coulter moved for reconsideration and, claiming that the District Judge was biased, included a request to move her case out of the Third Circuit. The District Court denied the motion. Coulter appeals.<sup>1</sup>

\* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

<sup>1</sup> Twenty-one of the appellees have filed a joint motion, requesting damages pursuant to Rule 38 of the Federal Rules of Appellate Procedure and a filing injunction against Coulter.

We have jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over dismissals for lack of jurisdiction, *Gould Elecs. Inc. v. United States*, 220 F.3d 169, 176 (3d Cir. 2000), and for failure to state a claim, *Chavarriaga v. N.J. Dep't of Corr.*, 806 F.3d 210, 218 (3d Cir. 2015). Upon review, we will affirm, essentially for the reasons provided by the District Court. Given the District Court's accurate recounting of the allegations in the amended complaint and its careful reasoning, we will simply summarize. To the extent that Coulter's allegations could be liberally construed to include a challenge to any state court judgment, the District Court lacked jurisdiction pursuant to the Rooker-Feldman doctrine. See *Great W. Mining & Mineral Co. v. Fox*

Rothschild LLP, 615 F.3d 159, 166 (3d Cir. 2010) (describing the requirements for applying the Rooker-Feldman doctrine). And to the (large) extent that the complaint was not barred by the Rooker-Feldman doctrine, Coulter failed to state a claim upon which relief could be granted. Coulter presented, *inter alia*, a claim for conspiracy under 42 U.S.C. § 1983.

Generally, to state a claim under § 1983, a plaintiff must allege “that she was deprived of a federal constitutional or statutory right by a state actor,” *Kach v. Hose*, 589 F.3d 626, 646 (3d Cir. 2009), and many of the defendants that Coulter described are not state actors. While a private actor can act “under color of state law” for purposes of § 1983 by participating in a joint conspiracy with state officials (for example, by acting with the help of, or in concert with, state actors), see *Abbott v. Latshaw*, 164 F.3d 141, 147-48 (3d Cir. 1998), Coulter did not plausibly plead such a conspiracy. See *id.* at 148 (describing as insufficient a complaint that “contains conclusory allegations of concerted action but is devoid of facts actually reflecting joint action”). As for the state actors that Coulter named, many of the claims against them were barred by immunities.<sup>2</sup>

See, e.g., *Stump v. Sparkman*, 435 U.S. 349, 355-57 (1978) (explaining that judges are not civilly liable for judicial acts); *Pa. Fed’n of Sportsmen’s Clubs, Inc. v. Hess*, 297 F.3d 310, 323 (3d Cir. 2002) (explaining that the Eleventh Amendment “render[s] states—

and, by extension, state . . . officials when the state is the real party in interest—generally immune from suit by private parties in federal court”). And, in any event, Coulter failed to allege facts in her amended complaint sufficient to state a conspiracy claim because there was no suggestion, beyond speculation, that any of the defendants reached an agreement to deprive her of her right to due process or her rights under any other law.<sup>3 4</sup> See Jutrowski

2 The barred claims include the claims of due process violations for judicial acts that Coulter continues to challenge on appeal.

3 Accordingly, we need not reach Coulter’s argument, pressed on appeal, that the District Court erred in extending quasi-judicial immunity to two court reporter defendants based on the facts of this case. See *Antoine v. Byers & Anderson, Inc.*, 508 U.S. 429, 436–37 (1993) (declining to extend the absolute immunity afforded to judges to court reporters because “court reporters do not exercise the kind of judgment that is protected by the doctrine of judicial immunity”); but see *Green v. Maraio*, 722 F.2d 1013, 1019 (2d Cir. 1983) (holding that a court reporter was entitled to qualified immunity for allegedly following a judge’s instruction to alter a transcript). We further note, however, that, to the extent that Coulter sought to bring an independent claim based on an allegedly missing portion of a transcript of a state court proceeding, she does “not have a

constitutional right to a totally accurate transcript,” and the purported error in the transcript did not violate her constitutional rights under the facts of this case. *Tedford v. Hepting*, 990 F.2d 745, 747 (3d Cir. 1993)

We turn to Coulter’s remaining arguments on appeal, and we conclude that they are without merit. Among other things, she argues that she was entitled to relief on various state law claims. But the District Court did not abuse its discretion in declining to exercise jurisdiction over those claims once it had dismissed Coulter’s federal claims. See 28 U.S.C. § 1367(c)(3); *Hedges v. Musco*, 204 F.3d 109, 123-24 (3d Cir. 2000). Coulter also argues at length that the District Judge was biased against her. However, her disagreement with the decisions in her case, see, e.g., Appellant’s Informal Brief at 14-15 (citing the dismissal of state actors “without valid reason” and “the immediate dismissal of all claims”), is insufficient to show bias. See *Securacomm Consulting, Inc. v. Securacom Inc.*, 224 F.3d 273, 278 (3d Cir. 2000) (noting that “a party’s displeasure with legal rulings does not form an adequate basis for recusal”). And we discern no evidence of bias in the record.

Coulter also states that the District Court “refused to even consider” her request that her case be transferred out of the Third Circuit, Appellant’s Brief at 4, but that is not true. Although the District Court did not discuss Coulter’s argument in favor of



transfer, the District Court denied her motion after explicitly considering her request “to move case out of the Third Circuit.” ECF No. 69 at 1 (quoting the language of Coulter’s motion). Coulter further argues that the District Court erred in denying that motion because transfer was required because one of the defendants, Coulter’s neighbor, is a District Judge in the United States District Court for the Western District of Pennsylvania. However, we disagree; no transfer out of this Circuit was (or is) required under the facts of this case.<sup>5</sup>

Cf. *Azubuko v. Royal*, 443 F.3d 302, 304 (3d Cir. 2006) (holding that the presiding federal judge did not have to recuse merely because the litigant had sued her among many other federal judges); *United States v. Pryor*, 960 F.2d 1, 3 (1st Cir. 1992) (“It cannot be that an automatic recusal can be obtained by the simple act of suing the judge.”). To the extent that she requests that we effectuate the transfer, her request is denied. For these reasons, we will affirm the District Court’s judgment. The motion for Rule 38 damages and a filing injunction is denied. However, we caution Coulter that she could face the imposition of filing restrictions and/or other sanctions, including monetary penalties, in this Court if she brings repetitive and/or meritless challenges related to the proceedings in W.D. Pa. Civ. No. 2:22-cv-01806 or if she otherwise continues to pursue claims that were rejected in that action.

5 To the extent that Coulter also challenges the District Court's denial of her request for reconsideration in that same motion, we conclude that the District Court did not abuse its discretion in denying that request. See *Max's Seafood Cafe by Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999).

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF  
PENNSYLVANIA**  
JEAN COULTER

v. CIVIL ACTION  
NO. 22-1806

JAMES P. COULTER, SUSAN VERO COULTER,  
KAREN VERO MORROW, ROGER MORROW,  
SARA MORROW, BENJAMIN MORROW, PAMELA  
VERO HAMMONDS, STEVEN HAMMONDS,  
PATRICK HAMMONDS, MARY JOANNE VERO  
ANDERSON, BRIAN ANDERSON, ABIGAIL  
ANDERSON, NICHOLAS ANDERSON, SARA  
JANE SANZOTTI VERO, S. MICHAEL YEAGER,  
STEPHANIE YEAGER SHAFFER, WILLIAM R.  
SHAFFER, NANCY NATALE, JOSEPH  
CAPAROSA, LISA M. HYATT, BARBARA  
COULTER, JONATHAN W. VALVANO, RONALD

ELLIOTT, DILLON MCCANDLESS KING  
COULTER AND GRAHAM, OFFICER HOWARD,  
BOB O'NEILL, UNKNOWN OFFICER, UNKNOWN  
EMPLOYEES, U.S. DISTRICT JUDGE MARILYN  
HORAN

MEMORANDUM - KEARNEY, J. April 25, 2023

An adult daughter is upset with how her siblings handled assets in their mother's estate and have treated her since resolving the estate disputes. The siblings still seek relief from each other in the Butler County courts in a pending case. The daughter is upset with the Butler County judges' rulings and case assignment. The daughter chose a new forum. She now pro se seeks over 100 million dollars claiming a massive conspiracy by her siblings and seemingly everyone else she thinks are involved in denying her due process in the state courts. She sues her brother's lawyer, state court judges, members of judges' families, her siblings' families, police officers, court reporters, and fire department employees. She baldly charges a massive conspiracy to deprive her of protected rights. She has not lost her interest in her mother's home. She is still litigating rights in her mother's home in Butler County. She patches together a variety of grievances in and surrounding the state court matters arising from administering her mother's estate. We appreciate she is proceeding without a lawyer and liberally construe her varied theories. But she still

needs to plead facts of a conspiracy to deprive her civil rights by persons who can be liable under the civil rights laws. She does not allege facts sufficient to invoke our civil rights laws by simply repeating her conclusion of a massive conspiracy against her. She does not come close after two attempts. We dismiss her amended Complaint with prejudice.

**I. Alleged pro se facts and public record.<sup>1</sup>**

Ellen P. Coulter, the mother of three adult children living in Butler County, Pennsylvania, died on December 22, 2004.<sup>2</sup> Ellen Coulter left her estate including the Coulter family home located in Butler County, Pennsylvania and heirlooms to her three children—Jean Coulter, James (Jim) P. Coulter, and Barbara Coulter.<sup>3</sup> Jim Coulter, who is an attorney, petitioned for probate on January 31, 2005 in the Orphans Court Division of the Butler County Court of Common Pleas as the “administrator” of his mother’s estate so he could divide his mother’s assets among the three Coulter siblings.<sup>4</sup> Attorney Jim filed a first and final account of the estate, disclosed the net estate, and filed the schedule of distribution to each beneficiary, which the Orphans’ Court judge approved in 2009.<sup>5</sup> Sister Jean received one third of the estate just like her brother Attorney Jim and sister Barbara.<sup>6</sup> Sister Jean did not object.<sup>7</sup>

The Coulter siblings, at some unidentified time, agreed their sister Jean would pay all the usual, ongoing expenses of the Coulter family home,

instead of rent, and Jim and Barbara's rights to the home would be limited to those of a landlord in a typical landlord/ tenant relationship.<sup>8</sup> So Jean paid utilities, taxes, insurance, and for the routine maintenance of the Coulter family home.<sup>9</sup>

Jim offered to sell his share of the Coulter family home to Jean sometime in 2011.<sup>10</sup> Jean gave him a cashier's check after she accepted his written offer to sell his one-third share of the home.<sup>11</sup>

**Jean criticizes her brother Jim's  
administration of the Estate.**

Jean claims Jim stole from Ellen's estate at an unidentified time including from her "Irrevocable Trust Life Insurance Policy and/or Policies."<sup>12</sup> Jim divided one policy between himself and Barbara, leaving Jean out entirely, and sent Jean a forged document to cover it up.<sup>13</sup> Sister Barbara and her husband Jonathan Valvano attempted to cover-up Jim's theft by "permit[ing]" the "obviously forged documents to be sent, via [Mr. Valvano's] 'work' email account, to Jean" so she would be "conned" into believing she already received her share of the insurance proceeds.<sup>14</sup> But Jean alleges Jim also stole from Barbara by excluding her from their mother's second life insurance policy.<sup>15</sup>

Jim also concealed and diverted assets which were "[w]illed" to Jean by allowing his two sons, his wife Susan Vero Coulter, and her extended family to benefit from their mother's estate although they were not named in her will.<sup>16</sup> Jim permitted Susan,

Susan's mother Sara Jane Sanzotti Vero, and Susan's three sisters and their families—the Morrow family, the Hammonds family, and the Anderson family—to enter the Coulter family home and allowed them “to remove valuables[.]”<sup>17</sup> For example, Jim's extended family removed “[j]ewelry, silver flatware and other domestic valuables” in 2013 from the Coulter family home despite Jim telling Jean he would move the family heirlooms to a secure area until the Coulter siblings could get together to divide them.<sup>18</sup>

**Jim enters the Coulter family home in 2013 without Jean's permission.**

Jim also entered the Coulter family home sometime in July 2013 without Jean's permission.<sup>19</sup> Jean became aware of Jim's unauthorized entrance through an alert from her alarm company reporting a possible break-in at the Coulter family home.<sup>20</sup> Jean went to the house and found Jim, his wife Susan, and their son Joseph Coulter wandering through the home.<sup>21</sup> Jim told Jean he broke in through the window because he had to make emergency repairs due to a neighbor's tree damaging the power line.<sup>22</sup> But Jim agreed he and his family “had no business in the home beyond assuring that, on an emergency basis, the condition of the house was not in danger of serious damages occurring in the near future” given the Coulter siblings' earlier agreement Jim and Barbara would have limited access to the home <sup>23</sup>

**Various individuals express an interest in the Coulter family home.**

Jean contends various individuals expressed an interest in the Coulter family home to her at unknown times. For example, the Honorable S. Michael Yeager, a Butler County Court of Common Pleas judge, at an unidentified time expressed to Jean how he admired the Coulter family home.<sup>24</sup> Jean “believe[s]” Judge Yeager wanted his daughter, Stephanie Yeager and her husband the Honorable William Shaffer, also a Butler County Court of Common Pleas judge, to buy the home he found so “attractive[.]”<sup>25</sup>

The Honorable Marilyn Horan—then a judge on the Butler County Court of Common Pleas—resides in the same neighborhood as the Coulter family home and had an interest in the Coulter family home.<sup>26</sup> Jean alleges “on a number of occasions” Judge Horan approached Jean to try and convince her to sell the home.<sup>27</sup> Jean contends Judge Horan wanted someone “better suited” than Jean to buy the home “which appears to be legally trained professionals who also ‘happen’ to be ‘at least’ Christian, and preferably Catholic.”<sup>28</sup>

Jean informed Judge Yeager at some unidentified she would never sell the Coulter family home so it would not be available for purchase until after her death.<sup>29</sup>

**Jean sues Jim when he refuses to give up his interest the Coulter family home.**

Jean claims she never received Jim's ownership rights to the Coulter family home despite giving him a cashier's check for his interest in the home in 2011.<sup>30</sup> Jim cashed the cashier's check Jean gave him in 2011 at some unidentified time.<sup>31</sup> But then a bank employee told Jean at an unknown time an unidentified person eventually "returned to the bank" the money from the check.<sup>32</sup>

So Jean sued Jim on August 12, 2014 in the Philadelphia County Court of Common Pleas seeking specific performance based on her payment in full for Jim's asking price "of the still jointly owned" Coulter family home.<sup>33</sup> Jean also sought damages for Jim's removal of trees surrounding the Coulter family home; damages for Jim's removal of valuable property from the home from July 2013 through early 2014; damages for defective work on the gutters; damages for invasion of privacy from Jim's extended family entering the Coulter family home so they could divide the Coulter family heirlooms; damages from Jim's family breaking into the Coulter family home in July 2013 and destroying the home alarm system; and damages for expenses incurred by Jean to "travel for repairs" following "break-ins" in 2013 and 2014.<sup>34</sup>

Jim's counsel Ronald Elliott, Esquire of Dillon McCandless King Coulter & Graham LLP moved to transfer Jean's case to the Court of Common Pleas of Butler County.<sup>35</sup> The Honorable Lisette Shirdan-Harris granted the motion to transfer.<sup>36</sup> Jean moved



for reconsideration which Judge Shirdan-Harris denied.<sup>37</sup> Jean appealed, but the Pennsylvania Superior Court affirmed holding Judge Shirdan-Harris appropriately granted Jim's motion to transfer her case to Butler County.<sup>38</sup>

**The state court assigns Judge Yeager to hear Jean's case.**

Jean contends "it is clear" Jim and Attorney Elliott transferred the case to Butler County "exclusively for the purposes of assuring" Judge Yeager would be assigned to the case.<sup>39</sup> Jean contends Judge Yeager "admits to having a significant personal interest in the property" and so he took the case so he "would be in the position to rule in the case which would determine [whether Judge] Yeager or one of his relatives would be able to purchase the home."<sup>40</sup>

Jean claims Jim, Judge Yeager, Attorney Elliott, and Judge Horan all realized a "friendly" judge needed to hear the case since Jim had already sold his share of the Coulter family home to Jean in 2011.<sup>41</sup> Jean claims Jim, Judge Yeager, Attorney Elliott, and Judge Horan knew they might not be able to convince the Honorable Thomas Doerr—then President Judge of the Butler County Court of Common Pleas—to assign the case to Judge Yeager, because Judge Doerr "might want to hear the matter himself."<sup>42</sup> So "it seems likely that the co-conspirators knew they could be successful" by delaying the transfer until after the Pennsylvania

Supreme Court named Judge Horan as the “Administrative Judge” for the Butler County Court of Common Pleas in 2017 so she should would have the responsibility of assigning the case to Judge Yeager.<sup>43</sup> Judge Horan then assigned her 2014 case to Judge Yeager on August 24, 2017.<sup>44</sup>

**Her brother and others “break into” the vacant Coulter family home.**

Jean claims while she continued to litigate in the state court, Jim, Judge Yeager, Stephanie Yeager, and her husband broke into the Coulter family home with the assistance of the Butler City police and fire departments which she describes as the “assisted break-in[.]”<sup>45</sup> Jean claims the group learned in late December 2021 or early January 2022 Jean had not been staying at the Coulter family home.<sup>46</sup> So Jim called the Butler City police and fire department to report how neighbors had contacted him expressing their concerns about Jean’s well-being.<sup>47</sup> Jean claims Jim “chose to lie” to the police and fire departments when he called them about Jean’s well-being so he could use them to assist him in breaking into the home.<sup>48</sup> But Jean admits Jim had keys to the Coulter family home because “Jim is still, officially a co-owner[.]”<sup>49</sup>

Jean also claims Judge Horan and her husband Joseph Caparosa placed two separate, but identical notes on the door of the Coulter family home to let Judge Yeager and his family know the

“coast is clear” so they could enter the home on the day of the assisted break-in.<sup>50</sup>

The police never attempted to speak with any of Jean’s neighbors about her well-being.<sup>51</sup> And besides receiving two missed calls on her cell phone on January 2, 2022 from an unidentified number, Jean claims there is no sign anyone attempted to contact her or confirm Jim’s concern about her well-being.<sup>52</sup> Officer Howard, one of the responding police officers, admitted no member of the police or fire department entered the Coulter family home during the “assisted break-in.”<sup>53</sup> Jim instead entered the home without emergency personnel.<sup>54</sup> But no one ever “re-secured” the Coulter family home.<sup>55</sup> So Jean found the front door unlocked when she eventually returned.<sup>56</sup>

Jean claims Jim, during the assisted break-in, provided Judge Yeager, his family members, and their contractors “unfettered and secret access” to the Coulter family home.<sup>57</sup> And since neither the police nor fire departments ever confirmed Jean’s “status” or well-being, Jean claims it is “patently obvious” Jim had no interest at looking into Jean’s well-being and the sole purpose of the “break-in” had been to give Judge Yeager and his family access to the property.<sup>58</sup>

**Jim sues Jean in state court to partition the Coulter family home.**

Jim, again represented by Attorney Elliott, sued Jean in the Butler County Court of Common

Pleas on February 2, 2022, about a month after the “assisted break-in.”<sup>59</sup> Jim asked the court to partition the Coulter family home and approve a sale.<sup>60</sup> Jim is also seeking rent and other expenses from Jean for the Coulter family home.<sup>61</sup>

Jean claims Judge Yeager assigned himself to the partition action.<sup>62</sup> The state court then consolidated Jim’s partition action and Jean’s 2014 case.<sup>63</sup> Jean claims court reporters “adjusted” the transcripts during multiple motion hearings to benefit Judge Yeager and Jim.<sup>64</sup> For example, Jean claims the court reporters eliminated an exchange where Judge Yeager demanded Jean name a specific price to sell her share of the Coulter family home to Jim and “after many attempts to convince [Judge] Yeager” she did not intend to sell the home, she finally named a price of \$1,000,000.00.<sup>65</sup>

Jean contends even after presenting proof of Jim’s written offer from 2011 to sell his share of the Coulter family home, her acceptance, and her cashier’s check proving her payment in full to Jim, Judge Yeager still refused to order specific performance during a November 2022 hearing.<sup>66</sup> And Attorney Elliott continues to deny the existence of the cashier’s check.<sup>67</sup> But Jim had the cashier’s check in his possession during the November 2022 hearing where “he waved [it] in front of” Judge Yeager, but neither Jim nor Judge Yeager opened the envelope or placed it into evidence.<sup>68</sup>

Jean claims Judge Yeager is “committed” to assuring Jim becomes the sole-owner of the Coulter family home so Jim will sell the home to Stephanie Yeager and her husband.<sup>69</sup> So he has developed “interesting legal principals” such as finding Barbara Coulter gave up her rights to the home by relying on a “forged” deed which shows Barbara sold her interest to Jim.<sup>70</sup> And Judge Yeager and Jim conspired to delay the division of the family home “until such a time as [Judge] Yeager’s daughter [Stephanie] . . . could move into the home” Judge Yeager finds so attractive.<sup>71</sup>

Jean also contends Judge Yeager has known about Jim’s thefts and his misappropriation of their mother’s estate but chose to “conceal this information from the state’s Disciplinary Board in violation of the Code of Conduct[.]”<sup>72</sup> So Judge Yeager must be “in cahoots” with Jim since he has accepted Jim’s state court filings without reporting him to the Disciplinary Board.<sup>73</sup>

Judge Yeager recused himself on January 10, 2023 from the consolidated state court action.<sup>74</sup> The partition action is still pending in the Butler County Court of Common Pleas.<sup>75</sup> And, as best as we can discern, Jean does not allege anyone has offered to buy the Coulter family home from her, or the home has been sold or taken away from her. Jean continues with the status quo and is upset or frustrated with the pace of the state court cases she began.

## **II. Analysis**

So Jean came to federal court. She is familiar with this federal court including from when Judge Bissoon found her to be vexatious litigant in matters involving her child and prohibited her from bringing civil rights cases related to or arising from certain state court proceedings.<sup>76</sup> She now asks us to award her 100 million dollars plus the value of family heirlooms she claims taken over ten years ago. She sues her family members, judges, neighbors, lawyers, a law firm, court reporters, police officers, and employees of the fire department in what appears to be, in part, an attempt to litigate state law estate claims not decided in her favor. Jean alleges a civil rights conspiracy under 42 U.S.C. § 1983 between these individuals who she claims conspired to take the Coulter family home from her (without success to date) and heirlooms without due process.<sup>77</sup> Jean bases the alleged conspiracy on a series of discrete acts spanning more than a decade including: Jim diverting assets from the mother's estate to his extended family; Jim's extended family taking Coulter family heirlooms; Judge Yeager's desire for his daughter to buy the Coulter family home; Judge Horan and her husband's interest in getting a "legally trained" neighbor; Judge Yeager's rulings in state court cases not decided in Jean's favor; court reporters adjusting state court transcripts; and Jim using the police and fire departments to "break-into" the Coulter family home.

Jean seems to plead all the named individuals and entities participated in one overarching conspiracy. But she then breaks her amended Complaint down into five “claims”:

**x Claim I** (identified as a “Federal Claim”): a conspiracy based on the transfer and assignment of Jean’s state court case to Judge Yeager involving Jim, Attorney Elliott, and Judges Horan and Yeager.<sup>78</sup>

**x Claim II** (identified as a “Federal Claim”): a conspiracy based on the City of Butler police and fire departments breaking into the Coulter family home involving Jim, Judge Yeager, Stephanie Yeager, Judge Shaffer, Judge Horan, Joseph Caparosa, Attorney Elliott, Officer Howard, and officers from the City of Butler police and fire departments.<sup>79</sup>

**x Claim III** (identified as a “Federal Claim”): a conspiracy based on fraud in the state court case to take Jean’s interest in the Coulter family home involving Jim, Judge Yeager, Attorney Elliott, and the court reporters.<sup>80</sup>

**x Claim IV** (identified as a “Related State Court Claim and Federal Claim”): a conspiracy based on Jim’s extended family taking Coulter family heirlooms also alleging fraud, theft, theft by deception, conversion, replevin, invasion of privacy, and trespass involving Jim, Judge Yeager, officers from the City of Butler police and fire departments, and Jim’s extended family.<sup>81</sup>

**x Claim V** (identified as a “Related State Court Claim”): claims for theft, theft by deception, fraud, and “perhaps even” unfair and deceptive business practices related to Jim taking proceeds from Ellen’s life insurance policy involving Jim, his wife Susan Coulter, Barbara, and her husband Jonathan Valvano.<sup>82</sup>

Jean seeks 100 million dollars in compensatory and punitive damages and the value of “any/all of the family heirlooms (including those which can be recovered)” which were distributed to members of Jim’s extended family or sold instead of being “held in trust[.]”<sup>83</sup> Jean also asks we report Jim’s action as unethical and “in some cases criminal” to both the state disciplinary board and federal law enforcement.<sup>84</sup>

Jean’s siblings and their families, Judge Yeager and his family, Judge Horan and her husband, Attorney Elliott and his law firm, the court reporters, Officers Howard, Chief of Police 11 O’Neill, the unknown officer of the police of the City of Butler, and the unknown employees of the City of Butler fire department move to dismiss due to lack of subject-matter jurisdiction, failure to state a claim, and lack of diversity jurisdiction.<sup>85</sup> They jointly argue: (1) Jean fails to state a civil rights claim under 42 U.S.C. § 1983 against the private individual who are not state actors; (2) the Rooker-Feldman doctrine bars claims to the extent Jean is challenging state court rulings; (3) the Princess Lida



abstention doctrine bars Jean's request for us to exercise some control over the property in dispute which is being litigated in state court; (4) Jean fails to state a claim for conspiracy under 42 U.S.C. § 1985; (5) Jean's "kitchen sink" style of pleading violates Federal Rule of Civil Procedure 8; and (6) diversity jurisdiction is lacking over Jean's state law claims.<sup>86</sup>

Judges Yeager, Shaffer, and Horan also move to dismiss arguing: (1) they are immune from suit based on judicial and Eleventh Amendment immunity; (2) they are not "persons" subject to suit under 42 U.S.C. § 1983; (3) they are entitled to sovereign immunity from any state law claims; (4) we lack jurisdiction to review the actions based on the doctrines of abstention; (5) Jean fails to state a due process or conspiracy claim; and (6) certain conduct is barred by the two-year statute of limitations period.<sup>87</sup> Officer Howard, Chief of Police Bob O'Neill, the unknown police officer of the City of Butler, and the unknown employees of the City of Butler fire department also move to dismiss and argue the claims against them are barred by the doctrine of qualified immunity.<sup>88</sup> Judge Horan and her husband Joseph Caparosa separately argue the facts alleged against them are insufficient to state a section 1983 civil conspiracy claim.<sup>89</sup> And Nancy Natale and Lisa Hyatt, both court reporters, move to dismiss because the claims against them are barred by quasi-judicial immunity.<sup>90</sup>

Jean responds with a conclusion “all of the Defendants’ claims of Immunity [sic] are frivolous.”<sup>91</sup> And then Jean proceeds to add facts not included in her amended Complaint in what appears to be an attempt to bolster her allegations.<sup>92</sup> But we may only consider those facts alleged in Jean’s amended Complaint and subject to Rule 11 good faith obligations.<sup>93</sup> We must determine whether Jean states a claim based on the facts pleaded, not on new facts brought to light in Jean’s opposition.<sup>94</sup>

We enjoy jurisdiction to address Jean’s theories except for challenges to issues fully resolved in the litigation involving her mother’s estate. She also sue on other theories. But she sues persons who are immune or who are not state actors necessary for a civil rights claim. She fails to plead facts of a conspiracy beyond her theories. We decline supplemental jurisdiction. We tried to amend to address these deficiencies. She cannot do so. We must dismiss these theories with prejudice.

**A. We have jurisdiction to review Jean’s section 1983 conspiracy claim.**

Jean claims her family members, judges, neighbors, police officers, fire department employees, lawyers, a law firm, and court reporters conspired against her to deprive her of property without due process. But Jean seems, in part, to be attempting to re-litigate state law estate claims not decided in her favor. For example, Jean appears to be challenging the Orphans’ Court’s 2009 order distributing her

mother's estate which included the division of the Coulter family property and heirlooms.<sup>95</sup> Jean also appears to be upset with the progression of the ongoing state court proceeding.<sup>96</sup>

Jean's siblings and their families, Judge Yeager and his family, Judge Horan and her husband, Attorney Elliott and his law firm, the court reporters, the police officers, and the fire department employees argue the Rooker-Feldman doctrine and various doctrines of abstention—including Younger abstention, the Princess Lida doctrine, and the Colorado River doctrine—bar this action to the extent Jean is attempting to challenge state court rulings.

They are correct the Rooker-Feldman doctrine bars our review of the Orphans' Court's 2009 order. But we are not precluded from hearing Jean's 42 U.S.C. § 1983 conspiracy claim for monetary damages based on Younger abstention, the Princess Lida doctrine, or the Colorado River doctrine.

**1. The Rooker-Feldman bars Jean's attempt to re-litigate the administration of her mother's estate.**

The Supreme Court instructs "federal district courts lack jurisdiction over suits that are essentially appeals from state-court judgments[.]" which is known as the Rooker-Feldman doctrine.<sup>97</sup> "Rooker-Feldman is confined to cases of the kind from which the doctrine acquired its name: cases brought by state-court losers inviting district court review and

rejection of the state court's judgments[.]”<sup>98</sup> So “it does not apply to harms somehow related to, but not caused by, state court judgments.”<sup>99</sup> While this doctrine is “narrow” it encompasses some of Jean's claim.<sup>100</sup>

Our Court of Appeals has identified four requirements for the Rooker-Feldman doctrine to apply: “(1) the federal plaintiff lost in state court; (2) the plaintiff ‘complain[s] of injuries caused by [the] state-court judgments’; (3) those judgments were rendered before the federal suit was filed; and (4) the plaintiff is inviting the district court to review and reject the state judgments.”<sup>101</sup> The second requirement—Jean must be complaining of injuries caused by a state-court judgment—can be difficult to correctly apply.<sup>102</sup> “The critical task is thus to identify those federal suits that profess to complain of injury by a third party, but actually complain of injury ‘produced by a state-court judgment and not simply ratified, acquiesced in, or left unpunished by it.’”<sup>103</sup>

But where “a federal plaintiff asserts injury caused by the defendant's actions and not by the state-court judgment, Rooker-Feldman is not a bar to federal jurisdiction.”<sup>104</sup> Assessing whether the Rooker-Feldman doctrine applies can be particularly difficult in cases like Jean's, where “a federal plaintiff complains of an injury that is in some fashion related to a state-court proceeding,” such as a claim for fraud upon the court or a claimed

conspiracy with the defendant judges, “neither of which necessarily compels the conclusion that the state court erred in its decisions”—since “even injuries that ‘help[ ] to cause the adverse state judgments’ may be ‘independent’ of those judgments.”<sup>105</sup>

Judge Blewitt’s analysis in *Mason v. Stroyan* offers guidance. Judge Blewitt considered “constitutional claims” raised by Ms. Mason which sought to vacate the Pike County Orphans’ Court decision as to the validity of a will, and vacate an order denying Ms. Mason’s husband’s motion to be administrator of the estate at issue.<sup>106</sup> Judge Blewitt found to the extent “[Ms. Mason’s] claims challenge the orders of the Pike County Orphans’ Court regarding the handling of [the] estate, and failing to recognize the [will] and her interest in [the] property, we find that any relief [Ms. Mason] is seeking is clearly barred by the Rooker-Feldman Doctrine.”<sup>107</sup> Judge Blewitt reasoned Ms. Mason’s claim “necessarily would require a determination that the orders of Pike County Orphans’ Court and the sale of [the] property were void.”<sup>108</sup>

Jean seeks 100 million dollars, and the value of “any/all” the family heirlooms based on the alleged conspiracy to take the Coulter family home and heirlooms. To the extent Jean is asking us to reject the Orphans’ Court’s Order regarding the administration of her mother’s estate or is challenging her brother Jim’s appointment as the

administrator of the estate—although it is unclear whether Jean is even asking for this relief—or is asking us to return heirlooms not distributed to her, we cannot do so. Like Ms. Mason in *Mason v. Stroyan*, we are precluded by the *Rooker-Feldman* doctrine from essentially vacating the Butler County Orphans’ Court’s orders or returning heirlooms not distributed to her since this would have the effect of undoing the state court’s administration of Ellen Coulter’s estate.<sup>109</sup> The Orphans’ Court Division of the Butler County Court of Common Pleas approved the distribution of Ellen Coulter’s estate in 2009 long before Jean filed his case. Each sibling received one-third of their mother’s estate. Jean never objected. We cannot review and reject the Orphans’ Court Order. Nor did she appeal.

But Jean’s 42 U.S.C. § 1983 conspiracy claim for monetary damages—although partially based on her ongoing civil case in Butler County but also based on acts by private actors not involved in the civil case—is not barred by the *Rooker-Feldman* doctrine. Jean’s claim for monetary damages is independent of the merits of the ongoing civil case. And as our Court of Appeals held in *Great Western Mining & Mineral Company v. Fox Rothschild LLP*, “[r]egardless of the merits of the state-court decisions, if [Jean] could prove the existence of a conspiracy to reach a predetermined outcome in state court, [she] could recover nominal damages for this due process violation” because her “entitlement to

such damages could be assessed without any analysis of the state-court judgments.”<sup>110</sup> 2.

**We decline to abstain under Younger.**

Younger abstention is not a jurisdictional principle, but a doctrine first announced by the Supreme Court in *Younger v. Harris* in the context of preventing federal courts from interfering with ongoing state criminal proceedings.<sup>111</sup> Under *Younger*, we abstain from, and dismiss, claims otherwise within the scope of federal jurisdiction when “exceptional circumstances . . . justify a federal court’s refusal to decide a case in deference to the States.”<sup>112</sup> “*Younger* abstention applies where a federal plaintiff seeks to enjoin state proceedings.”<sup>113</sup> We apply a two-stage analysis to determine whether *Younger* abstention applies. First, we examine whether the underlying state court litigation falls within one of three “exceptional circumstances”: (1) “state criminal prosecutions”; (2) “civil enforcement proceedings”; and (3) “civil proceedings involving certain orders uniquely in furtherance of the state courts’ ability to perform their judicial functions.”<sup>114</sup> We then move to the second stage of our analysis. In the second stage, we consider three factors articulated by the Supreme Court in *Middlesex County Ethics Committee v. Garden State Bar Association*: whether “(1) there are ongoing state proceedings that are judicial in nature; (2) the state proceedings implicate important state interests; and (3) the state proceedings afford an

adequate opportunity to raise federal claims.”<sup>115</sup> We must abstain under *Younger* if these factors apply. But “[e]ven when the three-prong test is met, *Younger* abstention is not appropriate when “(1) the state proceedings are being undertaken in bad faith or for purposes of harassment or (2) some other extraordinary circumstances exist[.]”<sup>116</sup>

We are guided by Judge Pratter’s reasoning in *Mikhail v. Kahn* where a husband sued his wife, attorneys, and judges under section 1983 alleging they, among other things, conspired to deprive him of his constitutional rights through state child protection from abuse proceedings, custody proceedings, and divorce proceedings.<sup>117</sup> Judge Pratter found the husband’s section 1983 conspiracy claim for monetary damages alleging “conspiracy among or between the defendant judges and court-appointed officials and [the wife] and her attorneys . . . not barred by *Rooker-Feldman* (given that the due process injury would not result from the judgments), or by *Younger* (because such a conspiracy would almost certainly fall into *Younger*’s narrow carve-out for ‘exceptional circumstances’).”<sup>118</sup> Judge Pratter recognized “*Younger* does not apply to the money damages claims in this case, because regardless of whether it can ever be applied to damages claims, *Younger* abstention is only appropriate where the precise claims raised in federal court are available in the ongoing state proceedings[.]”<sup>119</sup>



Jean does not appear to be seeking injunctive relief, declaratory relief, and is not asking us to enjoin the state court proceedings. Jean instead seeks 100 hundred million dollars and the value of “any/all” the family heirlooms arising from an alleged conspiracy to deprive her of due process to take the Coulter family home (which she apparently still retains) and heirlooms. The alleged conspiracy is based on a variety of facts spanning over a decade, including conduct which occurred in an ongoing state civil case; an alleged break-in from 2022; alleged thefts from 2013; various individuals expressed interested in the home; and her brother’s administration of their mother’s estate in 2009. Jean also asks we report her brother’s conduct to the state and/or federal disciplinary authorities.

Although there is an ongoing state court action which is still being litigated, and the state court action may involve an important state interest—the partition of the Coulter family property— Younger does not apply to Jean’s damages claims today.<sup>120</sup> Jean likely could not raise her current claims for damages in her state court proceeding given twenty-nine of the individuals and/or entities she sues here are not involved in the ongoing state court proceeding, and her alleged conspiracy includes facts and events wholly unrelated to the ongoing state civil proceeding. And as Judge Pratter recognized in Mikhail, “Younger does not apply to the money damages claims” and “is

only appropriate where the precise claims raised in federal court are available in the ongoing state proceedings[.]”<sup>121</sup>

Jean’s conspiracy claim under section 1983 seeking only monetary damages does not interfere with the ongoing state court proceedings.<sup>122</sup> We need not abstain from hearing her claims for monetary damages under section 1983.

### **3. We decline to abstain under the Princess Lida abstention doctrine.**

Our Supreme Court has long recognized “the court first assuming jurisdiction over property may exercise that jurisdiction to the exclusion of other courts.”<sup>123</sup> In *Princess Lida of Thurn & Taxis v. Thompson*, the Supreme Court held we are prevented from exercising jurisdiction “when a court in a previously filed action is exercising control over the property at issue and the second court must exercise control over the same property in order to grant the relief sought,” even where the property has not actually been seized.<sup>124</sup> We abstain under *Princess Lida* when: “(1) the litigation in both the first and second fora are in rem or quasi in rem in nature, and (2) the relief sought requires that the second court exercise control over the property in dispute and such property is already under the control of the first court.”<sup>125</sup>

Our Court of Appeals in *Dyno v. Dyno* held the district court lacked jurisdiction to hear a party’s suit brought under section 1983 where the party asked

the district court “to order the distribution of specific property subject to the jurisdiction of the Orphans’ Court.”<sup>126</sup> Our Court of Appeals reasoned the district court lacked jurisdiction under the Princess Lida doctrine because “[t]o grant the relief sought by the plaintiffs, the District Court would have had to exercise control over the shares of stock at issue.”<sup>127</sup>

We are not facing the same facts. The Butler County Orphans’ Court exercised control over the mother’s estate including the Coulter family home in 2009. And now, the Court of Common Pleas of Butler County is exercising control of the Coulter family home in the partition action. But we do not need to exercise control over the Coulter family home to decide Jean’s conspiracy claim under section 1983 unlike in *Dyno v. Dyno*. Jean seeks only monetary damages. And to the extent Jean is seeking the return of family heirlooms not distributed to her or is asking us to review the Orphans’ Court’s 2009 order, the Rooker-Feldman doctrine bars such review.

We need not abstain from hearing Jean’s section 1983 conspiracy claim for monetary damages under the Princess Lida doctrine.

#### **4. We decline to abstain under Colorado River.**

“The Colorado River doctrine allows a federal court to abstain, either by staying or dismissing a pending federal action, when there is a parallel ongoing state court proceeding.” We narrowly apply this doctrine because we “have a strict duty to

exercise the jurisdiction . . . conferred upon [us] by Congress.”<sup>129</sup>

We conduct a two-part inquiry to determine whether we should abstain under the Colorado River doctrine. First, we consider whether there is a parallel state proceeding raising “substantially identical claims [and] nearly identical allegations and issues.”<sup>130</sup> We consider cases parallel when “they involve the same parties and claims.”<sup>131</sup> But “[t]he presence of additional parties in the state action does not destroy the parallel nature of the cases when all of the parties in the federal action are also parties in the state action.”<sup>132</sup> If we find the state proceeding and federal proceeding parallel, we then apply a multi-factor test to determine whether “extraordinary circumstances” merit abstention.<sup>133</sup>

There is no parallel state court proceeding to our knowledge. There is instead an ongoing state court case involving Jean and Jim concerning the partition of the Coulter family home. Jean now sues her siblings and their families, Judge Yeager and his family, Judge Horan and her husband, Attorney Elliott and his law firm, the court reporters, Officer Howard, Chief of Police O’Neill, the unknown officer of the police of the City of Butler, and the unknown employees of the City of Butler fire department for conspiring to take the Coulter family home.<sup>134</sup> These two actions are not “substantially identical.”

Given the narrow application of Colorado River abstention, together with our “virtually

unflagging obligation” to exercise our jurisdiction to adjudicate a controversy properly before us, we decline to abstain under the Colorado River doctrine. We retain jurisdiction over Jean’s section 1983 conspiracy claim.

**B. Jean fails to plead a civil conspiracy claim under section 1983.**

Jean alleges family members, judges, neighbors, lawyers, a law firm, court reporters, police officers, and fire department employees conspired to deprive her of her share of the Coulter family home and family heirlooms by violating her due process rights.<sup>135</sup> The private individuals and entity Jean sues—including extended family members, neighbors, lawyers, and a law firm—argue Jean fails to state a civil rights conspiracy claim under 42 U.S.C. § 1983 against them as they are not state actors.<sup>136</sup> The state actors Jean sues—including the judges, court reporters, fire department employees, and police officers—argue they are immune from suit under 42 U.S.C. § 1983 and, even if not, Jean fails to allege facts sufficient to set forth a civil rights due process violation or conspiracy claim.<sup>137</sup> We agree. Jean cannot plead this civil conspiracy claim as a matter of law. Under the Due Process Clause of the Fourteenth Amendment, no State shall “deprive any person of life, liberty, or property, without due process of law[.]”<sup>138</sup> The Fourteenth Amendment’s Due Process Clause protects both substantive and procedural due process rights.<sup>139</sup> The relevant

inquiry in determining whether government conduct violates substantive due process “is whether the behavior of the government officer is so egregious, so outrageous, that it may fairly be said to shock the contemporary conscience.”<sup>140</sup> Jean must establish “the loss of a protected property interest without adequate process” to succeed on a Fourteenth Amendment procedural due process claim.<sup>141</sup>

To prevail on a conspiracy claim under section 1983, Jean must prove persons acting under color of state law “reached an understanding” to deprive her of her constitutional rights—here, Jean’s procedural due process rights.<sup>142</sup> Section 1983 protects against constitutional violations by the state, but “not against wrongs done by individuals[.]”<sup>143</sup> So we only apply section 1983 when the state is responsible for the specific conduct causing the alleged harm.<sup>144</sup> Private individuals ordinarily “do not act under color of state law” and thus “are not liable under Section 1983.”<sup>145</sup> But “[p]rivate individuals may be deemed to have acted under color of state law in a § 1983 action if they conspired with state actors to violate a plaintiffs civil rights” but such claims must rise above “mere labels and conclusions.”<sup>146</sup>

“With respect to the conspiracy aspect of a Section 1983 conspiracy claim, in order to survive a Rule 12(b)(6) motion to dismiss, [Jean’s] ‘allegations of a conspiracy must provide some factual basis to support the existence of the elements of a conspiracy: agreement and concerted action.’”<sup>147</sup> The elements

of a claim of conspiracy to violate federal civil rights are: “(1) two or more persons conspire to deprive any person of [constitutional rights]; (2) one or more of the conspirators performs . . . any overt act in furtherance of the conspiracy; and (3) that overt act injures the plaintiff in his person or property or deprives the plaintiff of any right or privilege of a citizen of the United States,” with the added gloss under section 1983 “the conspirators act ‘under the color of state law.’”<sup>148</sup> And we are mindful “[a] conspiracy claim cannot be based merely on suspicion or speculation.”<sup>149</sup>

**1. We dismiss Jean’s section 1983 conspiracy and due process claims against Judge Yeager with prejudice.**

Jean claims Judge Yeager violated her Fourteenth Amendment due process rights for decisions he made as a state court judge. She claims he conspired to violate her due process and property rights with his daughter and her husband, Jean’s brother, extended family, court reporters, police officers, fire department employees, and other judges and lawyers. Judge Yeager argues the claims against him are barred based on the doctrine of absolute judicial immunity.<sup>150</sup> Jean responds he is “without immunity” because “his actions inside the courthouse are not being considered.”<sup>151</sup>

“A judicial officer in the performance of his duties has absolute immunity from suit and will not be liable for his judicial acts.”<sup>152</sup> We apply the same

absolute immunity standard to civil rights conspiracy claims as to ordinary civil rights claims.<sup>153</sup> A judge's immunity is overcome only if: (1) the judge did not act in his judicial capacity; or (2) the judge acted "in the complete absence of all jurisdiction."<sup>154</sup> A judge acts in his judicial capacity when he performs "a function normally performed by a judge."<sup>155</sup> Where generally "a court has some subject matter jurisdiction, there is sufficient jurisdiction for immunity purposes."<sup>156</sup> A judge will not be deprived of immunity because he acted in error, maliciously, or in excess of his authority; "rather, he will be subject to liability only when he has acted in the clear absence of all jurisdiction."<sup>157</sup> Our Court of Appeals directs judges are protected by absolute judicial immunity when they make judicial determination in state court proceedings.<sup>158</sup> "Actions for which a person has absolute immunity are not considered in establishing a § 1983 conspiracy claim."<sup>159</sup>

Jean's claims against Judge Yeager challenge the rulings Judge Yeager undertook as a state court judge in the pending consolidated case despite her claim "his actions inside the courthouse are not being considered."<sup>160</sup> For example, Jean alleges Judge Yeager and her brother Jim conspired to delay the division of the family home "until such a time as [Judge] Yeager's daughter [Stephanie] . . . could move into the home[.]"<sup>161</sup> Jean contends Judge Yeager refused to order specific performance after



she presented proof of Jim's 2011 written offer to sell his share of the Coulter family home during a November 2022 hearing.<sup>162</sup> Jean alleges Judge Yeager is "committed" to assuring Jim becomes the sole-owner of the Coulter family home so Jim can then sell the family home to Judge Yeager's daughter and will go so far as to develop "interesting legal principals" such as finding Barbara Coulter gave up her rights to the home by relying on a "forged" deed which shows Barbara sold her interest to Jim.<sup>163</sup> Jean also claims in late December 2021 or early January 2022 Judge Yeager toured the Coulter family home with Jim and his daughter.<sup>164</sup> But there are no allegations anyone has offered to buy the Coulter family home from Jean, including Judge Yeager or his daughter, or the home has been sold or taken away from Jean.

Jean does not and cannot allege facts showing Judge Yeager acted in the clear absence of jurisdiction when he refused to order specific performance or found Barbara Coulter gave up her interest in the Coulter family home to Jim. Jean's real complaint is Judge Yeager did not rule in her favor on certain motions and he has on at least one occasion expressed an interest in the Coulter family home. We have no basis in public record or pleadings to find Jean appealed these decisions.<sup>165</sup> She instead asks us to serve as an appellate court. We cannot do so. Jean's section 1983 conspiracy claim against Judge Yeager for his judicial actions in his

individual capacity is barred under the doctrine of absolute judicial immunity.

To the extent Jean is bringing a section 1983 claim for monetary damages against Judge Yeager in his official capacity, she is barred by the immunity afforded to the states by the Eleventh Amendment.<sup>166</sup> And any claims against Judge Yeager acting outside his judicial capacity—such as by touring the Coulter family home—fail to state a conspiracy claim under section 1983 because Jean fails to allege her brother Jim or anyone else violated a constitutional right when a group, guided by Jim who Jean admits remained a co-owner of the home, toured the home.

We dismiss with prejudice Jean's claims against Judge Yeager in his official and individual capacity as Jean has now had two attempts to plead these facts.

**2. We dismiss Jean's section 1983 conspiracy and due process claims against Judge Horan with prejudice.**

Jean alleges Judge Horan who resides in the same neighborhood as the Coulter family home also conspired to take the Coulter family home.<sup>167</sup> Jean contends Judge Horan wanted someone "better suited" than Jean to buy the home such as a "legally trained professional[] who also 'happened' to be 'at least' Christian, and preferably Catholic."<sup>168</sup> Jean alleges Judge Horan placed a note on the door of the Coulter family home as some sort of signal to let

Judge Yeager and his family know the “coast is clear” so they could enter the home on the day of the assisted break-in.<sup>169</sup> And Jean points to actions

Judge Horan took as the “Administrative Judge” for the Butler County Court of Common Pleas in 2017 as evidence of her involvement in the conspiracy when she assigned Jean’s case to Judge Yeager so a “friendly” judge would hear her case.<sup>170</sup> Judge Horan argues the claims against her are barred by the doctrine of absolute judicial immunity.<sup>171</sup> And any actions taken by Judge Horan outside of her judicial capacity fail to state a claim under section 1983.<sup>172</sup> Jean responds Judge Horan is only part of the conspiracy as “her role of neighbor” but then also contends she is involved for “her role as the newly appointed ‘Administrative Judge’ of Butler County.”<sup>173</sup>

Judge Horan has absolute immunity from suit and will not be liable for her judicial acts to the extent Jean is suing Judge Horan for judicial decisions even as the administrative judge of Butler County.<sup>174</sup> Jean does not and cannot allege facts showing Judge Horan acted in the clear absence of jurisdiction when she assigned Judge Yeager to Jean’s civil case. Jean’s section 1983 conspiracy claim against Judge Horan for her judicial actions in her individual capacity is barred under the doctrine of absolute judicial immunity.

To the extent Jean is bringing a section 1983 claim for monetary damages against Judge Horan in

her official capacity, she is barred by the immunity afforded to the states by the Eleventh Amendment.<sup>175</sup> And any facts alleged against Judge Horan acting outside her judicial capacity— such as by being a “neighbor” and placing a note on the Coulter family home door—fail to state a conspiracy claim under section 1983 because Jean does not allege Judge Horan violated a constitutional right by placing a note on the door of the Coulter family home. And Judge Horan placing a note on her neighbor’s door is not enough to establish state action because Jean’s conclusory allegations “with no supporting factual averments are insufficient” as she does not “present facts tending to show agreement and concerted action.”<sup>176</sup>

We dismiss with prejudice Jean’s claims against Judge Horan in both her official and individual capacity as Jean has now had two attempts to plead these facts. 3.

**We dismiss Jean’s 1983 conspiracy claims against Court Reporters Natale and Hyatt with prejudice.**

Jean sues Court Reporters Natale and Hyatt because Judge Yeager requested they “adjust” transcripts in the partition action.<sup>177</sup> But Jean is uncertain which court reporter “recorded” the discussions at issue as she “only remembers seeing the one face in the courtroom.”<sup>178</sup> Court Reporters Natale and Hyatt respond arguing the claims against them are barred by quasi-judicial immunity and,

even if not, Jean fails to state a claim for conspiracy under section 1983.<sup>179</sup>

We first acknowledge Jean does not have a constitutional right to an error free transcript.<sup>180</sup> “[A] constitutional violation would occur only if the inaccuracies in the transcript adversely affected appellate review in the state courts” so we ask “whether [Jean] has alleged deficiencies in the trial transcript substantial enough to call into question the validity of the appellate process in the state courts.”<sup>181</sup> “While court reporters are not entitled to absolute judicial immunity simply by virtue of their position . . . quasi-judicial immunity applies to court staff, such as clerks of judicial records and court reporters, who are acting in their official capacities.”<sup>182</sup>

Jean contends Court Reporters Natale and Hyatt acted in their official capacity as court reporters during their alleged involvement in the conspiracy. Although Jean disputes the completeness and accuracy of the transcripts, she alleges no facts Court Reporters Natale and Hyatt acted in a role other than their official capacities as court reporters.

We dismiss Jean’s section 1983 claims against Court Reporters Natale and Hyatt with prejudice because they have absolute quasi-judicial immunity for their acts taken in their courtappointed roles.

**4. We dismiss Jean’s section 1983 conspiracy claims against police officers and fire department employees with prejudice.**

Jean alleges Officers Howard, Chief of Police O'Neill, an unknown officer of the City of Butler police department, and unknown employees of the City of Butler fire department violated her due process and property rights by conspiring during the "assisted break-in" of the Coulter family home. Jim called the Butler City police department in late December or early January 2022 to report neighbors expressing concerns about Jean's well-being.<sup>183</sup> Jean claims her brother Jim "chose to lie" to the police and fire departments when he called them about Jean's well-being so he could use them to assist him in breaking into the home.<sup>184</sup> But she admits Jim remained a coowner of the Coulter family home when he made the calls. <sup>185</sup> And Jean admits Officer Howard, one of the responding police officers, admitted no member of the police or fire departments entered the Coulter family home during the "assisted break-in."<sup>186</sup> Jim instead entered the home without emergency personnel.<sup>187</sup>

Officer Howard, Chief of Police O'Neill, the unknown officer of the police department, and the unknown employees of the fire department argue the claims brought against them are barred by the doctrine of qualified immunity.<sup>188</sup> Jean responds their claims of immunity are "frivolous" because they failed to perform what she considers to be an adequate wellness check.<sup>189</sup>

State officials performing discretionary acts may enjoy qualified immunity from money damages

in section 1983 causes of action.<sup>190</sup> They “are entitled to qualified immunity for their actions if their conduct does not violate clearly established statutory or constitutional rights of 53 27 which a reasonable person would have known.”<sup>191</sup> “Qualified immunity shall be upheld on a 12(b)(6) motion only when the defense is established on the face of the complaint.”<sup>192</sup>

We apply a two-step test to determine whether qualified immunity shields a government official’s action from section 1983 liability: “(1) whether the facts alleged by [Jean] establish a violation of a constitutional right and (2) whether the constitutional right at issue was clearly established at the time of the alleged violation such that a reasonable official would understand that what he is doing violates that right.”<sup>193</sup> To prevail on her conspiracy claim under section 1983, Jean “must prove that persons acting under color of state law ‘reached an understanding’ to deprive [Jean] of [her] constitutional rights.”<sup>194</sup> And “[c]learly established” means “at the time of the officer’s conduct, the law was sufficiently clear that every reasonable official would understand that what he is doing is unlawful.”<sup>195</sup>

These two questions may be answered in either order.<sup>196</sup> Although we should analyze the specific conduct of each individual separately, because Jean alleged the police officers and fire department employees acted in concert we may

consider their actions together.<sup>197</sup> This analysis is informed by “only the facts that were knowable to the defendant officers.”<sup>198</sup> If Jean fails to establish the underlying offense through her allegations, “there is no necessity for further inquiries concerning qualified immunity.”<sup>199</sup>

Jean has not and cannot allege the police officers or fire department employees violated a constitutional right by taking her brother Jim’s call. The police officers and fire department employees, as alleged by Jean, responded to a welfare call by Jim, a co-owner of the Coulter family home, but did not even enter the home. Wellness checks are not constitutional violations where Jean failed to allege the wellness check infringed on her constitutional rights.<sup>200</sup> And Jean alleges no facts of an agreement or understanding among the police officers, fire department employees, Judge Yeager, her brother Jim, or anybody else to deprive her of property without due process of law. There is no wrong to address against the police officers and fire department employees because Jean has not and cannot allege facts showing they violated her constitutional rights in connection with her brother Jim’s entry into the family home which Jean admits he still partially owns.

We dismiss Jean’s conspiracy claims against Officers Howard, Chief of Police O’Neill, an unknown police officer, and an unknown employee of the fire department in their individual capacities with



prejudice. Although the principles of qualified immunity may be applicable to this case, we need not assess the second step of the qualified immunity analysis as to whether the underlying rights were clearly established because Jean failed to allege a constitutional violation. To the extent Jean sues the police officers and fire department employees in their official capacities for money damages, such claims are barred by the Eleventh Amendment.<sup>201</sup>

We dismiss all claims against Officers Howard, Chief of Police O'Neill, an unknown officer of the City of Butler police department, and unknown employees of the City of Butler fire department with prejudice as Jean already had an opportunity to cure these defects.

**5. Jean fails to state a civil rights conspiracy claim against private individuals.**

We are now left with Jean's section 1983 conspiracy claim against only private individuals including: Jean's brother Jim, his family, and extended family; Jean's sister Barbara and her husband; Judge Yeager's daughter and her husband; Judge Horan's husband; and Attorney Elliott and his law firm. As our Court of Appeals reminded Jean over ten years ago in 2012, Jean must show these private individuals acted "under color of state law" to sustain a claim under section 1983.<sup>202</sup> Jean ignored our Court of Appeals' direction.

Constitutional claims are generally only available when the government is responsible for the

specific conduct giving rise to a claim but “[a] private actor may qualify as a governmental actor in limited circumstances, including when the private entity performs a traditional public function, when the government compels the private entity to take a particular action, or when the government acts jointly with the private entity.”<sup>203</sup> “Private individuals may be deemed to have acted under color of state law in a § 1983 action if they conspired with state actors to violate a plaintiffs civil rights” but “such claims must rise above ‘mere labels and conclusions.’”<sup>204</sup> As Judge Huyett recognized about thirty years ago in *Hammond v. Creative Financial Planning Organization Inc.*, a party fails to allege a conspiracy claim under 1983 where the facts alleged are “sketchy, episodic, and uneven” and “jump from one isolated event to another” while “expect[ing] the reader to fill in the gaps.”<sup>205</sup>

Where Jean “attempts to assert the necessary ‘state action’ by implicating state officials or judges in a conspiracy with private defendants, mere conclusory allegations with no supporting factual averments are insufficient; the pleadings must specifically present facts tending to show agreement and concerted action.”<sup>206</sup> And the requisite state action is present even if the conspirators who are deemed state actors are immune from suit.<sup>207</sup> But the pleading standard “is even stricter where the state officials allegedly involved in the conspiracy are immune from suit” as we have found in this case.<sup>208</sup>

Jean does not allege her brother Jim, his family, and extended family, Attorney Elliott and his firm, Judge Yeager's daughter and her husband, and Judge Horan's husband are, or acted as, state officials or actors under section 1983. So to be found to be acting under color of state law under section 1983, the private actor must "willfully participate in a joint conspiracy with state officials to deprive a person of a constitutional right[.]"<sup>209</sup> And Jean must plead "an agreement or understanding between the defendants to carry out the alleged chain of events; [her] mere assertion that such a plot exists is simply not sufficient. Establishing the existence of an agreement is part of the prima facie case for civil conspiracy under 42 U.S.C. § 1983[.]"<sup>210</sup>

Jean has twice failed to plead facts allowing us to plausibly infer an agreement and concerted action between these private individuals and state officials. There is no set of facts from which we can infer an understanding between the state actors and private actors to deprive Jean of her constitutional rights. Jeans baldly refers to "co-conspirators" and a "conspiracy" among the "co-conspirators" who acted "in cahoots" and "reached an understanding" to take the Coulter family home and heirlooms. But she pleads vague inferences and allegations. "Bare assertions of joint action or a conspiracy are not sufficient to survive dismissal at the pleading stage."<sup>211</sup>

**i. We dismiss Jean's claim against Jim with prejudice.**

Jean claims her brother Jim, who is a lawyer, stole from their mother's estate by giving proceeds to his wife's extended family and took Jean's share of their mother's life insurance proceeds. Jean also alleges Judge Yeager and Jim conspired to delay the division of the family home "until such a time as [Judge] Yeager's daughter [Stephanie] . . . could move into the home[.]"<sup>212</sup> Jean also contends Judge Yeager has known about Jim's thefts and his misappropriation of her mother's estate but chose to "conceal this information from the state's Disciplinary Board in violation of the Code of Conduct."<sup>213</sup> So Judge Yeager must be "in cahoots" with Jim since he has accepted Jim's state court filings.<sup>214</sup> Jean claims Jim furthered the conspiracy by using the police and fire departments under the guise of a wellness check to "break-in" to the Coulter family home so Judge Yeager and his family could access the property.<sup>215</sup>

"[A]ppointment by a court to serve as an estate administrator does not transform a private party into a state actor."<sup>216</sup> So Jim is not a state actor because he acted as the administrator of his mother's estate without objection. And "[i]n the context of an alleged conspiracy with a judge, 'merely resorting to the courts and being on the winning side of a lawsuit does not make a party a co-conspirator or a joint actor with the judge.'"<sup>217</sup> We can look to Judge

Kugler in *Livingstone v. Haddon Point Manager LLC*, where he found a party failed to plead a section 1983 conspiracy claim where the pleaded facts showed nothing more than the private parties and judges “mere invocation of state legal procedures” which is “insufficient as a matter of law to establish the existence of a conspiracy.”<sup>218</sup> Judge Kugler instead recognized allegations a private party bribed a state court judge to cause him to issue an injunction in his favor or the private party and state court judge entered into an agreement to rule in favor of the private party are more likely to state a plausible claim for relief.<sup>219</sup> And “[m]ere errors or irregularities in the state court proceedings are not sufficient to show a purposeful conspiracy to deny plaintiff due process.”<sup>220</sup>

Jean alleges nothing beyond conclusory allegations to show or explain how Jim entered into an agreement or acted in concert with state officials—either Judge Yeager, Judge Horan, the police officers, or fire department employees—to deprive Jean of her due process rights. She instead laments her unhappiness with Jim’s administration of their mother’s estate and Judge Yeager’s various rulings which allegedly favor Jim’s legal positions. And Jim contacting state officials to perform a wellness check on the Coulter family home is not, by itself, a conspiracy to deprive Jean of her due process rights. Jean admits “Jim is still, officially a co-owner” of the Coulter family home.<sup>221</sup> He presumably could

check on his asset when neighbors raise concerns. While Jean uses the word “conspired” or “conspiracy,” she does not plead a fact necessary to demonstrate an unlawful agreement, understanding, or knowledge of conspiratorial actions.<sup>222</sup> Simply placing the word “conspiracy” into an unwieldy amended Complaint will not turn “an otherwise ordinary but unfavorable court ruling into an unlawful agreement to deprive [Jean] of [her] rights.”<sup>223</sup>

We again remind Jean “[a] conspiracy claim cannot be based merely on suspicion or speculation.”<sup>224</sup>

**ii. We dismiss the section 1983 conspiracy claim against Jim with prejudice as Jean has already had an opportunity to amend to cure these defects. ii. We dismiss Jean’s claims against Jim’s family and extended family.**

Jean alleges members of Jim’s extended family including his wife Susan, their two children, Susan’s mother Sara Jane Sanzotti Vero, and the Morrow, Hammonds, and Anderson families took “valuables” from her mother’s estate with Jim’s permission.<sup>225</sup> Jean alleges no facts showing these individuals are state actors or conspired with state actors to deprive Jean of her due process rights.

Our Court of Appeals confirmed section 1983 claims have a two-year statute of limitations.<sup>226</sup> And “actions of private citizens, without any showing

of state action, do not give rise to a cognizable § 1983 claim.”<sup>227</sup>

Jean alleges no facts to demonstrate members of Jim’s extended family plotted, planed, or conspired to carry out the alleged chain of events with any state actor.<sup>228</sup> And the facts Jean does allege against the extended family—including taking Coulter family heirlooms in 2013—occurred ten years ago.

We dismiss the section 1983 conspiracy claim against Susan Coulter, James Coulter, Joseph Coulter, Sara Jane Sanzotti Vero, the Marrow family, the Hammonds family, and the Anderson families with prejudice as Jean has already had an opportunity to amend.

**iii. We dismiss Jean’s claims against sister Barbara and her husband.**

Jean sues her sister Barbara and Barbara’s husband Jonathan Valvano—two private citizens—for presumably conspiring to deprive Jean of her due process rights. Jean contends at some point Barbara may have given her interest in the Coulter family home to Jim, but then alleges an unidentified unpleaded person forged the deed transferring the interest. And Jean also claims Barbara and Jonathan attempted to cover-up Jim’s theft of their mother’s life insurance policy by permitting the “obviously forged” life insurance document to be sent to Jean through Mr. Valvano’s email address. <sup>229</sup>

Jean fails to demonstrate state action by her sister Barbara or Barbara's husband Jonathan. And Jean alleges no facts to demonstrate Barbara or Jonathan plotted, planed, or conspired to deprive Jean of her constitutional rights with any state actor.<sup>230</sup> Jean has not alleged facts of a conspiracy beyond her own speculations and suspicions. We dismiss the section 1983 conspiracy claim against Barbara and Jonathan with prejudice.

**iv. We dismiss Jean's claims against Stephanie Yeager and Judge Shaffer.**

Jean sues Judge Yeager's daughter Stephanie and her husband Judge Shaffer for conspiring to deprive her of due process rights by breaking into the Coulter family home with the assistance of the Butler City police and fire departments.<sup>231</sup> Jean claims her brother Jim provided Stephanie, Judge Shaffer, and their contractors "unfettered and secret access" to the Coulter family home.<sup>232</sup>

Jean is not suing Judge Shaffer in his official capacity as a judge given she is not challenging actions he took as a state court judge. She instead appears to be suing him as someone who she thinks may have had an interest in buying the Coulter family home. But to the extent she is suing him for judicial decisions, we remind Jean he has absolute immunity from suit and will not be liable for his judicial acts."<sup>233</sup>

Stephanie and Judge Shaffer's alleged interest in buying the Coulter family home and their



relationship to Judge Yeager is not enough to establish state action. And we again remind Jean “[a] conspiracy claim cannot be based merely on suspicion or speculation.”<sup>234</sup> Jean fails to state any sort of claim against Stephanie or Judge Shaffer. They are not state actors. And claims against Stephanie and Judge Shaffer for touring the Coulter family home during the “assisted break-in” fail to state a conspiracy claim under section 1983 because Jean fails to allege she has been deprived of a constitutional right when Jim, a co-owner of the home, allowed the couple to tour the home.

We dismiss the section 1983 conspiracy claim against Stephanie and Judge Schaffer with prejudice.

**v. We dismiss Jean’s claims against Joseph Caparosa.**

Jean sues Judge Horan’s husband Joseph Caparosa because he also placed a note on the door of the Coulter family home—identical to the note Judge Horan placed on the door—to signal to Judge Yeager and his family the “coast is clear” so they could enter the home on the day of the assisted break-in.<sup>235</sup>

Private citizen Mr. Caparosa placing a note on his neighbor’s door is not state action. And Jean’s conclusory allegations of conspiracy against Mr. Caparosa “with no supporting factual averments are insufficient; the pleadings must specifically present facts tending to show agreement and concerted action.”<sup>236</sup>

We dismiss the section 1983 conspiracy claim against Mr. Caparosa with prejudice.

**vi. We dismiss Jean's claims against Attorney Elliott and his firm.**

Jean sues her brother Jim's lawyer, Attorney Elliott and his firm Dillon McCandless King Coulter & Graham LLP, because they moved to transfer her civil case against Jim from the Philadelphia County Court of Common Pleas to the Butler County Court of Common Pleas.<sup>237</sup> Jean contends "it is clear" Jim and Attorney Elliott transferred the case to Butler County so Judge Yeager would be assigned to the case.<sup>238</sup>

"Attorneys performing their traditional functions will not be considered state actors solely on the basis of their position as officers of the court."<sup>239</sup> Jean cannot satisfy the state action requirement necessary to bring her section 1983 conspiracy claims against Attorney Elliott or his law firm solely because he is a lawyer.<sup>240</sup> Jean pleads no facts beyond her conclusory allegations and speculations to show Attorney Elliott or his firm entered into an agreement and acted with state officials to deprive Jean of her due process rights. And the state court judge, not Attorney Elliott, transferred the case.

We dismiss the section 1983 conspiracy claim against Attorney Elliott and his firm with prejudice.

**C. Jean fails to state a conspiracy claim under 42 U.S.C. § 1985(3).**

Jean does not plead a claim for civil conspiracy under 42 U.S.C. § 1985(3). But her allegations construed liberally could be understood as attempting a claim under section 1985.

A claim for civil conspiracy under 42 U.S.C. § 1985(3), unlike a claim under section 1983, does not have a state action requirement.<sup>241</sup> To state a claim Jean must plead in good faith: “(1) [defendants engaged in] a conspiracy; (2) for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws . . . ; and (3) an act in furtherance of the conspiracy; (4) whereby a person is injured in his person or property or deprived of any right or privilege of a citizen of the United States.”<sup>242</sup> The first element requires allegations of a conspiracy “based in fact” and not “merely upon [Jean’s] own suspicion and speculation.”<sup>243</sup> And section 1985(3) requires Jean to allege “invidious racial or otherwise class-based discriminatory animus lay behind the Defendants’ actions, and she must set forth facts from which a conspiratorial agreement between the defendants can be inferred.”<sup>244</sup>

As we repeatedly found above, Jean has not and cannot allege facts of a conspiracy beyond her own speculations and suspicions. And Jean has not alleged facts to demonstrate racial or otherwise class-based discriminatory animus laid behind the acts of her family members or the judges, court

reports, neighbors, police officers, fire department employees, or lawyers she sues.

We dismiss any potential claim under section 1985(3) with prejudice.

**D. We decline supplemental jurisdiction over Jean's state law claims.**

Jean invokes our federal question jurisdiction for her civil rights conspiracy claim. She also invokes our diversity jurisdiction under 28 U.S.C. § 1332(a) for a variety of state law claims including for fraud, theft, theft by deception, conversion, replevin, invasion of privacy, trespass, and unfair and deceptive business practices.<sup>245</sup>

We lack diversity jurisdiction. The diversity statute has two requirements: first, all parties must be completely diverse, and second, the amount in controversy must exceed the sum or value of \$75,000.<sup>246</sup> To establish diversity jurisdiction under 28 U.S.C. § 1332(a), Jean must allege each individual parties' citizenship, not residence.<sup>247</sup> "A natural person is deemed to be a citizen of the state where he is domiciled."<sup>248</sup> "Domicile" has two elements: "(1) the intent of the person in question to make a particular location their permanent home, and (2) physical presence."<sup>249</sup>

Jean alleges she is a citizen of New Jersey.<sup>250</sup> But she provides a mailing address in Butler, Pennsylvania.<sup>251</sup> Jean does not allege the citizenship of any other party but instead lists an

address for each party with addresses in Pennsylvania, Ohio, and Texas.<sup>252</sup>

We have no basis to give Jean leave to amend to assert our diversity jurisdiction. We assumed jurisdiction based on a federal question arising under the civil rights laws. Giving Jean a chance to amend to plead the would be futile because our Court of Appeals just two months ago affirmed Judge Wiegand's dismissal of a different case Jean brought against her brother Jim and others under 28 U.S.C. § 1332(a) for lack of subject matter jurisdiction.<sup>253</sup> Judge Wiegand considered Jean's inconsistencies as to whether her domicile is Illinois or New Jersey; her admissions to having been away from New Jersey since at least early 2020 and having no place to return in New Jersey; her consistent use of her Butler, Pennsylvania address and/or her Philadelphia P.O. box in both earlier and current lawsuits in this District; and her limited ties to New Jersey (taxes, doctors, one phone number, and a driver's license with a Pennsylvania P.O. box address).<sup>254</sup> Judge Wiegand concluded even if Jean's domicile is no longer Pennsylvania, Jean "has not met her burden of persuasion as the proponent of federal subject-matter jurisdiction or provided sufficient facts to establish citizenship in any state."<sup>255</sup> We agree. Jean has not met her burden of persuasion of federal subject-matter jurisdiction based on diversity given she claims she is a New Jersey citizen, but provides a Pennsylvania mailing

address, and she fails to allege the citizenship of any of the thirty parties she sues.

We could exercise supplemental jurisdiction over Jean's state law claims under 28 U.S.C. § 1367(a). But our supplemental jurisdiction is discretionary.<sup>256</sup> We may consider our supplemental jurisdiction sua sponte. <sup>257</sup> We "may decline to exercise supplemental jurisdiction" over a claim if one of four factors exists:

(1) the claim raises a novel or complex issue of State law,

(2) the claim substantially predominates over the claim or claims over which the district court has original jurisdiction,

(3) the district court has dismissed all claims over which it has original jurisdiction, or

(4) in exceptional circumstances, there are other compelling reasons for declining jurisdiction.<sup>258</sup>

We decline to exercise supplemental jurisdiction over Jean's state law claims because we dismissed all claims over which we enjoyed original jurisdiction based on the federal question posed under the civil rights law.<sup>259</sup>

### **III. Conclusion**

We dismiss Jean's second attempt to turn her family and neighborhood battle concerning her mother's estate and family home into a civil rights lawsuit. She offers no facts after two attempts to

allow us to entertain her distortion of civil rights laws.

We lack jurisdiction under the Rooker-Feldman doctrine to hear Jean's claims based on the Orphans' Court long-ago completed administration of her mother's estate. Jean's allegations of conspiracy among or between Jean's siblings and their families, Judge Yeager and his family, Judge Horan and her husband, Attorney Elliott and his law firm, the court reporters, Officer Howard, Chief of Police O'Neill, the unknown officer of the police of the City of Butler, and the unknown employees of the City of Butler fire department must be considered separately because they are not barred by Rooker-Feldman or Younger. But Jean's claims against the judges, court reporters, police officers, and fire department employees are barred by judicial, quasi-judicial immunity, or for failure to state a claim. And Jean failed to state a claim against the private individuals because they are not state actors.

We decline to exercise supplemental jurisdiction over Jean's state law claims. The case is over in the federal district court.

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF  
PENNSYLVANIA**

JEAN COULTER, Plaintiff

v. Case No.: 2:22-cv-01806-MAK .

JAMES P. COULTER, SUSAN VERO COULTER,  
JAMES L. COULTER\*, JOSEPH C. COULTER\*,  
KAREN VERO MORROW, ROGER MORROW,  
SARA MORROW, BENJAMIN MORROW, PAMELA  
VERO HAMMONDS, STEVEN HAMMONDS,  
PATRICK HAMMONDS, MARY JOANNE VERO  
ANDERSON, BRIAN ANDERSON, ABIGAIL  
ANDERSON, NICHOLAS ANDERSON, SARA  
JANE SANZOTTI VERO, S. MICHAEL YEAGER,  
STEPHANIE YEAGER SHAFFER, WILLIAM R.  
SHAFFER, NANCY NATALE MARILYN HORAN,  
JOSEPH CAPAROSA, LISA M. HYATT, BARBARA  
COULTER, JONATHAN W. VALVANO, RONALD  
ELLIOTT, DILLON MCCANDLESS KING  
COULTER AND GRAHAM, OFFICER HOWARD of  
the Police of the City of Butler, PA, BOB O'NEILL,  
Chief of Police of the City of Butler, PA, UNKNOWN  
OFFICER of the Police of the City of Butler, PA, and  
UNKNOWN EMPLOYEES of the Bureau of Fire of  
the City of Butler, PA, DEFENDANTS

COMPLAINT FOR CIVIL ACTION

Pursuant to 28 USC §1331 – FEDERAL QUESTION  
(DUE PROCESS)

and/or

42 USC §1983 - CIVIL ACTION FOR  
DEPRIVATION OF RIGHTS

and/or

*lxiv.*



28 U.S.C. § 1332 - DIVERSITY OF CITIZENSHIP.

PARTIES TO THIS COMPLAINT

1.) Plaintiff, JEAN COULTER, is a citizen of New Jersey with local Mailing Address : 620 Butler Crossing #3, PMB 172, Butler, PA 16001, Phone : 412-616-9505 (Google Voice), Email : [jeanecoulter@yahoo.com](mailto:jeanecoulter@yahoo.com)

...

AMOUNT IN CONTROVERSY

Plaintiff seeks total damages from all of the Defendants in the amount of 4. \$100,000,000.00 (One Hundred Million Dollars and No Cents), including both compensatory and punitive damages, as well as the value of any/all of the family heirlooms (including those which can be recovered) - as the family heirlooms (jewelry, silver flatware and tableware, china and other valuables) were apparently distributed to members of Jim's extended family or sold, rather than being "held in trust" as Jim lead Jean to believe was happening at the time of the break-ins in 2013 and 2014.

OVERVIEW OF THE CAUSES OF ACTION

In essence, this matter concerns actions undertaken by a group of co-conspirators to violate Plaintiff Jean Coulter's ("Jean") Constitutional Right to Due Process in matters in the Civil Division and/or Orphan's Court in the Butler County Court of

*lxv.*

Common Pleas related to assets from the Estate of the Coulter's Mother.

The damages currently being considered, have resulted directly and indirectly from James Coulter's (Jim's) decisions to assure that members of Jim's extended family (his wife's sisters) also "benefit" from the Coulter's Mother's Estate, even though none of the members of Jim's extended family were ever even mentioned in any manner in the Will of Ellen P. Coulter – and **Jim's decision to accomplish that goal through a conspiracy with a State Judge who wants the Coulter Family home to be owned and occupied by members of the State Judge's family.**

Specifically, the claims in this case spring directly from actions taken by Jim 5. and S. Michael Yeager ("Yeager"), which were intended to assure that Jim (directly) received the bulk of (or at the minimum, a very large percentage of) Jean's inheritance - and so that Jim's in-laws would also "benefit" from the Estate (despite none of Jim's sisters-in-law having been mentioned anywhere in the Will), so, thus Jim's wife's sisters would receive substantial amounts of cash, at absolutely no expense to Jim! And, Yeager would benefit (from Jim's willingness to become part of the Color of Law Conspiracy against Rights), by allowing Yeager's family to finally own the Coulter Family home (perhaps at absolutely no cost) – despite the fact that

Jean has repeatedly stated that the house is NOT FOR SALE!

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her Constitutional Right (to Due Process in the matters being heard by Yeager in the State Court), and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

In his role as the “administrator” of the Estate, JIM chose to both conceal or otherwise divert assets which were “Willed” to JEAN, so that the majority of Jean’s Inheritance could be given to JIM, his sons and his wife Susan Vero Coulter (“SUE”) as well as her three (3) sisters. In particular, this matter concerns Jim’s decision to deny Jean her share of the proceeds from their Mother’s Irrevocable Trust Life Insurance policy/policies (as Jim believed that Jean was unaware of the existence of that policy/those policies), and JIM’s broken 6. promise to hold “in trust” the valuables which he had removed from the house in 2013 (jewelry, silver flatware and other domestic valuables which had been stored in the home), until they could be equitably distributed to the three siblings (Barbara Coulter (“Barbara”) – despite the fact that (as Jean only learned last year), Jim failed to include the value of any of those many pieces of jewelry and domestic valuables (Sterling

Flatware, Crystal, etc.) in his filings to the taxation authorities. (Exhibit A)<sup>1</sup>

In addition, in mid-December 2023, Jean learned that the thefts of the domestic valuables and Jean's share of the proceeds from their Mother's Irrevocable Trust Life Insurance Policy were not the only "misdeeds" committed by her baby brother (Jim). In fact, Jean discovered the reason for the theft of the many, many, many dollars of domestic valuables was simply because JIM needed to sell them so that he could finally "repay" the \$90,000.00 that he had (illegally) removed from the \$150,000.00 that he was supposedly holding in trust, and which the court had ordered be used exclusively for repairs to the home. (Exhibit B) In fact, the "misappropriated" \$90,000.00 was only, finally "repaid" to the Trust Account, approximately two (2) full months after JEAN found JIM and SUE and JOE had broken into the home, had smashed the alarm panel,

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<sup>1</sup> Exhibit A is copies of the communications between Jean and the IRS and state tax authorities, along with the letter from the IRS confirming Jean's eligibility for a reward (when their investigation is completed). 7. and JOE was in the process of quietly replacing the lock on the "side door" to the house by the time that JEAN arrived!

You should be aware that Exhibit B was submitted in the underlying matter in mid-December

of last year, and Exhibit B constitutes the very first accounting for the \$150,000.00 that has ever been provided to JEAN – despite the fact that the matter which resulted in the State Court’s (Yeager’s) approval of the \$150,000.00 being placed In Trust for repairs to the home, is from the Coulters’ Mother’s Estate which was Probated in 2009 (and at which time, the \$150,000.00 was supposedly already being held in accounts owned by the Estate)! The page of the accounting from PNC Bank (which is the Statement for the Trust Account), shows a deposit (on the 8th line from the top, in the right hand column), which explains that on September 23, 2013, there was a deposit of \$90,000.00 made to the account (which was supposedly opened with a balance of \$150,000 (in 2009, or earlier)) – and yet, the balance in the account never exceeded \$150,000.00! And eventually, an extra \$27,875.12 was recovered from unclaimed funds (in September of 2012) and added to the balance in the Trust Account – still though, Jim’s “Misappropriations” continue as Jim has recently refused to distribute any of that \$27,000+ either, as Jim plans to have Yeager order that Jean is not only obligated to pay all of the on-going expenses for the still jointly-owned house, but also that Jean must pay Market Rate Rent as well – despite the fact that Jim is the only one to have taken actions/made expenditures from the Trust Account which would be characterized as having been the result of a Co- 8. owner

“exercise[ing] the rights of an owner such as making repairs and changes to suit his convenience without consulting the others”. Yeager was assigned (by Defendant Horan) the case about Jim’s (and his extended family’s) thefts of valuables, and Jim’s refusal to complete the sale of the home (despite the check which Jim received for his full asking price having been cashed in 2011). So, in 2022, in response to Yeager’s repeated “suggestions” that Jim file a Partition Action - apparently Jim also agreed to provide Yeager and his family members (and their contractors) unfettered and secret access to the home, by convincing the City’s Emergency Department to break-in the door and leave it completely unsecured (while concealing their actions from Jean), in order to assure that none of the State Jurists Family need be concerned that entry might entail risk of charges of Breaking and Entering – as entry would not even require them to turn the doorknob of an unlocked door! And, early in 2022, Yeager assigned himself to the Partition in order to assure that Jim held-up his end of their agreement!

In addition to the claims stated above, there remains a pending case in the State Court which concerns additional mis-deeds/crimes by Jim, related to the manner in which Jim has been permitted to “administer the Estate”, apparently utilizing the suggestions of Yeager. Jim and Yeager jointly assured that Yeager’s Order was written in a manner which was designed to, and has resulted in,

Jim being permitted to control \$50,000.00 of Jean's inheritance in order for Jim to use that money as his personal "slush fund" - to buy favors or collect on bad debts by 9. having Jean pay for unnecessary and undesirable work performed to incompetent tradesmen who owed Jim money, and/or pay for "repairs"/remodeling of the home so that Stephanie and Shaffer would be able to move into a newly remodeled home at no cost to themselves what-so-ever. Those claims are still in the State Court, at the time of writing of this Complaint.

As the result of the cooperation of various Court Reporters, the transcripts of the discussions in Motions Court have been significantly "adjusted" – consistently to the benefit of one or more of the Defendants in the Instant Matter, and nearly always to "improve upon" (eliminate entirely) statements made by Yeager during Motions Court. These improvements to the transcript include occasions such as when Yeager repeatedly demanded that Jean name a specific price at which she would sell her "interest" in the property to her brother – and after many attempts to convince Yeager that the house was not for sale, Jean finally succumbed to his demands for Jean to name a price, and Jean finally stated that since she was being forced to name a price, she would demand \$1,000,000.00).

It is believed that, even before S. Michael Yeager ("Yeager") learned that the home (which Yeager publicly admits being of such interest to

Yeager, that Yeager goes out of his way each day to see the home) was not going to be available for purchase until after Jean's death – Yeager and Jim conspired to delay the division of that portion of the Coulter's Mother's Estate, until such time as Yeager's daughter (Stephanie Yeager Shaffer ("Stephanie")) could move into the home that Yeager found/finds so "attractive". 10.

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

So, in late December 2021 or the first weekend of 2022, when Jim and Yeager and Stephanie and William Shaffer ("Shaffer") and Marilyn Horan ("Horan") learned that Jean was not currently visiting the home, the co-conspirators chose to call upon the Police and Fire Departments of the City of Butler, Pennsylvania, to have them assist Jim in, again, breaking-into the home – this time to permit Yeager, Stephanie and Shaffer to have a leisurely look around the house (perhaps taking contractors along to get quotes for remodeling) before Shaffer and Stephanie committed to "purchasing" the home. The "arrangement" which the co-conspirators had decided to undertake was intended to shield Jim from claims for Jim's thefts from Jean, in exchange



for a more favorable decision in the related State Court case (being heard by Yeager).

Further evidence of Yeager's "involvement in the conspiracy with Jim, also lies in the fact that, despite the fact that Yeager has learned of crimes by Jim as well as professional malpractice (including Misappropriation of Entrusted Funds) and Yeager has seen proof positive of these "improprieties" by a licensed attorney (Jim), yet, Yeager has chosen to conceal this information from the state's Disciplinary Board in violation of the Code of Conduct which Yeager is required to comply with as well! 11.

#### FEDERAL CLAIM

##### CLAIM I

Claims related to the transfer of case out of Philadelphia County case, and the concurrent assignment by (newly appointed Administrative Judge) HORAN – so that she could assign it to YEAGER, who is/was well-known to have a personal interest in property.

The State Actors with a direct involvement in this Claim are S. MICHAEL YEAGER (Judge in Butler County Court of Common Pleas) and MARILYN HORAN (Judge in Butler County Court of Common Pleas). The Color of Law Co-Conspirators are RON and JIM. FACTS IMPLICATING THESE DEFENDANTS

1. JEAN filed a Civil Complaint in the Court of Common Pleas of Philadelphia County on August 12, 2014. In that Complaint, JEAN asked for

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recovery for losses, as well as for Specific Performance (related to JEAN's payment in full for JIM's asking price for his share of the still jointly-owned property in Butler). In addition to the completion of the sale of the home, the (now) Butler County case seeks (a.) recovery for damages due to JIM's removal of various trees and plantings<sup>3</sup>, (b.) Jim's removal of valuable property from the home in July 2013 through early 2014 (which JIM promised was being held In-Trust until the siblings could meet in-person and divide those valuables), (c.) Defective work on the gutters (unnecessary work done by an incompetent tradesman who owed JIM money – and

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<sup>3</sup> YEAGER has frequently and publicly stated his clear "interest" in the beautiful/unique brick-work of the home, so it appears the removal of the plantings was at Yeager's "suggestion" - and damages including punitive damages particularly are required as the value of the home cannot be completely restored as mature trees and plantings are no longer present, and JIM recognized the innate value of the mature plantings to JEAN, and hoped that the destruction would convince JEAN to sell to him (as well as apparently pleasing at least one of his co conspirators).

was done without permission from any of the other co-owners), (d.) Invasion of Privacy (as the result of JIM's family's and extended family's entries - which

JEAN now suspects JIM always meant to occur, in order for the Vero Families to divide the household valuables/family heirlooms which were Willed solely to the Coulter/Purvis descendants, (e.) Destruction of the home's Alarm System (at the time of JIM's family's break-in in July 2013), and (f.) Expenses necessarily incurred by JEAN to travel for repairs, following the numerous break-ins in 2013 and 2014. Includes Transportation and housing as well as tools and supplies to make repairs to minimize further damage to the jointly owned property after incompetent work was performed or people permitted to enter on JIM's authority alone, and those incompetent workers caused damages when they were present (for whatever reasons).

2. JIM's Counsel asked the Philadelphia Court to Order the matter transferred, on the basis of forum non-conveniens, despite there being no legitimate reason for the request – so perjured statements had were acquired from numerous supposedly prospective witnesses. And, the Philadelphia Court completed the transfer of the matter to the Butler Court on August 24, 2017.

3. However, it is clear that the transfer was exclusively for the purposes of assuring that YEAGER, who admits to having a significant personal interest in the property see 3 above, would be in the position to rule in the case which would determine that YEAGER or one of his relatives would be able to purchase the home. While this

transfer to Butler County occurred in 2017, it was not until recently that JEAN learned of the real reason behind so many of JIM's (earlier) acts of FRAUD.

4. In fact, the Co-Conspirators purposefully acted to assure that YEAGER alone would be assigned to hear the Civil Case against JIM – as any legitimate decision in that case which would necessarily determine that JIM clearly must be required to complete the sale of JIM's share of the home to his sister, especially because JIM had accepted, and even cashed, the Cashier's Check which he had received from JEAN after she accepted his written offer to sell his share in 2011. So, the co-conspirators realized that it was particularly crucial that a “friendly” judge to hear the case!

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

5. The co-conspirators also recognized that they might not be able to convince President Judge Doerr to assign the case to YEAGER, as Doerr might want to hear the matter himself. However, it is obvious that rumors spread very quickly through the courthouse – and therefore, even before August 2017 it seems likely that the co-conspirators knew that they could be successful simply by delaying filing in

Butler County until after the date when the Pennsylvania Supreme Court would name HORAN Administrative Judge for Butler County. In that way, HORAN would have the responsibility for assignment of cases (following the Pennsylvania Supreme Court's issuance of a Private Letter of Counsel to Doerr concerning improprieties by the then President Judge (with respect to acts detailed in a case which was filed in the Federal Court apparently shortly after the Private Letter of Counsel was issued to Butler County's President Judge)).

6.) In fact, on a number of occasions, HORAN has actually approached JEAN, and tried to convince JEAN to sell the home to someone that better suited HORAN's idea of an ideal neighborhood – which appears to be legally trained professionals who also “happen” to be “at least” Christian, and preferably Catholic. (In fact, this has happened frequently enough that JEAN chose to ignore HORAN's “call-out” to JEAN in February 2020, as JEAN needed to catch a bus back to where she was staying. JEAN realized that stopping to speak with Horan would only entail another plea from HORAN for JEAN to sell to a friend or acquaintance of HORAN.

7.) So, the co-conspirators intentionally delayed the completion of the filing of the case, from August 24, 2017 (when the Philadelphia Court actually completed the transfer) until a date after HORAN would be named the Administrative Judge

for the County Court. As shown by Docket entries, the filing fee had not been paid by JIM ( as required by 231 Pa. Code § 1006(d)) 4(d)Transfer of Venue.... The costs ... shall be paid by the petitioner in the first instance ...". and that could be relied upon to result in a sufficient delay in assignment of the 15. case to assure that HORAN would be named the Administrative Judge (which actually occurred on October 26, 2017).

As, it seems obvious that because the rumors that likely were flying throughout the courthouse, and those rumors had foretold their belief that a Private Letter of Counsel was about to be issued to Doerr - so the conspirators were confident that HORAN would be named the Administrative Judge, and have the authority to assign the case to YEAGER.

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

8.) At this time, it should also be noted that when JIM needed proof of neighbors having supposedly expressed concern for JEAN's well-being (on January 2, 2022), again HORAN came to JIM's aid. In fact, HORAN provided what they'd hoped would be a plausible basis for the Police to Break-In (and leave the property completely unsecured and

accessible for other Defendants to access it at will) and then HORAN and CAPAROSA permitted their “open letters” to remain in plain sight for anyone walking past the house to know that the “coast is clear” and they could enter at will without concern for possible arrest for Breaking-and-Entering - as the door was never re-secured - despite the official Police Report claiming that it had been!

It should also be noted that assuring that the proposed new-occupants would be able to enter at will, was entirely possible, as JEAN realized when she gently pushed open the main door at the side of the house, by just using two (2) extended fingers on the door - and the door swung wide open!

**Further, HORAN’s/CAPAROSA’s “open letter” served as notification that the home was still “all clear”, and thus it facilitated the proposed new buyer’s access for themselves and possibly for contractors to provide them with reasonably accurate estimates.**

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

FEDERAL CLAIM

CLAIM II

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Claims related to the actions taken by the City's Emergency Services which resulted in exclusively JIM being given free access to the property – and permitting JIM to leave the property completely unsecured – while absolutely none of the Police or Fire Department ever entered the home or took any steps to actually determine if JEAN was present in the home and in need of help!

And, because the house was never actually re-secured in any manner, the “assisted break-in” had/has resulted in free access being provided to both YEAGER STEPHANIE and SHAFFER, as well as anyone else they chose to bring with them. Indeed, free access was available to absolutely anyone passing-by until I discovered that the house was still unsecured more than one month later!

It is patently obvious that JIM chose to lie to the Police and Fire Personnel, for the sole purpose of leaving the house completely accessible by those whom JIM had decided to sell the house to – as JIM has keys, and even if he couldn't find the keys, would have been able to have a locksmith open the door (as JIM is still, officially a co-owner) – but that would mean that his actions would have been made clear to me at that time (and exposed his co-conspirators as well)!

The State Actors with a direct involvement in this Claim are OFFICER HOWARD as well as numerous as-yet unidentified employees of both the Police and Fire Departments.

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The Color of Law Co-Conspirators are S. MICHAEL YEAGER (Judge in Butler County Court of Common Pleas), MARILYN HORAN (Judge in Butler County Court of Common Pleas), and WILLIAM SHAFFER (Senior Judge) and RON, JIM, JOSEPH CAPAROSA and STEPHANIE YEAGER SHAFFER.

FACTS IMPLICATING THESE DEFENDANTS

1.) JIM contacted the Butler Police Department, claiming that the neighbors had contacted him, and supposedly they had expressed concerns about JEAN's "well-being", ostensibly because the never-identified neighbors had not seen JEAN in more than a month.

2.) There is absolutely no indication that the City Police even attempted to speak with any of the neighbors – not even a single attempt was made to ask if there was any reason for that neighbor to have had any reason to even expect to see JEAN, as JEAN has not lived in the Western Pennsylvania region during the Winter months for a decade or more. Indeed, other than two (2) anonymous calls to JEAN's cell-phone (one at 11:42 am and another at 12:32 pm on Sunday, January 2, 2022) - there is absolutely no indication that anyone ever tried to confirm what JIM was telling the police!

Further, Officer Howard even admitted that no member of either the Police or Fire Departments ever even took one step into the home – and in fact, JIM was alone to enter the home without any of the

Emergency Personnel present! And, despite the fact that the Official Police Report states that the 18. home was re-secured prior to the Emergency Services Personal leaving, when JEAN arrived at the home, not only was the door entirely unsecured (as it could be opened by only using very gentle pressure on the door itself, and there was no need to even touch the doorknob), and further there was no sign that anyone had ever even attempted to re-secure the home.

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

3.) However, there were, on the date of the “assisted break-in”, apparently two separate (but identical) notes, which were folded with the writing facing outward so that the note could be read by anyone coming within even a few feet of the papers. Each note was placed inside a heavy-duty zipper sealed bag – and one of the notes was taped at approximately eye-level to the “storm door” at the front of the house, and the other was apparently placed on the second step leading to the side door. Both notes were, ostensibly, from Marilyn HORAN and Joseph CAPAROSA (although there was no actual signature, only their “typed” names).

4.) Further, the Police Report explains that JIM was asked directly about the address which Office Howard found for JEAN (which is redacted in the official police report but believed to be my then most-recent address in New Jersey) – and JIM’s response was to explain that the house is/was completely without power and also without heat, and yet JIM stated that he was absolutely 19. certain that JEAN was actually living there on January 2, 2022 as JIM insisted that JIM knew that JEAN does not live anywhere other than the home which JIM claimed was without either heat or electric service!

5.) I cannot confirm the accuracy of the address located by the City Police Officer – as for inexplicable reasons, that address has been redacted on my copy of the Police Report – and I was only able to finally receive a copy of that (single page) Report nearly a full year after the “assisted break-in” occurred.

6.) My attempts at learning what happened at the house involved me making two (2) separate calls to Office Howard – neither of which resulted in any response what-so-ever! Similarly, the one call that I made to the Police Chief also received absolutely no answer at all. It was not until I contacted the City’s Mayor, that I received any response at all to my request for the Police Report – and at that time I was told that I must first file a “Request for Information” and then wait for their decision of whether or not I could receive information about a Police Call to my

own property and/or whether it is/was true that my brother was pretending to look for me – even though every single one of the State Actors listed in on this section, including my brother (JIM) (with the possible exception of the police officers), all have my email address and phone number in their personal and/or office files! (And, none of the Defendants actually made any attempt to contact JEAN, in any manner until five (5) more days had passed (when RON finally sent an email to my account). 20. Indeed, even going to court barely got a response, despite the fact that YEAGER gave the City Employees 30 days to respond to my request (And even that deadline they didn't meet.)

7.) As none of the Emergency Services departments ever made any attempt to confirm my “status” (and indeed, admitted having not even attempted to enter the home) and no attempt was made to re-secure the property (contrary to what the Police Report say) – it is patently obvious that JIM had no interest at all in looking into JEAN's Well-Being, and indeed, the only conceivable reason for the “Assisted Break-in” was for the sole purpose of giving the proposed buyers complete access to the property – as part of the Color of Law Conspiracy Against JEAN's Rights to Due Process!

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State

Actors were willful participants in joint activity with the State or its agents.

It also seems obvious that since these City Employees chose to abrogate their responsibilities, in their entirety, that they no longer should possess immunity from responsibility for the damages caused by their actions, at any level.

#### FEDERAL CLAIM

##### Claim III

##### FACTS IMPLICATING

Jim, Yeager, Court Reporter and Ron In  
Claims of Fraud, Conspiracy, Color of Law  
Conspiracy Against Rights

Evidence of Yeager's intense personal interest in assuring that Barbara will be found to no longer own any portion of the house, thus making JIM the majority owner (and Partition be an available option to force Jean to sell her share.

The State Actors with a direct involvement in this Claim are S. MICHAEL YEAGER (Judge in Butler County Court of Common Pleas), as well as COURT REPORTER (as again the Transcript significantly deviates from reality). And the Color of Law Co-Conspirators are RON and JIM.

1.) During Motions Court on February 8, 2022, JEAN was presenting a Motion seeking Specific Performance – as the result of JEAN's 2011 acceptance (and payment for the full amount demanded) in relation to JIM's 2011 Offer to Sell his

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portion of the still jointly owned property. However, during Motions Court, YEAGER kept repeatedly interrupting JEAN's presentation so that he could repeatedly attempt to convince JEAN that she should instead agree to the "suggestion" by YEAGER that a Partition occur – and JEAN could/should bid on the property as part of a Partition Action.

2.) In fact, the transcript even proves that YEAGER was hoping to convince JEAN that both her brother JIM (and RON) were indeed only interested in protecting JEAN's Property Rights – and therefore, she should agree to sell.

3.) Even as it exists, the transcript proves that YEAGER was hoping to prove that JIM's receipt (and even his cashing) of the Cashier's Check for the full asking price was irrelevant - as YEAGER was under the false belief that JEAN had not responded to a written offer to sell. Specifically, what occurred was that YEAGER became visibly and significantly angry upon learning that the offer to sell had been made in writing! Somehow though, this portion of YEAGER's comments are entirely lacking from the transcript.(footnote 1 above)

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

4.) It is obvious that YEAGER was expecting to simply dismiss JEAN as a foolish old woman, by explaining that the Statute of Frauds requires that the sale have been the result of written offers, etc. – however, again the transcript of the proceedings has been adjusted.

While I have not been able to obtain a copy of the recording of the proceedings, even the existence of YEAGER's contemporaneously written Order requiring JIM to attend, in person, every single hearing – even specifically including hearings in Motions Court also significantly supports the Claim that YEAGER was visibly upset to learn that he could not immediately Order the dismissal of JEAN's claims of Majority Ownership, without any need to provide a reason for that decision/ determination – facts which also support the existence of a conspiracy between Yeager and Jim.

5.) YEAGER has repeatedly been presented with absolute proof of the written offer and acceptance. And, yet, still RON (JIM's counsel) has continued to deny even the existence of the Cashier's Check. And even after Jean presented both proof of the check as well as proof of timely receipt of that check by JIM, Yeager has still refused to Order Specific Performance.

6) Despite the fact that Jean has clearly stated that she was informed by an employee of the bank upon which the Cashier's Check was drawn, that the money from the check was eventually somehow

“returned to the bank” (although the 23. employee had no idea how that might have happened), YEAGER has still refused to Order Specific Performance.

7.) And JIM claimed in November 2022 to have in his possession the actual Cashier’s Check, which JIM claimed still sat in the as-yet-unopened envelope that he waved in front of the Court. However, supposedly neither JIM nor YEAGER felt there was any reason for the enveloped to be opened or even placed into evidence in the Official Record of the Case, it is/was obvious that for YEAGER’s purposes, JIM’s completely unsupported “word” was more than sufficient to prove that the unopened envelope contained the Cashier’s Check – despite the fact that there wasn’t even a postmark on that envelope!

8.) In fact, YEAGER has become so committed to assuring that JIM becomes sole-owner of the property (so that he will “sell” it to YEAGER (or STEPHANIE and/or SHAFFER)) – that YEAGER has even begun “developing” interesting legal principles. Among those “principles” is the one that he used in Motions Court (on February 8, 2022 – just 6 days after JIM filed the Partition Action which contains the forged Deed. Jean had argued that the Deed was too obviously forged for it to even be considered as possibly legitimate. So, when JEAN ignored YEAGER’s repeated suggestion that she find a Hand-Writing Expert then YEAGER “determined”



that despite the obvious forgery, that BARBARA had “given up” her Rights to the Property – by failing to already have come (from her home in Texas) into court (in Butler), to object to the clearly bogus Deed that had never been seen by anyone other than the forgers until 6 days earlier, saying (on page 10 of the Official Transcript - beginning at line 1) :

“... THE COURT : Has she been declared incapacitated?

MR. ELLIOTT : I don’t think that any court has done that.

THE COURT : Then she has the ability to determine what she wants to do - - if she signed that document and - -

MS. COULTER : The point is - -

THE COURT : If they’re saying she signed the document and she doesn’t object to that, then she’s given up her interest in the property, and it’s up to – in any event, it’s up to a master to partition the property and say here. ...” (Exhibit C)

It seems abundantly clear that YEAGER did not/does not legitimately feel that there was any reason to believe what JIM or RON were saying, just as YEAGER clearly couldn’t possibly have had any reason to believe anything that JEAN has claimed and argued was untruthful – as indeed, there was no possible justification for disbelieving both the USPS proof of delivery, or with statements

made by the Bank Employee - especially as each of which could be independently verified with sworn testimony. Therefore, it is clearly that YEAGER chose to make the completely unsupportable determination that JIM's testimony alone could justify ignoring verifiable proof of timely delivery with the promise of sworn testimony by a Bank Employee who would testify that the check was actually cashed in 2011 – obviously for the exclusive purpose of providing some justification (no matter how weak) to support Yeager's desired result - namely, having JIM be able to sell the home to STEPHANIE and WILLIAM SHAFFER !

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents. It seems obvious that since these Yeager (and Court Reporter) were also a Color of Law Conspirator, they are properly "charged" with responsibility for the damages as those damaging acts might never have occurred without JIM's knowledge of the complete involvement of his very willing accomplices.

RELATED STATE COURT CLAIM

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and  
FEDERAL CLAIM

**CLAIM IV**

**Parties Responsible for These Claims**

James P. Coulter, Susan Vero Coulter, James L. Coulter, Joseph C. Coulter, Karen Vero Morrow, Roger Morrow, Sara Morrow, Benjamin Morrow, Pamela Vero Hammonds, Steven Hammonds, Patrick Hammonds, Mary Joanne Vero Anderson, Brian Anderson, Abigail Anderson, Nicholas Anderson, Sara Jane Sanzotti Vero

**STATE ACTORS**

S. MICHAEL YEAGER, Judge of Court of Common Pleas of Butler County and JAMES P. COULTER, City Solicitor (and therefore legal advisor to the City Police Officers each they learned of the repeated Break-Ins (during 2013 and 2014))

**FACTS IMPLICATING THESE  
DEFENDANTS**

S. Michael Yeager, unknown Police Officer from the City of Butler Police Department, James P. Coulter, Susan Vero Coulter, James L. Coulter, Joseph C. Coulter, Karen Vero Morrow, Roger Morrow, Sara Morrow, Benjamin Morrow, Pamela Vero Hammonds, Steven Hammonds, Patrick Hammonds, Mary Joanne Vero Anderson, Brian Anderson,

Abigail Anderson, Nicholas Anderson, and  
Sara Jane Sanzotti Vero

For acts constituting FRAUD, THEFT  
and THEFT by Deception – and seeking  
recovery on the basis of Civil Claims of  
CONVERSION, REPLEVIN, INVASION OF  
PRIVACY, TRESPASS and CIVIL  
CONSPIRACY as well as COLOR OF LAW  
CONSPIRACY AGAINST RIGHTS in relation  
to Entrusted Funds which have been/had been  
Misappropriated by JIM following JIM's  
decision to not include all of those valuables on  
the Estate Taxes (as well as on his own  
presumably, after they were stolen from his  
sisters) 26.

Also included are actions by S. Michael  
Yeager in relation to his actions within the  
context of the Civil Case, for the protection of  
JIM, and in order to assure that JIM can  
complete his part of the CONSPIRACY  
(selling the home to YEAGER's relatives).

1.) In July 2013, JEAN found JIM and  
SUE and JOE (all wandering through the  
inside of the still jointly-owned home) – when  
JEAN went to the house in response to an  
alert from the Alarm Company indicating that  
one of the Motion Sensors had alerted and  
there might have been a break-in. When  
JEAN got to the home, JEAN found JIM, who  
admitted his/their responsibility for breaking-

in through one of the windows. But JIM assured JEAN that they had done so, exclusively for the purpose of making supposedly emergency repairs required by the neighbor's tree having brought down the power line into the house.

2.) Also at that time, JEAN also spoke directly with JIM - both about JEAN's plans for the repairs to the roof (which was also significantly damaged) and also asking why she had not been informed of their intention to enter the house – not even after the fact! They both understood that the discussion was required as JEAN and JIM had come to an agreement (and according to JIM, their sister BARBARA had also agreed) made even prior to their Mother's death in December 2004. That agreement which required that JEAN pay all of the usual, ongoing expenses of the house, in lieu of rent, with the understanding that both JIM and BARBARA's rights were therefore be limited to those of a Landlord in a typical Landlord/Tenant Relationship. Thus, the presence of JIM's family at the home violated her understanding of their agreement. In July 2013, Jim agreed that they had no business in the home beyond assuring that, on an emergency basis, the condition of the house was not in danger of serious damages occurring in the near future. So, also

on that date in July 2013, JIM reiterated his understanding that his access to the home was restricted because of their existing agreement and JIM assured JEAN that he had taken his family with him to the home only because he was under the impression that the situation was one which genuinely required emergency repairs!

3.) Specifically, the siblings had all agreed that, in exchange for JEAN's agreement to accept responsibility for all of the basic expenses of the house (utilities, taxes, insurance and routine maintenance) that the other siblings were only permitted to access the property under emergency circumstances, or upon providing both a good reason for entry and sufficient notice – as would be the situation for a Landlord/ Tenant relationship<sup>2</sup>. So, if indeed extensive repairs had been needed immediately, that situation would have been justification for the unannounced and unapproved entry.

4.) However, more recently, JIM has begun to frequently attempt to convince JEAN that she must pay numerous expenses based exclusively on that same existing agreement between the co-owners which requires that JEAN pay the

2 JEAN has since learned that when SUE's sisters were permitted to enter the home (beginning apparently on Thanksgiving weekend 2013 – they too were permitted to remove valuables. And, it is now believed that at least some of those COULTER/PURVIS Family Heirlooms are still in the possession of KAREN or PAMELA or JOANNE or members of their families - and the Sisters' thefts have not been claimed in the State Court action.

Insurance, Taxes, Utilities and take care of routine Maintenance, in lieu of rent – and for the other co-owners (BARBARA and JIM) to only have obligations for unusual expenses or improvements. And, as the result of what is clearly a series of malicious lies, JIM has chosen to also sue to attempt to force JEAN to pay both Market Rate Rent in addition to paying all of the expenses! Clearly Yeager must be “in cahoots” with JIM, since JIM believes that YEAGER is willing to accept JIM's filings without reporting JIM needing to worry that YEAGER will report him to the Disciplinary Board for submitting such frivolous and even forbidden filings!

Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those

Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

4. Also, in July 2013, JIM indicated that he was going to move the Coulter/Purvis Family Heirlooms and other domestic valuables to a secure area for storage only until the siblings could get together to finally divide them.

5. JEAN believes now though, that JIM has been lying both to her face, as well as during Hearings in the Butler Courthouse as JIM now claims to have absolutely no knowledge of any jewelry, Sterling Silver Flatware, Sterling Silver Tea Sets, and other household valuables.

And for this reason, JEAN now finds it necessary for her to file Claims against the VERO DEFENDANTS (Pamela Vero Hammonds, Karen Vero Morrow 29. and Joanne Vero Anderson, and their families), for the sisters' theft of all of those Family Heirlooms as Jim has told the court that he never had possession of any of them. However, in July 2103, JIM stated that he was going to hold the jewelry and domestic valuables "in trust"! So, it is now obvious that JIM's assurances of safety and security for those family heirlooms was clearly also a lie – particularly because the Trust account, which



was clearly “short” by \$90,000.00 (for at least several years), suddenly, only a couple of thefts by JIM’s wife, suddenly became whole again 2 months later – and the only reasonable conclusion that can be made, is that the \$90,000.00 to make up for the “short-fall” (due to the Misappropriation of Entrusted Funds in the PNC Bank Trust Account) came from the sale of the Misappropriated Jewelry and other valuables which had been safely stored in the attic of the home for decades!

6. JEAN therefore now Claims damages for any/all items which were removed by at any time in 2013 or 2014 from the Coulter/Purvis family home in Butler, PA (which remains in the names of JEAN and/or JIM and/or BARBARA). And, demands that any/all of those domestic valuables which were not a sold – must be immediately returned to JEAN, regardless of when or where, or who removed those items from the home (i.e. whether they were removed by SUE or by KAREN or by PAM or by JOANI – or one or more members of their families).

This demand applies to absolutely anything which was ever owned by any of the COULTER/PURVIS FAMILY which might possibly have any value at all 30. (regardless of the value of that item to people outside of the immediate COULTER/PURVIS family!

So, JEAN also seeks return of any of the Family Heirlooms that might possibly remain in the possession of any/all of the Defendants – and even those thieves who return every piece of the “loot”, still owe a obligations to those who rightfully owned those Family Heirlooms – and who have been denied access to them for nearly a decade now!

7.) YEAGER has consistently chosen to “look the other way” when JIM has violated his professional obligations – i.e. Truth to the Tribunal, or Misappropriation of Entrusted Funds, etc. So, it seems reasonable to conclude that JIM has been assured that YEAGER (as the President Judge of the County Court) will assign himself any case brought into the Butler Courthouse – and assure that JIM will never have to pay the consequences for his actions. Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents.

8.) Additionally, JEAN had spoken with officers in the City’s Police Department about each of the “alarm events” and was informed that JIM had spoken with the responding officer(s), and “advised” them that he had the

right to be there, and had the right to be changing locks and, because of the co-ownership of the property, and his role as Executor, that they also could remove items at will. 3However, the fact that a Deed is not yet recorded, does not, in fact mean that it has no weight at all. So, it is obvious that JIM's statements, made under the Color of Law (as JIM held the position of the City's Solicitor), were both self-serving and completely untruthful – and clearly significant Punitive Damages are also required as this Serial Color of Law Criminal must be sufficiently punished to assure that other people are not injured by this (possibly still) licensed legal professional! Thus, one of more state actors and one or more of the other Defendants, reached an understanding to deprive the Jean Coulter of her constitutional rights, and therefore, those Defendants and/or State Actors were willful participants in joint activity with the State or its agents. (It also seems obvious that since these City Employees chose to abrogate their responsibilities, in their entirety, that they no longer should possess immunity from responsibility for the damages caused by their actions, at any level.) RELATED STATE COURT CLAIM CLAIM V This Claim is related to the proceeds from the Irrevocable Trust Life Insurance Policy and/or Policies

which insured Ellen P. Coulter's Life – and it is now believed that there are actually 2 separate Insurance Policies. Defendants who are implicated in this Claim include James P. Coulter, Susan Vero Coulter, Barbara E. Coulter and Jonathan W. Valvano. It seems obvious that JIM and SUE are responsible for the forgery of the supposed Check Register – it is also obvious that Barbara and Jon have some responsibility for their role in the attempted cover-up of even more of JIM's and SUE's crimes including THEFT, THEFT BY DECEPTION, FRAUD and perhaps even UNFAIR AND DECEPTIVE BUSINESS PRACTICES. Barbara and Jon chose to permit obviously forged documents to be sent, via Jon's "work" email account, to Jean – in the hope that when Jean received the image (of the clearly forged Check Register) she would be "conned" into believing 32. that she had already received her share of the two separate One Million Dollar Insurance Policies! FACTS IMPLICATING THESE DEFENDANTS 1.) It seems readily apparent that JIM believed that their Mother's mental deterioration was sufficiently along at the time of her signing the paperwork for the Irrevocable Trust, that their Mother would never think to tell JEAN about the Irrevocable Trust Life Insurance Policy/Policies, which JIM had convinced her

to buy. 2.) And, judging from the amount displayed in the clearly forged "Check Register" (which was "passed-off" as being produced by BARBARA) - it wasn't only JEAN that JIM decided to steal from. In fact, it is believed that "relations" between the siblings are so bad (based almost exclusively upon lies perpetrated by JIM and/or SUE) that it appears that JIM convinced BARBARA and JON that he had decided to divide the Irrevocable Trust between just the two of them - and leave JEAN out entirely!

3.) So, apparently, JIM had BARBARA sign off on Jim taking her place as TRUSTEE (the paperwork named/names JIM as the replacement if BARBARA cannot or will not assume that position) - and he sent BARBARA a check for the value of 1/2 of a single Irrevocable Trust Life Insurance Policy (plus interest which apparently accumulates as well). However, JIM was not even willing to actually share with his favorite Blood Relative - as their Mother's Check Register proves that at least two (2) separate Irrevocable Trust Life Insurance Policies had been purchased. 33. 4.) Therefore, it seem that JIM decided to steal from both of his sisters, so that he could have one full policy for himself and his immediate family- and the other 1/4 was likely divided among SUE's siblings (KAREN, JOANI and

*ci.*

Respectfully Submitted,  
Jean Coulter, Plaintiff

January 2, 2022

Dear Jean,

Joe and I are concerned about you working. We love  
your house. We just want to touch base with you to  
see how you are doing. We do not want to interfere or pry. Would  
you call our home number 724-787-0047.

If we don't hear from you in a day or 10, we will call  
you.

We certainly hope it is ok with you.

Best regards,  
Marilyn Moran and Joe Chabotta

0020  
[Handwritten marks]

C<sup>n</sup> 17

We not seen you or anything to say, but let me  
make sure you are ok and that you don't die.  
If you please give us a call or come tell us you are.

Let me ask them to do a well check for

[Handwritten notes and scribbles]



[illegible]

Complainant: [redacted] Mohave Pn: [redacted] Other Pn: [redacted] DOB: [redacted] Address: [redacted]

Call Notes

[redacted] at the station to speak with an officer.

I spoke with [redacted] who stated that no one has heard or seen his sister [redacted] in over month. [redacted] continued to state that [redacted] is supposed to be living at his deceased parents residence located at 604 North McKean Street. [redacted] explained that he does not have a good relationship with his sister therefore they do not communicate with each other. He stated he received phone calls from some concerned neighbors stating she has not been seen and the gas and electric appeared to be shut off to the residence. [redacted] went onto state that was was concerned for [redacted] because he believes she has a mental health issue.

A record check in our system shows [redacted] living at an address in [redacted]. [redacted] stated he does not believe that is accurate at this time and she should be living at the above stated address. [redacted] stated that he has not been to the residence to make contact yet. [redacted] stated that the residence was left to him and three other siblings which included [redacted]. I advised him that we would respond to the residence with him to conduct a welfare check but if we were unable to make contact he could gain entry into the residence if he felt it was necessary.

While enroute officers attempted to contact [redacted] by the phone number listed in our system with negative results. A records check was conducted through 911 which showed there were no prior calls to the address recently. Upon arrival, officers were unable to make contact with anyone at the residence. A check with BMH showed negative results for [redacted] ever being there. The fire department then responded as requested and assisted [redacted] into the residence. The house was found to be vacant and appeared to be in deplorable conditions. The residence was secured and no further action was taken at this time.

Exhibit F

Due to “improprieties” by Jurists of the U. S. District Courts and the Third Circuit Court of Appeals, this Petition for Certiorari is also sent to :

**United States Representatives** representing citizens of :

New Jersey - Donald Norcross, Jeff Van Drew, Andy Kim, Chris Smith, Josh Gottheimer, Frank Pallone, Thomas Kean Jr., Rob Menendez, LaMonica McIver, Mikie Sherrill, Bonnie Watson Coleman

Pennsylvania - Brian Fitzpatrick, Brendan Boyle, Dwight Evans, Madeleine Dean, Mary Gay Scanlon, Chrissy Houlahan, Susan Wild, Matt Cartwright, Dan Meuser, Scott Perry, Lloyd Smucker, Summer Lee, John Joyce, Guy Reschenthaler, Glenn Thompson, Mike Kelly, Chris Deluzio

Delaware - Lisa Blunt Rochester

United States Virgin Islands – Stacey E. Plaskett

**United States Senators** representing citizens of :

New Jersey – Corey Booker, George Helmy

Pennsylvania - Bob Casey Jr., John Fetterman

Delaware - Chris Coons, Tom Carper

**U. S. House Judiciary Committee**

2138 Rayburn House Building

Washington, DC 20515

Jim Jordan – Chair, Darrell Issa, Matt Gaetz, Andy Biggs, Tom McClintock, Thomas P. Tiffany, Thomas Massie, Chip Roy, Dan Bishop, Victoria Spartz, Scott Fitzgerald, Cliff Bentz, Ben Cline, Kelly Armstrong, Lance Gooden, Jefferson Van Drew, Barry Moore, Troy Nehls, Russell Fry, Harriet Hageman, Wesley Hunt, Kevin Kiley, Laurel Lee, Nathaniel Moran, Jerrold Nadler

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**U. S. Senate Committee on the Judiciary**

224 Dirksen Senate Office Building  
Washington, DC 20510

Lindsey Graham, Sheldon Whitehouse, Amy  
Klobuchar, Chris Coons, Richard Blumenthal, Mazie  
Hirono, Corey Booker, Alex Padilla, Jon Ossoff, Peter  
Welch, Laphonza Butler, Chuck Grassley, John  
Cornyn, Mike Lee, Ted Cruz, Josh Hawley, Tom  
Cotton, John Kennedy, Thom Tillis, Marsha  
Blackburn

**Pennsylvania Governor Josh Shapiro, and  
members the Judicial Conduct Board** (hoping  
that they will assure that the Legislature addresses  
the malfeasance described in this Petition for  
Certiorari.

**Pennsylvania House and Senate Judiciary  
Committees**

**Pennsylvania Senate** - Lisa Baker, Chair., Steven J.  
Santarsiero, Gene Yaw, Kim L. Ward, Camera  
Bartolotta, Rosemary M. Brown, Cris Dush, Wayne  
Langerhole, Jr., Tracy Pennycuick, Mike Regan,  
Amanda M. Cappelletti, Maria Collett, Art Haywood,  
Nikil Saval

**Pennsylvania House** - Tim Briggs, Chris Pielli,  
Joseph C. Hohenstein, Emily Kinkead, Melissa L.  
Shusterman, Kyle Donahue, Liz Hanbidge, Kristine  
Howard, Malcolm Kenyatta, La'Tasha D. Mayes,  
Christopher M. Rabb, Benjamin V. Sanchez, Perry S.  
Warren, Dan K. Williams, Kate A. Klunk, Timothy  
R. Bonner, Jim Rigby, Paul Schemel, Torren C.  
Ecker, Joe Hamm, Rob Leadbetter, Clint Owlett,  
David H. Rowe, Stephanie Scialabba

**APPENDIX**  
**UNITE**

JEAN COU  
v.  
JAMES P. C  
KAREN VE  
JUDGE MA  
JOSEPH C.  
cv-01806)

**SUJ**  
Present: CH  
HARDIMAN  
BIBAS, POR  
MONTGOM  
Judges

The pe  
in the above-  
the judges w  
Court and to  
the circuit in  
who concurre  
rehearing, ar  
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banc, is denie

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