

No. 24-6708

PETITION FOR A WRIT OF CERTIORARI

IN THE

SUPREME COURT OF THE UNITED STATES

ORIGINAL

FILED

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OFFICE OF THE CLERK  
SUPREME COURT, U.S.

GRACE WILSON MARSHALL — PETITIONER  
(Your Name)

vs.

BENJAMINI RYAN CAUDILL — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

KY COURT OF APPEALS, FRANKFORT

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

PETITION FOR WRIT OF CERTIORARI

GRACE WILSON MARSHALL  
(Your Name)

P.O. BOX 101  
(Address)

DURHAM  
(City, State, Zip Code)

(502) 319-0884  
(Phone Number)

**QUESTION(S) PRESENTED**

See Attachment entitled QUESTIONS PRESENTED

## QUESTIONS PRESENTED

### INTRODUCTION TO Question 1: Pursuant to Rule 14:1(a)

#### **Domestic Violence and Theft of Children in Violation of Federal and UCCJEA Laws**

Petitioner and her children were under the protection of NH TPO 632-DV-2021-DV-00031 – Appendix L: from March 8<sup>th</sup>, 2021 up until June 14<sup>th</sup>, 2021, and April 1<sup>st</sup>, 2021 respectively. Petitioner's NH TPO pursuant to NH RSA-173-B was dismissed without a hearing, while under the provisions of 18. U.S.C. § 2265 (1994), NH RSA-A:15, NH RSA-A:18 and the UCCJEA: for violence against women. The Respondent effected the theft of Petitioner's children from her sole custody in NH, by perjury in NH and KY court orders to violate 18. U.S.C. § 2262(a)(1) or(2) , and 28. U.S.C. § 1738 FRCP Rule 44 for the Deprivation and Denial of Custody and Contact for over 1409+ days. The Respondent and his sister crossed state lines and stole J.N.C. and F.E.C. in successful violation of 18. U.S.C. § 2262(a)(1) or(2) (1994), while Petitioner's NH TPO was still in effect on April 2<sup>nd</sup>, 2021, pursuant to 18. U.S.C. § 2265 (1994) and RSA 458-A:15 which should have protected Petitioner and her children. Respondent perjury under NH RSA 458-A:13 - See Appendix J, in contrary to the facts: NH was Granted, "Exclusive and Continuing", and "Preferred Jurisdiction" for Petitioner and J.N.C. and F.E.C. by the KY 2020 Permanent Relocation Order - See Appendix E. The Respondent bald-face lied in NH Trial Court, wantonly maneuvered around the provisions of the UCCJEA; and perjury in both courts to manipulate the NH Court to relinquish jurisdiction over Petitioner's children.; though Respondent had in-hand Petitioner's and her children's Permanent Relocation Order to NH: See Appendix E. The Respondent perjury in both Trial courts eight (8) months after Petitioner and her children had been living in NH; using multiple "bald-face" lies to the courts, including falsely claiming Petitioner was only temporarily ordered to Relocate to NH; and effected RSA 860(1), RSA 458-A:32, et seq; deployed three(3) different NH Executive Branches and permanently stole Petitioner's children on April 2<sup>nd</sup>, 2021.

1. Whether a state court's failure to exercise jurisdiction under the UCCJEA, despite previously issuing a protective order, violates the Full Faith and Credit provisions under 28 U.S.C. § 1738 and FRCP Rule 44, where the state had been established as the children's home state through a permanent relocation order, and multiple state executive branches facilitated the removal of the children? Further, whether the actions stemming from alleged perjured testimony in both state jurisdictions violate interstate protective order enforcement under 18 U.S.C. § 2265 and interstate domestic violence laws under 18 U.S.C. § 2262, necessitating federal intervention to address the deprivation of custody and parental contact, and the unlawful circumvention of established child custody jurisdiction?

## INTRODUCTION TO Question 2: Pursuant to Rule 14:1(a)

### **“Parental Alienation” - The Universally Rejected Un-scientific Non-medical “*theory*”**

The un-scientific non-medical "theory" "*parental alienation*" a.k.a. "PA" has been unanimously rejected by the American Medical Association (AMA), The American Psychological and Psychiatric Association (APA), The World Health Organization (WHO). The United States Department of Justice (DOJ) funded a study led by renown PhD. Daniel G. Saunders in 2012, findings of the study pertinent to this Writ of Certiorari are referenced, cited and included as Appendix K. This Honorable Supreme Court is called upon to consider: (a) the Respondent's levied the Fayette Trial Court's Resist Refuse Multidisciplinary Psycho-Judicial Taskforce: a.k.a. Fayette RRD Workflow for "PA"(Appendix F) against Petitioner: to falsely "label" Petitioner as "perpetrator" of this un-scientific non-medical theory, (b) the Respondent used the RRD Private/Paid Child Custody Evaluator (PCC) and other entities of the Fayette RRD to execute the "PA" Workflow against Petitioner (Appendix G) to Terminate, to Deprive and to Deny Petitioner's Constitutional parental rights, for custody and contact with her children J.N.C. and F.E.C. for over one thousand four hundred and nine plus (1409+) days. The un-scientific non-medical "*theory*" "PA" is evinced used to violate Petitioner's Federally protected Civil Rights under the Sixth and Fourteenth Amendments: (a) to Deprive and Deny her of Custody and Contact for 1409+ days with her biological children, (b) the Respondent presented fabricated evidences, false witnesses including the RRD PCC – to perjury to label Petitioner as "perpetrator" of domestic violence; (c) Petitioner denied Due Process - prevented from attending the final hearing – while physically ill and under medical care and orders: See Appendix S, (d) Petitioner's evidence intentionally "destroyed" from the case file, (e) Petitioner prevented from filing evidence and documents and presenting witnesses to testify in her and her children's defense, in believed violations of the 6<sup>th</sup> and 14<sup>th</sup> Amendments.

2. Whether courts may rely on scientifically rejected theories to determine child custody matters, specifically when such theories are used through court-appointed evaluators and specialized workflows to modify existing custody arrangements? Does the application of an unvalidated psychological theory through a court-sanctioned multidisciplinary framework to terminate parental rights constitute a violation of fundamental constitutional rights to parent-child relationships, particularly when major medical and psychological authorities have explicitly rejected the theoretical basis for such interventions?

## INTRODUCTION TO QUESTION 3: Pursuant to Rule 14:1(a)

### **Petitioner's Jamaican Nationality Used to Deprive Custody and Parental Contact: Thrice (3x) in KY Trial Court**

Protected status of Nationality: The United States Constitution protects its citizens and residents from Deprivation and Denial of Fundamental Rights based on one's nationality. Petitioner and her children are US citizens, Petitioner was born in Jamaica. It is not a crime to be a Jamaican. Petitioner believes that evidence shows: (a) that the Respondent's actions against her nationality have been used as a determinant in the outcome of the welfare of her two(2) minor vulnerable children, (b) that Title VI of the CRA of 1964, the 5<sup>th</sup> Amendment, the 14<sup>th</sup> Amendment, and 42 U.S.C. § 1981(b) are governing US Constitutional Laws that protects against the status of nationality being violated to decide cases, *especially* wherein Petitioner's minor vulnerable children's welfare and custody are paramount. The Respondent in the Fayette Trial Court instituted a Domestic Violence Order against Petitioner based on her Jamaican Nationality, at the conclusion of the divorce in Summer 2022. The Respondent wantonly withheld serving that DVO for Forty-six (46) days: See Appendix U), to cause the statutes of limitations for appeal (30 days) to expired. The Respondent also within NH and KY Trial court "labelled" Petitioner "a flight risk" based on her Jamaican Nationality; and acquired orders to institute a US DoS Child Prevention International Abduction Program(CPIAP) watch, against Petitioner.

3. Whether the use of nationality to institute a domestic violence order, label an individual a "flight risk," and initiate an international child abduction watch under the U.S. Department of State, constitutes a violation of constitutional rights under 42 U.S.C. § 1981(b), Title VI of the Civil Rights Act of 1964, the Fifth and Fourteenth Amendments, and other due process protections? Additionally, whether the withholding of service on the domestic violence order, causing the statute of limitations to expire, further violates the right to a fair legal process?

## INTRODUCTION TO QUESTION 4: Pursuant to Rule 14:1(a)

### **Respondent Employ The Trial Court's RRD System to Falsify Mental Health Issues**

The United States Constitution 14th Amendment, The ADA 1990, and the HIPAA of 1996, protects a person's [Petitioner's] innate rights to have custody of their OWN children – even with any diagnosed high-risk “mental health” illness. Even IF, Petitioner had been diagnosed with any type of severe “psychotic” mental health disease(s) that ‘could’ have presented any ‘concerns’ to the Trial court for her children's safety in her custody, AND, there never was any, nor ever will be! (See Appendix Q). Under the US Constitution, the Respondent should not have been allowed to levy the Fayette RRD “PA” Workflow and System with bald-faced lies against Petitioner to allege mental health illness(es) and “PA” - See Appendix B pg. 16 – 21; to wantonly Deprive and Deny Petitioner of custody of her own biological children J.N.C. and F.E.C for over 1409 days. After an evidentiary hearing in August 2020, Petitioner was Granted a Permanent Relocation order to Permanently live, study and work in NH with her children, J.N.C. and F.E.C. In November 2020, the Respondent hired a Fayette RRD “PA” Workflow counsel, and they then begun to present bald-face lies against Petitioner within the RRD “PA” Workflow and Systems: (a) falsely alleging Petitioner was “*institutionalized*” for mental health illnesses, (b) that Petitioner had *stolen her older daughters* from their father in Jamaica, (c) that Petitioner was not enrolled in the University of NH, (d) that Petitioner was physically harming her children, or would seriously harm her children: J.N.C. and F.E.C., (e) that “something must be wrong with ‘her’ that she ‘got back’ with someone who had left her when she was pregnant with J.N.C.”, (f) that Petitioner has un-treated/un-medicated mental health illness” (g) the KY court themselves stating on record: “she [Petitioner] enjoys it [being abused]”. MD/DO Shannon Rayman’s (of the AMA) Affidavit (Appendix Q) speaks to Petitioner's mental soundness.

4. Whether the use of a trial court’s “PA” Workflow system to present false and defamatory allegations, including claims of mental illness, child abuse, and theft of children, violates constitutional rights to due process, equal protection, and protection from discrimination under the Fifth and Fourteenth Amendments, ADA 1990, and HIPAA 1996? Additionally, whether the use of fabricated evidence to deprive custody and parental rights constitutes an abuse of judicial process and warrants federal intervention?

## INTRODUCTION TO QUESTION 5: Pursuant to Rule 14:1(a)

### **Manifest Judicial Prejudices towards Petitioner under the RRD “PA” System**

Respondent disclosed to Petitioner in 2016 “he was put in a “paper-suit” due to self-inflicted harm and suicidal attempts, while in prison. The Trial court refused Petitioner's counsel motion to have the Respondent also undergo a psychological evaluation, to determine his mental health and fitness for custody; yet alone “*sole custody*” of Petitioner’s minor children for 1409+ days, now. In April 2021, after the Respondent bald-face lied and perjury in the NH and KY Trial courts and stole J.N.C. and F.E.C. from Petitioner's custody, Respondent "requested" - as documented in the RRD “PA” Workflow – See Appendix F “that Petitioner undergo a psych. eval. MMPI, PAI ,etc.” - the exact tests as studied in Dr. Daniel Saunders DOJ-funded research on the tactics of “PA” (Saunders 16-17, 42, 43, 72, 73, 124, 125) See Appendix K (pg. 3–7). Petitioner believes the Trial court did not rule on findings of facts from neither of the two psychological evaluations to which she complied and completed, at her own expense as Respondent ordered; nor were there any evidentiary hearings - wherein Petitioner should have been allowed to exercise her Constitutional Rights under 42 U.S.C. § 1981(b) and governing laws to present the accurate results of those evaluations. The Respondent used a fabricated mental health report, with false claims against Petitioner; to taunt in the final divorce order; “*should Grace wish to have contact with the children she shall come back to court to have her mental health reassessed...*”(See Appendix B, pg. 20 – 21). The trial court’s actions and the RRD PCC Evaluator recommendations for custody in favor of Respondent; and against even Visitation for Petitioner directly correlate to the Evaluator’s hypothesis and beliefs about domestic abuse, as founded by the DOJ study (Saunders, 43, 72, 73, 123, 124) (See pg. 9-11 - Appendix K). Petitioner believes the trial court evince manifest injustice, under 42 U.S.C. § 1981(b), HIPAA 1996, et seq; by insisting that solely Petitioner undergo multiple psychological evaluations, and has continue to aid and abet Respondent to continue to call for same psychological evaluations on Petitioner without medical grounds from medical professionals of integrity.

5. Whether the refusal to order a psychological evaluation of one party, despite a disclosed history of self-harm and suicidal tendencies, and the reliance on a fabricated mental health report against the other party, violates constitutional rights to due process and equal protection under the Fifth and Fourteenth Amendments? Additionally, whether the failure to consider the factual results of psychological evaluations, which showed no mental health issues, violates established federal laws under HIPAA 1996, by the use of falsified medical claims, to influence custody decisions, warrants federal intervention to ensure fair treatment in custody matters?

## INTRODUCTON TO QUESTION 6: Pursuant to Rule 14:1(a)

### **Petitioner Denied the Right to Attend Final Hearing in Suit**

Under the Sixth Amendment and Fourteenth Amendment of the United States Constitution, Petitioner has fundamental rights to be present as a party in a suit. Petitioner had never been involved in divorce, nor domestic violence, nor criminal courts; and had no prior encounters with the justice system nor CPS on matters of child abuse. Respondent on the other hand has had numerous cases of DV against him in the same Trial court, other courts, and within KY CPS: is highly skilled at contested divorces. Petitioner has a trove of evidence and witnesses to present, but was Denied these Fundamental Rights by the Respondent in the Trial court. The Fayette Trial court is aware of the Respondent's history with family domestic violence: both child abuse and spousal abuse against his previous three(3) other wives and two(2) older children, his lengthy felonies record, multiple jail sentences, drugs use and drugs trafficking in prison, etc. The Trial court Denied Petitioner from attending the final hearing via Zoom, intentionally selected not to accommodate for Petitioner's then acute medical issues, the court stating: "this court has never denied anyone from attending remotely for medical reasons, but Petitioner cannot attend remotely", See Appendix B – due to the Respondent's extraneous allegations against Petitioner from 2018; to Deprive Petitioner from appearing remotely; the court then conducted a final DV and custody one-party hearing. Under the Sixth and Fourteenth Amendment Petitioner believes her fundamental rights were violated. The RRD PCC (Leaver) – did not interview with Petitioner, has no knowledge about Petitioner – except the bald-face lies told her by Respondent, Leaver therewith grossly and erroneously pinned the Respondent's self-inflicted harms against himself, on Petitioner, to aid and abet Respondent's end-goal; collectively they perjury to the Trial court against Petitioner; the court ruled in contradiction to the caution of the NCJFCJ " (Dalton, Drozd & Wong, 2006), (Saunders, 43, pg. 8 – Appendix K)

6. Whether the denial of the fundamental right to be present at the final hearing in a suit, in violation of the Sixth and Fourteenth Amendments, constitutes a deprivation of due process when an individual is excluded despite having evidence and witnesses to present? Additionally, whether the trial court's failure to consider an extensive history of domestic violence, criminal behavior, and other relevant facts further violates constitutional rights to a fair trial and equal protection under the law, warrants federal intervention to end and prevent the deprivation of custody and parental contact under established legal standards?



## INTRODUCTON TO QUESTION 7: Pursuant to Rule 14:1(a)

### **Respondent's Testimony and RRD PCC Report Threatens Liberty of Conscience**

Under the US Constitution the First Amendment protects its citizens and residents from discrimination and prejudices to effect unfair legal outcomes based upon their religious affiliations and Liberty of Conscience exercised. Since 2000 Petitioner and her children including J.N.C. and F.E.C. daily practiced their Christian faith and participated in all church activities, including being members of the Seventh Day Adventist (SDA) youth clubs: The Pathfinders and Adventurers. Since November 2020, the Respondent began an open attack against their faith and church. Circa November 2021, a member entity of the Fayette RRD System informed Petitioner: “they stole your children because of your religion.” Circa August 2021, members of the Durham, NH Police informed Petitioner: “they” stole your children because of your religion”. The protections of Title VI of the CRA of 1964, and the 1<sup>st</sup> Amendment protect Petitioner and her children from Deprivation of their civil rights against their religion. Deprivation of Custody, Termination of Parental Rights, Inflicting of immediate and irreparable harm and abuse of J.N.C. and F.E.C., the Deprivation and Denial of No Contact for one thousand four hundred and nine (1409+) plus days with ones’ own children, on account of Petitioner’s religion; are governed by the First Amendment and Title VI of the CRA of 1964. Respondent testified under oath on April 23<sup>rd</sup>, 2021 false statements against Petitioner’s and her children’s religion and affiliation with the SDA church, including stating on record, “those people believe in things I don’t approve of, and so I don’t want *my children* associating with the likes of them”. The RRD Private/Paid Custody Evaluator – Leaver - wrote religious stereotyping and ignorant statements about ecumenical beliefs of the Bible in reports to the court, targeting and making false allegations against Petitioner’ and her raising of her J.N.C. and F.E.C. with Biblical morals, Petitioner’s children membership in their faith-based youth club: the Pathfinder; with allegations that belies Petitioner's son, J.N.C. Christian character.

7. Whether the use of testimony and reports within the RRD system that discriminate against an individual based on religious affiliation, including the targeting of religious practices and church membership, violates constitutional protections under the First Amendment and Title VI of the Civil Rights Act of 1964? Additionally, whether such actions, leading to the deprivation of custody and parental rights, threaten the liberty of conscience and warrant federal intervention to protect civil rights?

## INTRODUCTION TO QUESTION 8: Pursuant to Rule 14:1(a)

### Theft Of Real Property: Using Threats To Jail Petitioner And With Blackmail Of “Never Seeing The Children Again”

The United States Constitution under the Fifth Amendment protects every US citizen and resident Fundamental Rights to ownership of Real Property. Petitioner was the sole owner of her house at 3069 Caddis Lane Lexington, KY – a house she purchased in June 2018. After Petitioner was Granted a Relocation order and was living with her children in NH, Petitioner sold her house three(3) different times: for \$265,000., \$263,500., and \$252,000 respectively. However, in all three purchase contracts, the Respondent used the Fayette RRD system and people, threatened Petitioner with Blackmail and duress, thwarted the contracts and forfeiture of the earnest money; See Appendix N and N1 - to ultimately secure the unlawful transfer and theft of Petitioner's house for himself. On April 8<sup>th</sup>, 2021 the Respondent via his counsel threatened Petitioner “Tell Grace to Release the buyer – (on the day of scheduled Closing) – IF she ever wants to see the children again”. On the 3<sup>rd</sup> purchase contract, the Respondent – though in 50/50 co-signer agreement - maneuvered in the Trial court, and threatened incarceration of Petitioner by noon on August 30<sup>th</sup>, 2021 IF Petitioner doesn't sign a Power of Attorney: See Appendix O - to give Respondent total fiduciary control over her house and release the buyer (3<sup>rd</sup>) that is under contract - causing Petitioner to become homeless. US Constitution 42 U.S.C. § 1981(b), should protect Petitioner's Rights to ownership of her house; and her KRS 401K money: which is 100 % non-marital. Petitioner believes the Fifth Amendment of the US Constitution protects against allowing another person to use: (a) blackmail of “never seeing one's children again”, (b) threats and duress of incarceration, (c) use of members of a state's Executive Branch, and (d) Judicial influence and over-reach into real estate to thwart a purchase contract: to effect unlawful transfer of Real Property for the ultimate theft of a US person's [Petitioner] Real Property and Fiduciary Control of related assets to another US person, the [Respondent] for sole financial gain. Verbatim 42 U.S.C. § 1981(b) states “...provides full and equal benefits of all laws and proceedings for the security of persons and property as is enjoyed by white citizens,...”

8. Whether the use of threats, blackmail, and illicit maneuvers through a state court to unlawfully transfer real property ownership, with threats of incarceration, including the forfeiture of purchase contracts, violates constitutional rights to property ownership under the Fifth Amendment, 42 U.S.C. § 1981(b), and applicable state laws? Additionally, whether the deprivation of rights to non-marital property and assets, through such unlawful means, warrants federal intervention to protect property rights and prevent further constitutional violations?

## INTRODUCTION TO QUESTION 9: Pursuant to Rule 14:1(a)

### **The Right to Representation, To File Documents and Correct convoluted Case File in a Suit**

The Right to be represented and file documents into a case is a Fundamental Right upheld by the US Constitution under the Sixth Amendment, 42 U.S.C. § 1981(b); with the presumption of equal access to justice under the Fourteenth Amendment. Petitioner prior to March 2021, had filed various verified evidentiary documents into the Trial court docket, however, in June 2021 after the court was disqualified (Appendix Y ) due to affiliations with the Respondent, the entire case file was reported “*missing*”, by Respondent; thereafter, reported ““*taken*” by the recused court.” In light of the disqualification, the KY Supreme Court appointed a new court – See Appendix Y; but that new court was usurped by a “self-appointing” court, who stated the Case file is “convoluted”. Respondent's counsel stated “they” will “*recreate*” the case file.” Petitioner's counsel request to participate in the “*recreate*” of the case file; even to merely “inspecting” the “*recreated*” case file; both requests Denied. The right to be present and actively involved in proceedings, document filings and corrections, and have ones’ evidence in preservation in a suit are Fundamental Rights under the 14<sup>th</sup> Amendment and the 6<sup>th</sup> Amendment of the US Constitution. The KY Court of Appeals order (Appendix A, pg. 3) states “[Appellant] ... and presented no evidence...” is a contradiction to the facts that Petitioner’s evidence was present in the docket prior to “*missing*” or “*taken*” after the “*recreate*” of the case file by Respondent. The KY Court of Appeals erred in their *analysis* which is contrary to the facts that Petitioner had filed numerous “*evidence*” into the Trial court case file: evidence such as Monarch Mental Health Affidavit about Petitioner - which documented her abuse by Respondent since 2015, both Petitioner and Respondent personal and business documents, her children’s medical records, Petitioner’s Notarized PVDS, etc. : all present in the case file up through to February 26<sup>th</sup>, 2021.

9. Whether the denial of the fundamental right to representation, the ability to file documents, and be present in a suit, in violation of the Sixth and Fourteenth Amendments, constitutes a deprivation of due process when a case file is unlawfully altered or “recreated” by the court and the opposing party, preventing the preservation of evidence? Additionally, whether the subsequent denial of the right to inspect or participate in the recreation of the case file warrants federal intervention to protect access to justice and fair trial rights?

INTRODUCTION TO QUESTION 10: Pursuant to Rule 14:1(a)

**Violation Of Use Of Protected Status Of Race In Divorce**

The United States Constitution protects its citizens from “a racial divorce”. The Respondent is believed to have used the Fayette RRD to violate Title VI of the CRA of 1964, the 5<sup>th</sup> Amendment and the 14<sup>th</sup> Amendment, 42 U.S.C. § 1981(b) under Conspiracy in violation of 42 U.S.C. § 1983, 42 U.S.C. § 1985(3), 42 U.S.C. § 1986; which effected the Deprivation and Denial of Petitioner's federally protected Civil Rights to custody of her children. 42 U.S.C. § 1981(b) is a key governing US Constitutional Law that secures “equal rights” and presumed equal treatment under the law for security of persons and property, ... as enjoyed by a ‘*white citizen*’ in the United States.” Petitioner is a US citizen of color. Respondent is a US white citizen. The US Constitution protects its citizens and residents from Deprivation of Fundamental Rights based on race, and nationality, and other protected statuses. Title VI of the CRA of 1964, the 5<sup>th</sup> Amendment and the 14<sup>th</sup> Amendment protect against the violation of statuses of race and nationality in deciding cases, especially cases wherein minor vulnerable children’s welfare are involved. Respondent is a white US citizen, so is his counsel; both from Floyd county, Eastern KY. One of many KY lawyers from whom Petitioner sought representation stated to Petitioner; “this is a “*racial divorce*” I cannot help you.” In several Trial court documents and testimonies of Respondent and his supporting false witnesses in the final hearing; they falsely portrayed Petitioner and her children as racist; using racially-incensed bald-face epithets in Appendix B wherein “they” self-projected their innate racist character against Petitioner and her son; J.N.C. Respondent’s racial tactics are debunked in Appendix R. The RRD PCC falsely documented racial buffoonery statements such as “bi-racial children in Jamaica, always identifies with their Jamaican parent than their white parent”, “ALL Jamaican are taught not to trust the “other”, etc. - were brought into determination of the outcome of custody, and the welfare of Petitioner’s minor vulnerable children: J.N.C. and F.E.C. to Deprive Petitioner Custody of her children, and Deny Contact for over 1409+ days.

10. Whether the use of racial discrimination and the false portrayal of an individual and their children as racist in divorce proceedings, including racially-incensed epithets and fabricated statements about ethnicity and culture, violates constitutional rights under Title VI of the Civil Rights Act of 1964, the Fifth and Fourteenth Amendments? Additionally, whether such racial tactics, influencing the outcome of custody and the welfare of minor children, deprive the individual of equal protection under the law and warrant federal intervention to ensure fair treatment in family law matters?

INTRODUCTION TO QUESTION 11: Pursuant to Rule 14:1(a)

**Violation of Petitioner's Rights to Consent to US Passport for a US Minor  
and International Travel of her minor children J.N.C. and F.E.C.**

The United States government takes International Parental Kidnapping and Child Abduction (IPKCA) seriously, and to deter against these serious acts of Child abuse and Exploitation, this Honorable U.S. Supreme Court passed the Federal Two-Parent Consent Laws: 22 U.S.C. 213n, 22 C.F.R. 51.28, to govern passport issuance to US minors below the age of sixteen(16). The Respondent on several occasion has Denied Petitioner her Constitutional Rights to Consent to the issuance of a US Passport to both of her minor children: J.N.C. at the age of 12, in 2023; and F.E.C. at the age of 5, and again in 2024, at the age of 6; and has embarked upon frequent international travel with both of her children into communist Venezuela – a country with no diplomatic relations or ties with the United States. Venezuela is listed on the DoS frontpage – Warning US citizens - “Do Not Travel”. The Respondent denied Petitioner Due Process to be notified and file documents to argue her dissent to these actions of Respondent in court, actions which endanger her children’s welfare. Petitioner is the natural and biological mother of J.N.C. and F.E.C. and believes that her Fundamental Rights should be protected within all US entities including the Department of State Passport Office, yet, Respondent sought a Passport via e-mail for J.N.C.: See Appendix W1. Petitioner believes that her fundamental rights to Consent or Dissent to the issuance of a US Passport to her minor children are protected by both governing laws: 22 U.S.C. 213n, 22 C.F.R. 51.28 , as Ruled into law by this Honorable United States Supreme Court. The Respondent circumvented the provisions of both of these Federal laws to acquire US Passports twice and embarked on multiple international trips with Petitioner’s children into communist Venezuela, without her consent nor knowledge as to her children's welfare nor whereabouts in dangerous Venezuela, first to marry his minor extra-marital affair interest, while also involving J.N.C. and F.E.C. in his occult rituals in 2023. HIGGAION.

11. Whether the denial of constitutional rights to consent to the issuance of U.S. passports for minor children, in violation of 22 U.S.C. § 213n and 22 C.F.R. § 51.28, and the subsequent international travel with the children without parental consent, constitutes a violation of due process and the Fourteenth Amendment? Additionally, whether the state courts' failure to enforce federal laws governing parental consent for passports, and the endangerment of the children's welfare through unauthorized international travel, warrant federal intervention to ensure the protection of parental rights and the safety of minor children?

## INTRODUCTION TO QUESTIONS 12: Pursuant to Rule 14:1(a)

### **Conspiracy with Perjury To Deprive Civil Rights to Persons and Property**

Conspiracy to Deprive and Deny Protected Civil Rights to persons and property are governed by United States Constitution: 42 U.S.C. § 1983, 42 U.S.C. § 1985(3), 42 U.S.C. § 1986, and 42 U.S.C. § 1981(b). The Respondent used the Fayette RRD “PA” System and people to effect the Deprivation and Denial of Petitioner's Federally protected Civil Rights to custody of her children: J.N.C. and F.E.C. in both KY and NH, and to steal various property, and to falsely document that “Petitioner is deceased” on her medical records in NH, while seeking to access the Life Insurance of Petitioner and her children. The Respondent is believed to have used the Fayette RRD to violate Title VI of the CRA of 1964, the 5<sup>th</sup> Amendment and the 14<sup>th</sup> Amendment, 42 U.S.C. § 1981(b) under Conspiracy in violation of HIPAA 1996, ADA 1990, et seq, to effect the Deprivation and Denial of Petitioner's federally protected Civil Rights to custody of her children, freedom and safety, and ownership of her property. Perjury offenses are covered under both Federal and State laws; intense consideration must be given to the bald-face perjury by Respondent, in his theft of Petitioner’s minor children, and her property. The Respondent is believed to have Conspired with police in both NH and KY – See Appendix D; also with Petitioner’s former NH landlord and many others; to steal Petitioner’s children, her house, retirement money, tarnish her reputation, affect her ability to find work, and live free. Petitioner believes the Respondent have sought and continue to seek to inflict and cause harm to her, even to date, in violation of 18. U.S.C. § 2265 (1994), 42 U.S.C. § 1983, 42 U.S.C. § 1985(3), 42 U.S.C. § 1986, 42 U.S.C. § 1981(b). Petitioner believes the sum of her petition is a precedence of national importance, because the Deprivations and Violations of Constitutional Rights against her, have also been experienced by other Christian, poor white, black and brown parent across America; whom have confided in her, which highlight the need for SCOTUS’ establishment and refinement of laws for divorce and domestic violence courts for the Protection of minor vulnerable children. This case is a UCCJEA Custody, Domestic Violence, and the scientifically rejected theory “PA” case: Appendix J, L, M, U and V.

12. Whether the use of a Trial court’s “PA” system to conspire and deprive a parent of federally protected civil rights to custody and parental-contact, including violations under 42 U.S.C. § 1983, 42 U.S.C. § 1985(3), 42 U.S.C. § 1986, and 42 U.S.C. § 1981(b), constitutes a violation of constitutional rights, including the Fifth and Fourteenth Amendments and Title VI of the Civil Rights Act of 1964? Additionally, whether perjury under oath in Trial courts, with conspiracy to manipulate jurisdiction under the UCCJEA to unlawfully deprive custody, warrants federal intervention to protect parental rights and ensure the best interests of the children involved?

## 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:

## RELATED CASES

This case is a Precedence

KY Fayette Trial Court

1. 20-D-0947-006

2. 20-D-0947-003

3. 20-D-0947-001

4. 20-D-01014-001

NH Dover Trial Court

1. 632-2021-DV-00031

KY CHFS Fayette CPS

1. DCBS 21-0477

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## Appendix to Petition For A Writ of Certiorari

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Mandoli v. Acheson, 344 U.S. 133 [1952] - If a person Acquired Citizenship or another nationality, at an early age, no need to chose - Constitutional right under Jamaican Nationality Act of 1962

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### STATUTES AND RULES

CRA 1964 - Constitutional Rights to Custody and Parental Rights to ones' children  
FCAP Act: the ABA recommends a GAL per the FCAP Act. Trial court denied the appointment of a GAL for minor children Joseph and F.E.C, pursuant to KRS 386B.3-050 when the need is evident.

This is a UCCJEA INTERSTATE case, a GAL should have been appointed per the FCAP Act.

Child Abuse Prevention and Treatment Act, CAPTA, 1974 (Public Law 93 - 247)

CAPTA, 1996, (P.L. 104 -235)

Juvenile Justice and Delinquency Prevention Act Amendments of 1992 (P.L. 102-58)

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### OTHER

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Domestic Abuse Allegations: Their Relationship to Evaluator Demographics, Background, Domestic Violence Knowledge and Custody Visitation Recommendation, 2012

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 C 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 KY COURT OF APPEALS court 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.

## 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 06/05/2024.  
A copy of that decision appears at Appendix C.

☐ 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 11/02/24; 11/04/24 (date) on 10/21/2024 (date) in Application No 2024A 377.

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

### The Fifth Amendment:

#### U.S. Const. amend. V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

### The Sixth Amendment:

#### U.S. Const. amend. VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

### The Fourteenth Amendment:

#### U.S. Const. amend. XIV, § 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No 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.

### Appendix 11 - Constitutional and Statutory Provisions Involved

Equal Justice: U.S. Courts. Providing justice: Issue 1

42 U.S.C. § 1981(a)(c) - full and equal rights to give evidence, sue for the security of persons and property

International Parental Kidnapping and Child Abduction Act, 18 U.S.C. § 1204.

Federal Two-parent consent laws 22 U.S.C. 213n, 22 C.F.R. 51.28 - Passport issuance to US minors

CAPTA and FCAP Act - Ignoring documented Child Abuse, 42 USC 5101 et seq  
42 U.S.C. § 2000d et seq.

VAWA 1994 34 U.S.C. § 12361 et seq

ADA 1990 42 U.S.C. 12131-12134

HIPAA 1996: Ciox Health, LLC v. Azar, No. 18-cv-0040 (D.D.C. January 23, 2020)

KY Rev Stat 523.020 (2023)

KY Rev Stat 403.190

UCCJEA. NH RSA 458-A:13-14

## STATEMENT OF THE CASE

CAPTA and FCAP Act: CHILD ABUSE IGNORED:

1. On June 18th, 2021 Petitioner filed a KY EPO petition on behalf of her two minor children, using the documented child abuse contained within the June 12th Leaver report: abuse which Ben himself relayed to Leaver, abuse which he and Jennifer Caudill (his sister) inflicted upon J.N.C. and F.E.C. as they transported them from NH to KY, while they were legitimately sick, and declared medically unfit to travel by Portsmouth, NH ER Doctors. Appellant filed her EPO at approximately 6:00 p.m. that evening after several hours had passed, at almost 10:00 p.m. the clerk informed Appellant that her EPO petition was denied by Lucinda Masterson Hon.
- Vilerie Kershaw would later boast circa June 23rd, 2021 on record, "Lucy called me personally when she received the petition, as she and I had been discussing the "Caudill" case - outside the court, so she was aware of the case" "She's my neighbor, luckily we had been talking and so she called me immediately, and I instructed her to deny it"

SEE ATTACHMENT - ADDITIONAL STATEMENTS

## STATEMENT OF THE CASE

### BACKGROUND

Petitioner and Respondent were married on April 10<sup>th</sup>, 2015. Immediately, the day after Respondent began to exert a controlling, manipulative stance upon Petitioner; been very emotionally and verbally abusive. Over the course of the five years of marriage, Respondent had tried to break Petitioner's arm, drown Petitioner, suffocate Petitioner, physically assaulting her, denigrating her by name calling, disrespectful to Petitioner – even in front of her children; and was also abusive to her four(4) children, causing her deep lasting emotional harm to everyone.

Unbeknownst to Petitioner, the Respondent had on several occasions invaded the privacy of her older daughter. Petitioner began therapy in September of 2015, and stayed in therapy until June of 2017 – all the while her Lexington KY therapist imploring her to leave the marriage – but Respondent was fearful of what would happen to her son, if she tried to leave.

In 2016 Petitioner received a job offer at the University of NH, and took up the job, maintaining two(2) residences: NH and KY. In mid-2017 Petitioner and her children, and the Respondent, albeit he resentfully, relocated to NH. Petitioner began her PhD in 2017 at UNH. In 2018, prior to baby F.E.C. been born Respondent began an earnest scheme to manipulate and force Petitioner to move back to KY with him. Petitioner agreed to move back temporarily after F.E.C. was born, so she took a Leave of Absence from her PhD. program, with plans to return to UNH in Spring of 2019. While they were in KY, the Respondent kept manipulating and controlling to secure that Petitioner would remain in KY. Petitioner reapplied to UNH in Spring 2019 and was accepted to return in Spring of 2020. And so, in Summer of 2019 Petitioner reapplied to UNH and was accepted, and received a fellowship in December 2019 to resume her PhD. In Spring 2020 at UNH, but the Respondent manipulated and talked her into waiting until the children completed the academic year in the Summer of 2020, and so Petitioner requested of her UNH



advisor to allow her to enter Fall of 2020. Together they began to look at housing in NH, for when Petitioner and the children returned to UNH. As 2020 progressed, and the time drew near for Petitioner to return to UNH, Respondent became more abusive and began to manipulate and insist that Petitioner “go to UK, or go to an online college, and not go back to UNH”

## VIOLENCE AGAINST WOMEN

The Supreme Court passed the Violence Against Women Act (VAWA) 1994 to protect women from their abusers. The Respondent within the Trial courts of both KY and NH has continued to abuse Petitioner through the courts, using her children as pawns, her nationality as a criminal crutch to install a DVO against her, using the Fayette Trial court’s RRD system to install a charge of “*parental alienation*”, and child abuse charge by the Fayette CPS agency -See Appendix L - Fayette is a member entity of the Fayette RRD system. Respondent has continued to Deprive and Deny Petitioner her Constitutional guaranteed rights to Custody and Contact with her own children for over one thousand three hundred and thirteen (1313) days. Appendix K: (Saunders, 16, 17, 42)

1. Unbeknownst to Petitioner, Respondent falsely reports her to their business account bank - Commonwealth Credit Union; falsely accusing her of stealing checks from the business account. Also, unbeknownst to Petitioner, Respondent also reported her to the National Fraud Hotline falsely accusing her of stealing business checks. Respondent then removed Petitioner from the joint business account, and cancelled Petitioner's access to the shared Citibank credit card [which Petitioner's credit in 2015 was used to acquire – so he could rebuild his credit].
2. Circa June 24th, 2020 during COVID, Petitioner was laid off from her job, as

a result she pays the July mortgage from the joint business account.

Respondent cusses at Petitioner, calling her names, screams and threatens Petitioner in the presence of her four (4) children: he swore "from now on you will have to ask me for any money you need!" - [Petitioner prior to being laid off supported the family all throughout the marriage from her income and savings, while Respondent invested his earnings.

3. Circa July 17<sup>th</sup>, 2020 as Petitioner and her four children played ball and cartwheel outside their house, they noticed a Lexington Police car at the residence, and Respondent went out to talk with a sole officer. In August 2021 after the Respondent had stolen Petitioner's children, from her in NH, she requested a copy of all Lexington police reports of the times she had called them for help. One of the reports dated circa July 17th, 2020 shows that Respondent called the Lexington Police for "emergency assistance" The report showed one officer Aaron Willis came to the house, and documented that Respondent "[name redacted]...questions about leaving... about residence... are splitting up"
4. Circa July 25th, 2020 Respondent, in a fit of rage began to cuss at Petitioner, because she asked him to clean out the dryer, because his work clothes had soiled it with a sticky substance. Petitioner stated to Respondent; "I am tired of your abuse, but it will stop when I leave for college in a few weeks" Respondent stated, "you can make all your plans, but it won't go according to what you plan".
5. Circa July 31st, 2020 around 11:45 a.m. Respondent instigated an altercation with Petitioner, aiming to hit her in the face with a dirty rag he had used for cleaning, Petitioner raised her arm to block the dirty rag from hitting her in the face, as she stood fixing TV to watch church with her son, J.N.C. Respondent then went into the bathroom, shut the door and was inside for quite some time, and so Petitioner went in to remind him about leaving on

time to help his oldest son move to a new apartment at a specific time. As Petitioner opened the door, she discovered Respondent with his electric shear pressed down over his eye and powered-on and running. Petitioner was shocked to see Respondent with the shear pressed upon his forehead – he jumped, when she opened the door. Petitioner asked; “what were you doing?”, “no---nothing... Respondent stuttered, he then immediately hurried out of the bathroom, as he walked out the front door to his car he started to cuss at Petitioner, “you hit me with the remote, you are an abuser” while Petitioner’s son J.N.C. sat on the sofa watching church online. Respondent was gone from the house until around almost 10:00 p.m. that night. When he returned, Petitioner asked him why he was so late in returning home, and immediately he began to curse, expletives and style her with derogative names in front of all her four(4) children. That night Petitioner asked Respondent not to sleep in the bed, but sleep in the den, until he cooled down, and learn some respect, because she was tired of his verbal and emotional cussing at her. Respondent cussed at Petitioner even more, as he went to the bedroom to get his blanket and pillow. Petitioner began packing away her winter clothes into a suitcase – to clear her mind, while on the phone with her friend in the Northeast, the Respondent stood in the room listening and watching her.

6. Respondent left early on the next day - Sunday. That day Petitioner and her three youngest children went to the family garden about thirty(30 miles from their home to work in the garden, Respondent did not return home that evening. The next morning, a Lexington Sheriff, and the Lexington Police showed up, and told Petitioner, she had to leave the home and leave her children, because she had been served with an EPO. Petitioner was shocked, scared, crying her children were crying – it was total chaos and sheer terror. When she asked the sheriffs what she had done – they told her to “accept the papers, then see” when Petitioner opened the papers she was shocked as she

read what the Respondent wrote.

7. The Respondent sometime on Sunday night had gone to the Trial court and file an EPO stating to the court "Grace is Jamaican, she threaten to take the children to Jamaica or NH, the children have passports." She hit me with a remote, leaving a "pump-knot" and a red streak, etc., and he was in fear for his life, sleeping in the den with the door locked for fear of his life" See Appendix Z - KY EPO (20-D-0947-001). This was the initial act wherein Petitioner's nationality was used to deny her custody of her children for six(6) days, and Respondent sought ways and means to prevent her from continuing her PhD. in NH.
8. While in Respondent's custody for just six(6) days, he neglected and abused all four (4) of Petitioner's children.
9. As the child abuse got worst each day, on day six(6) Petitioner and her young adult daughter file an EPO against Respondent. Both Petitioner's KY EPO (20-D-0947-003) and her young adult daughter's KY EPO (20-D-01014-001); showed credible proofs of abuse over the period of five(5) years from the very day of marriage to the Respondent in 2015, up to the time Respondent had sole custody of Petitioner's children; but, alas in February of 2021, Petitioner and her daughter were tricked into dismissing their protective orders, by Petitioner's counsel in collusion with the Respondent's counsel, See Appendix H.
10. Only a few weeks after they had been manipulated and duped into dismissing their protective orders from Respondent, without a hearing; which was signed on February 10<sup>th</sup>, 2021, the Respondent launched an emotional and verbal assault against Petitioner and her children on March 7<sup>th</sup>, 2021 while on his Zoom visitation with J.N.C. and F.E.C., in violation of Appendix H. Petitioner filed and was granted a NH Temporary Protective Order (TPO) See Appendix I – with credible claims of abuse by the Respondent.

11. Respondent's mother died mysteriously in June 2015, and soon thereafter a DVO she had in-place against the Respondent RE his older children. That DVO was dismissed in this same Fayette Trial court only a month later after her death. Respondent moved his mother into his old apartment after he and Petitioner were married. Respondent began in earnest immediately after marriage in April 2015 to pressure Petitioner to "file for his son" to take him out of Foster Care, but because of accommodation limitations, Petitioner could not, the Respondent became very resentful and abusive towards Petitioner, and her children, including J.N.C. Circa late May 2015, Respondent's mother stated to Petitioner "I don't feel comfortable living in Ben's old apartment by myself...", then three weeks later she was 'found dead'; he reported she had fallen out of bed, and her C-PAP-breathing tube wrapped around her neck, reportedly 'strangled' her"...
12. Respondent has a lengthy history of domestic violence against women – against all his former four wives – and there is now wife number 5 from Venezuela who lives in Petitioner's house – with Petitioner's children. Over the course of the marriage the Respondent hid his violent history against his ex-wives – always blaming them for the divorce... Petitioner only learning of the Respondent's abuse against his ex-wives after the Respondent had stolen her children on April 2<sup>nd</sup>, 2021, under false manipulation of the UCCJEA, in NH.
13. The Respondent since October 2020 used the RRD "PA" un-scientific non-medical "theory" with fabricated self-inflicted harm to allege and institute against Petitioner a KY domestic violence order to Terminate and Deprive and Deny Petitioner's parental rights, custody and contact with her children J.N.C. and F.E.C. for over one thousand four hundred and nine plus (1409+) days.

## CHILD ABUSE

1. According to the Findings of the DOJ-funded study of Dr. Daniel Saunders, "the real perpetrator" of domestic violence is often shun by the children in the

family; children know who is the “*perpetrator*”, (Saunders, 8), Appendix K, pg. 2,4, 6). Petitioner’s children have no incentive to lie. Petitioner’s children have been abused by the Respondent, since the very week of April 12<sup>th</sup>, 2015, and have suffered irreparable harm as a result of his abuse. Petitioner has never had to tell her children *anything* about the Respondent, because they experienced his violence and rage and abused, against themselves and their mother – Petitioner. The Respondent used this universally REJECTED un-scientific non-medical “*theory*” of the Fayette RRD to institute against Petitioner a KY domestic violence order – charging Petitioner with “*parental alienation*” – the universally rejected *theory*” of the RRD, interlaced with self-inflicted harm - fabricated as evidence, bald-faced lies, and false witnesses; against Petitioner and her children. The Respondent unleashed the full onslaught of the Fayette RRD “PA” Workflow against Petitioner, and used the CPS entity of the Fayette RRD to write a report using the RRD PCC Report on “PA” to “*substantiate*” and impute child abuse charges of “*parental alienation*” into the KY CAPTA system; against Petitioner, See Appendix V and Appendix G.

2. The PCC's report included references to J.N.C. testimony of child abuse against himself and F.E.C. in which there are evidence that both Jennifer Caudill(Respondent’s sister) and the Respondent have abused J.N.C. and F.E.C. on April 2<sup>nd</sup> , 2021, as they transported them from NH to KY, whilst they were both sick and under MD care, and have so continued to abuse Petitioner’s children.: starving J.N.C. and F.E.C., telling them “your mother is dead”, etc.
3. There is evidence within the handwritten testimony from J.N.C. to the RRD PCC, wherein it infers that Respondent told and has been telling J.N.C. and F.E.C. that “*Petitioner is deceased.*” J.N.C. wrote; “*the things she gave me as her will, they take from me, including her ownership*”. Within the final divorce order before this Honorable Supreme court, it is documented by Respondent that “J.N.C. saw Petitioner [via the Chaplain lead International Prayer Mission for Missing Exploited and Abused Children channel] on YouTube and became “very upset”” – (Why? Perhaps, because the Respondent has been bare-faced

lying to J.N.C. and F.E.C. since April 2<sup>nd</sup>, 2021 that “*Petitioner is dead*”). In said testimony to the Trial court J.N.C. starts with the recount of that fateful date April 2<sup>nd</sup>, with the gut-wrenching words; “*the day I lost my mother – my loving mother...*” Petitioner Shall Live to receive her children back. HIGGAION.”

4. Petitioner was unaware until April 2<sup>nd</sup>, 2021 after Respondent stole J.N.C. and F.E.C that Respondent’s late mother had in-place a DVO, which protected her grandchildren – from Respondent, due to abuse by the Respondent against his older children, case that is within the Fayette Trial court.
5. The evidentiary record of the August 28<sup>th</sup>, 2020 hearing for Petitioner and her children’s relocation to NH, bears record of multiple instances of child abuse against Respondent, after he was Granted Sole Temporary custody of J.N.C. and F.E.C. on August 2<sup>nd</sup>, 2020. During a period of six(6) days the Respondent abused all of Petitioner’s four(4) children in their home in Lexington, while Petitioner was order away from her children and house, under false allegations from Respondent.
6. The Trial court is familiar with the lengthy criminal records and credible physical child abuse records against the Respondent; including of him against his older children, and also domestic abuse against his previous ex-wives, felony drugs records within the penal system, CPS records, Police records, etc. including against Respondent’s four(4) children and herself; still, yet the Trial court haply awarded Respondent sole custody of J.N.C. and F.E.C., instated a No Contact Order, and has continue to Deprive and Deny Petitioner her Federally Protected Rights to her children; yet, now with a DVO(3 years): Appendix U, and a CPS child abuse charge of “PA” (7 years):Appendix V, juxtaposed against the findings and cautions of the DOJ-funded study (Saunders, 42) Appendix K, pg. 7

THE UN-SCIENTIFIC NON-MEDICAL REJECTED “theory” PARENTAL  
ALIENATION “PA” INSTALLED AGAINST PETITIONER:

1. This Honorable Supreme Court is called upon to consider: (a) the Findings of Dr. Saunders DOJ-funded Study in direct correlation to the Trial court actions against Petitioner, (b) the statutes of the (NCJFCJ, 1994) - Model Code: *“rebuttable presumption that it is detrimental to the child and not in the best interest of the child to be placed in sole custody, joint legal custody, or joint physical custody with the perpetrator of family violence”* (p.33) (Saunders, 30): (Macro Context: State Laws - Appendix K, pg. 10): and that Petitioner has been falsely labeled “perpetrator”, (c) the actions of the RRD PCC in direct correlation to the “PA” Evaluator profile and Findings of the study resulted in the Deprivation and Denial of Custody and Contact of Petitioner with her children for over 1409+ days, against the NCJFCJ and the AMA, APA, and WHO guidelines, (d) the Respondent levying the Trial Court’s Fayette RRD Workflow for “PA”(Appendix F) against Petitioner (Appendix G) has cause irreparable harm to J.N.C. and F.E.C, their siblings and Petitioner (e) “PA” has been used by the Respondent to Deprive and Deny Petitioner her Constitutional Rights to her children for over 1409+ days using falsified and biased reports and testimony from the RRD PCC Child Custody Evaluator(Leaver) whose so-called “*professional*” profile fits perfectly with, and is underscored within the Findings of Dr. Saunders DOJ-funded study –(Saunders, 8, 42 – 45, 123 – 125), (Appendix K – pg. 2 -11) to wantonly charge this globally rejected un-scientific non-medical, “theory” parental alienation against Petitioner, wrongfully labelling Petitioner as the “perpetrator” of domestic abuse and child abuse in “a racial divorce”.
2. Respondent within the Trial court operating under the Fayette RRD system presented fabricated lies under their UCCJEA filings and orders to the NH court with false allegations claiming “Petitioner’s ‘mental health’ was



“concerning” to the court”: without any medical grounds to effect the theft of J.N.C. and F.E.C. from her, by manipulating the provisions under the UCCJEA laws, in the NH Trial court to relinquish jurisdiction over Petitioner’s children. Respondent on March 19<sup>th</sup>, 2021 falsely stated with bald-face lies in the KY Trial court that, “he has had no contact with the children since “*all that time*”: to allege in the KY Trial court that “he had no contact since August 2020 with J.N.C. and F.E.C.” - though he was on twice weekly Zoom Visitation, and had a Zoom Visitation on March 7<sup>th</sup>, 2021, wherein he was harassing and emotionally abusive, manipulating and controlling of Petitioner and her four(4) children via e-mail and Zoom: in blatant violation of the Agreed Order – Appendix H.

3. The National Council of Juvenile and Family Court Judges (NCJFCJ) - of which the justices of the Fayette and NH Dover Trial Courts are believed members . have cautioned Family courts and Juvenile courts against using *parental alienation* in custody cases. According to the NCJFCJ statistics as of 2021, the state of KY has at-large 67 members. One recent study done in June 2024 by the Loma Linda University - the top Seventh Day Adventist Medical University in the nation - whose Findings are conclusive with the Findings of Dr. Daniel Saunders: in Conclusion noting that “*parental alienation*” does not medically have substantiated evidence that can serve as any Conclusive reasoning that this "theory" can be used by any courts as a framework to determine custody outcomes in divorce”. Yet, Respondent in the Trial Court have used this “*theory*” to Deprive and Deny Petitioner of her Constitutional Rights to custody of her children for over 1409 days.
4. Petitioner believes the Trial court committed reversible error and gross manifest injustice by using that “theory” *parental alienation* to award Respondent sole custody of J.N.C. and F.E.C, to the detriment of Petitioner’s minor children – Deprived and Denied their mother for over 1409 days. Petitioner believes this is gross abuse of discretion, and a miscarriage of justice on the commonwealth of KY at-large, with all three courts abuse of discretion to Petitioner’s dire plead for her children, courts wherein the Respondent using

the Fayette RRD system perjury, and used Petitioner's race and nationality to violate Petitioner's Constitutional Rights to her biological children almost four(4) years – 1409 days now.

(Saunders, 43) pg. 3-4 of 12 · Appendix K: Findings noted that “custody evaluators were more likely than domestic violence workers and legal aid attorneys to believe that mothers make false allegations.”

The Fayette RRD PCC – Christy Leaver, has never conducted any interview with Petitioner – the only contact was a few seconds on a callback – circa June 14<sup>th</sup>, 2021 as she admits in her multi-page report to the court: See Appendix M, this cited study by Dr. Saunders within Petitioner Writ of Certiorari sums up the Gross Injustice and Erroneous Recommendations Leaver made to the court about custody concerning J.N.C. and F.E.C. and Petitioner, using that un-scientific non-medical “theory” “PA”.

5. The Fayette RRD *Parental Alienation* Child Custody Evaluator (PCC) in her June 12<sup>th</sup>, 2021 report to the KY Trial court references and invoked her 'long-term' assignment to Petitioner's son - this is a tactic for continuous income stream from divorcing parents - while negatively and adversely impacting J.N.C. mental health, the PCC making fabricated condemnatory remarks that belies Petitioner's son character – especially prior to Respondent and the RRD theft of him and F.E.C. In her June 12<sup>th</sup>, 2021 report the RRD PCC calls for the court to invoke and install the Fayette RRD “Multidisciplinary Psycho-judicial Taskforce” [See Appendix M “*to protect his rights*”. (Saunders, 16, 17, 43)]

## JAMAICAN NATIONALITY: A FACTOR IN DIVORCE AND CUSTODY

1. Petitioner's Jamaican nationality, and nationality by descent under the Jamaican constitution extends to her three US-born children. Petitioner's Jamaican nationality has been used by the Respondent within the KY Trial Court to levy a three (3) year DVO against Petitioner. Statements of prejudices and stereotyping by Respondent and the Fayette RRD PCC whose racial narratives have been directed at Petitioner, at All Jamaicans, at the culture,

customs and norms, which are clearly documented in court documents and recordings with member entities of the Fayette RRD.

2. Within the UCCJEA warrant the Respondent also “bare-face” lied in both Trial courts to infer and incense the court to believe that because Petitioner is of Jamaican nationality she is somehow “a flight risk” and would remove ‘the’ children from the United States, because the “children have passports”. Yet, neither court under the requirements of the UCCJEA allowed for Petitioner to present any arguments or documents to refute those false allegations, that were used to steal Petitioner’s children from her custody in NH. Yet, whilst the state of NH was Granted “Preferred and Continuing” Jurisdiction under Petitioner’s September 3<sup>rd</sup>, 2020 RELOCATION Order for herself and her children to permanently live, work and attend school in NH: See Appendix E.

#### RACIAL ALLEGATIONS IN “A RACIAL DIVORCE”

Under the United States Constitution Race is a Protected Status governed by Constitutional Provisions, Statutes, and Regulations under Title VI of the Civil Rights Acts of 1964, and the Fourteenth Amendment.

1. The Respondent's testimonies on record and the RRD's *Parental Alienation* Child Custody Evaluator(PCC) report and recommendations to the Trial Court spews racially-incensed false statements, and their own personal bigoted racial sentiments enumerating multiple instances of Civil Rights violations against Petitioner and her children based on their race as Black people. The Civil Rights Act of 1964 and the Fourteenth Amendment protect against such discriminations and violations, albeit these violations have occurred in a court of law. The myriad of said infringements are believed to have been used to deny Petitioner No Contact with her own biological children since April 2<sup>nd</sup>, 2021, through false allegations of racism against Petitioner and her son towards the Respondent, all “bald-face” lies told to incense the courts and record against Petitioner. Those racial allegations, which are within the court records spawned

by both the Respondent and the Fayette RRD PCC used in “*bald-face*” racial lies, seen in both KY and NH Trial courts: lies which are contrary to the truth about the character of Petitioner and her children: See Appendix R.

2. Since 2020, the cases involving Petitioner and Respondent have been incensed with racial narratives and bald-face racist lies against Petitioner by the Respondent and the RRD systems and people, so much so that lawyers of both the KY and NH Bar have informed Petitioner in the presence of her older daughters; “we cannot represent you, because this is “a racial divorce””. The Constitution of the United States should protect against these travesties, wherein the race of a mother and her children J.N.C. and F.E.C. is used to Deprive and Deny custody and contact for over 1409+ days.
3. Among Petitioner’s twelve(12) retained lawyers - ten(10) in KY and two(2) in NH: Only three, Ginny Towler(NH), Brian Abell(KY), and Steve Wides(KY) attempted, alas, in utter futility to secure the best interests of J.N.C. and F.E.C., and Petitioner. They could not get started soon enough, than they were wearied down and ran-off by the Respondent and the Fayette RRD; in their plot to execute what KY Bar attorneys dubbed “a racial divorce”. Many consulted Lexington and environs KY Bar lawyers candidly voiced their inability to achieve a “*fair*” recourse for Petitioner, many of them candidly shared their knowledge that the actions within the case evinced Conspiracy against Petitioner and her children based upon her race. One of said KY lawyers also, indicated the Respondent “*attempted to bribe them*”, to work against Petitioner.

## REAL PROPERTY

The Respondent violated the Fourteenth Amendment and Title VI of the Civil Rights Act 1964, to steal from Petitioner her ownership of her Real Properties, most of which are Non-Marital.

1. These Constitutional provisions were infringed upon to steal Petitioner’s house – causing her and her other minor daughter to be made homeless. The

Respondent stole Petitioner's 401K money in the Ky Retirement systems – which Petitioner earned before she was ever in marriage to Respondent, including theft of her equity in the Family General Contractor small business that she built with the Respondent circa 2015. The Trial court bequeathed ALL of Petitioner's Real Properties to the Respondent. Petitioner believes these deprivation and violations invoke United States Constitutional questions within the Circuit Court decisions to bequeath all her non-marital and marital equity to the Respondent. The right to file documents into a case is a fundamental right upheld by the United States Constitution under the Fourteenth Amendment, with the presumption of equal access to justice, and a provision to not have said documents “destroyed”. The Seventh Amendment also protects the right to Real Property.

2. Petitioner's PVDS was presented to the KY Trial Court on February 26<sup>th</sup>, 2021 evidencing to all; that her KY 401K of almost \$15,000.00 is “non-marital”, and her equity in her house was 80% and the family contracting business valued at over \$500,000 was 50%, but the Respondent's counsel “*recreating*” the case file, and the Trial court herself “*taking*” the case file., at her recusal” – ALL of Petitioner's evidence conveniently went “missing” from the Trial court docket.

## CONSPIRACY USING MENTAL HEALTH, NATIONALITY, AND UCCJEA IN KY, AND NH

1. After Relocating to NH, Petitioner was diagnosed with Post Traumatic Stress Disorder (PTSD) in late 2020, as a result of all manner of abuse she suffered from Respondent since the day after the marriage - April 11<sup>th</sup> , 2015. However, neither Community Partners in Dover, NH (2020 – 2021) nor Core Physicians of Stratham, NH,(2020 to Present) - See Appendix Q , nor Baptist Health Internal Medicine, Lexington, KY (2008 – 2017), nor Monarch Counseling, Lexington KY (2016 – 2017) never had any concerns about Petitioner's mental soundness; nor had any of those providers (AMA & APA providers) had any psychiatric concerns

nor need to refer nor recommend that Petitioner undergo any psychological evaluation, nor *take psychotropic medications* per the RRD PCC in Exhibit B pg. 21-22. Instead, many of those providers encouraged Petitioner to leave the marriage.

2. D.O. Rayman's affidavit (Appendix Q) is only one of numerous AMA Medical Doctors and APA Counselors Affidavits from both NH and KY which accurately documents the verity about Petitioner's mental soundness, underscorin g the abuse Petitioner suffered from Respondent over the years; which debunks and exposes the blatant bald-face lies told in both the NH and KY Trial courts by Respondent against Petitioner's mental health, to steal and to Deprive and Deny Petitioner of Custody and Contact with her children for over 1409+ days.
3. Petitioner had filed numerous "*evidence*" into the Trial court case file: evidence such as Monarch Mental Health Affidavit about Petitioner, which documented the Abuse from Respondent since 2015, the joint business account documents, the October 2020 order granting Petitioner sole fiduciary control of her house, her PhD. fellowship and acceptance letters from UNH, her witness lists, her children's and her medical records, etc.; all were contained within the case file prior to the "*recreate*" of the case file by Respondent and his counsel.
4. Circa March 2021, as Petitioner sought representation from lawyers in KY, several of those KY bar attorneys in Lexington and surroundings refused to help Petitioner; one of them in earnest stated to Petitioner, "I won't be able to help you, because it's 'your' [the Respondent]' hiring of Vilerie [the Fayette RRD ringleader] that did all this, to muddle the case against you".
5. In April 2021 after the Respondent bald-face lied and perjury in the NH Trial court and stole J.N.C. and F.E.C. from Petitioner's custody under the UCCJEA; Respondent then wantonly "requested" - as documented within the Fayette RRD "PA" Workflow - that Petitioner undergo the types of psychological evaluation (MMPI-2, PAI, etc.). which are referenced and studied in Dr. Daniel Saunders DOJ-funded research (Saunders 16-17, 42, 43, 72, 73, 124, 125) See Appendix K (pg. 3 – 7). Petitioner had to spend over \$10,000 for two(2) separate

psychological evaluations in KY, as ordered, but, because those evaluations results did not yield the “*intended findings*” the Respondent and counsel desired – they petitioned the Trial court for an arrest warrant – purporting Petitioner “shall have No Bond”: See Appendix T – seeking to incarcerate Petitioner in their KY jail ; because Petitioner (i) could not sign and notarize “BLANK” (without her providers listed) HIPAA Releases , to “*allow*” the Respondent and his counsel “*to get*” mental health records for Petitioner, (ii) could not afford \$1,600/month for child support.

6. The Fayette court had no concerns about Petitioner’s mental health until after the Respondent began to levy the RRD “PA” workflow against Petitioner. In April 2021 after the Respondent stole J.N.C. and F.E.C. he requested that Petitioner undergo a “Psych. Eval.” Petitioner made every earnest efforts to comply with the Trial court orders, and immediately sought out psychologists, many NH psychologists were immediately available and willing, but Respondent insisted the evaluation be conducted with their “RRD” affiliated and appointed KY psychologist(s) – when their “preferred” RRD appointed psychologist would not return Petitioner’s calls and e-mail; Petitioner conducted the ordered psychological evaluation with the soonest available psychologist - at Shelton Forensics, in Louisville in June 2021. The Shelton original report of August 2021 *does not* contain the fabricated claims which the Respondent has *bald-face lied* about and wrote in Appendix B, a report the Respondent stated on record to the court – he “will not accept – because that “psychologist” was not the one they ordered”. And so; Petitioner had to wait many months for Dr. Skaggs, to be available to conduct the evaluation. Dr. Skaggs; reported on record on October 29<sup>th</sup>, 2021 to Petitioner, “*Your tests (MMPI, PAI, etc.) results are good, and that is good for the Court to see that*“. When the Respondent learned that, he then rallied back to Dr. Shelton and the original report was changed. Respondent electively rejected Dr. Skaggs report and results. Appendix B is riddled with *bald-face lies* from the Respondent. Petitioner spent over \$10,000 for those two(2) separate psychological evaluations in KY.

7. In June 2021, a NH Bar attorney stated to Petitioner in the presence of her two older daughters; “ [name redacted] told me that it is Conspiracy that “they” used to steal your children from you here in NH.”
8. Other KY Bar attorney advise Petitioner, “be careful whom you hire, as the word on the streets in Lexington is that they hope to bleed you dry”, and so there are attorneys who may come onboard just for your money”
9. Circa April 8<sup>th</sup>, 2021 after a phone consultation with another Lexington KY attorney whom Petitioner spoke with extensively, he then at the conclusion of the consult stated, “I can’t help you ma’am, because I was the one that helped them to get the children from you in NH, Vilerie didn’t know what to do, and so I walked her through how to “use” the UCCJEA”.
10. Circa February 9<sup>th</sup>, 2021 the believed co-conspirator landlord in NH, again threatened to evict Petitioner and her children from their apartment, claiming her children were in violation of his 'quite time' curfew.” He lived in a basement accessory apartment of Petitioner’s home – undisclosed to her when she rented. Petitioner called the Durham police for help. During the police visit to the apartment the Durham police officer notified Petitioner “the landlord is recording you”.
11. In November 2021, Petitioner obtained a copy of the Durham police report: in the report the officer documented that the landlord informed him after he had left the premises that “Petitioner had hit her baby girl” and gave him a copy of the video. The officer documented in the report that “he did not form that opinion that Wilson Marshall had hit her daughter”, after watching the video. It is believed that landlord was sending recordings to the Respondent in KY, as the Durham police later in 2021, inferred to Petitioner.
12. In the Respondent's March UCCJEA warrant from KY Trial court to the NH Trial court – the Respondent wrote : “this court finds that the children are in serious physical harm” The Respondent and the lawyers consulted in Lexington, KY under the UCCJEA knew that “physical abuse” is one of the immediate



trigger rule and provisions to the UCCJEA, the Respondent “bare-face” lied to the NH Dover Trial court that Petitioner was abusing her children.

13. Within the UCCJEA warrant the Respondent also “bare-face” lied within both Trial courts that Petitioner’s RELOCATION with her Children to NH was on a temporary basis: See Appendix J, pg.2
14. Circa June 15<sup>th</sup>, 2021 a “Special Appointed” Justice – Libby Messer Hon. was appointed by an order of the KY Supreme Court. However, soon thereafter judge Traci Brislin “self-inserted” into the case. According to a member entity of the Fayette RRD justices Stein and Brislin are bosom friends. Thereafter the Trial court by admission circa June 26<sup>th</sup>, 2021 and again circa July 23<sup>rd</sup>, 2021; noted that “judge Stein took the case file after she left the case” – that justice was disqualified from the case for associations with the Respondent. Petitioner’s then counsel’s request to “inspect” the case file after the “recreation” but was Denied and Prevented, by the court.
15. Unrepresented and uninformed of a court hearing of March 26<sup>th</sup>, 2021, the Respondent and counsel within the Trial Court and parties of the Fayette RRD - Davina Warner colluded on record to falsely leverage the Inter-state UCCJEA, to perjury to the NH Trial court as grounds “*to get the children from her in NH*”, as Vilerie quip on record. Same day, Respondent and his KY and NH counsels filed the falsified UCCJEA warrant and order in the NH Trial court (See Appendix J) falsely claiming that Petitioner’s children were in “immediate danger of serious physical harm” these pleadings were as a result of on-record collusion under false “bald-face” lies under the provisions of the UCCJEA statute, using false allegations that “Petitioner is a ‘flight risk’”, and the court finds that the children were in serious immediate physical risk”, were only temporarily order to Relocate, at risk of being removed from the United States, etc.: Both of Respondent’s counsels and perjury in both the KY and the NH Trial Court “to steal Petitioner’s children from her to give to Respondent.
16. The provisions of the UCCJEA were never exercised in NH, by the Dover Trial

court. Petitioner humbly moves this Honorable Supreme Court to Remand that the Preferred and Continuing Jurisdiction state for custody – New Hampshire – (therein be appointed a special court – recusing the Dover and Portsmouth courts) to hold the UCCJEA hearing that it absolved itself of – due to Perjury by the Respondent

17. The Respondent has continued, even since the theft of Petitioner's children from her custody, to violate Petitioner's Civil Rights under 42 U.S.C. § 1981(b) in Conspiracy. against Petitioner's Tax Return and Refunds, (b) in collusion with Petitioner's NH landlord to allege false allegations of Child Abuse against Petitioner against her then 2-year-old baby girl, F.E.C.; (c) in collusion with the landlord sought to falsely place an eviction against Petitioner's record, (d) sought to arrest Petitioner in NH under false claims of "interstate kidnapping" under the UCCJEA, (e) in conspiracy with Petitioner's NH landlord brought a NH criminal misdemeanor charge against Petitioner because Petitioner was singing religious songs inside her own apartment in May 2021, (f) Trial Court documents show that Respondent has been telling J.N.C. and F.E.C. "*Petitioner is dead*", (g) the Respondent having been previously listed as next of kin on Petitioner's medical records; since June 2017, in June 2021 criminally documented Petitioner's medical records at Core Physicians that "*Petitioner is dead*", (h) the Respondent in June 2021 requested of Petitioner's counsel Brian Abell, Hon., both J.N.C. and F.E.C. and Petitioner's life insurance policies.

## RELIGION

1. On April 7<sup>th</sup>, 2021; Petitioner through counsel pleaded with counsel for the Respondent to allow for minor child J.N.C. a baptized Christian adolescent to receive his customary birthday gifts; including a promised brand-new Bible, as a birthday gift from his mother. The Constitution of the United States guarantees *liberty of conscience*. "Nothing is dearer or more fundamental." Respondent has effectively denied J.N.C. and F.E.C. access to

their Bibles, prevented them from attending church, denied their attendance and preventing their participation in the Pathfinders and Adventurers - the church youth groups – which teaches children about ELOHIM GOD and fosters moral and civil character building.

2. Respondent testified under oath on record on April 23<sup>rd</sup>, 2021 and again on March 29<sup>th</sup>, 2022, that “those people - SDA Christians - believe in things he doesn't agree with, and so 'his' children will not associate with those people.” Petitioner’s religion should not have been used to deprive her of custody and deny her contact with her own children for over 1409+ days.

3. Petitioner has been a Christian, since before association with the Respondent. Petitioner both in Jamaica and the US is a teacher of the Adventurers and Sabbath school. Respondent has effectively denied Petitioner’s minor children their Constitutional rights to freely worship ELOHIM GOD of their conscience and choosing. Adolescent J.N.C. is a Christian, a baptized member of the Manchester, SDA church in NH, since July 28<sup>th</sup>, 2018.

4. The PCC– *Parental Alienation* Child Custody Evaluator - a key entity of the Fayette RRD, See Appendix F - falsely misrepresented in their report to the Trial court inciting the court with misinformation that the Seventh Day Adventist Church Youth group - the Pathfinder is “*paramilitary*”. The PCC in same report wrote that Petitioner’s son, J.N.C., “*presented as a child in a cult.*” See Appendix M – pg.3. inferring to the court that Petitioner was “indoctrinating” her son in ways on towards her Christian principles.

5. It is believed through assertion from a high-ranking member of the executive branch of the government in NH that co-conspirators with the Respondent, in NH, brought a NH criminal complaint against Petitioner to the Benefit of the end goal of 'sole custody' to Respondent at the conclusion of the divorce proceedings. The allegations of criminal misdemeanor brought against Petitioner in the NH Trial court, sought to criminalize her for

religious worship inside her apartment, as she sang “Victory belongs to JESUS”; on May 12<sup>th</sup>, 2021, while making dinner for her older daughters. See APPENDIX P – NH Nolle Prose.

### US PASSPORT ISSUANCE TO MINORS – WITHOUT PETITIONER’S CONSENT

This Honorable U.S. Supreme Court takes International Parental Kidnapping and Child Abduction (IPKCA) seriously. The federal IPKCA law serves to prevent minor children from being treated as collateral and or incidental matters abroad, outside the purview of US authorities. IPKCA protect minor children from concealment and retention against their will in foreign countries, to obstruct custody. To deter against these serious acts of Child abuse and Exploitation, the U.S. Supreme court passed the Federal Two-parent consent laws: : 22 U.S.C. 213n, 22 C.F.R. 51.28, to govern passport issuance to US minors below the age of sixteen(16).

1. The Respondent frantically sought through e-mail to the DoS a US Passport for international 'travel' of J.N.C. and F.E.C., ONLY after, Ky Supreme Court Chief Justice Minton, Hon. had Order Petitioner to correct deficiencies in her Discretionary Emergency review: 2022-SC-0547-DE, 2022-CA-0954; by a December 26<sup>th</sup>, 2022 deadline: See Appendix W; Respondent compound the DoS to issue J.N.C. Passport before or by December 26<sup>th</sup>, 2022: See Appendix W1.
2. The DoS reminded Respondent that “*he had installed a CPIAP order while Petitioner had sole custody*, so he now needed a different order to supersede that order”: See Appendix W1. Respondent instantly submitted a proposed order to the Trial court, which the court clerk signed on January 6<sup>th</sup>, 2023, without Petitioner aware of nor present in court; a separate copy of the proposed order was later signed by the Trial court judge on January 9<sup>th</sup>, 2023. The Trial Court Records Unit when asked by Petitioner for a copy of the hearing that the Respondent claimed was held on January 6<sup>th</sup>, 2023, was told; “there is no recording of any court hearing on January 6<sup>th</sup>”.
3. The Respondent and the Trial court Deprived Petitioner of Due Process under

the Fourteenth Amendment by claiming to have a hearing without informing Petitioner before the hearing. And appears to continue to rubber-stamp any and every *piece of paper* filed in that court by the Respondent, while trampling on the Rights of Petitioner.

4. The Trial court exceeded its jurisdiction in their January 6, 2023 and again in their January 9<sup>th</sup>, 2023 orders by violating the Federal Two-parent consent laws 22 U.S.C. 213n ,22 C.F.R. 51.28 for passport issuance and international 'travel' of J.N.C. and F.E.C. , without Petitioner's consent: See Appendix W. Petitioner's Parental Rights to 'Consent' or 'Not to Consent' to the issuance of a US passport and travel of her minor children outside the contiguous United States are protected under Federal laws: 22 U.S.C. 213n ,22 C.F.R. 51.28, yet the Trial court and Respondent continue to violate those federal rights and protections.
5. The Respondent, yet again as recent as August 2024, he continues through a specifically-aligned party within the DoS Passport office, and have sought yet again to secure another US Passport this time for Petitioner's daughter F.E.C. without Petitioner's consent – using the prior January 6<sup>th</sup>, 2023 and or January 9<sup>th</sup>, 2023 orders which was specifically issued, Albeit in violations of Federal laws, to grant US Passport issuance for only J.N.C: See Appendix X.
6. Alas, to the uncertainty of the welfare and safety of J.N.C. and F.E.C, it is believed Respondent is now a Venezuelan citizen, through marriage to his extra-marital affairs Venezuelan minor – an affair they began online in 2018. The Respondent is believed to be now seeking Venezuelan citizenship for Petitioner's minor children J.N.C. and F.E.C., with the believed intent to conceal and hold Petitioner's children against their will in said Communist Venezuela ( a country with no US diplomacy) to deny and obstruct Petitioner her Constitutionally endowed parental rights to custody of her children.

## REASONS FOR GRANTING THE PETITION

A. Of the key issues presented in this Petition for Writ of Certiorari this "theory" "Parental Alienation" is of utmost national importance, because many Family Courts across the nation have seen an uptick in the use of this Un-scientific Non-medical "theory", which is used to Deprive one Parent and their children Timesharing, Visitation and even Custody - as is the case of Petitioner. This "theory" has caused irreparable and immediate harm to children and parent(s) alike, a "theory" which the Department of Justice has funded studies on, and with the findings of facts have thus warned the National Council of Juvenile and Family Court Judges(NCJFCJ) against using same in deciding custody cases, because the "theory" is not medically nor psychologically founded on clinical facts nor is this "theory" coded nor included in the DSM of the various healthcare domains. In fact the American Medical Association(AMA), the American Psychological and Psychiatric Association(APA) and the World Health Organization(WHO) have ALL rejected "parental alienation" a.k.a. "PA", because it is not founded on science-based facts. Simply, it has been discredited. The "theory" of PA needs to be renounced and denounced by this Honorable court for the protection of minor vulnerable children of the nation, and I Petitioner call upon this Supreme Court to do so. I am not guilty of this "theory" which Petitioner and the Fayette RRD has accused and charged me with, yet, I plead with you honorable Justices for the children of America. Many children have been murdered by the "perpetrators" of domestic violence, because this "theory" is highly flawed and causes grave errors in family courts in every state and territory of this great nation. I know this because many mothers have reached out to me, and others have shared the stories of victims.

Wherefore;

Petitioner pleads with this honorable court to render a decisive blow to this "theory" to protect the Constitutional Rights of a child, from being Deprived of their biological mother or father by people and systems such as the Fayette RRD which are schemed and devised on this fundamental dastard "theory". Furthermore, Petitioner humbly moves this honorable court to incorporate into the FCAP ACT and CAPTA provisions to bar Trial courts from attributing this "theory" "parental alienation" to custody decision; to do so would be a serious violation of a parent's right to custody and parental timesharing.

## REASONS FOR GRANTING THE PETITION

1. Equal Rights under the law: Under the U.S. Constitution, every person has a right to provide evidence in any suit in which [they] are party to: this right is secured in 42 U.S.C. § 1981(a)(c) – “full and equal rights to give evidence”, “sue for the security of persons and property”. The Respondent Denied and Violated that fundamental right to Petitioner, when [they] “recreated” the case file, the statement on record by the KY Court of Appeals confirms ‘there are no documents for Petitioner in the record. Petitioner had filed into the case(s) via several counsels – much evidence for her children and her property – of which the greater percentage of property, and especially her precious son J.N.C. are non-marital – the Respondent disown, abandoned and neglected her son for the first six(6) years of his existence. Both the sister of Respondent and others have been name calling J.N.C (bastard), since they stole him and Petitioner’s precious baby girl from Petitioner in NH. The color of the law specifically states: “All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens...” Petitioner is a black US citizen. Respondent is a white US citizen.
2. This Honorable Supreme Court has set a precedence establishing that the Fourteenth Amendment creates a right for state court to appoint attorney for an indigent and anyone criminally accused: *Gideon v. Wainwright* 372 U.S. 335 (1963). Petitioner was Denied the Right to Counsel in the final hearing wherein the Respondent brought Domestic Violence allegations and Child Abuse charges against her. The decision of the Trial Court to conduct a hearing, especially with a criminal component - 20-D-00947-006 - an EPO they issued against Petitioner based on her Jamaican nationality, which said Trial court converted to a DVO on June 27<sup>th</sup>, 2022: See Appendix U; said

DVO is being an impasse to employment opportunities, and other social and normal privileges of law-abiding Americans. The Trial court and Respondent were aware that Petitioner could not afford counsel – as documented in Petitioner’s CHFS-DCBS CPS child abuse appeal records. To date, Petitioner still owes that counsel who was operating on credit, and who withdrew ahead of the hearing.

3. In violation of the Sixth Amendment Petitioner was Deprived the right to be represented, Denied Due Process, and Denied the right to be present at the final divorce hearing. Respondent “overruled” and Denied Petitioner from being present in court via Zoom – the customary modality during the COVID pandemic, and a necessary accommodation - due to Petitioner’s physical illness and inability to travel over 2000 miles to and from KY. The decision of the Trial Court to issue a DVO against Petitioner 20-D-00947-006 – without Petitioner presenting evidence nor arguments in her defense is Un-Constitutional. The Respondent and Trial court Deprived Petitioner recourse of Due Process when they failed to serve a copy of said imputed DVO in a timely manner under law to Petitioner – by waiting fifty(50) days after they had issued same; only then did they mail a copy of said DVO to Petitioner on August 11<sup>th</sup>, 2022, after Petitioner had filed her Appeal for both the DVO and Custody on August 5<sup>th</sup>, 2022 – wherein the divorce order Petitioner had only then learned that a DVO was issued against her, however, there were no dates given in the divorce order of the DVO issue date. Petitioner received the DVO on August 19<sup>th</sup>, 2022 from the Respondent’s counsel – the Trial court never served a copy on Petitioner as required under KRS. These Trial court actions are also in violation of 42 U.S.C. § 1981(a)(c) which Denied Petitioner Equal Rights under the law.
4. The First Amendment is a “fundamental right” : to have a Religion or not to have a Religion, and the right to freely practice one’s Religion. From birth, Petitioner held daily religious worship and prayers with all her children, before school and before bedtime. After Respondent stole Petitioner’s son



J.N.C. and her baby girl F.E.C. from her in NH under perjury under the UCCJEA, the Respondent testified on record on April 23, 2021, and again on March 29<sup>th</sup>, 2022; evincing Liberty of Conscience discrimination, The Trial court's RRD custody evaluator's report bears solid proof of religious indifferences and ignorance and intolerance. A prominent Fayette RRD member entity informed Petitioner; "they [Respondent and the Trial court] "stole" your [Petitioner's] children because of your [Petitioner's] religion. The NH Durham police also disclosed – to Petitioner in their findings in the investigation concerning the landlord's criminal complaint against Petitioner's religious worship in her apartment "[they] stole your [Petitioner's] children because of your [her] religion": the NH Dover Trial Court Nolle Prose bears proof [they] brought criminal charges against Petitioner because of her religious worship inside her own home with her children. Governing case law Wisconsin v. Jonas Yoder, 406 U.S. 205 (1972), establishes a religious parent's right to conduct religious practices and education of their children. Furthermore, Petitioner is a licensed Christian Chaplain, a member of the clergy, with designations under the United Nations.

5. Petitioner believes that the Fayette RRD "PA" Workflow evinces the markers of a Conspiracy Group which has operated in violation of 42 U.S.C § 1983 to Deprive and Deny Petitioner her Constitutional Rights under The CRA 1964 to her biological children for over One Thousand Three Hundred and Thirteen (1409) days.
6. The Fayette RRD effected the levying of its systems and processes and people under its fundamental unscientific non-medical "theory" *parental alienation*, and Domestic violence charges based on Petitioner's Jamaican nationality, with fabricated child abuse charges of "*parental alienation*", by the Commonwealth of KY. The Respondent levied fabricated allegations of racism, evidencing religious intolerances, perjury, and violations under the UCCJEA and governing case law Pettit v. Raikes, 858 S.W. 2d 171 to effect

gross volume of orders against Petitioner to Deprive her of Custody, Parental Timesharing, even Denial of minimus Visitation with her own children for over 1409 days.

7. The Fayette RRD has been and continue to effect similar degrees of gross injustice as they have against Petitioner; upon other mothers of color, migrants, poor white mothers, and Christian parent (mostly females and a few males). This “*parental alienation*” conundrum, has become a national crisis, as there are countless children, especially adolescents who have been adversely and severely injured and harmed by this “theory.” Petitioner, therefore, humbly plead with you Honorable Justices of the Supreme Court of the United States, please put an end to the un-scientific non-medical “theory” called *parental alienation* which the AMA, APA, WHO and the NCJFCJ have rejected. Put an end to it, so that precious children will be spared the pain and trauma of losing their “loving mother...and loving father, as good fathers are being affected, too” - for far too long.
8. Parental Alienation has been clandestinely used in divorce courts across the nation for many years – to the detriment of children, to the chagrin of “*the perpetrator*” as the ‘perps’ *get to continue* to abuse mothers and he children within the family and domestic violence courts – using a rejected theory. It is up to you Honorable Supreme Court justices to put an end to this wanton evil, once and for all, for the good of the children of America; whose wellbeing, wholesomeness and happiness is at stake.

## CONCLUSION

Many academic institutions, government agencies and private research bodies have been conducting studies and review of this "theory" "*parental alienation*", one such study was recently concluded in June 2024; by the top Seventh Day Adventist Medical School/University - Loma Linda University in CA - the findings are conclusive with PhD. Daniel Saunders DOF-funded study; in summary the researchers found that "there is no medical and scientific foundation to the "theory" of *parental alienation*", *a.k.a.* "FA" This "theory" is inhumane and should be dismantled by this Honorable Court; as it gravely harms minor vulnerable children, and "the true victim" of domestic violence.

The NCJFCJ model, is not in the least concern about "children", wherefore Petitioner calls upon you Honorable Supreme Court of the United States Justices to strike down the use of "PA" in divorce and domestic violence courts in the entire nation. The need to care about and truly "protect the rights" of minor vulnerable children facing a difficult time of family upheaval is more important than "self-actualization" within these "PA" Workflow. America's children should not be viewed as "property" to be pawned and used in blackmail and as test subjects in such a vile *theory*, of which so-called Private Child Custody Evaluators, CPS entities, Friend of Court, Men's Rights Movement Fatherhood Initiative lawyers push their agenda, to Deprive mothers of their "motherly" duties, while seeking to continue to "get one up" on the actual victims of their abuse; especially the children, by Depriving them of their mother and siblings, Denying them their Rights and Freedom to live and thrive happy – post divorce. The Deprivation and Denial and Pain from this "*PA*" *theory* workflow being levied upon already hurting children, is "cold-hearted" and "vile". The levying of this un-scientific and non-medical *theory* against a parent [Petitioner] who genuinely loves their children and values them as "precious

and beloved” - and not as “property”, is despicable.

Every good civic American must all do our best work for children, we must look out for them; because they are not able to look out for themselves, those of us adults who have Light, must ensure that children grow up healthy, happy and shining bright with Light and Love. The “theory” *parental alienation* is of the darkness; it has NO place in the life of a child. Think on this fact Your Honor: the AMA, the APA, the WHO, even the NCJFCJ have renounced this “theory” Wherefore, this substantiated evidence must serve as conclusive, meditative and decisive reasoning that this “*theory*” cannot and should no longer be used by any family court in America as a framework to Deprive and Deny any parent their Constitutional Rights to custody of children, and vis a vis.

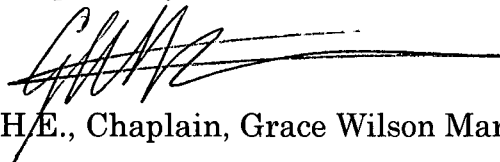
Academia also is in-tune to this horrid “*theory*”: The Loma Linda University in June 2024 has drawn the same conclusion from their analysis of their independent study and data; as Dr. Daniel Saunders have in his study - funded by the DOJ. A Google search will quickly reveal numerous other cases similar to Petitioner’s wherein “parental alienation” is the fundamental non-medical “theory” with minor vulnerable children at the center, within other similar systems in every hamlet of every state and territory of the United States, which terminates, deprives and deny parental rights to one’s children - built on this fundamental unscientific non-medical “theory” called parental alienation” – the results will always be the same: a childhood full of pain and hurt, abuse and trauma. The end-result, often, as Dr. Saunders noted painfully, “sometimes “PA” ends in the death of a child, as they are woefully given into sole custody of the “real perpetrator” of child abuse, and spousal abuse, on account of Trial court errors.

Petitioner wherefore, pleads earnestly with you Honorable Supreme Court Justices; as she prays dearly “SAVE our Nation’s children from this vicious

and brutal 'bear' "theory" "parental alienation"; which is tearing apart at the very foundation of parental rights and the rights of children – under the United States Constitution - snatching children from the moral-up-standing and or Christian parent in divorces, and terminating that parent Constitutionally protected Parental and Civil Rights to custody of their children, and sometimes even ownership of their Real property, as is in Petitioner's case.

Petitioner prays you Honorable Supreme Court of the United States Justices to Grant her Petition for a Writ of Certiorari. Petitioner also prays that you Honorable Supreme Court having considered all the facts with proofs, seriously consider and Grant and Order immediately the restoration of sole and physical custody of J.N.C. and F.E.C. to her; or Grant and Order the immediate selection of a 'special circumstances' court in Hillsborough County of NH – the state with "Preferred, Exclusive and Continuing Jurisdiction" of Petitioner and her children; to hear the matter concerning custody of Petitioner's children; and also Order the selection of a 'special circumstances' court in the Jefferson County District of KY to hear the arguments concerning her ownership of her Real Property in KY, pursuant to KRS 403.190.

Respectfully submitted;



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