24-6854

No._____

IN THE

SUPREME COURT OF THE UNITED STATES

Austin Roger Carter, Pro Se, --PETITIONER

vs.

Genesis Alkali LLC, et al., --RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

AUSTIN ROGER CARTER
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QUESTIONS PRESENTED

Article III, Section 1 of the Constitution of the United States details that Judges, "shall hold their Offices during good Behaviour". Behavior is defined in the Code of Conduct for U.S. Judges, the Canons. Canon 2 and Canon 3, detail that "Public confidence in the judiciary is eroded by irresponsible or improper conduct by judges.". The Constitution specifically and firmly states what rights Americans have, and in this case the First, Fourth, Seventh and Fourteenth provisions apply.

The Sarbanes-Oxley Act of 2002 protects whistleblowers who report financial wrongdoing at publicly traded companies. 18 U.S.C. § 1514A and specifically provides that employers may not "discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee.", among other protections.

The Questions Presented are:

Did the Tenth Circuit err in disregarding the unanimous findings of the United States Supreme Court in regard to the provisions of 18 U.S.C. § 1514A?

Whether a district court can enter an "order of dismissal as a sanction" terminating constitutional rights of a Whistleblower employee.

Whether the protective provisions of 18 U.S.C. § 1514A, i.e. burden-shifting, blame-shifting, applies to the employers' attorneys' and judges during the litigation.

Whether orders are void ab initio when a judge on the case directly lies about the specific case to the United States Senate via their questionnaire for district judge application, defying the code of conduct and canons for United States Judges.

Did the Wyoming district court err when they failed to act on an Injunctive Relief Motion that resulted in usurping Constitutional Rights from Petitioner?

LIST OF PARTIES

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

[X] 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:

GENESIS ALKALI, LLC; GENESIS ENERGY L.P.; CODY J. PARKER; FRED VON AHRENS; EDWARD T. FLYNN; TERRY HARDING AND KRISTEN O. JESULAITIS.

Respondents.

RELATED CASES

Austin Roger Carter v. Genesis Alkali, LLC, et al., No. 23-8079, United States Court of Appeals for the Tenth Circuit, Order denying rehearing and rehearing en banc, Judgement entered December 23, 2024.

Austin Roger Carter v. Genesis Alkali, LLC; Genesis Energy LP; Cody J. Parker; Kristen Jesulaitis; and Terry Harding. No. 23-8079, United States Court of Appeals for the Tenth Circuit, Judgement entered October 15, 2024.

Austin Roger Carter v. Genesis Alkali, LLC; Genesis Energy LP; Cody J. Parker; Kristen Jesulaitis; and Terry Harding. Civil No. 20-CV-216-S. District of Wyoming. Judgement entered November 14, 2023.

RELATED CASES – Continued

Austin Roger Carter v. Genesis Alkali, LLC; Genesis Energy LP; Cody J. Parker; Kristen Jesulaitis; and Terry Harding. Case No. 20-CV-216-SWS. District of Wyoming. Judgement entered November 1, 2023.

Austin Roger Carter v. Genesis Alkali, LLC; Genesis Energy LP; Cody J. Parker; Kristen Jesulaitis; and Terry Harding. No. 22-8078 United States Court of Appeals for the Tenth Circuit, Judgement entered January 26, 2023

AUSTIN ROGER CARTER, Petitioner for Writ of Mandamus, re. recusal and impeachment of Judges Rankin and Skavdahl. No. 22-8070 United States Court of Appeals for the Tenth Circuit, Order, Writ of Mandamus entered November 22, 2022.

Austin Roger Carter v. Genesis Alkali, LLC, et al., Case No.2:20-CV-0216-SWS. Motion and Affidavit asking for recusal of Kelly H. Rankin and Scott W. Skavdahl. District of Wyoming. August 29, 2022, ECF 96 in 20-CV-216-SWS

Austin Roger Carter v. Genesis Alkali, LLC, et al., Case No.2:20-CV-0216-SWS. Order Denying Recusal (Disqualify) of Judges Kelly H. Rankin and Scott W. Skavdahl. District of Wyoming. Judgement entered September 6, 2022

Austin Roger Carter v. Genesis Alkali, LLC, et al., Case No.2:20-CV-0216-SWS. Petitioners Initial Complaint filed in Wyoming Federal District Court on November 25, 2020, ECF No. 1

TABLE OF CONTENTS

INDEX TO APPENDICES

TABLE OF AUTHORITIES

CASES **PAGE NUMBER**

STATUTESS AND RULES

OTHER AUTHORITIES & CONSTITUTIONAL PROVISIONS

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner Austin Roger Carter respectfully prays that a writ of certiorari issue to review the judgement of the United States Court of Appeals for the Tenth Circuit.

OPINIONS BELOW

The decisions of the United States Court of Appeals for the Tenth Circuit is published and is reproduced here at Pet. App. A,. The Court of Appeals' order denying rehearing and rehearing en banc and is reproduced here at Pet. App. D, and is not reported. The relevant orders of the United States District Court for the District of Wyoming are reproduced here at Pet. App. B and C.

JURISDICTION

The Tenth Circuit Court of Appeals issued its final judgement on October 15, 2024, Pet. App. A, and denied the petition for rehearing and rehearing en banc on December 23, 2024 Pet. App. D. This Court has jurisdiction under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Section 806(a) of the Sarbanes-Oxley Act of 2002, codified as amended at 18 U.S.C. § 1514A, and is referenced passim here within.

Article III, Section 1, of the United States Constitution states, "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

The First Amendment: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The Fourth Amendment: United States Constitution (Article [IV]) states: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The Seventh Amendment: of the United States Constitution (Article [VII]) states: "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Fourteenth Amendment of the United States Constitution (Article [XIV]) states; "SECTION 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."

The Code of Conduct for United States Judges, Canons 2 and 3. Canon 2(A) and 2(B) states; "(A) *Respect for Law*. A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. Full text in Appendix.

STATEMENT OF THE CASE

Petitioner filed his Complaint against Defendant Genesis Alkali, LLC, et al., pursuant to, Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002,18 U.S.C. § 1514A ("SOX"),. Dodd-Frank Wall Street Reform and Consumer Protection Act, Dodd-Frank Acts 922 (Section 922 of Dodd-Frank),.

Petitioner was the Procurement Manger for Genesis Alkali and received excellent performance reviews in his employment and was highly praised for his performance. The last performance review in his employment was on April 9, 2019, he was highly praised. During his employment he found millions of dollars of fraud and was able to recoup a great deal of it. In the year 2018 he was assigned to oversee a $350,000,000 project, called the Granger Optimization Project (GOP) and a great deal of fraud was found by Petitioner and he again brought it to the attention of his supervisors and the Genesis Leadership team. Petitioner was pressured to approve the project even with the fraud and was receiving this pressure from his supervisors and the leadership team, Petitioner refused to endorse any fraud. Petitioner called the "Genesis Hotline" on May 29, 2019, Mr. Carter was then terminated 13 days later on June 10, 2019, for calling the hotline and for not endorsing the fraud on the project. Petitioner had an attorney on his staff that he consulted with prior to the call and had discussed the matter with the Genesis parent companies' internal auditor. Both advised he was required by the

policies and the law to report the matter so that it could be resolved to protect the stockholders and investors of Genesis.

After termination Petitioner worked with Kristen Jesulaitis, Genesis Energy's General Counsel and attorney to supposedly get his job back. Around July 10, 2019, Kristen sent a Littler attorney, Earl "Chip" Jones, and advised Petitioner via email that he was only to talk to and through Chip and that he would work with Kristen on the issue. Chip made promises consistent with what Petitioner was being told by Kristen, and Chip advised that they were sending Dan Ramey of Houston Financial Forensics to interview Petitioner and gather information. Mr. Ramey and Petitioner met in Green River, Wyoming where he performed a dark room interrogation on Petitioner at a local hotel and gathered all the information from Petitioner about the $350 million dollar project and left town. Chip and Kristen were unavailable to speak with after that. Chip did try and get Petitioner to sign a tolling agreement so that they could drag him over the time in which he could file a complaint with OSHA and DOL.

Chip disappeared and Kelley Edwards, Littler-Mendelson, contacted Petitioner to ask if he would sign Chips tolling agreement just days before Petitioner could file with OSHA/DOL, it was obvious what the tolling agreement was for, and Petitioner filed his complaint on December 10, 2019. After working with Shawn Volrath and Lydia Morrison of DOL for nearly a year with little to no cooperation from the Genesis entities and their attorneys, Kelley Edwards provided a derogatory statement, that was basically a motion to dismiss to OSHA/DOL along

with a forensic report from Mr. Ramey and attempted to get the Department of Labor to Dismiss Petitioners' complaint, instead of a position statement. Shawn Volrath promptly sent a kickout letter stating, "On December 10, 2019, you filed a complaint with the Occupational Safety and Health Administration (OSHA) under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002, 18 U.S.C. 1514A (SOX). Over 350 days have passed since you filed your complaint. Under the Act, if the Secretary has not issued a final decision within 180 days of the filing of the complaint, and there is no showing that such delay is due to bad faith of the complainant, the complainant may bring a *de novo* action in federal district court." Shawn Vollrath, Regional Supervisory Investigator. 18 U.S.C. § 1514A(b)(1)(B)

Petitioner filed in Wyoming Federal District Court on November 25, 2020, and was immediately under attack by the Wyoming Court. With the first action in the case a Recusal by Judge Nancy Freudenthal, whose husband is an attorney for Genesis Alkali. Petitioner will detail the proceedings below; however, it is of great importance to understand that Petitioner never received a trial contrary to his Seventh (VII) Amendment, and Fourteenth (XIV) Amendment Constitutional Rights. That Judge Kelly H. Rankin lied to the United States Senate about this case, his involvement with Former Governor Dave Freudenthal, and Petitioners Motion to Disqualify (Requesting Recusal) because of this relationship, as well a Writ of Mandamus to the Tenth Circuit requesting the same which was denied, and in his final appeal the request for Impeachment under article 3 of the constitution.

Petitioner contends that this renders the judge's Order in this case void ab initio, details below.

REASONS FOR GRANTING THE PETITION

I. The Tenth Circuit's rulings were lawfare and protectionism.

Justice Sotomayor delivered the opinion of the Court in, Murray v. UBS, detailing the provisions of the Sarbanes-Oxley Act effects on employers, *Murray v. UBS Sec.*, 144 S. Ct. 445, 448-49 (2024) ("Under the whistleblower-protection provision of the Sarbanes-Oxley Act of 2002, no covered employer may "discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of " protected whistleblowing activity. 18 U. S. C. § 1514A(a). When a whistleblower invokes this provision, he bears the initial burden of showing that his protected activity "was a contributing factor in the unfavorable personnel action alleged in the complaint." 49 U. S. C. § 42121(b)(2)(B)(iii). The burden then shifts to the employer to show that it "would have taken the same unfavorable personnel action in the absence of " the protected activity. § 42121(b)(2)(B)(iv).")." One would assume that the Circuit courts would follow the U.S. Supreme Court Ruling, but the Tenth Circuit overruled this Supreme Court Finding in Austin Roger Carter v. Genesis Alkali et al. on his appeal, Order And Judgement of the Tenth Circuit, Case: 23-8079, Document: Pet. App. A, and instead made its own determination of affirming the Wyoming Districts ruling of dismissing the case, in what they called the "Ultimate Sanction", or stripping Constitutional Rights, without even addressing Mr. Carters' brief on

appeal which pointed the specific ruling in Murray v. UBS out. Petitioner had thought that observing Supreme Court rulings was a long set precedent in that the Supreme Court was the authority. The Supreme Court pointed out their opinion on this issue, "Because "it is this Court's prerogative alone to overrule one of its precedents," *State Oil Co. v. Khan,* 522 U.S. 3, 20, 118 S.Ct. 275, 139 L.Ed.2d 199 (1997), the Oklahoma Court of Criminal Appeals erred in holding that *Payne* invalidated *Booth* in its entirety." *Bosse v. Oklahoma,* 137 S. Ct. 1, (2016). In this case the judges overruled each other several times, in one instance Judge Scott W. Skavdahl overruled Magistrate Kelly H. Rankin about the dismissal of the case as the ultimate sanction, taking away Petitioners constitutional rights, and another order signifying that Petitioner could file "whatever he needed" to stop the Respondents and their attorneys from violating Petitioners Fourth Amendment Rights by fraudulently acquiring his emails. In the final Order of the case judge Rankin pointed out, "The Court declined to impose the ultimate sanction of dismissal of Plaintiff's action", but did moot the sanctions that he previously imposed in a prior order "Defendants seek fees and costs in the amount of $41, 852.11" but these costs were fraudulently inflated by Respondents attorneys as pointed out by Rankin "Defendants' first Motion for Sanctions [ECF No. 101] filed on September 28, 2022, sought $6,500 in costs and fees" (ECF 157 p. 2).

The Tenth Circuit has overlooked all issues in this case before, like the Writ of Mandamus seeking recusal of the judges, the Tenth Circuit found, "[A] writ of mandamus is a drastic remedy and is to be invoked only in extraordinary

circumstances." *In re Cooper Tire &Rubber Co.*, 568 F.3d 1180, 1186 (10th Cir. 2009) (internal quotation marks omitted). "Three conditions must be met before a writ of mandamus may issue." *Id.* at 1187. First, the petitioner must show it has "no other adequate means to attain the relief he desires. Second, the petitioner must show that its "right to the writ is clear and indisputable." *Id.* (internal quotation marks omitted). Third, the "court, in the exercise of its discretion, must be satisfied that the writ is appropriate under the circumstances." *In re Carter*, No. 22-8070, 10th Cir. Nov. 22, 2022, Pet. App. E. Petitioner argues he met all of these criteria; however, the Tenth Circuit was again writing their own interpretation of the laws. Petitioner had "no other adequate means" to attain relief desired as he was consistently being peppered with conjointly inflammatory remarks by the judge in conjunction with the defense attorneys sending endless motions to dismiss, (writ of cert reply brief No. 21-1568, pp. 6-7). The application containing lies that Judge Kelly H. Rankin perjured to the United States Senate about this writ of mandamus and motion for recusal tells exactly what kind of treatment Petitioner received, which he believes this amounts to admissions by Rankin and voids all the orders ab initio, under 28 U.S.C. § 1257, § 240.15c1-2, Rule 60(b)(3)(4), Rule 60(d)(3), 18 U.S. Code § 1031(h)(1)(2), 28 U.S.C §§ 144 and 455(a) & 455(b)(1). Both courts' future decisions limited Petitioners access to the courts and performed free will attacks on his Constitutional Rights, based on these decisions, and fraud on the court. The disconnect between the Circuits and district courts not following the United States Supreme Court's rulings or applying the standards ends up emboldening judges to

apply their own rules and laws, no matter what the high Court has opined on. Petitioner argues that the lie at hand by Rankin, ended his case with the "Ultimate Sanction" of taking away his rights, with prejudice, see Hunt v. National Mortgage, 11th Circuit 2018-12348 (July 19, 2019).

District judge Scott W. Skavdahl saw this as an opportunity to further his efforts to rid the court system of Petitioner and to reward the person who put him on the bench, the Genesis Alkali attorney Dave Freudenthal, so they could apparently benefit from the sale of Genesis for $1.425 billion to "We Soda" on February 28, 2025. Because of the signals from the judges, it emboldened Genesis Alkali and their attorneys of Littler Mendelson and Davis and Cannon to go full on attack of Mr. Carter including delivering fraudulently obtained protected emails and materials from his personal computer, typically termed wire fraud, and provided these documents in "discovery" to threaten Mr. Carter, and deliver a highhanded signal that they owned the judges in the case. Even though Judge Rankin, Ordered that Petitioner could file "Plaintiff may file any motions he deems necessary to address Defendant's alleged discovery deficiencies." Text only Order, entered on July 5, 2023, which resulted in Petitioners Motion for Injunctive Relief, to get the Respondents and their attorneys, to quit violating Petitioners Fourth Amendment Rights, where they were undoubtedly and undisputedly accessing his protected materials and providing them in discovery. This was left unanswered, by Skavdahl and Rankin for over three months while Petitioner was left to bake in his

unconstitutional misery while the Respondents went unchallenged, until it was mooted by the "Ultimate Sanction" taking away Petitioners Constitutional Rights.

The opinion of the Supreme Court, in Murray v. UBS, does not address whether the District and Circuit court judges or the "employers" defense attorneys must apply or adhere to the same SOX standards and protections during the litigation process. As in Petitioners case the threats, harassment, and discrimination do occur from the attorneys' representing employers, as occurred several times in Petitioners case, and the judges had free will to join in with the attorneys in the misdeeds. Currently the lower courts are not held to the same standard as the employer when defending attorneys or judges in the case are proceeding through the case litigation. In Petitioners' case the attorneys were able to have free will on mistreating Petitioner and apparently the judges did not have an obligation to keep the rogue attorneys from doing the employers' misdeeds in and out of the courtroom. Sarbanes-Oxley does not specify that those working on behalf of the employer must adhere to the Sarbanes-Oxley provisions, and it is a question that all circuits and lower courts would benefit from knowing that answer.

In April 2018, the Director of Engineering, Samuel Bethea, approached Petitioner and asked if I "wanted in" on a deal with contractors named Stantec and Samuels Engineering. Bethea indicated he was "almost at his goals" and wanted Petitioner to award additional work to the two contractors from the $70,000,000 operations budget that Petitioner oversaw. Bethea proposed that Carter hire an

internal procurement support official that worked for Stantec. Petitioner refused to make such a hire as it created an impermissible conflict of interest.

This led Mr. Cater to investigate the support provided by the two companies, among others, and uncovered millions in fraudulent charges by the two companies and millions more from other companies. Upon reporting this to Cody Parker and Terry Harding (Respondents & Defendants), he was highly praised by all of the leadership of both Genesis Alkali and Genesis energy. Mr. Carter was in tandem working on the $300+ million-dollar Granger Optimization Project (hereafter GOP) which he had conducted a request for proposal (RFP), with top engineering companies in the United States. This resulted in an award to Jacobs (CH2M Hill), approved by the Genesis et al. Leadership. Unfortunately, this again had the Director of Genesis Alkali Engineering going over the Procurement department and unilaterally awarding it through a no bid award to Sargent and Lundy and PFES by and through Mr. Bethea, Cody Parker, Terry Harding and Fred von Ahrens, which all pressured Carter to accept the command decision to sign off on the contrived and fraudulent project, however, Mr. Carter would not. Bethea, who was engaged in the previous fraudulent activity, and now the other three leadership members, were all involved in the scheme. Eventually Bethea was terminated and recovery of funds commenced with efforts from an attorney from Genesis, Kristen Jesulaitis (Respondent / Defendant) and Petitioner approaching the entities in negotiations to recover funds. The investment funds by the commodity driven company, Genesis Alkali, were being allocated to individuals of leadership and defrauding Genesis

Energy and its investors, which was in the millions of capital monies. This eventually resulted in the termination of services by the companies that defrauded Genesis and its investors, as a publicly traded company whose product is Soda Ash, a commodity. This resulted in an agreed-for-restitution of some of the lost monies due to the fraud perpetrated by Bethea, Stantec, and Samuel Engineering, (ECF 1, Initial Complaint)

Mr. Carter called the "Genesis Hotline" on Genesis Alkali to report the fraud and became a "whistleblower". Petitioner called the Hotline on May 29, 2019, Mr. Carter was then terminated 13 days later on June 10, 2019, a proximity that cannot be ignored, the call prompted Cody Parker and Terry Harding to end the employment of Mr. Carter before further fraud was discovered and other implications ensued. Prior to the call Mr. Carter discussed the matter with an attorney in his employ at Genesis Alkali, Robert Spence, who supported his efforts to protect the company from this fraudulent activity and he was counseled to proceed with the protected activity. Petitioner was also advised by the Genesis Energy internal auditor, Michael Kamion, who told Mr. Carter he was obligated to report the SOX violations, Kamion had discussed this with the lead auditor for Genesis Energy and confirmed the wrongdoing must be reported, subsequently Mr. Carter called the hotline. Mr. Carter was simply doing his job as a steward of the Genesis entities funds and was obligated to report this as part of his professional responsibilities. Petitioner had been praised for his saving the company millions of dollars in the past.

Events leading up to the "Hotline" call. "There were prior weekly meetings between Mr. Cody Parker and Mr. Carter, where it was explained by Petitioner to Parker, that should he proceed with endorsing the project it would end his career and risk losing his professional certification should he proceed with endorsing the "Granger Optimization Project" and proceed with signing of documentation pertaining to the project. It was the position of Genesis Alkali that it was not an option for Mr. Carter, regardless of what impact it had on his career. Effectively, one way or another Genesis would end Mr. Carter's career if he did not endorse the project and as is evidenced by what happened after Mr. Carter's termination - whereas Genesis Alkali and Genesis Energy continued to retaliate, blacklist, and interfere with subsequent employment of Petitioner. The company was determined to destroy Plaintiffs career and making certain that he never works in procurement again. In retaliation for Plaintiffs' whistle-blowing activities, Mr. Parker and Mr. Harding spearheaded a campaign to blacklist Mr. Carter from the Trona patch community and any employment in the area in procurement whatsoever. The counsel for Genesis in conjunction with Genesis leadership continued this campaign by dispersing derogatory, disparaging statements to OSHA and others claiming Mr. Carter received low performance marks, was being disciplined for non-performance and performance issues, and further retaliating with insidious and invidious retaliation remarks." (Initial Complaint, ECF 1 at 19).

Mr. Carters performance was undeniably stellar. "This is all contrary to the stellar performance reports that Plaintiff received mere weeks before his

termination for calling the hotline (Complaint ECF 1, Exhibit B). Genesis and its representatives continue to this day on their campaign to destroy Mr. Carter's career and exile him from the area by making disparaging remarks and defaming his character so that he could never work in the procurement field again. In an attempt to further damage Mr. Carter's career Genesis leadership falsely claimed that Mr. Carter had received other negative performance reports, which is simply not true, and then to exact further damage to Mr. Carter's career they announced that that he was seeking employment out of the area to keep him from seeking employment at other companies in the industry in the immediate area. This announcement was also to give the misconceived perception that this departure was voluntary so that the employees would not leave the company as they indeed were satisfied with Mr. Carter's leadership." (Initial Complaint, ECF 1 at 20).

II. Not all Circuits apply Supreme Court Decisions when considering appealed cases as it applies to Section 1514A. The lower courts used the opposite method, making plaintiffs bear the burden of proving the employer had an improper motive, and the Tenth Circuit agreed

Enter the lawfare, burden-shifting, blame-shifting, and wire fraud on behalf of the Genesis attorneys, the Wyoming Federal District Judges, and the illegal obtainment of personal private emails and electronically stored data (Fourth Amendment Protection violation) by Genesis Alkali and its attorneys. On December 10, 2019, Mr. Carter timely filed a complaint with Occupational Safety and Health Administration (OSHA) with the U.S. Department of Labor (DOL), Shawn Volrath,

the Regional Supervisory Investigator, advised," Your case has been assigned to Federal Investigator, Lydia Morrison". On July 10, 2020, Kelley Edwards of Littler-Mendelson, began into the lawfare by sending the following to Lydia in her "position statement" (230 days after it was due) on behalf of Genesis, establishing Genesis Alkali's position on the burden-shifting throughout this duration of this case, "Mr. Carter's Complaint fails for the additional reason that he has failed to show a correlation between his alleged protected activity and his termination. The fourth element of the *prima facie* case requires Mr. Carter to show that his protected conduct was a "contributing factor" in Genesis's adverse action. *Halliburton*, 771 F.3d at 259." (ECF 154 p. 21 ¶ 3), And "Mr. Carter cannot demonstrate that any allegedly protected conduct was a "contributing factor" in Genesis's decision to terminate his employment. And because any other, earlier complaints were voiced long before Genesis made the decision to terminate his employment, Mr. Carter's Complaint fails because he cannot demonstrate the requisite element of causation, as a matter of law." (ECF 154 p. 17 ¶5). This burden-shifting remained the stance of all of the attorneys, and the judges, in this case throughout its entirety, not excluding the dismissal Order and the affirmation of the Tenth Circuits in upholding this requirement.

Beginning January 15, 2020, Petitioner cooperated with Craig S. Phillips of the U.S. Securities and Exchange Commission (SEC) as required as part of OSHA/DOL, whistleblower Federal procedure through OSHA/DOL. The District court, as part of their biased penchant to exact revenge on Petitioner for refusing to

accept judge Nancy Freudenthal to preside over the case, denied that this contact with the SEC ever happened and dismissed all Frank-Dodd actions against all of the defendants. Petitioner provided proof of email exchanges through the SEC's ZixCorp secure email message from U.S. Securities and Exchange Commission Secure Email, text, and voicemails from Mr. Phillips, and verification that OSHA/DOL required whistleblowers on commodity companies to exchange information with them. However, the prejudice, bias, and injustice that these district judges were beholden too required that they do the bidding of the person that gave them their positions as judges, the attorney for Genesis, and profiteer of Genesis transactions, Dave Freudenthal. This is not fictitious as it is directly reflected in the orders of these two judges dismissing all of the defendants of the Frank-Dodd elements and eventually dismissing Petitioners Constitutional Rights. "The Supreme Court has also held that if a judge wars against the Constitution, or if he acts without jurisdiction, he has engaged in treason to the Constitution.", (Pet App. F). Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In Bulloch v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions

of the court have been directly corrupted." Petitioner argues that both judges have engaged in this type of fraud upon the court and the orders are void ab initio.

"In the August 26, 2021, "Order Denying Plaintiff's Motion For Reconsideration" (ECF 51 p. 2) it was stated as, "In dismissing the Dodd-Frank Act claim against all defendants, this Court found Mr. Carter failed to allege in his complaint that he reported violations or information to the SEC, and so he was not considered a whistleblower entitled to protection." (ECF No. 48 at 5-6) "Mr. Carter attempted to remedy that defect with unsupported assertions in his reply brief, alleging he was communicating with the SEC from the beginning of the process, through OSHA." (ECF No. 45 at 6.)". This exposes the gaslighting of the U.S. District Judge Scott W. Skavdahl, the then U.S. Magistrate Judge Kelly H. Rankin in their campaign to discourage those who bring up anything that is contrary to what the person who put them on the bench, Dave Freudenthal, wants for his clients, Genesis Alkali, whom he is an attorney for. This reflects this dedication as shown by judge Rankin, where he will lie to achieve Freudenthal's goals. This defiance, by the judges, against the workings of other Federal agencies is telling of the widespread corruption in the Wyoming Federal Court system and is at the core of the distrust of the American citizens in the Federal judicial system. Petitioner argues that the lawfare has run rampant over the past several years. The Tenth Circuit affirmed every order that was sent through making them just as complicit in this tragic state of affairs, mostly without reading the appeals, apparently. When a Judge lies on his application for District Judge to the United State Senate (and

presumably the Congress) by hiding "this very case" that Petitioner rightfully requested his recusal and exposed his relationship with Freudenthal. (Pet. App. F), Petitioner argues that the lies are solid ground for voiding the orders ab initio.

Blame-shifting is equally abhorrent as the burden-shifting exposed in the Murray v. UBS finding by the U.S. Supreme Court, *Murray v. UBS Sec.*, 144 S. Ct. 445, 449 (2024) "The question before this Court is whether the phrase "discriminate against an employee . . . because of " in § 1514A(a) requires a whistleblower additionally to prove that his employer acted with "retaliatory intent." Below, the Court of Appeals for the Second Circuit endorsed such a requirement. This Court disagrees.". Petitioner believes that this lying to the Senate voids all orders ab initio and at minimum Rankin should be impeached, if not both judges.

Blame-shifting coincides with gaslighting and is exactly what the Wyoming judges, along with Littler-Mendelson and Davis and Canon did throughout this case. The very first action that the district court took was to pressure Petitioner into accepting judge Nancy Freudenthal to preside over the case and deny her recusal. Judge Freudenthal is the wife of former Wyoming Governor Dave Freudenthal who is the attorney for Genesis Alkali. Mr. Freudenthal nominated his wife for Federal district judge, and she was then secondly nominated by Barack Obama and confirmed, she is also a former partner in Davis and Canon who are attorneys in this case, in addition she has extensive stock in the market supporting Genesis Alkali, Mr. Freudenthal also hired Kelly Rankin as his counsel as Governor, appointed Rankin as Federal magistrate judge in 2012 and nominated by President

Joe Biden in 2023 under Freudenthal's advisement for District Judge, appointed Scott W. Skavdahl to District Court, in Casper Wyoming, Skavdahl was recommended by Freudenthal for Federal judge in 2010 and formally nominated by Barack Obama. Both Skavdahl and Rankin have or had stock that would benefit from the sale of Genesis Alkali,

III. Both district judges refused to recuse themselves and the Tenth Circuit refused to grant a writ of mandamus. Magistrate judge Kelly H. Rankin denied he was asked to be recused on his U.S. Senate questionnaire for District Judge, orders should be void ab initio.

As is obvious, Dave Freudenthal, the Genesis Alkali attorney, owns the Federal Courts in Wyoming. He also appointed the Genesis Alkali lobbyist John Corra (also appointed by him for DEQ Director) when in office. This is why the Federal judiciary in Wyoming is under his control. This also is the very reason that Judge Kelly H. Rankin lied on his application for Federal District Judge about this very case, denying that he had ever been asked to recuse himself. The fact is that both Rankin and Skavdahl were both asked to recuse themselves, "COMES NOW Plaintiff Austin Roger Carter, *Pro Se* Plaintiff, moves to disqualify both judges Kelly H. Rankin, and Judge Scott W. Skavdahl pursuant to 28 U.S.C.A. §§ 144 and 455(b)(1), and "Based on the supporting affidavit that is timely filed... be disqualified, or recuse themselves, and other judge(s) be assigned to this action to assure judicial impartiality when they hear proceedings." (ECF 96, Pet. App. F). Petitioner then sent a writ of mandamus to the Tenth Circuit Court of Appeals

asking for the recusal and impeachment of both. In the final appeal to the Tenth Circuit, Petitioner asked for the impeachment of the two and it was never addressed by the court, just as none of the questions presented were answered, including the Murray v. UBS question, which was summarily ignored as part of the Tenth Circuits defiance of the Supreme Court. Petitioner submitted his appeal on their required form as he anticipated they would limit his access and reject his appeal otherwise, however they still affirmed the district court, as expected, and Petitioner was left to only this option to preserve his Constitutional Rights.

In court proceedings and hearings, Petitioner was blamed for exactly what the judges, and attorneys were doing to Petitioner. Petitioner was gaslighted when the court blamed him for missing hearings, when in fact he had received permission to miss a hearing for the death of his mother in law and was blamed for not going, as well the court sent registered mail, which the U.S. post office retained and did not deliver to his box, but when he picked it up, which the judges said he did not, he was still blamed for missing the hearings that occurred without his knowledge, yet he was punished for these occurrences. In the many hearings in which he was present, judge Rankin and Skavdahl would heckle and downplay Petitioner in hearings with Judge Rankin stating, "I don't care if you have filed an Appeal, this case is ripe, and we are proceeding with this case"! Then and commenting that, "just let me know if you need me to mediate this" in his proud moment after assisting the defendants' attorneys in stripping Petitioner of his rights of due process", all of this after Kevin Grifith voiced "He better get an attorney"! Most of the hearings were

used to force Petitioner into getting an attorney that he could not afford, and not any other trial related issues but just to get Petitioner to acquire an attorney so they could manipulate them and tell them of the arrangement in Wyoming Federal Courts. (Petitioners Writ of Certiorari, No. 21-1568 pp. 6-7). So compelling was the mistreatment that Petitioner felt there was nothing else he could do but try the highest court for rescue, as he was being so downgraded that there was no other recourse, and the Tenth Circuit was doing nothing but supporting their efforts. Having Rankin coverup the case with the U.S. Senate so he could obtain the position for life was no surprise, Petitioner contends this at a minimum voids Rankins orders ab initio under Rule 60(b)(4) and Rule 60(b)(3). In United States v. Balistrieri, 779 F.2d 1191 (7th Cir. 1985) (Section 455(a) "is directed against the appearance of partiality, whether or not the judge is actually biased.") ("Section 455(a) of the Judicial Code, 28 U.S.C. §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process."). That Court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her impartiality might reasonably be questioned." Taylor v. O'Grady, 888 F.2d 1189 (7th Cir. 1989). In Pfizer Inc. v. Lord, 456 F.2d 532 (8th Cir. 1972), the Court stated that "It is important that the litigant not only actually receive justice, but that he believes that he has received justice." In 1994, the U.S. Supreme Court held that "Disqualification is required if an objective observer would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of mind leads

a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified." [Emphasis added]. Liteky v. U.S., 114 S.Ct. 1147, 1162 (1994). And "The Supreme Court has also held that if a judge wars against the Constitution, or if he acts without jurisdiction, he has engaged in treason to the Constitution." Petitioner argues that his Constitution Rights have been violated by both Rankin and Skavdahl and have taken away his right to a trail even after he moved for a 28 U.S.C §§ 144 and 455, including 455(a) and 455(b)(1) removal.

When Petitioner was granted permission to proceed, by order, to initiate any motion to protect his rights due to the production of personal protected material that the defendants and their attorneys produced as part of discovery, Mr. Carter motioned for an injunctive relief, and was punished first by the Judges delaying any relief for three months, violating his Fourth Amendment Rights, Petitioner was given no relief and sanctioned with his Constitutional Rights, which is consistent with the treatment of this cartel like arrangement in Wyoming Federal Courts. This arrangement can be confirmed with the treatment of the Union, by the courts, with the same two judges overseeing a Genesis Alkali issue which Genesis sued the Union (United Steel Paper and Forestry Rubber Manufacturing Energy Allied Industrial and Service Workers International Union Local 13214) due to a Union member calling the same "Hotline" as Petitioner, about homophobic treatment, bullying and intimidation of that employee by a Genesis Alkali supervisor where the outcome of the court case was favorable to Genesis due to the influence of the two Wyoming judges. These same two judges presided over the case and forced the

Union to accept an undesirable outcome (Wyoming Federal Case 23-CV-00131-SWS). This information was also brought to the attention of the Tenth Circuit in Petitioners appeal to show the grip that Skavdahl and Rankin have on the district court, however they did not respond in any way to it or anything else that Petitioner brought to them in the appeal including Murray v. UBS. The judges in the cases that involve Genesis Alkali don't follow the law, they make it. In Petitioners case the Tenth Circuit purposely delayed over seven months to deliver an answer to his appeal to put distance between his case and Rankins confirmation for District Judge, exemplifying the old adage of "Justice Delayed is Justice Denied", only this had more nefarious reasons of protectionism of officers of the court.

The Judges from the Wyoming Federal District Court supported the sanctioning of Petitioner for exposing the corruption of the courts and the relationships of the judges with Genesis Alkali attorneys, former Governor Freudenthal, his wife Federal Judge Nancy Freudenthal and her attempt to retain control of the Carter v. Genisis et al. court proceedings, and the eventual fraudulent application for District Judge by Kelly Rankin. Any common citizen can identify this as a case of involving the appearance of partiality, even the individuals who are unaware of the judicial canons. It reeks of protectionism and shows a penchant of judges more interested in joining in on lawfare than serving justice. The Wyoming district court specialized in monetarily penalizing pro se Petitioners, or those who are not part of the attorney and Trona cartels, if they dare to stand up to the unconstitutional cartel arrangement and expose them of their wrongdoings, they

are punished monetarily. First the judges demeans, heckle, and embarrass you on the phone or in person conferences, queuing to the defending attorneys to join in on degrading proceedings, and finally sanction you if you do not comply with their collective dominance. If you do not bow and quake to them and accept their requests of submission they sanction you for large amounts, in this case it came the form of a $41,852.11 sanction on Petitioner, inflated from $6500. The retaliation is endless with the Wyoming Federal District Court, and they will do anything to keep petitioners fixated on keeping away from the hidden agenda and away from the malfeasance that occurs. There is little to no chance for any group or individual to escape the clutches of the exclusionary judicial system and the protected status of the judicial system in Wyoming. It is important to note that Wyoming is the financial center of the United States, as they have the Jackson Hole Economic Symposium (the Davos of North America), and there are more billionaires and millionaires in Wyoming than anywhere else in the United States, Petitioner argues they control the United States and Wyoming through this corrupt judicial system.

This refusal to follow the United States Supreme Court opinions, and U.S. Laws, as in the Petitioners case, and the refusing to apply the findings of Murray v. UBS, and in cases where District Courts and the Circuit Courts fail to fairly interpret laws and opinions of the Supreme Court and refuse to apply them in cases before them, is a common occurrence and this particularly applies if the party is Pro Se. Although it is well known that Pro Se or self-represented litigants are seemingly unwelcome in the Federal Court systems (most other courts as well), there is no

reason for the judges of the lower courts to entirely disregard petitions and appeals from equal protection and application of the law and ultimately take away Constitution Rights to enrich themselves and show gratitude to politicians and to enrich the politicians and themselves. In this case there is absolutely no doubt that the Magistrate Judge Kelly H. Rankin lied to the United States Senate about this particular case on his application to become District Judge (Relevant part in Pet. App. G). Petitioner attempted to expose this corruption in his Motions to Disqualify the judges, "Mr. Carter argues the district court erred in denying his motion to disqualify the district court judge and magistrate judge. The denial of such a motion is reviewed for an abuse of discretion." *Carter v. Genesis Alkali LLC*, No. 23-8070, (10th Cir. November 22, 2022), (Pet. App. E), Petitioners Affidavit (Pet. App. F). Petitioners' appeal to the Tenth Circuit where he was hoping to get fair application of the law but did not. Petitioner argues that the Tenth Circuit sided with a judge that freely lied to the United States Senate, and contends that judge Rankin was lying about the conditions of the proceedings and the actions that he accused Petitioner of, which resulted in a fraudulent sanction on Petitioner of $41,852.11, amounting to the fraudulently inflated amount originally stated as $6,500 by Respondents attorneys which included "doctored" and manipulated invoices, and heavy charges for talking to them when they engaged Petitioner to discuss settlement in Cheyenne at the hearing, corruption for certain. This led to the eventual "Ultimate Sanction" of dismissing the case with prejudice, and in doing so violated Petitioners First Amendment Right, petitioning the Government for a

redress of grievances, Fourth Amendment Right, to secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, Seventh Amendment, the right to a jury trial shall be preserved, Eighth Amendment, excessive fines imposed, and Fourteenth Amendment, depriving any person of life, liberty or property without the due process of law, and equal protection of the laws. Petitioner believes that violations of all of these have occurred in this case and this case should be addressed for this if nothing else.

To clarify the grounds of the requested recusal and writ of mandamus, Petitioner will give a final outline. This case began with the recusal of District Judge Nancy Freudenthal, former partner in Davis and Cannon attorneys for Genesis Alkali in this case, nominated to her judicial position by her husband and former Governor of Wyoming Dave Freudenthal, a long-time attorney for Genesis Alkali, and both Freudenthal's heavy investors in stock that supports the company. The recusal of judge Freudenthal was presented to Mr. Carter in the form of a coercive writ that demanded Petitioner allow her to continue with the case, delivered with a "for my eyes only" demand from the clerk of courts. Petitioner had already been introduced to Mr. Freudenthal, through his position of Purchasing Manager at Genesis Alkali, and was well aware of his political and influential connections to the Genesis Alkali business. His controlling reach was not only through his wife, but through District Judge Scott W. Skavdahl's appointment to the bench in the Wyoming District (and later nominated by Mr. Freudenthal to his current position), Judge Kelly H. Rankins as his counsel as Governor and next his

nomination to Wyoming district magistrate judge, then according to his questionnaire (Pet. App. G) to his recent seat as District Judge. Both of these judges attacked Petitioner from the onset of this case and conjointly participated in the continued harassment along with Genesis Alkali through their Littler-Mendelson and Davis and Cannon attorneys (also including Genesis Energy's General Counsel Kristen Jesulaitis). Petitioner argues that this inappropriate behavior is, or should be, part of the prohibited activity throughout litigation, under the whistleblower-protection provisions of the Sarbanes-Oxley Act of 2002, where no covered employer may "discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of "protected whistleblowing activity", 18 U. S. C. § 1514A(a). Petitioner contends that the participation of the judges and attorneys in this harassment extends to the provisions of the SOX act and is, or should be, extended throughout litigation and clarified that the Judges and Attorneys are responsible for an "employers" action when faced with this type of interaction.

While the optics of this are as bad as it gets, as related to Canons (particularly Canons 2 and 3), the reality of this is much worse. When Judge Kelly H. Rankin lied to the United States Senate on the questionnaire, advising on "Question #14 Recusal: Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:" His

answer was, "No litigant or party has ever requested that I recuse myself due to an asserted conflict of interest." Rankin lied to Senate question 14 pages 53 & 54." (Pet App. G). To further explain Judge Kelly H. Rankins' deceptive behavior, he admitted that he has kept in constant contact with former governor Freudenthal, contrary to the denial that he had not been keeping in contact with Freudenthal as described in his orders and as Petitioner pointed out in his Motion to Disqualify (recuse), (In partial Pet. App. F), and in the Tenth Circuit, "Mr. Carter also says the judges should have recused because former Governor Dave Freudenthal is legal counsel to a Genesis Alkali entity, and both judges have past professional connections to him." *Carter v. Genesis Alkali LLC*, No. 23-8079, 6 (10th Cir. Oct. 15, 2024). Rankin explained how he has kept in constant contact with the former Governor in his answer in the questionnaire explaining (on page 83, 84 of the questionnaire, Pet. App. G), stating that "On June 1, 2021, I communicated with Governor Dave Freudenthal and Governor Mike Sullivan regarding an opening on the United States District Court in our district. On June 14, 2021, I sent a letter expressing my interest for the position to Senator John Barrasso (Barrasso was also originally appointed by Freudenthal) and Senator Cynthia Lummis (Lummis is a promoter of ANSAC, and deeply involved with the Soda Ash export). "Over the course of the next several months I maintained communications with both Governors and the offices of both Senators regarding the position. On October 25, 2021, I was contacted by the Whitehouse Counsel's office to set up an interview with attorneys from that office. The interview occurred on October 26, 2021. Since

November 2, 2021, I have been in contact with attorneys from the White House Counsel's Office of Legal Policy at the Department of Justice. On December 19, 2023, the President announced his intent to nominate me." Bottom line is that Rankin has lied to the Senate, throughout the nomination process, in order to get nominated and receive the position of District Judge through Dave Freudenthal. Rankins' orders are void ab initio under Rule 60(b)(4), for his and Skavdahl's lying about this particular case and his involvement with the Trona Cartel. Judge Rankin has admittedly lied about the issues of recusal and also lied about his constant contact with the Genesis Alkali attorney Dave Freudenthal, contrary to the continual denial to Petitioner through his orders and hearings. Petitioner contends this is Malfeasance, and against the Judicial Code of Conduct and Canons, and has been at the expense of Petitioners' case ending in what the judge's term "The Ultimate Sanction" of stripping away Constitutional Rights, Amendments First, Fourth, Seventh, and Fourteenth. Kelly H. Rankin has lied to the Senate and has maintained lies about the proceedings in this case. Petitioners' actions of exposing malfeasance, Rankins Political ties, financial involvement with Genesis Alkali, cannot be ignored and is the precipice of corruption. Clarification of what extent the protections Sarbanes Oxley gives to employees during litigation from employers, and to what extent does this extend to District Judges and Circuit Courts following Supreme Court opinions and the treatment of litigants during proceedings is paramount to righting the wrongs of not following the findings of the Supreme Court. This is what is wrong with America today.

While there is no doubt that Petitioner, and it is not disputed, received answers in defendants' discovery that were emails retrieved from his personal computer as part of the Respondents' answers to discovery in the case, typically termed as wire fraud. It is also undisputed that the respondents did not answer any other questions provided to them as part of discovery leaving one hundred percent of the interrogatories unanswered, and, except for Petitioners personal protected emails (the emails were attorney correspondence of petitioner) received near 0% of answers to other discovery questions. In any other situation this taking of Petitioners protected communications, would be known as wire fraud and a clear violation of Petitioners Fourth Amendment Constitutional Rights. Since the attorneys were working on behalf of Genesis Alkali, and since the judges were beholden to the former Governor and attorney for Genesis Alkali, the tables turned and Petitioners' Motion for Injunctive Relief, to stop the wire fraud and invasion of his personal effects, was not addressed for over 90 days, and never ruled upon until Judge Skavdahl mooted them in his dismissal of the case. Judge Skavdahl had calculated this final attack to frustrate and deny Petitioner so that the judge could aggravate him with his plan to rid the court of Petitioner and take his constitutional rights and his Sarbanes-Oxley claims away from him. Skavdahl would have Petitioner be deposed with materials out of his personal computer without the Injunction or any protection whatsoever. Prior to the final order, the Genesis attorneys demanded that Petitioner have a "Video Taped Deposition", using the materials they had illegally acquired from Petitioners' personal computer.

Another vexatious attack by Respondents attorneys was a Motion to Dismiss that accompanied this as they knew that if they could notice a Soviet Style interrogation of Petitioner that they could get him to deny the defendants attorneys could depose him, with wire fraud information in their hands. Prior to the requested deposition, judge Rankin had ordered that Petitioner could file to stop the wire fraud, in an order, however the penchant to bring down Petitioner by Skavdahl due to Mr. Carter exposing the cartel like arrangement, and was cutting to close to the bone of the scheme, and was too much to bear for the judge and the Wyoming court needed to bring down Mr. Carter for fear that he would expose their financial arrangements with Freudenthal, and much more. Much of the stocks held by judges Skavdahl, Rankin and Judge Nancy Freudenthal are directly related to Blackstone and Blackrock (companies heavily invested in Genesis Alkali and Genesis Energy), even more so Federal Judge Nancy Freudenthal with her robust stock holdings (much like a stockbroker), and all stood to benefit from the transactions of the companies. Low and behold on February 28, 2025, Genesis Alkali sold to We Soda for $1.425 billion dollar cash. It is likely that Genesis withheld a great deal of information from the Security and Exchange Commission (SEC), and the Freudenthal's, Skavdahl, Rankin, Davis and Canon, and Littler attorneys were patiently waiting until they could drag Petitioner over the line so this transaction could occur and they could profit.

The judges, and attorneys for Genesis Alkali vehemently denied that Petitioner had any contact with the SEC, OSHA/DOL, which he did and produced

all of that information to the courts and attorneys of Genesis Alkali, only to be told that he did not have contact with the SEC, by the Wyoming Federal District court, so that they could dismiss the Frank-Dodd charges against the Genesis Alkali executives Edward T. Flynn and Fred von Ahrens, Cody Parker and Terry Harding so they could benefit financially. Craig S. Phillips of the Securities and Exchange Commission was the contact working with Petitioner.

There was no trial, as Petitioner was deprived of his Constitutional Rights via the "Ultimate Sanction", however the hearings and exchanges were revealing as it pertains to the core issues. This malfeasance premised on the lies by judge Rankin and reinforced by the malfeasance of judge Skavdahl, this Court must assume that everything is untrue as it pertains to the decisions of the lower court, void ab initio, due to the fact that Rankin has reinforced his lies to the United States Senate, directly related to this case. This Court must assume that everything Rankin has said is in fact a lie and has voided every order ab initio. Rankin has irreparably tainted this case and has proven himself as a trespasser of the law, losing subject matter jurisdiction, and the orders issued are void because they do not apply due to the lies, and are not legally binding, or have no effect. While there is little chance (less than 1%) that this will actually be reviewed for writ of certiorari, particularly due to Petitioner being Pro Se, it is revealing that our system only entertains those who are like diamonds, so rich and so rare, as to have no place in the common crowd, and seemingly none that are the common folk are afforded justice who the Constitution is designed for.

There is less than 1% chance of getting a writ of certiorari through the normal process and an even lower of a chance for pro se petitioners which are a very small fraction of that in a ten-year period. So, it is likely that injustices, even in light of this Petition, that most cannot afford justice will not be afforded justice. Statistically this gives lying corrupt judges a 99% chance of getting away with whatever they would like.

CONCLUSION

Petitioner prays that for the foregoing reasons, the petition for a writ of certiorari should be granted.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Austin R Carter

Date: March 20, 2025