

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 FOURTEENTH  
COURT OF APPEALS  
CASE 22-DCV-296547 240<sup>TH</sup> DISTRICT COURT

Diana Reismann Sexton,  
Petitioner

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## 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 nationals 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. § 1350, 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. nationals 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

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#### 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 240<sup>th</sup> Fort Bend County District Court of Texas

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APPENDIX B: Judge Surendran Patel and Judge O'Neil Williams tampered court order of the 240<sup>th</sup> District Court of Fort Bend County of Texas, partial dismissal, originally was signed only by Judge Surendran Patel on January 4<sup>th</sup>, and Judge O'Neil Williams added his signature on January 12<sup>th</sup>, 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 240<sup>th</sup>. 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 240<sup>th</sup> Court to provide court reporter records, dismissed for lack of jurisdiction, August 29<sup>th</sup>, 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 29<sup>th</sup>, 2023, by Panel Consists of Justices Wise, Zimmerer, and Poissant. Opinion delivered Per Curiam, Memorandum Opinion and Mandate to the 240<sup>th</sup> District Court of Fort Bend County.

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

APPENDIX F: Honorable Supreme Court of Texas, Motion for re-hearing denied, April 19<sup>th</sup>, 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 19<sup>th</sup>, 2024, signed by the Honorable Supreme Court of Texas Clerck Blake A. Hawthorne, April 19<sup>th</sup>, 2024.

## V. TABLE OF AUTHORITIES CITED

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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 898 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 PORVISIONS AND RULES INVOLVED

### UNITED STATES CONSTITUTION:

*1<sup>st</sup> Amendment, "right to speech, rights to petition to the Government for redress of Grievances".*

*4<sup>th</sup> 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."*

5<sup>th</sup> 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."

7<sup>th</sup> Amendment, "*the right to a jury trial*".

8<sup>th</sup> Amendment, "*cruel and unusual punishments*".

9<sup>th</sup> Amendment, "*about the right not enumerated in the Constitution is not exhaustive and the people retain all rights not enumerated in the Constitution*"

11<sup>th</sup> 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*"

14<sup>th</sup> 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. § 1350 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.*<sup>28</sup>

*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. 35<sup>th</sup>, 36<sup>th</sup> recording consular communications and retention of consular correspondence.

CONVENTION AGAISNT TORTURE, CRUEL ,DREGRADING 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 28 1738 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.<sup>153</sup> 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.

☒ 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,

☒ 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 505<sup>th</sup> 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

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

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

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

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

Petitioner is a pro se litigant suing defendants Fort Bend

86 County as [a persona] 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

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

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

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

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

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

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

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

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

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

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

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

Petitioner appealed the partial dismissal of the case for the level of fraud because, the now Judge Christian Becerra was deleted from the video evidence in defendant Falcon fraudulent claim, the sheriff office deleted the part of his involvement showing that he talked to defendant Falcon right before he battered 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 Clerck.

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 § 1350 - 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 505<sup>th</sup> 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

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

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

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

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

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

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

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

## X. ARGUMENT OF THE CASE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In addition, on "*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.

## 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 States 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. nationals to dual

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

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

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

In addition the Fourteenth Court of Appeals had sent

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

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

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

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."*<sup>5</sup> 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.<sup>6</sup> 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.”*

648  
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.

659  
660 On its report for 15. For the same report United States  
661 explains:

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.”*

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

With the recent overturn of the Chevron doctrine in *Loper Bright Enterprises v. Raimondo* (2024) The Supreme Court held "*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 elections should have provided petitioner equal access to law and justice to hear her side before dismissed, and a continuance with a fair trial specifically because the complaint described tortures respondents applied on petitioner.

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

Simply put, in an era in which there are international legal norms on everything from children's education to chlorofluorocarbons, a doctrine that says that federal statutes "*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.

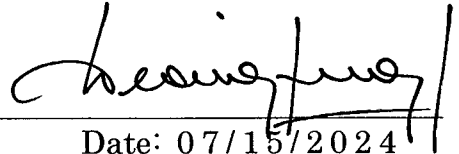
Under Chapter II, Article 38 of the Statute of the International Court of Justice, international customs and general practices of nations shall be one of the court's sources of customary international law is one of the sources of international law. Customary international law can be established by showing (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

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

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

A handwritten signature in cursive script, appearing to read 'Heung-fung', is written over a horizontal line.

Date: 07/15/2024