

24-5134

No. _____

In the Supreme Court of the United States

ON PETITION FOR A WRIT OF CERTIORARI TO

CASE 23-0838 HONORABLE TEXAS SUPREME COURT

CASE 14-23-00411-CV HONORABLE FOURTHEENTH

COURT OF APPEALS

CASE 22-DCV-296547 240TH DISTRICT COURT

Diana Reismann Sexton,

Petitioner

1795 N. Fry Rd., # 249

Katy, Texas, 77449

346-479-5453

dianareismann@gmail.com

Attorney Salvatore LoPiccolo,

for Fort Bend County et al.

Respondent

401 Jackson St. 3rd floor

Richmond, Texas 77469-3110

281-341-4555

Sal.lopiccolo@fortbendcountytx.gov

FILED

JUL 17 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

RECEIVED

JUL 23 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

II. QUESTIONS OF THE CASE

- 1) May a case demanding relief to a dual citizen with dominant nationality as an alien and her child, injured by US naturals who committed tortures, fraud and violations of international treaties such as the Convention Against Torture, Tortures under U.S.C.18 §2340A, Alien Tort statue 28 U.S.C. § 1330, violation of the Vienna Convention, Monell U.S.C. 18 §1983, Qui Tam claims 18 U.S.C. § 286, 18 U.S.C. § 287, 31 U.S.C. § 3729 et seq; when the cruel and unusual punishment was committed by more than twenty-one Fort Bend County employees into an extraterritorial jurisdiction of Houston area, without a clear government, be partially dismissed for sovereign immunity after the County Court produced a tampered a court order and fraudulent proceeding?
- 2) Is United States considered a foreign state under international treaties and U.S.C. 28 § 1605–1607 in the case of a legal migrant from other nation who is tortured, deprived of her own child and property by U.S. naturals government employees, right after a legal migrant naturalized in the receiving nation but remains dual citizen with dominant nationality as an alien?
- 3) Can an Associate Judge of a County hear a case when United States committed a *jus cogens* to be elicit a violation of international rights to the UN Convention Against Torture for abusive and fraudulent actions against both *jus soli* of other nation by Fort Bend County, Texas government employees, or the case it should be transferred to Federal Court?

IV. LIST OF PARTIES

Diana Reismann Sexton, Petitioner Pro se litigant
1795 N. Fry Rd. # 249, Katy, TX 77449
Mobile phone 346-479-5453 dianareismann@gmail.com

Attorney Salvatore LoPiccolo, for Fort Bend County et al. Respondent
401 Jackson St. 3rd floor, Richmond, Texas 77469-3110
Work phone 281-341-4555 Sal.lopiccolo@fortbendcountx.gov

V. RELATED CASES

23-0838 filed in the Honorable Supreme Court of Texas

14-23-00411- CV filed in the Honorable Fourteenth Court of Appeals

22-DCV-296547 filed in the 240th Fort Bend County District Court of Texas

VI. TABLE OF CONTENTS

I.	COVER OF THE CASE	1
II.	QUESTIONS OF THE CASE Rule 14.1.(a).....	2
III.	BRIEF STATEMENT OF THE CASE Rule 14.(g) (i).....	3
IV.	LIST OF PARTIES OF THE CASE Rule 14.1.(b)(i).....	4
V.	RELATED CASES.....	4
VI.	TABLE OF CONTENTS Rule 14.1.(c).....	5
VII.	TABLE OF AUTHORITIES Rule 14.1.(c).....	5, Appendix A, C
VIII.	OPINIONS AND ORDERS IN THE CASE Rule 14.1.(d).....	Appendix A
IX.	JURISDICTION Rule 14.1.(e).....	10
X.	CONSTITUTIONAL PROVISIONS AND TREATIES Rule 14.1.(f).5, 6, 7, 8	
XI.	STATEMENT OF THE CASE Rule 14.1.(g).....	11
XII.	ARGUMENT OF THE CASE Rule 14.1.(h).....	12 to 31
XIII.	REASONS FOR GRANTING THE WRIT OF CERTIORARI Rule 14.1.(h).....	31
XIV.	CONCLUSION.....	
XV.	PROOF OF SERVICE.....	
XVI.	APPENDIX.....	
XVII.	OFFICE OF THE CLERK SUPREME COURT OF THE UNITED STATES WASHINGTON DC 20543, GUIDE FOR PROSPECTIVE INDIGENT PETITIONERS FOR WRITS OF CERTIORARI, AFFIDAVIT AND PETITION.....	
XVIII.	MISCELLANEOUS Rule 14.1.(h)(vi).....	

XVI INDEX TO APPENDICES

APPENDIX A: Honorable Fourteenth Court of Appeals, dismissal August 29th, 2023, by Panel
Consists of Justices Wise, Zimmerer, and Poissant. Opinion delivered Per Curiam,
Memorandum Opinion and Mandate to the 240th District Court of Fort Bend County.

APPENDIX B: Judge Surendran Patel and Judge O'Neil Williams tampered court
order of the 240th District Court of Fort Bend County of Texas, partial dismissal,
originally was signed only by Judge Surendran Patel on January 4th, and Judge O'Neil
Williams added his signature on January 12th, 2023, with the whole order changed. Of
what he verbally ordered to be changed.

APPENDIX C: Honorable Fourteenth Court of Appeals Index and letters back and forward on regard of the existence of Court Reporter Records requested by petitioner and denied by court District Court 240th. The Clerks statements are inconsistent on regard of informing that they have the Court Reporter Records and then they do not have it and insisting with the payment for such records with a sworn statement of indigency filed in the lower court.

APPENDIX D: Honorable Fourteenth Court of Appeals, Response to Motion to Subpoena Duces Tecum to 240th Court to provide court reporter records, dismissed for lack of jurisdiction, August 29th, 2023, by Panel Consists of Justices Wise, Zimmerer, and Poissant.

APPENDIX E: Honorable Fourteenth Court of Appeals, Memorandum Opinion denied prior brief was filed August 29th, 2023, by Panel Consists of Justices Wise, Zimmerer, and Poissant. Opinion delivered Per Curiam, Memorandum Opinion and Mandate to the 240th District Court of Fort Bend County.

APPENDIX E: Honorable Supreme Court of Texas, Notice of Petition of review filed request of response November 07th, 2023.

APPENDIX F: Honorable Supreme Court of Texas, Motion for re-hearing denied, April 19th, 2024.

APPENDIX G: Honorable Texas Supreme Court, Certification of true and correct copy of the orders of the Supreme Court of Texas for Petition for Review, denied on March 1st, 2024, and Motion to exceed word count is granted.

Motion for Rehearing of Petition for Review, denied on April 19th, 2024, signed by the Honorable Supreme Court of Texas Clerck Blake A. Hawthorne, April 19th, 2024.

V. TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Kiobel v. Royal Dutch Petroleum Co.....	
Sosa v. Alvarez-Machain.....	
Doe v. Qi.....	
Filartiga v. Pena-Irala, 577 F. Supp. 860 (E.D.N.Y. 1984).....	22
Seminole Tribe of Fla. v. Florida, 517 U. S. 44, 59 (1996).....	22
Ex parte Virginia, 100 U. S. 339, 345 (1880).....	22

C. Wright, The Law of Federal Courts § 48 (4th ed. 1983). 3. 209 U.S. 123 (1908)
 Ex parte Young, “*if government officials attempt to enforce an unconstitutional law, sovereign immunity does not prevent people whom the law harms from suing those officials in their individual capacity for injunctive relief*”

McDONOUGH v. SMITH No. 18-485. Argued April 17, 2019—Decided June 20, 2019 998 F. 3d 259, reversed and remanded *JUSTICE SOTOMAYOR delivered the opinion of the Court. Petitioner Edward McDonough alleges that respondent Youel Smith fabricated evidence and used it to pursue criminal charges against him. McDonough was acquitted, then sued Smith under 42 U. S. C. §1983. The courts below, concluding that the limitations period for McDonough’s fabricated evidence claim began to run when the evidence was used against him, determined that the claim was untimely. We hold that the limitations period did not begin to run until McDonough’s acquittal, and therefore reverse.....28*

SUSAN B. ANTHONY LIST v. DRIEHAUS 525 Fed. Appx. 415, reversed and remanded No. 13-193. Argued April 22, 2014—Decided June 16, 2014

JUSTICE THOMAS delivered the opinion of the Court. Petitioners in this case seek to challenge an Ohio statute that prohibits certain “false statements” during the course of a political campaign. The question in this case is whether their pre-enforcement challenge to that law is justiciable—and in particular, whether they have alleged a sufficiently imminent injury for the purposes of Article III. We conclude that they have.

Petitioners in this case have demonstrated an injury in fact sufficient for Article III standing. We accordingly reverse the judgment of the United States Court of Appeals for the Sixth Circuit and remand the case for further proceedings consistent with this opinion, including a determination whether the remaining Article III standing requirements are met. It is so ordered.....15

SUPREME COURT OF THE UNITED STATES DAVID THOMPSON, ET AL., v. HEATHER HEBDON, Executive Director of the Alaska Public Offices Commission, ET AL. No. 19-122. Decided November 25, 2019 on petition for writ of certiorari to the united states court of appeals for the ninth circuit PER CURIAM. Alaska law limits the amount an individual can contribute to a candidate for political office, or to an election-oriented group other than a political party, to \$500 per year. Alaska Stat. §15.13.070(b)(1) (2018). Petitioners Aaron Downing and Jim Crawford are Alaska residents. In 2015, they contributed the maximum amounts permitted under Alaska law to candidates or groups of their choice but wanted to

contribute more. They sued members of the Alaska Public Offices Commission, contending that Alaska's individual-to-candidate and individual-to-group contribution limits violate the First Amendment. in light of all the foregoing, the petition for certiorari is granted, the judgment of the Court of Appeals is vacated, and the case is remanded for that court to revisit whether Alaska's contribution limits are consistent with our First Amendment precedents. It is so ordered...15

No. 21-908 US Writ of Certiorari 11 U.S.C. § 523(a)(2)(A). There is no doubt that fraud requires intent. The question in this case is whose intent counts". a "willful and malicious injury by the debtor to another entity or to the property of another entity," id. § 523(a)(6); and Section 523(a)(2)(A) carves out from the rule of discharge debt "for money, property, services, or an extension, renewal, or refinancing of credit, to the extent obtained by fraud." 11 U.S.C. § 523(a)(2)(A). The question, of course, is whose fraud counts. If the rest of section 523 is any indication, it must be that of the "individual debtor" herself.....25

City of Canton, Ohio v. Harris, 489 U.S. 378, 389-90 (1989) a municipality is liable for failure to train its police force where the plaintiff proves that the municipality acted recklessly, intentionally, or with gross negligence, and that the lack of training was so reckless or grossly negligent that deprivation of persons' constitutional rights was substantially certain to result..... "JUSTICE WHITE delivered the opinion of the Court. In this case, we are asked to determine if a municipality can ever be liable under 42 U.S.C. § 1983 for constitutional violations resulting from its failure to train municipal employees. We hold that, under certain circumstances, such liability is permitted by the statute.".....

McMahon v. Hodges, 225 F. Supp. 2d 357, (S.D.N.Y. 2002) (writ of habeas corpus granted September 26, 2002).....2

VIII. CONSTITUTIONAL AND STATUTORY PROVISIONS AND RULES INVOLVED

UNITED STATES CONSTITUTION:

1st Amendment, "right to speech, rights to petition to the Government for redress of Grievances".

4th Amendment, "The right of the people to be secure in their persons, houses, papers, and

effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

5th Amendment, "punishment without due process and right of property not seized without a just compensation". "[n]o person shall be ... deprived of life, liberty or property without due process of law; nor shall private property be taken for public use, without just compensation."

7th Amendment, "the right to a jury trial".

8th Amendment, "cruel and unusual punishments".

9th Amendment, "about the right not enumerated in the Constitution is not exhaustive and the people retain all rights not enumerated in the Constitution"

11th Amendment: "a suit against an official is not a suit against the government, but for the purpose of finding state action to which the Constitution applies"

14th Amendment: "[n]o State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws"

STATUE

28 U.S. Code § 455 – "Disqualification of justice, judge, or magistrate judge: (a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. (b) He shall also disqualify himself in the following circumstances: (1) Where he has a personal bias

or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;..."

28 U.S. Code § 144 - Bias or prejudice of judge

28 U.S.C. § 1330 Alien Tort Statute "*committed in violation of the law of nations or of a treaty of the United States.*"

28 U.S. Code § 1654 of pro se litigants "*The right to appear pro se in a civil case in federal court is contained in a statute.*"

42 U.S. Code § 1983 Monell

28 U.S. Code § 1738A - Full faith and credit given to child custody determinations (a) *The appropriate authorities of every State shall enforce according to its terms, and shall not modify except as provided in subsections (f), (g), and (h) of this section, any custody determination or visitation determination made consistently with the provisions of this section by a court of another State.* (b) *As used in this section, the term—(1) "child" means a person under the age of eighteen.*²⁸

Sec. 51.014. APPEAL FROM INTERLOCUTORY ORDER refers to politically subdivided land or municipality, and the area is an extraterritorial jurisdiction of Houston, creating a constitutional gap.

Code of Conduct for United States Judges: Cannon 2A, 2B, 3A,

28 U.S. Code § 2101 - Supreme Court; time for appeal or certiorari; docketing; stay (a) *A direct appeal to the Supreme Court from any decision under section 1253 of this title, holding unconstitutional in whole or in part, any Act of Congress, shall be taken within thirty days after the entry of the interlocutory or final order, judgment or decree. The record shall be made up and the case docketed within sixty days from the time such appeal is taken under rules prescribed by the Supreme Court.* (b) *Any other direct appeal to the Supreme Court which is authorized by law, from a decision of a district court in any civil action, suit or proceeding, shall be taken within thirty days from the judgment, order or decree, appealed from, if interlocutory, and within sixty days if final.* (c) *Any other appeal or any writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree. A justice of the Supreme Court, for good cause shown, may extend the time for applying for a writ of*

certiorari for a period not exceeding sixty days. (d) *The time for appeal or application for a writ of certiorari to review the judgment of a State court in a criminal case shall be as prescribed by rules of the Supreme Court.* (e) *An application to the Supreme Court for a writ of certiorari to review a case before judgment has been rendered in the court of appeals may be made at any time before judgment.* (f) *In any case in which the final judgment or decree of any court is subject to review by the Supreme Court on writ of certiorari, the execution and enforcement of such judgment or decree may be stayed for a reasonable time to enable the party aggrieved to obtain a writ of certiorari from the Supreme Court. The stay may be granted by a judge of the court rendering the judgment or decree or by a justice of the Supreme Court, and may be conditioned on the giving of security, approved by such judge or justice, that if the aggrieved party fails to make application for such writ within the period allotted therefor, or fails to obtain an order granting his application, or fails to make his plea good in the Supreme Court, he shall answer for all damages and costs which the other party may sustain by reason of the stay.* (g) *The time for application for a writ of certiorari to review a decision of the United States Court of Appeals for the Armed Forces shall be as prescribed by rules of the Supreme Court.* (June 25, 1948, ch. 646, 62 Stat. 961; May 24, 1949, ch. 139, § 106, 63 Stat. 104; Pub. L. 98-209, § 10(b), Dec. 6, 1983, 97 Stat. 1406; Pub. L. 100-352, § 5(b), June 27, 1988, 102 Stat. 663; Pub. L. 103-337, div. A, title IX, § 924(d)(1)(C), Oct. 5, 1994, 108 Stat. 2832.)

28 U.S. Code § 1253 - Direct appeals from decisions of three judge courts *Except as otherwise provided by law, any party may appeal to the Supreme Court from an order granting or denying, after notice and hearing, an interlocutory or permanent injunction in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges.* (June 25, 1948, ch. 646, 62 Stat. 928.)

INTERNATIONAL TREATIES- SUPREMACY CLAUSES

VIENNA CONVENTION Art. 35th, 36th recording consular communications and retention of consular correspondence.

CONVENTION AGAINST TORTURE, CRUEL, Degrading and UN-HUMAN PUNISHMENT.

UNITED STATES SIXTH PERIODIC REPORT SUBMITTED BY THE UNITED STATES OF AMERICA UNDER ARTICLE 19 OF THE CONVENTION PURSUANT TO THE SIMPLIFIED REPORTING PROCEDURE, April 05, 2022.

OTHER

UNITED NATIONS, REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FIFTY-THIRD SESSION RESPONSIBILITY OF STATES FOR INTERNATIONALLY WRONGFUL ACTS

Article 8. Conduct directed or controlled by a State The conduct of a person or group of persons shall be considered an act of a State under international law if the person or group of persons is in fact acting on the instructions of, or under the direction or control of, that State in carrying out the conduct. *Commentary (1)* As a general principle, the conduct of private persons or entities is not attributable to the State under international law. Circumstances may arise, however, where such conduct is nevertheless attributable to the State because there exists a specific factual relationship between the person or entity engaging in the conduct and the State. Article 8 deals with two such circumstances. The first involves private persons acting on the instructions of the State in carrying out wrongful conduct. The second deals with a more general situation where private persons act under the State's direction or control.¹⁵³ Bearing in mind the important role played by the principle of effectiveness in international law, it is necessary to take into account in both cases the existence of a real link between the person or group performing the act and the State machinery.

University of Miami- Interamerican Law Review, "Dual Nationality, the Myth of Election, and a Kinder, Gentler State Department" H. Ansgar Kelly (1-1-1992)

"The Charming Betsy canon" International Customary Law: The International Court of Justice (ICJ) is the main judicial body of the United Nations, and it settles disagreements between member states of the United Nations. Under Chapter II, Article 38 of the Statute of the International Court of Justice, international customs and general practices of nations shall be one of the court's sources of customary international law is one of the sources of international law. Customary international law can be established by showing (1) state practice and (2) opinio juris.....

32

(On application to United States naturalization processes for children born overseas)

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

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

OPINIONS BELOW

[] For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix to the petition and is

[] reported at _____; or,

[] has been designated for publication but is not yet reported; or, [] is unpublished.

The opinion of the United States district court appears at Appendix to the petition and is

[] reported at _____; or,

[] has been designated for publication but is not yet reported; or, [] is unpublished.

[X] For cases from state courts:

The opinion of the highest state court Texas Supreme Court to review the merits appears at Appendix C to the petition and is

[] reported at _____ there was no opinion for its dismissal _____; or,

[] has been designated for publication but is not yet reported; or, [] is unpublished.

The opinion of the Texas Fourteenth Court of Appeals appears at Appendix. A to the petition and is

[] reported at _____ Memorandum Opinion Appendix A _____; or,

[X] has been designated for publication but is not yet reported; or, [] is unpublished.

III. BRIEF STATEMENT OF THE CASE

The extraterritorial jurisdiction of Houston in Fort Bend County, Texas has an unclear and corrupt government ruled by Fort Bend County, which fraudulently accused its residents of false crimes as a matter of oppression. This case is an example of the abuse of the two-tier judicial system used against normal citizens in an area with no government and ruled by the County. Petitioner contends that an appointed Associate Judge shall not dismiss part of a case against the County and its involved employees for violation of international treaties in which dual citizens with dominant citizenship as aliens were injured, because it violates both, the due process clause of V and XIV Amendment, and international treaties.

VII. JURISDICTION

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a). The date on which the highest state court decided my case was 04/19/2024 attached at Appendix E

IV. STATEMENT OF THE CASE

Petitioner and her child are dual citizens of Argentina and United States, the child born in Argentina and petitioner was primary caretaker of the child since birth. Petitioner was a legal migrant for twelve years with a status as a housewife, with no access to money which is retained by her spouse. Petitioner sold her house and transferred the money to her spouse prior entering to United States, that money is retained by her spouse as well the joint community property. Petitioner spouse's lawyers did not follow court's mandatory mediation rule 3.a. prior divorce hearings and committed aggravated perjury to Federal Judge Terence Kern with the purpose to obtain the child custody for the father, leaving literally petitioner in the streets only with \$1,000. On August of 2019 the petitioner reported irregular situations in that court to FBI agents at FBI Houston building, her child testified to an agent "I wanted to live with her" /sic/ [referring to his mother]. The agents directed petitioner to return to the court and explain to the judge the situation. On 09/18/2019 Petitioner arrived minutes late during the tropical Storm Imelda, with her child, to a hearing for the child custody. The petitioner had a motion to confer in chambers for the child prepared for free by Judge Janet Heppard as Director of University of Houston Law School, and petitioner informed the Judge she went to the FBI. Right after that statement Petitioner was battered by the 505th court bailiff Jose Falcon without any judicial orders, warrants or warnings, who acted in official capacity by his own, after talking with Attorney Christian Becerra who was present in the court room and left. Petitioner had previously consulted Judge Becerra as a lawyer during his political campaign and could not pay his \$5,000. fees, and Attorney Christian Becerra made a defamatory statement against Judge David Perwin, the sitting judge on Petitioner divorce case and former partner of Attorney Christian Becerra.

Petitioner did not know anyone in that area and was not aware of the previous commercial relationship between Judge Perwin and Judge Becerra. Defendant Falcon committed

43 aggravated perjury and fraudulently accused petitioner. Later,
44 other sheriff deputies joined in adding other fraudulent complaints,
45 literally building up cases against petitioner with the purpose to
46 make her look as an unfit parent for the custody of her own foreign
47 child. These Fort Bend County employees—whom petitioner refer
48 to as the respondents—injured and deprived Petitioner of her
49 Constitutional rights of equal protection under the law, XIV
50 Amendment, due process clause, her parental rights and tortured
51 petitioner with unusual, cruel, degrading punishments without a
52 due process of law. Petitioner was permanently injured by the
53 tortures committed resulted in a violation of international treaty at
54 which United States is signatory and are prohibited illegal actions
55 under the US Constitution.

56 The involved public employees committed public fraud and
57 modified the narrative of the events, tampered with the evidence
58 and court records to cover up their fraudulent actions. District
59 attorneys Emilio Fragoso and others knowingly prosecuted false
60 claims, because the evidence and the video released by the sheriff
61 did not show any of the allegations stated by defendants; in turns,
62 show their inconsistent actions according to their narrative and the
63 inexcusable tortures applied to petitioner who suffered permanent
64 injuries. The County Attorney and Sheriff Office refused to provide
65 all full evidence at which petitioner is entitled, they have provided
66 partial tampered evidence, but any independent investigation was
67 provided, according to the Istanbul Protocol which includes:

68 *“The right to be free from torture is firmly
69 established under international law. It is also rooted
70 in international humanitarian law, international
71 criminal law and in customary international law.
72 Furthermore, the prohibition of torture is a jus
73 cogens norm of international law, binding on all
74 States even if they are not party to treaties
75 containing the provision. Because of its jus cogens
76 status, the prohibition of torture is absolute and non-
77 derogable and cannot be limited under any
78 circumstances.”*

79 All false accusations have been dismissed; however,
80 petitioner was subject of tortures, cruel and derogatory and
81 unusual punishments and permanently injured by twenty-one
82 county employees, who also injured and threatened the child, and
83 violated both aliens their constitutional and international rights
84 granted under international treaties.

85 Petitioner is a pro se litigant suing defendants Fort Bend

86 County as [a personal] according 42 USC 1983 Monell and its
87 employees involved on illegal and unconstitutional actions against
88 petitioner and her child which violates several international
89 treaties, United States Federal laws, Texas State laws.

90 The petitioner consulted many lawyers but could not pay
91 their "upfront fees" or the lawyers did not want to take the case for
92 dual nationality. Only one lawyer has kindly provided a model of a
93 case to Petitioner who wrote her claim against respondents
94 following that model. Petitioner filed the case timely, considering
95 the public fraud committed with a statue of limitation of 5 years
96 and tortures with no statue of limitation for the international
97 violations of prohibited act of tortures.

98 Between the time of the incidents and the time of the filing
99 the case against respondents, two of petitioner's new computers
100 were intruded and destroyed, as well as her possessions and her
101 car from where the defendants stole the child Argentine Federal
102 Identifications. Petitioner held on her computers medical records of
103 Argentine military personnel and commanders as part of her
104 twenty years job in the Argentine Government, which in any way
105 is jurisdiction of any of the respondents who never not even holding
106 and showing any warrant for such search and seizure. The acting
107 Judge Maggie Jaramillo acted recklessly and knowingly on a
108 fraudulent case sustained by the aggravated perjury of a court's
109 bailiff defendant Falcon for three years by his inconsistent
110 allegations.

111 In a small town everyone knows each other, and the judicial
112 system is corrupt, there are not independent decisions. The private
113 attorneys hired were acquitted to the Judge, cashed the retained
114 fee to only reset the case a couple of times. The acted public
115 defender lawyer is friends with Judge Becerra and other local
116 politicians who acted in the case, she is also been sued by
117 petitioner not only committed perjurious statements and produced
118 ex parte communications with Judge Carter and petitioner's
119 spouse, and derived the case under a Fort Bend County mental
120 health services scam where she could have jurisdiction and control,
121 where people is literally assaulted by mental health contractors or
122 deputies, expecting receive money.

123 Respondents and about twelve Judges committed an act of
124 public fraud moved by their political greed, instead of by the law
125 and due process, knowing the allegations were fraudulent over
126 both innocent aliens, with the purpose to elapse the child age and
127 to be indoctrinated by the school. The child, and petitioner are
128 being retained into United States for sixteen years by false

129 migratory promises, financial abuse and the fraud committed by
130 respondents against petitioner, without a possibility to return and
131 visit their family in Argentina, Judge Morgan intentionally refused
132 to rule on petitioner's spouse to release her sole apportion of money
133 to pay a lawyer. Petitioner never saw the level of corruption in a
134 government.

135 The County Attorney for respondents took one hundred days
136 to answer Petitioner lawsuit and he alleged "*sovereign immunity*"
137 and moved to dismiss the case "*for failure to state the claim*" which
138 is false and is evidence of how the judicial system is moved by the
139 lawyer's actions who are friends or acquaintances of the Judges,
140 and then the judges sign whatever the attorneys ask, because
141 petitioner claim was clearly stated and written by a lawyer who
142 helped petitioner but remains anonymous.

143 The Associate Judge of 240th district court O'Neil Williams,
144 who was appointed by Fort Bend County Judge KP George,
145 previously acted as a judge in the fraudulent case of defendant
146 Falcon against petitioner and he dismissed the case and denied
147 any copies to petitioner. For three years the case was a mystery,
148 and the petitioner did not have access to it. The evidence was
149 tampered and changed until recordings done by petitioner, stored
150 on her iPhone and I cloud, which exceeds petitioner knowledge.

151 Judge Williams acted on petitioner's hearing of 01/04/2023
152 hearing verbally ordered to change some parts of the claim, exactly
153 pages 16, 20, 22, 23, 30, 32, 33, 35, and the order was sent to
154 petitioner on 01/04/2023 only signed by other Judge Surendran
155 Patel, who never heard the case, Judge O'Neil Williams never
156 signed the order. Later, the petitioner received an order to dismiss
157 in which stated to change the whole complaint and was signed by
158 both Judges, Williams and Judge Patel, with a date of 01/12/2023
159 for Williams and 01/10/2023 for Patel.

160 The County Attorney served the petitioner with a tampered
161 order which required the petitioner to modify the whole complaint,
162 different from what Judge Williams stated. A County Attorney is
163 NOT a judge, and he shall not change at their will an order of a
164 Judge, in addition to committing a public fraud act in the judiciary
165 system.

166 The respondent Sheriff Fagan's office provided tampered
167 evidence and records violating TPC§37.09, of deputies who
168 committed tortures to plaintiff and her child. Petitioner had
169 videorecorded under 1st Amendment the sheriff office front desk
170 which at request of a file copies for a new case they draft the
171 narrative at the moment by the front desk and then commits to

172 send the file by email. In other words, the paperwork is completed
 173 afterwards and at the request of a party.

174 Defendants kept intentionally the child away from
 175 petitioner, without a due process of law, and interfering with the
 176 divorce due process pending with Judge Kali Morgan (23-7137 USC
 177 Writ of Certiorari denied, rehearing GVR returned) both cases this
 178 petition of a Writ of Certiorari and the case 23-7137 are linked by
 179 the same defendants and the same judges of such corrupted
 180 network, and by the fraud intentionally committed to punished
 181 petitioner for fraudulent claims with the purpose to keep petitioner
 182 and the minor separated to each other and without communication
 183 to each other, and abuse the minor with injuries and to brain wash
 184 the minor against petitioner and deprive de minor of visiting his
 185 family in Argentina for sixteen years.

186 *"The Article 1 of the Convention against
 187 Torture defines torture (for the purposes of the
 188 Convention) as: any act by which severe pain or
 189 suffering, whether physical or mental, is
 190 intentionally inflicted on a person for such purposes
 191 as obtaining from him or a third person information
 192 or a confession, punishing him for an act he or a
 193 third person has committed or is suspected of having
 194 committed, or intimidating or coercing him or a third
 195 person, or for any reason based on discrimination of
 196 any kind, when such pain or suffering is inflicted by
 197 or at the instigation of or with the consent or
 198 acquiescence of a public official or other person
 199 acting in an official capacity."*

200 The petitioner was forced to sign papers without reading,
 201 was violently battered, inflicted intentional pain, videorecorded
 202 naked forced to be naked or shower in front of lesbian or male
 203 respondents deprived to sleep, deprived exit, deprived
 204 communicate, injected unauthorized shots, kept in isolation
 205 threatened with injure and arrest her child, among other tortures.

206 What kind of Nation is this that holds a County with a
 207 government which abuse and torture normal citizens and commits
 208 fraudulent judicial actions against their tax payors?

209 Petitioner appealed the partial dismissal of the case for the
 210 level of fraud because, the now Judge Christian Becerra was
 211 deleted from the video evidence in defendant Falcon fraudulent
 212 claim, the sheriff office deleted the part of his involvement showing
 213 that he talked to defendant Falcon right before he battered
 214 petitioner and build up a case.

Judge Christian Becerra recklessly and knowingly acted as Judge in Defendant Falcon fraudulent claim, knowing he was previously a petitioner consulted lawyer and he was very aware of the situation. A total of twelve judges acted on defendants' fraudulent claims against petitioner and most of them are Judges friends with the County Judge KP George, showing also the waste of budget multiplied by twelve just for one citizen.

Respondents and their lawyers committed an act of public fraud, including sending a fraudulent letter to the Honorable General Attorney Ken Paxton stating that Petitioner was convicted, and petitioner was never convicted of nothing, not even in front of a jury, showed to FBI agents and the Honorable Texas Supreme Court the certified letters from the District Clerk.

Respondents also committed violations of the Vienna Convention art. 36 by recording consular communications of the Argentine Consul and confiscating mail directed to the Argentine Consul.

Respondents committed prohibited act of tortures according to the Convention Against Torture and Human and Degrading Treatment United Nations General Assembly Resolution 39/46 of 10/12/1984, signed by United States on 04/18/1988 and Section 2340A of Title 18, United States Code: "*prohibits torture committed by public officials under color of law against persons within the public official's custody or control*", and the government violated the Istanbul protocol for fail to provide an independent investigation, "*OHCHR (Office of the Human Rights Commissioner, UN) in 1999 following the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*". For local claims violation are: alien tort claims 28 U.S. Code § 1330 · Alien's action for tort and Monell under color law 42 US Code §1983 and Qui Tam Claims False Claims Act (FCA), 31 U.S.C. § 3729 – 3733.

All the incidents were reported to FBI agents on August of 2019 who directed petitioner to inform her situation to the 505th district court Associate Judge Cindy Aguirre, but petitioner was limited by respondent Falcon battery to petitioner. The dismissal of this part of the case will wash out the involvement of Judge Christian Becerra on his intention of destabilize his former partner in business Judge Perwin of bench for Judge Kali Morgan and the evidence he was in the court day the date petitioner was brutally battered.

The petitioner was lately tortured by other respondents government employees and the county mental health specialists

258 who fraudulently produced a false medical reports literally by only
259 looking at petitioner, which fits in qui tam claims for exceeding
260 their professional boundaries, and not provided a scientific based
261 evaluation as petitioner had passed before with standardized tests.

262 Petitioner has medical and psychiatric clearence signed by
263 the Argentine Ministry of Defense, Argentine Coast Guard for been
264 a professional diver, in United States by a Psychologist for been a
265 Rescue Diver, documents shown on his hand to Federal Judge
266 Terence Kern, who only asked petitioner "can you get a job?"/sic/ he
267 never ordered child support or nothing, the narrative on court
268 reporter records and dockets it is an act of administrative fraud.

269 The mental health in Fort Bend County is a scam system of
270 false allegations which the county employees use to obtain benefits
271 such as training, or to avoid criminal charges for some criminals or
272 to punish citizens they do not agree with their corrupt government.
273 18 U.S. Code § 286 - *Conspiracy to defraud the Government with
respect to claims*. Respondent's false mental health allegations
274 were already dismissed by Honorable Judge Horowitz, and
275 defendants used such allegations to torture petitioner and other
276 people petitioner was a witness and reported the incidents in
277 writing to FBI agents. The tortures, injuries and degrading
278 treatment were committed on key dates related to religious
279 holidays or universal celebrations just for fun such as Jew New
280 Year, Rosh a Shana, International Woman's Day, Ramadan,
281 Halloween, and others.

282 Judge Williams partially dismissed the claim without
283 hearing the petitioner side, and without completing the proper
284 discovery; he ordered some changes to the claim. The dismissal
285 order served to petitioner stated to change the whole claim and
286 was signed by another judge who did not hear the case, which was
287 a fraudulent tampered order. Petitioner appealed such fraudulent
288 order. The petitioner is not a lawyer and took time to research the
289 public fraud issue and appealed.

290 The Fourteenth Court of Appeals determined the appeal was
291 extemporaneous, however the order is a public fraudulent
292 instrument produced by the Fort Bend County Attorney and
293 Judges over an act of public fraud and was committed by its
294 employees, and signed extra temporally by judges one who did not
295 hear the case, and the other Judge who did not sign such order on
296 01/04/23 date of service.

297 Petitioner challenges the dismissal, the appeal for the
298 dismissal, and the denial of the Texas Supreme Court, because it
299 results a judicial ruling over an administrative fraud committed by

301 a public entity as sheriff, prosecutor and judicial branch, which
302 showed tampered evidence and produced a fraudulent order to
303 dismiss a claim of violation of international treaties, resulted in a
304 fraudulent action done by a government which injured an alien, an
305 alien child and a consul of Argentina. The order should not state
306 whatever a Judge never pronounced resulted in a public fraud 18
307 U.S.C. § 1001, 31 U.S.C. §§ 3729 – 3733, and it should not have
308 taken lightly, should have been properly investigated of why an
309 area in United States act in such fraudulent enterprise network
310 which operates to harass, and injure legal residents altering
311 judicial proceedings in opposition of what is established by the fifth
312 and fourteenth Amendments of the United States Constitution.

313 X. ARGUMENT OF THE CASE

314

315
316 The Congress in 1866 and ratified by the States in 1868, the
317 Fourteenth Amendment “expand[ed] federal power at the expense
318 of state autonomy” and thus “fundamentally altered the balance of
319 state and federal power struck by the Constitution.” Seminole
320 Tribe of Fla. v. Florida, 517 U. S. 44, 59 (1996); see also Ex parte
321 Virginia, 100 U. S. 339, 345 (1880). Section 1 of the Amendment,
322 for instance, bars the States from “depriv[ing] any person of life,
323 liberty, or property, without due process of law” or “deny[ing] to
324 any person . . . the equal protection of the laws.”

325 The Federal rights exist, and this case is also an issue of
326 clarity of the United States credibility on regard of Convention
327 Against Torture signed by United States but not practiced inland
328 where normal citizens are detained and tortured by ignorant law
329 enforcement who omits people’s international rights and duties of
330 dual citizens for both nations under an international treaty.
331 Although the tortures statue is meant for outside the US their
332 government must not command tortures inland, because the
333 Supremacy Clause for the Convention Against Torture (CAT)
334 specifically prohibit such cruel, degrading and unhuman
335 treatment. Whether inland or outside it is a prohibited act, a mere
336 county sheriff must not apply a prohibit act, and a mere district
337 judge must not ignore a prohibit act, because government
338 employees represent the nation and their actions in full capacity
339 are clearly prohibited by the US Constitution or a Supremacy
340 Clause International Treaty. 28 U.S.C. § 1350 Filartiga v. Pena-
341 Irala, 577 F. Supp. 860 (E.D.N.Y. 1984)

342
343 The Petitioner and the child born in Argentina, had
344 dominant nationality in Argentina for petitioner and the child is

345 retained into United States under financial abuse and public fraud
346 committed by respondents. The child had his life organized into a
347 safe environment, and family in Argentina, and his U.S. natural
348 father refused to stay in petitioner's own house with the baby and
349 he returned to Houston, Texas to set the forum. The child since
350 birth and until 09/18/2019 was under the petitioner's care he lived
351 with the petitioner. The father of the child visited intermittently
352 the baby and naturalized the baby American citizen at 10 days of
353 life at the U.S. embassy in Buenos Aires, Argentina. Petitioner was
354 not allowed by U.S. authorities to observe the naturalization
355 ceremony for her baby- Betsy cannon of US law on international
356 jurisdiction may apply over following the Nation's transparency
357 naturalization process for children in front of both parents fulfilling
358 requirements under another flag. The child at birth was issued
359 Federal Argentine mandatory Identifications such National
360 Registration ID card, Argentine Passport, Tax ID Card, Federal
361 Police ID Card, birth Certificate. Such child identifications under
362 the Argentine law must be renewed at 8 years old at 14 years old to
363 allow the child vote at 16 years old in mandatory elections to not be
364 delinquent.

365 On 09/18/2019 on Jew New Year, and during the tropical
366 Storm Imelda, respondent Falcon separated the child from his
367 primary custodian petitioner and was left by himself in a
368 mediation room according to indications of Falcon. Falcon battered
369 the petitioner and respondents Cardenas refused to provide
370 information of the child and illegally inquire petitioner. They
371 refuse to allow a phone call to the Argentine Consul. DOES
372 threatened petitioner with an ICE deportation order, after been
373 naturalized American. Judge Aguirre never ordered anything; she
374 remained quiet after the petitioner stated she went to the FBI.
375 Petitioner was permanently injured by defendant Falcon and other
376 DOES. Defendant Falcon in this sequence 1) separated the child from
377 petitioner and placed the child in a medication room, without any judicial
378 orders, 2) he talked to Judge Cristian Becerra and 3) battered petitioner and
379 after talking with judge Becerra, and after petitioner stated "I went to the
380 FBI" Petitioner entered three time to the court room and if defendant Falcon
381 had a Capias Order, should not had allowed petitioner entering and exit the
382 court room three times, the tampered Capias order was added in the court
383 records three years after defendant Falcon battered petitioner. Judge Cindy
384 Aguirre remained quiet and never produced any Capias order, notification or
385 any warnings, neither defendant Falcon. Defendant Falcon, testified to the
386 DA perjurious allegations and the DA filed a case against petitioner.
387 According to defendant Ojuri paralegal Crystal Gonzales, she stated "*they*
388 *wanted to know how the bond system works*"/sic/ Apparently these politicians

389 including Judge O'Neil Williams and District Attorney Brian Middleton had
390 made public declarations in a newspaper about investigation the "local
391 bonding system" for a future reform and extended an invitation to some
392 attorneys and their clients, extending their political testing scam over people
393 in different situations. A test of a legal system using humans is a cruel,
394 unusual and degrading punishment, not authorized and experimental practice
395 into United States comparable to war crimes.

396 On 03/08/2020 On International Woman's Day, the child
397 Argentine identifications were stolen by or with the help of
398 respondents who acted in a private parking lot of Mc Donalds in an
399 extraterritorial Jurisdiction of Houston on when Respondent
400 Cardenas teased petitioner with a stunt gun to retrieve or aide to
401 retrieve the child Argentine federally issued identifications, which
402 respondents Fort Bend County Sheriff has any jurisdiction over.
403 The U.S. Secretary of State had informer petitioner the United
404 States has any jurisdiction over foreign identifications and should
405 be in case of terrorism be surrendered to a Federal Judge.
406 Defendant Green aided to retrieve from petitioner the child's
407 Federally Issued Argentine identifications, by torturing petitioner
408 and defendant Ojuri held an ex-parte communication with Judge
409 Temeika Carter, who lately acted in the case, "*stated that*
410 *Defendant Green was confused and used poor judgement.*"

411 There is a diversity jurisdiction, recognized by U.S. consul
412 Anthony Wayne in full capacities, sending child's CRBA Certificate
413 of birth Abroad and U.S. Passport to petitioner's house in Buenos
414 Aires, Argentina. Petitioner's spouse initiated the migratory
415 process under a K-3 visa, and on 06/24/2008 at entering to US
416 Bush airport attempted to leave with the baby, and he was
417 escorted back by airport officers. Petitioner sole apportion of money
418 is retained by her spouse along with joint community property.

419 Petitioner lived in United States for twelve previous years
420 under a permanent residency, green car holder, and naturalized
421 American on July 24th of 2019; five days later, petitioner's spouse
422 files for divorce and petitioner is served with a petition for divorce
423 in front of her witness on 08/02/2019. Petitioner's spouse left the
424 marital house for two months until respondent's lawyer committed
425 aggravated perjury to a U.S. judge to obtain a quick temporary
426 court order filed under rule 190-2 to benefit respondent with all
427 joint assets and the child custody. The child was always since birth
428 under petitioner care. Former Judge David Perwin's court rule 3.a. and
429 3.b. stated there was mandatory mediation before a hearing and any prior
430 mediation was completed at that time not even having an independent

431 mediator. Defendant Falcon aided petitioner's spouse lawyers' side by acting
432 in individual capacity to separate the child from petitioner in a fraudulent
433 divorce process, because if there was a rule not fulfilled by the other part the
434 actions of the divorce should be voided and the primary custody returned to
435 petitioner.

436
437 On 08/29/2020, 09/30/2020 and 10/31/2020 the petitioner was
438 battered by rest of respondents and DOES, leaving permanent
439 injuries to petitioner.

440 In the same manner, with respondents' government employees who
441 tortured petitioner and filed fraudulent cases against petitioner following
442 political motives.

443 A fraud is a fraud in English or Spanish and a due process should not
444 be construed over a fraud, either the Fourteenth Court of Appeals and the
445 Texas Supreme Court, with the provided evidence should have be aware of
446 the fraud committed by government employees against petitioner.

447 In the same manner a court ruling over a fraudulent process must be
448 voided.

449 The District or County Attorney or the Sheriff Office must not deny
450 or share the evidence to a pro se litigant part including the reporter records,
451 because the judicial system is one part of the division of powers and the fraud
452 in the local government acts under the preemption doctrine where the federal
453 law over the state law. The 6th Amendment on the Supremacy Clause clearly
454 states that Judges in every State must follow the Federal Government
455 Constitution, and an International Treaty has the hierarchy of Supremacy
456 Clause. All of the respondents in this case and judges involved are American
457 lawyer who shall not ignore such violations over an alien, while intentionally
458 depriv of parental rights, property rights and torture petitioner just to punish
459 and deny equal access to law and justice to pay a lawyer with her own
460 property, because it also violates the 5th Amendment of depriving own
461 economic resources to intentionally violate self-incrimination.

462 Petitioner did not immigrate to a banana republic, United Stated shall
463 have equally protected petitioner and her child of such abuse.

464
465
466
467 In addition, on "No. 21-908 US Writ of Certiorari 11
468 U.S.C. § 523(a)(2)(A). "There is no doubt that fraud requires
469 intent. The question in this case is whose intent counts". a
470 "willful and malicious injury by the debtor to another entity
471 or to the property of another entity," *id.* § 523(a)(6); and

Section 523(a)(2)(A) carves out from the rule of discharge debt “for money, property, services, or an extension, renewal, or refinancing of credit, to the extent obtained by” fraud.” 11 U.S.C. § 523(a)(2)(A). The question, of course, is whose fraud counts. If the rest of section 523 is any indication, it must be that of the “individual debtor” herself.

XI. REASONS FOR GRANTING THE PETITION

The first reason for granting this petition is the fact that United States on its Sixth report Submitted to the UN under Article 19 of the CAT is false, because petitioner case happened between 2019 and 2021, and in the U.S. report sent there is any mention of petitioner case which happened inland. United Stated write on 2. of its report “

The absolute prohibition of torture is of fundamental importance to the United States. The United States has long recognized that the prohibition of torture is a peremptory norm of international law, from which no derogation is permitted, reflecting the condemnation of torture by the international community of States as a whole"

United States is recognizing the prohibition of such acts under international law, to [the international community] as a result the argument of the respondent attorney under "sovereign immunity" is false, unapplicable and prohibited, because on the second part of United States report on 2. United States writes:

"The Convention is a means by which States party to it advance this end. As stated in its Preamble, the object and purpose of the Convention is "to make more effective the struggle against torture ... throughout the world." It has been observed that "[t]he States parties to the Convention have a common interest to ensure, in view of their shared values, that acts of torture are prevented and that, if they occur, their authors do not enjoy impunity." To this end, the United States is committed to performing its obligations under the Convention."

United States recognized the acts of torture are prohibited and in petitioner's case were done by U.S. naturals to dual

515 citizens with dominant nationality as an Alien, *ergo* any of the
 516 twelve Judges on respondents fraudulent cases against
 517 petitioner, which were dismissed, did not consider the facts
 518 from petitioner side as an Alien, because were not raised by the
 519 defense properly for prohibited acts and the ignorance of the
 520 international law applicable to petitioner, which is evidence of the
 521 lawyers lack of defense and their actions were to cash the money.

522 On petitioner complaint timely filed, the statue from the
 523 *CRM 1-499 in 20. Torture (18 U.S.C. 2340A)* does not specify a
 524 limitation time under the 8th Amendment of the U.S. Constitution
 525 and the international law, as a result the acting Judge Williams
 526 erred his ruling for dismiss part of petitioner case, omitting acts
 527 United States recognizes as prohibited under international law
 528 typified as *lessa humanita crimes*.

529 The Argentine Government and his Consul in Houston
 530 were very aware of the situation explained by phone, in person, by
 531 email, and in a written letter. The petitioner also sent a letter to
 532 the Interamerican Court of Human Rights explaining the facts of
 533 her case and called the Prosecutor of the International Criminal
 534 Court under the Rome Code, which both Courts United States is
 535 not a member. In the same manner, Petitioner sent her
 536 complaints about the issue to the President Biden by a written
 537 letter, to the Department of Justice by an online form completion,
 538 to FBI by an online form completion, in person complaint, by
 539 phone call complaint, by email and by written letter. Petitioner
 540 had provided plenty information to FBI agents on regard of the
 541 public administrative fraud in petitioner's cases in Fort Bend
 542 County Courts with evidence of tampered court documents and
 543 dockets as an example of signatures of Judge O'Neil Williams and
 544 Surendran Patel 240th District Court in Fort Bend County,
 545 partial Dismissal, signed by Judge Surendran Patel on January 4th,
 546 2023. The signature of Judge Oneil Williams was never signed and was
 547 added afterwards. The County Attorney served Petitioner with another
 548 order which was completely changed and signed by Surendran Patel on
 549 January 10th and O'Neil Williams on January 12th of 2023 and now, the
 550 Index of the court has been changed and amended its fillings, showing
 551 the original order sent on 01/04/2023 to petitioner was amended only for
 552 defendant Andrea Field with a signature of Judge O'Neil Williams
 553 signed on 01/03/2023 and Judge Surendran Patel on 06/12/2023 within
 554 five months difference between each other, and when the original order
 555 was never signed by Judge O'Neil Williams, which was the point of
 556 petitioner argument for the appeal, having an order signed by a judge
 557 who never heard the case.

558 In addition the Fourteenth Court of Appeals had sent

559 several letters to petitioner on regard of having Court Reporter
560 records, that needed to be paid with an affidavit of Indigency and
561 later sent a letter informing that there were any Court Reporter
562 records, completely inconsistent.

563
564 In second instance, the Department of Justice cannot
565 ignore on its report to the United Nations, petitioner case which
566 was informed to pertinent authority in United States, then Judge
567 Williams erred on his dismissal and subsequent fraudulent order
568 in an attempt to cover their County employees prohibited actions
569 against petitioner and to intimidate petitioner because is a pro se
570 litigant.

571
572 United States on the same report explains on its point 5.
573 the territoriality issue stating, *"As another example, information*
574 *is provided regarding relevant U.S. practice regardless of whether*
575 *the practice falls within the territorial scope of the Convention as*
576 *a legal matter."* Considering that United States has
577 extraterritorial jurisdiction areas inland and overseas which are
578 codified as in this case example in the local government body
579 chapter 42, there is an area inland in which the government
580 absorbed by the Counties Harris and Fort Bend in which the
581 respondent actions occurred, in which [the] government applies
582 selectively its power to cash taxes, but deprive equal protection
583 under the law, and omitting part of the laws that are
584 Constitutionally and internationally sustained, and this was the
585 failure of the County to provide specific instruction on the
586 applicability of the law over actions of their employees over the
587 petitioner and [other people] with international rights. The
588 County on its self-discovery sent a bunch of old policies which are
589 not applicable over an undefined extra jurisdictional area, did not
590 included any policy specifically over actions over dual or multiple
591 citizens Aliens with guaranteed international rights. A Mere
592 contract with the Sheriff for patrolling is not enough to grant
593 what in an extra jurisdictional area deprives, equal protection
594 under the law to basic granted full rights to vote, water, services,
595 health, protection, etc. because the taxes are paid, and as a result
596 the government must to provide the equal legal frame and a fair
597 trial granted under the Constitution and the international
598 treaties, otherwise is a preemption. If a pro se litigant is forced to
599 follow all the courts rules, then the local lawyers and judges must
600 to do it too, there is no room for fraud under Constituents tax
601 dollars.

602

Finally, United States on its reply in 9 states “*The United States again confirms its view that where the text of the CAT provides that obligations apply to a State Party in “any territory under its jurisdiction,” including Article 16 of the CAT, such obligations extend to “all places that the State Party controls as a governmental authority.*”⁵ We have concluded that the United States currently exercises such control at the U.S. Naval Station at Guantanamo Bay, Cuba, and over governmental proceedings conducted there, and with respect to U.S.-registered ships and aircraft.⁶ Section 1045 of the National Defense Authorization Act for Fiscal Year (FY) 2016, enacted in November 2015, P.L. 114-92, 129 Stat. 978, restricts interrogation techniques to those found in the Army Field Manual 2-22-3, which requires humane treatment of all captured or detained personnel and explicitly prohibits cruel, inhuman, and degrading treatment. Section 1045 also provides that the International Committee of the Red Cross (“ICRC”) must be notified and given prompt access to any individual detained in any armed conflict in the custody or under the effective control of agents of the U.S. Government or held within a facility owned, operated, or controlled by a department, agency, contractor, or subcontractor of the U.S. Government, consistent with DoD regulations and policies. Officers, employees, and agents of the Federal Bureau of Investigation (FBI), DHS, and other Federal law enforcement agencies are limited to authorized non-coercive techniques.”

And, on its reply in 10. States:

"All U.S. detention facilities are operated consistent with obligations under U.S. domestic and international law and policy. Individuals are in all circumstances to be treated humanely, consistent with U.S. domestic law, international legal obligations, and U.S. policy whenever such individuals are in the custody or under the effective control of an officer, employee, or other agent of the U.S. Government or detained within a facility owned, operated, or controlled by a department or agency of the United States; and such individuals are not to be subjected to any interrogation technique or approach, or any treatment related to interrogation, that is not authorized by and listed in the Army Field Manual, 2-22.3, without prejudice to authorized non-coercive techniques of Federal law enforcement agencies. U.S. domestic law further provides that this Army Field Manual must remain publicly available and comply with the legal obligations of the United States. All of the techniques listed in the Army Field Manual must be applied in accordance with the requirements for

647 *humane treatment.*"

649 Considering both statements result of the normative
650 United States said had comply under international law for CAT,
651 resulting in a clear obligation the nation requires its employees to
652 comply; as a result respondents must not be unaware of such
653 normative, neither their lawyer and/or the Judge should have
654 had a clear understanding of what was prohibited prior
655 dismissing part of petitioner case in which defendant Falcon was
656 videorecorded with a surveillance camera battering petitioner
657 with other DOES, confidentially later employees of the Sheriff
658 Fagan, who was best friend of Judge Christian Becerra.

662 “The United States strongly condemns violence against
663 women and takes aggressive action to prosecute alleged
664 perpetrators and provide services to victims. In 2020, the U.S.,
665 Congress passed legislation to amend and strengthen the law
666 criminalizing female genital mutilation, which became law in
667 January 2021. The DOJ Office on Violence Against Women
668 (DOJ/OVW) administers 19 grant programs, authorized by the
669 Violence against Women Act (VAWA) and subsequent legislation,
670 designed to reduce domestic violence, dating violence, sexual
671 assault, and stalking by strengthening services to victims and
672 holding offenders accountable. Grants are available to states,
673 territories, units of local government, Tribal governments, local
674 Tribal and territorial courts, victim service providers, state and
675 Tribal coalitions, and governmental rape crisis centers. These
676 grants support training and services to end violence against
677 women; improve criminal justice responses to domestic violence,
678 dating violence, sexual assault and stalking; promote outreach
679 and services to underserved populations; and improve training
680 and services to end violence against individuals with disabilities.
681 For FY 2020, OVW awarded over \$489,000,000 in Federal
682 funding. Grants to Tribal governments also assist their exercise of
683 special domestic violence criminal jurisdiction. For FY 2020, OVW
684 awarded \$3,266,458 under the Grants to Tribal Governments to
685 Exercise Special Domestic Violence Criminal Jurisdiction
686 Program. Since 2015, DOJ has implemented the Tribal Access
687 Program, which provides Federally-recognized Tribes direct
688 access to Federal databases, enabling Tribes to submit orders of
689 protection and therefore potentially disqualify domestic violence
690 offenders from obtaining firearms.”

691 Petitioner is a Straight Female White- Hispanic dual
 692 Citizen with Alien dominancy, and was tortured by Fort Bend
 693 County government employees, who apparently missed almost
 694 half billion dollars on training from Constituents tax dollars to
 695 made understand respondents ignorance that they cannot do
 696 whatever they think they can do under sovereign immunity,
 697 because they failed to observe the international law at which they
 698 need to comply upon their actions as a Nation. Any independent
 699 investigation or assistance was provided to Petitioner, and her
 700 demand of relief results in a just and necessary for the brutality
 701 at which petitioner was exposed, and for her permanent injuries
 702 committed for respondents, as a matter of testing their own
 703 corrupted judicial system according public declarations of the
 704 District Attorney Brian Middleton and the same Judge O'Neil
 705 Williams.

706
 707 With the recent overturn of the Chevron doctrine in *Loper*
 708 *Bright Enterprises v. Raimondo* (2024) The Supreme Court held
 709 "*that it was inconsistent with the Administrative Procedure Act (APA) and gave unelected government officials too much authority.*" In the same manner, an appointed Judge who lost
 710 elections should have provided petitioner equal access to law and
 711 justice to hear her side before dismissed, and a continuance with
 712 a fair trial specifically because the complaint described tortures
 713 respondents applied on petitioner.

714
 715 *6 U.S. 64 (U.S. 1864) "The Charming Betsy canon exists in*
 716 *a radically changed world-a world in which the doctrine*
 717 *unquestionably has more coverage and arguably is under more*
 718 *stress. It may be an exaggeration to say that "globalization makes*
 719 *everything international," but "well known developments have*
 720 *radically increased the number of cases that directly implicate*
 721 *foreign relations" and everyone agrees that international legal*
 722 *norms increasingly "address substantive matters of our political*
 723 *and economic life traditionally reserved to exclusive domestic*
 724 *jurisdiction." In 2016, Justice Stephen Breyer published a book*
 725 *dedicated to exploring the issues and challenges of a world in*
 726 *which our Supreme Court "must increasingly consider foreign and*
 727 *domestic law together, as if they constituted parts of a broadly*
 728 *interconnected legal web."*

729
 730 *Simply put, in an era in which there are international legal*
 731 *norms on everything from children's education to*
 732 *chlorofluorocarbons, a doctrine that says that federal statutes*
 733 *"ought never to be construed to violate the law of nations if any*

other possible construction remains" is more and more likely to conflict with other interpretative canons, including the 468 U.S. 837 (1984) *Chevron* doctrine's deference to agency determinations... Upon boarding the *Charming Betsy*, Captain Murray learned that *Shattuck* had been born in Connecticut and reasonably concluded that the ship was actually American. Murray seized the *Charming Betsy*, disposed of its perishable cargo, and sent the ship to Philadelphia for adjudication under the Non-Intercourse Act. But in Philadelphia, the Danish consul sought recovery of the ship as the property of a Danish subject. ... contrary to customary international law....

In petitioner's case the respondents violated the Art 36 of the Vienna Convention, recording consular communications of the Argentine Consul Alejandro Garcia, confiscated correspondence of 60 pages with facts directed to the Argentine Consul, confiscated petitioner 's child Argentine Federally issued identifications to retain the minor in United States, and applied tortures to petitioner and her child as a matter of punishment without a trial, which all consist in violations of international treaties.

Under Chapter II, Article 38 of the Statute of the International Court of Justice, international customs and general practices of nations shall be one of the court's sources of customary international law is one of the sources of international law. Customary international law can be established by showing (1) state practice and (2) opinio juris. Article 38) on its point c) the existence of any fact which, if established, would constitute a breach of an international obligation 5) Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

XII. CONCLUSION

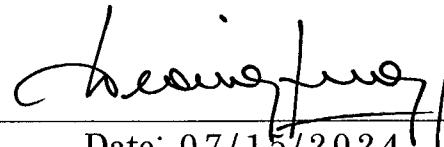
This petition for a writ of certiorari should be granted because Judge Williams and Patel, committed an act of public administrative fraud, violated petitioner's due process, he established and interlocutory appeal to elapse and dismiss the claim he had already had knowledge of the case by ruling a dismissal in defendant Falcon fraudulent claim against petitioner, and in petitioner complaint, he dismissed without following the

778 International standards of the law for violations of rights granted
779 by international treaties, violation of a fair trial, and adequate
780 treatment of petitioner and her child as an Alien.

781
782 For all argument exposed above petitioner respectfully
783 request to grant this petition of a writ of certiorari and request the
784 Honorable Justices dispense any English mistake. All explained is
785 true. Respectfully submitted,

786
787

788



Date: 07/15/2024