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24-6026

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

NOV 21 2024

OFFICE OF THE CLERK

Ana Ortiz — PETITIONER
(Your Name)

vs.

Lake County Circuit Court — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Illinois Supreme Court

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ana Ortiz
(Your Name)

1303 Paul St.
(Address)

Waukegan, IL 60085
(City, State, Zip Code)

224-391-0297
(Phone Number)

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

Does absence of the right to counsel and access to transcripts in family court proceedings—such as divorce and child custody —constitutes a violation of an individual's constitutional right to due process under the Fourteenth Amendment and Sixth Amendment?

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

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

Bolling Haxall
Jose Manuel Vega
Michael Conway

RELATED CASES

Stary v Ethridge

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APPENDIX F	Order for attorney to withdraw from case 18D1696.: 09/2021 unfounded 05/2020 Ana Ortiz's 03/2020 response filed by attorney Jose Vega 2/28/20 Petition

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Argersinger v. Hamlin, 407 U.S. 25 (1972)	
Twinning v. State of New Jersey, 211 U.S. 78.	
Commonwealth v. O'Keefe	
Gideon v. Wainwright 372 U.S. 335 (1963)	
Powell v. Alabama 1932	
Grosjean v. American Press Co., 297 U. S. 233, 297 U. S. 243-244 (1936)(1938)	
Strickland v. Washington 466 U.S. 668 (1984)	
Alabama v. Shelton, 535 U.S. 654 (2002)	
Lassiter v. Dept. of Social Services, 452 U.S. 18 (1981)	
Mathews v. Eldridge, 424 U.S. 319 (1976)	
In re Gault, 387 U.S. 1 (1967)	
Stanley v. Illinois 405 U.S. 645 (1972)	

STATUTES AND RULES

Rule 60
Federal Rules of Evidence
28 USC 753
Illinois Juvenile Court Act of 1987
14th Amendment
6th Amendment
28 USC 1257(a)

OTHER

Stary v Ethridge

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

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

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals 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 to review the merits appears at Appendix A 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 2ND DISTRIC APPELLATE court appears at Appendix D to the petition and is

reported at 2ND DISTRIC APPELLATE; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

No petition for rehearing was timely filed in my case.

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

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

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

For cases from **state courts**:

The date on which the highest state court decided my case was 10/24/2024.
A copy of that decision appears at Appendix A.

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

28 USC 1257 (a)

US Constitution Amendment 14 Section 1

US Constitution Amendment 6

Rule 60

Federal Rules of Evidence

28 USC 753

Illinois Juvenile Court Act of 1987

STATEMENT OF THE CASE

In February 2020, Plaintiff Ana Ortiz became embroiled in a contentious custody battle with Jose Vega, who leveled false allegations against her. For 19 months, Ana was represented by legal counsel, but her case faced repeated continuations based on the recommendations of the guardian ad litem (GAL), Joseph Poell, who claimed to be investigating the matter. Unfortunately, he did not conduct any substantive inquiry into the facts of the case, leading to Ana being without proper legal representation by September 2021. This situation forced her to dismiss her attorney due to financial constraints.

In December 2021, Ana sought relief from the court, asserting that the lengthy duration of the case had exceeded the 18-month limit prescribed by Rule 922. However, her request was denied, along with her motion for a waiver of fees, effectively blocking her from filing an appeal.

Following a court order in May 2022 that granted Ana overnights every other weekend and weekday parenting time, she filed a petition for a new guardian ad litem, citing bias and errors made by Poell. The case was subsequently reassigned to Judge O'Malley, who scheduled a trial for October 7, 2022, and tasked the GAL with submitting a petition. However, the order that followed incorrectly reduced Ana's parenting time to just eight hours per week. Ana promptly notified the GAL of the error, taking responsibility for the oversight, but despite her emergency motion to rectify the mistake, the judge dismissed her evidence and refused to review the case files.

Ana's appeals were met with further obstacles; the Second District Court denied her appeal due to a lack of transcripts, which they claimed impeded their understanding of the delays in her case. Her attempts to seek redress from the Illinois Supreme Court for a supervisory order to nullify what she contends are fraudulent court orders were also denied. Throughout this tumultuous process, Mrs. Ortiz was even sentenced to 6 months in the Lake County Jail while desperately trying to protect her children and defend her rights and led to an order of protection to be put in place 10/01/2024. She asserts that the absence of transcripts, compounded by her disabilities and lack of legal counsel, has stripped her of her due process rights and her liberties to parent her children.

REASONS FOR GRANTING THE PETITION

The case of Ana Ortiz underscores a critical need for reform in family court systems, particularly the necessity of providing legal counsel and access to transcripts, as her experience illustrates the profound injustices that can arise from a lack of both. Wrongfully accused by her ex-partner in February 2020 without any substantiated evidence of abuse or neglect, Ms. Ortiz endured a protracted separation from her children that exceeded the 18-month limit set by Rule 922. Throughout her 19-month battle, the guardian ad litem failed to conduct a meaningful investigation, and Ana found herself without representation after financial constraints forced her to dismiss her attorney. Despite a court order granting her parenting time, subsequent judicial actions improperly reduced that time without her consent, and her attempts to correct these errors were dismissed, leaving her without recourse. The Second District Court further compounded her struggles by denying her appeals based on a lack of transcripts, which obscured the complexities of her case. This highlights a glaring deficiency in the family court system: without adequate legal counsel and the necessary documentation to navigate the judicial process, individuals like Ms. Ortiz are stripped of their due process rights and face insurmountable barriers to securing their fundamental rights as parents. The Supreme Court's intervention is imperative to ensure such systemic changes, safeguarding both due process and parental rights in family law proceedings.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anna Dittz", is written over a horizontal line.

Date: 11/21/2024