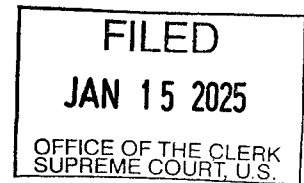


IN THE SUPREME COURT OF THE UNITED STATES

C. A. No: 24 - 6912

TALLEY et al.,



PETITIONER(S),

v.

HORN et al.,

RESPONDENT(S).

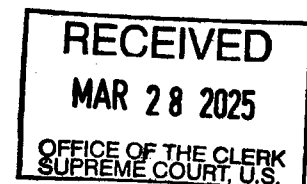
*ON PETITION FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT  
C. A. No: 24-1734 and C. A. No: 24-1917*

PETITION FOR WRIT OF CERTIORARI

Kenneth R. Talley, *pro se*  
28289 Broadkill Road  
Milton, DE 19968

Kristina K. Talley, *pro se*  
28289 Broadkill Road  
Milton, DE 19968

Documents prepared and submitted: March 25, 2025



## QUESTION PRESENTED

The United States Court of Appeals for the Third Circuit dismissed for a lack of appellate jurisdiction, upholding the lower court's decision. The federal district court used the state trial court's decision as the basis for its judgement, where in the state trial court, an elderly man was "made" to act as his own lawyer in a two-day trial, where the indigent and illiterate citizen was forced by the court to represent himself, then found to be not competent to act as a lawyer by a doctor. The federal appellate court's decision is submitted for review.

The question presented:

Illiteracy is defined as the inability to read or write simple messages. Does a lack of basic literacy skills have significant legal implications for this elderly individuals' ability to act as a lawyer to represent himself, participate in the legal system, access information, and exercise his rights under the Constitution?



### PARTIES TO THE PROCEEDING

All parties to the proceeding whose judgment is sought to be reviewed shall be deemed parties in this Court, and all parties other than petitioners shall be respondents as per Supreme Court Rule 12.6. A corporate disclosure statement is not required as the petitioners are not a corporation. See Supreme Court Rule 29.6. Petitioners Kenneth R. Talley, and Kristina K. Talley were appellants in the United States Court of Appeals for the Third Circuit. Respondents, Judith and Darren Horn Sr., Darren Horn Jr., Kevin R. Talley, Court of Chancery of the State of Delaware, Patricia W. Griffin, Superior Court of the State of Delaware, Judge Mark H. Conner, Community Legal Aid Society, Olga Beskrone, Sergovic Carmean Weidman McCartney & Owens, P.A., David Weidman, and Delaware Electric Cooperative, Inc, via Rob Book were appellees.

(1) Petitioner, Kenneth R. Talley, is an individual representing himself, *pro se*, with permanent residence located at 28289 Broadkill Road, Milton, DE 19968 and temporary housing after ejectment by force at 28467 Pocahontas Avenue, Millsboro, DE, 19966. Plaintiff, Kenneth R. Talley, is hereinafter referred to as the same, "Kenneth Talley," "Ken," "Mr. Talley," or petitioner.

(2) Petitioner, Kristina K. Talley, is an individual representing herself, *pro se*, with primary residence located at 28289 Broadkill Road, Milton, DE 19968 and temporary housing due to ejectment by force at 28467 Pocahontas Avenue, Millsboro, DE, 19966. Kristina is being evicted/ejected from all housing in Delaware and Pennsylvania. Kristina cares for her elderly father serving as DPOA. Plaintiff, Kristina Talley, is hereinafter referred to as the same, "Kristina Talley", "Kristina," or Petitioner.



(3) Respondent, Judith C. Horn, is the daughter of Kenneth, as well as the employer of Kenneth Talley, with primary place of residence and business at: 719 Route 12, Westmoreland, New Hampshire 03467-4727. The respondent, at all times mentioned herein, acted as an agent for the individuals and corporations named as co-respondents. Respondent, Judith C. Horn, was served summons at her primary place of residence. Respondent, Judith C. Horn, is herein after referred to as the same, "Agent," "Judith C. Horn" "Judy Horn," "Judy" or respondent.

(4) Respondent, Darren W. Horn, Sr., is married to Respondent, Judith C. Horn and is the son-in-law of Kenneth, with primary place of residence and business at: 719 Route 12, Westmoreland, New Hampshire 03467-4727. This respondent, at all times mentioned herein, acted on behalf of an agent. Respondent, Darren W. Horn Sr., was served summons at his primary place of residence. Respondent, Darren W. Horn, Sr., is herein after referred to as the same, "Darren Horn, Sr.," "Darren Sr." or respondent.

(5) Respondent, Darren W. Horn, Jr., is the son of Judith and Darren Horn, Sr., and the grandson of the plaintiff, Kenneth, with primary place of residence at: 42 Spring Street, Spofford, New Hampshire 03462-4202. This respondent, at all times mentioned herein, acted on behalf of an agent. Respondent, Darren Horn Jr., was served summons at his primary place of residence. Respondent, Darren Horn, Jr., is herein after referred to as the same, "Darren Horn, Jr.," "Darren Jr." or respondent.

(6) Respondent, Kevin R. Talley, is the son of Kenneth, with primary place of residence at: 2593 Shaws Corner Road, Clayton, Delaware 19938-3223. This respondent, at all times mentioned herein, acted on behalf of an agent. Respondent,

IN THE SUPREME COURT OF THE UNITED STATES



Kevin Talley was served summons at his primary place of residence: 2593 Shaws Corner Road, Clayton, Delaware 19938-3223. Respondent, Kevin Talley, is herein after referred to as the same, "Kevin Talley" "Kevin" or respondent.

(7) Respondent, Court of Chancery of the State of Delaware, is a Delaware government entity with primary offices located at: 34 The Circle, Georgetown, Delaware 19947. This respondent, at all times mentioned herein, acted through various agents: Master in Chancery Patricia W. Griffin and court employees. Respondent, Court of Chancery of the State of Delaware, was served summons via Delaware Department Of Justice, Kenneth Wan, Esq., 820 N. French Street, 6th Floor, Wilmington, DE 19801. Respondent, Court of Chancery of the State of Delaware, is referred to as the same, "Court of Chancery of the State of Delaware," "the Court," "Master in Chancery Patricia Griffin," "Master Griffin" or respondent.

(8) Respondent, Master in Chancery Patricia W. Griffin, is a recently retired Master in Chancery who presided at the Court of Chancery of the State of Delaware with primary offices located at: 34 The Circle, Georgetown, Delaware 19947. This respondent, at all times mentioned herein, acted as an individual on behalf of an agent and as an employee of the Court of Chancery of the State of Delaware and through court employees. Respondent, Master in Chancery Patricia W. Griffin, was served summons via Delaware Department Of Justice, Kenneth Wan, Esq., 820 N. French Street, 6th Floor, Wilmington, DE 19801. Respondent Master in Chancery Patricia W. Griffin (Retired), is referred to as the same, "Master in Chancery" "Patricia Griffin," "Court of Chancery of the State of Delaware," "Court of Chancery," or respondent.



(9) Respondent, Superior Court of the State of Delaware, is a Delaware government entity with primary offices located at: 1 The Circle #2, Georgetown, Delaware 19947. This respondent, at all times mentioned herein, acted through various agents: Judge Mark H. Conner and court employees. Respondent, Superior Court of the State of Delaware, was served summons via Delaware Department Of Justice, Kenneth Wan, Esq., 820 N. French Street, 6th Floor, Wilmington, DE 19801. Respondent, Superior Court of the State of Delaware, is referred to as the same, " Superior Court of the State of Delaware," "the Court," "Delaware Superior Court," "Superior Court," "Judge Conner" or respondent.

(10) Respondent, Judge Mark H. Conner, is a judge who presides at the Superior Court of the State of Delaware with primary offices located at: 1 The Circle #2, Georgetown, Delaware 19947. This respondent, at all times mentioned herein, acted as an individual on behalf of an agent and as an employee of the Superior Court of the State of Delaware and through court employees. Respondent, Judge Mark H. Conner, was served summons via Delaware Department Of Justice, Kenneth Wan, Esq., 820 N. French Street, 6th Floor, Wilmington, DE 19801. Respondent Judge Mark W. Conner, is hereinafter referred to as the same, "Judge Conner," "Superior Court of the State of Delaware," "Delaware Superior Court" or respondent.

(11) Respondent, Community Legal Aid Society, Inc., is a corporation providing free legal services in Delaware located at: 100 W. 10th Street, Suite 801, Wilmington, Delaware 19801. Respondent, Community Legal Aid Society, Inc., was served summons through its attorney: Elzufon Austin & Mondell, P.A., 300 Delaware Avenue,

IN THE SUPREME COURT OF THE UNITED STATES



Suite 1700, Wilmington DE 19801-1630. Respondent, Community Legal Aid Society, Inc., is hereinafter referred to as the same, "Community Legal Aid Society, Inc.," "Legal Aid," "CLASI" or respondent.

(12) Respondent, Olga Beskrone Esq., is an attorney with residence located at: Pinecrest, 2 Pinecrest Drive, Wilmington, Delaware 19810-1414. This respondent, at all times mentioned herein, acted on behalf of an agent. Previous Employer, Community Legal Aid Society. Olga Beskrone, Esq., was served summons through her attorney: Elzufon Austin & Mondell, P.A., 300 Delaware Avenue, Suite 1700, Wilmington DE 19801-1630. Respondent, Olga Beskrone, Esq., is hereinafter referred to as the same, "Olga Beskrone, Esq.," "Attorney Beskrone," "Community Legal Aid Society, Inc.," "CLASI," or respondent.

(13) Respondent, Sergovic Carmean Weidman McCartney & Owens, P.A., is a law firm with primary offices located at: 25 Chestnut Street, Georgetown, Delaware 19947. This respondent, at all times mentioned herein, acted on behalf of an agent. Respondent, Sergovic Carmean Weidman McCartney & Owens, P.A., was served summons at their primary place of business: 25 Chestnut Street, Georgetown, Delaware 19947. Respondent, Sergovic Carmean Weidman McCartney & Owens, P.A., is herein after referred to as the same, "Sergovic Carmean," "David Weidman Esq.," "Attorney Weidman," or respondent.

(14) Respondent, David Weidman, Esq., is an attorney with an office located at: 25 Chestnut Street, Georgetown, Delaware 19947. This respondent, at all times mentioned herein, acted on behalf of an agent. Respondent, David Weidman Esq., was

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served summons at his current residence located at 30806 Mills Ridge Road, Lewes, Delaware, 19958. Respondent, David Weidman Esq., is hereinafter referred to as the same, "David Weidman, Esq.," "Sergovic Carmean Weidman McCartney & Owens, P.A.," "Sergovic Carmean" or respondent.

(15) Respondent, Delaware Electric Cooperative, Inc., via President, Rob Book is a public utility company that provides electricity in the State of Delaware, located in Sussex County with primary offices located at: 14198 Sussex Highway, Greenwood, Delaware 19950. This Respondent, at all times mentioned herein, acted on behalf of an agent, also acting as the only public utility provider. Respondent, Delaware Electric Cooperative, Inc. via Rob Book President, was served summons through its attorney: Morris James LLP, 500 Delaware Ave, Suite 1500, Wilmington, DE 19801-1494. Respondent, Delaware Electric Cooperative, Inc. via Rob Book President, is hereinafter referred to as the same, "electric company," "public utility company," "utility provider," "Delaware Electric Cooperative, Inc.," "Rob Book," or respondent.





**STATEMENT OF RELATED CASES**

The cases listed below are “directly related” to the non-jury trial held in state court. Cases are pending before the United States Court of Appeals for the Third Circuit.

- Case 1. Filed on 07-15-2020, Horn v. Talley, C.A. No. JP17-20-002965, Delaware Justice Of The Peace Court Landlord-Tenant Eviction, No eviction ordered.
- Case 2. Filed on 01-06-2021, Talley v. Horn, C.A. No. 2021-0011-PWG, Delaware Court Of Chancery, Equitable Life Estate/Constructive Trust, Report.
- Case 3. Filed on 05-10-2022, Talley Vs. Horn, C.A. No. 146,2022, Delaware Supreme Court - Interlocutory Appeal, Appeal, dismissed due to lack of jurisdiction.
- Case 4. Filed on 11-18-2022, Talley v. Horn, C.A. No. JP17-22-004487, Delaware Justice Of The Peace Court, Request to Restore Power1, Dismissed, denied electric for elderly during winter.
- Case 5. Filed on 11-23-2022, Talley v. Horn, C.A. No. JP17-22-004544, Delaware Justice Of The Peace Court, Request to Restore Power2, Dismissed, denied electric for elderly during winter.
- Case 6. Filed on 11-30-2022, Talley v. Horn, C.A. No. JP17-22-004586, Delaware Justice Of The Peace Court, Request to Restore Power3, Dismissed, denied electric for elderly during winter.
- Case 7. Filed on 11-28-2022, Kenneth Talley v. Kevin R. Talley, File Number: CS22-05999; CPI Number 22-25176, Delaware Family Court, Protection From Abuse, case dismissed, Kenneth did not have a witness to support evidence.
- Case 8. Filed on 11-28-2022, Kenneth Talley v. Judith C. Horn, File Number: CS22-05849; CPI Number 22-25183, Delaware Family Court, Protection From Abuse, case dismissed, Kenneth did not have a witness to support evidence.
- Case 9. Filed on 11-28-2022, Kenneth Talley v. Darren W. Horn Sr., File Number: CS22-06000; CPI Number 22-25178, Delaware Family Court, Protection From Abuse, dismissed, Kenneth did not have a witness to support evidence.

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- Case 10. Filed on 11-28-2022, Kenneth Talley v. Darren W. Horn Jr., File Number: CS22-05848; CPI Number 22-25174, Delaware Family Court, Protection From Abuse, case dismissed, Darren W. Horn Jr., could not be located in NH.
- Case 11. Filed on 12-15-2022, Talley v. Horn, C.A. No. S22C-12-007-MHC, Delaware Superior Court, Adverse Possession, dismissed.
- Case 12. Filed on 12-20-2022, Horn v. Talley, C.A. No. S22C-12-013-MHC, Delaware Superior Court, Ejectment, Request for Continuance, denied; wife, Janice Talley request for joiner, denied; Order for Ejectment by Force, granted.
- Case 13. Filed on 03-07-2023, Talley v. Horn, C.A. No. 53,2023, Delaware Supreme Court, Appeal Order for Ejectment by Force and Restoration of Electrical Power, Electricity, denied, Appeal, denied.
- Case 14. Filed on 03-02-2023, Talley v. Horn, C.A. No. S23L-03-002-RHR, Delaware Superior Court, Mechanic's Lien, dismissed.
- Case 15. Filed on 03-23-2023, Talley v. Horn, C.A. No. 23-324, United States District Court For The District Of Delaware, dismissed for lack of jurisdiction.
- Case 16. Filed on 09-06-2023, Talley v. Horn, C.A. No. 23-982, United States District Court For The District Of Delaware, dismissed for lack of jurisdiction.
- Case 17. Filed on 10-03-2023, Delaware v. Kristina K. Talley, C.A. No. 2310001141, Delaware Court of Common Pleas, criminal trespass charge dismissed 8-21-24.
- Case 18. Filed on 10-12-2023, Delaware v. Kenneth R. Talley, C.A. No. 2310005637, Delaware Court of Common Pleas, criminal trespass charge dismissed 1-11-24.
- Case 19. Filed on 02-12-2024, Talley v. Horn, C.A. No. 2021-0011-BWD, Delaware Court of Chancery, Reopened C.A. No. 2021-0011-PWG, Exceptions, pending.
- Case 20. Filed on 04-22-2024, Talley v. Horn, C.A. No. 24-1734, United States Court of Appeals for the Third Circuit, Panel Rehearing/En Banc Review, dismissed.
- Case 21. Filed on 05-03-2024, Talley v. Horn, C.A. No. 24-1917, United States Court of Appeals for the Third Circuit, Panel Rehearing/En Banc Review, dismissed.
- Case 22. Filed on 05-09-2024, Talley v. Horn, C.A. No. 175,2024, Delaware Supreme Court, dismissed for a lack of jurisdiction, Reargument, denied.

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- Case 23. Filed on 06-06-2024 Clark v. Talley, 2024 C.A. No. JP17-24-003574, Delaware Justice Of The Peace Court, Landlord-Tenant Eviction, granted.
- Case 24. Filed on 06-10-2024 Talley v. Clark, 2024 C.A. No. JP17-24-003623, Delaware Justice Of The Peace Court, Tenant/Landlord Bill of Particulars, denied.
- Case 25. Filed on 07-19-2024, Talley v. Horn, C.A. No. 24-2358, United States Court of Appeals for the Third Circuit, Appeal, pending.
- Case 26. Filed on 10-02-2024, Talley v. Horn, C.A. No. 429,2024, Delaware Supreme Court, brief submitted March 11, 2025, Interlocutory Appeal in progress.
- Case 27. Filed on 09-08-2024, Talley v. Horn, C.A. No. 24-6030, United States Supreme Court, Petition for a Writ of Certiorari, filed February 11, 2025 in the Supreme Court of Delaware, Motion for Rehearing from SCOTUS, pending.
- Case 28. Filed on 10-11-2024, Talley v. Horn, C.A. No. 429,2024, Delaware Supreme Court, Interlocutory Appeal, pending.
- Case 29. Filed on 10-22-2024, Talley v. Clark, C.A. No. S24C-10-022-CLS, formerly S24C-10-022-CAK, Trial by jury and request for guardianship, denied.
- Case 30. Filed on 01-15-2025, Talley v. Horn, C.A. No. TBD, United States Supreme Court, Petition for a Writ of Certiorari, on January 24, 2025 documents were returned to petitioners with a letter for correction; Mailed on March 25, 2025.
- Case 31. Filed on 03-11-2025, Clark v. Talley, C.A. No. S25C-02-029-RHR, Delaware Superior Court, Ejectment hearing scheduled for April 4, 2025, Request for trial by jury, pending.



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TALLEY et al.,  
PETITIONER(S),

v.

HORN et al.,  
RESPONDANT(S).

*ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT*

**PETITION FOR WRIT OF CERTIORARI**

RESPECTFULLY COMES NOW, Petitioners, Kenneth R. Talley, and Kristina K. Talley, *pro se*, ask to file a Petition for a Writ of Certiorari, Motion to Allow Evidence, and Motion for Leave To Proceed *In Forma Pauperis* for the reasons set forth as follows: Kenneth is being ejected by force from temporary housing. Kenneth complains to this Court after facing eviction and ejectment four times in five years in the State of Delaware without a trial. A question of law may be settled if it is resolved by a court or general principles are well-established. The petitioner's question of law involves a matter of public importance and affects the rights of Kenneth Talley substantially, therefore, it qualifies as a question of law. Illiteracy has far-reaching consequences on the legal system and society as a whole. A forensic psychological evaluation was completed for Petitioner, Kenneth, which states "Instead, it is the constellation of factors that were present for Mr. Talley that resulted in this examiner's opinion that he was not competent to represent himself during his past legal proceedings." (App. D, Page 13, Line 20)

## OPINIONS BELOW

1. Petitioners indicate whether the opinions of the lower courts in this case have been published, and if so, the citation for the opinions. Published citation for the opinion: Talley v. Horn, 277 A.3d 937 (Del. 2022).

Appendix A United States Court of Appeals for the Third Circuit, Order, C.A. No. 24-1734 and C.A. No. 24-1917, Appeals, Dismissed (App. A)

Appendix B United States Court of Appeals for the Third Circuit Order, C.A. No. 24-1734 and C.A. No. 24-1917, Reargument, Denied (App. B)

Appendix C Neuropsychological Evaluation Robert L. Mapou, Ph.D. (App. C)

Appendix D Psychological Evaluation Laura Cooney-Koss, Psy.D. (App. D)

Appendix E Declaration of Indigency and Order(s) Granted / Denied (App. E)

Appendix F Affidavits of Elder Abuse, Work and Record Keeper (App. F)

Appendix G Delaware Court of Chancery C.A. No. 2021-0011-PWG (App. G)

Appendix H Delaware Superior Court C.A. No. S22C-12-013-MHC (App. H)



## JURISDICTION

2. This petition seeks review of the order(s) dated September 19, 2024 by the United States Court of Appeals in case No. 24-1734 and case No. 24-1917, (App. A) for which timely motions for reargument were denied on October 18, 2024, (App. B). This petition properly lists the date that the orders were entered, September 19, 2024, and as applicable, the date of the orders respecting rehearing, October 18, 2024, as required by Supreme Court Rule 14.1(e). Petitioners timely file this petition on March 25, 2025. This petition for a writ of certiorari is seeking review of multiple judgments invoking Rule 12.4. This petition seeks review of the order(s) dated October 4, 2022 by the Delaware Court of Chancery in case No. 2021-0011-PWG, (App. G), and February 3, 2023 by the Delaware Superior Court in case No. S22C-12-013-MHC, (App. H). This Court has jurisdiction under 28 U.S.C. § 1257. This Court has appellate jurisdiction, with the power to review decisions made by appellate courts, in cases involving the Constitution. This Court has authority with regard to evidence from experts and may issue subpoenas, as stated in Article III. This Court is the final expositor of the Constitution, exercising its role in marking the boundaries of authority between state and nation, state and state, and government and citizen, as per Article III. Petitioners invoke this Court's Rule 12.4 and jurisdictional powers, as established by the Constitution, the Judiciary Act of 1789, and subsequent legislation, exercised within the framework of this petition, with this Court's decisions serving as the final word on matters of federal law and the Constitution. Petitioners address Rule 10 and report the compelling reasons that exist for the exercise of jurisdiction.



### CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

3. Petitioners challenge an existing law and seek a change to the law. The Constitution includes protections for indigent citizens under the limited civil exceptions of the Sixth Amendment. The petitioners ask for an amendment to this law, by an act of Congress, so that this law shall include protection under the Constitution for illiterate citizens after Petitioner, Kenneth, was “made” to act as a lawyer by state court employees. This case is of national importance for indigent and illiterate citizens, similarly situated, and without the financial capacity to obtain legal counsel while suffering from illiteracy. Petitioners herein request a judicial review, pursuant to this Court’s authority to declare a Legislative or Executive act in violation of the Constitution, as established by the Judiciary Act of 1789 and Article III of the Constitution. Petitioners request an interpretation of the Constitution, as it relates to this case, where this Court has the power to interpret the Constitution determining its meaning and applicability to specific cases, as outlined in Article III. The relevant constitutional and statutory provisions are regarding the right to receive due process for an indigent and illiterate citizen, where the petitioners argue that each of the individuals and corporations listed herein as respondents acted with wanton negligence and their continual denial of due process for Kenneth is legally and lawfully unconstitutional. Kenneth’s right to receive due process is protected under the Fifth Amendment to the United States Constitution, as incorporated to the States through the 14th Amendment. When the civil exceptions of the Sixth Amendment were not applied for the indigent and illiterate petitioner, a gap in the



law was identified and explains exactly how Kenneth was forced to proceed without legal counsel or a guardian, by Respondent, Patricia Griffin (App. G) and Respondent Judge Mark Conner (App. H). Kenneth objects to the denial of help at trial after being evaluated by a forensic doctor. (App. D) This Court has at least 16 cases that say anyone can help a person with a legal matter as long as they do not present themselves as an attorney and they do not accept a fee. See *Johnson v. Avery*. Petitioners appealed the original civil action, the federal appellate court denied Kenneth's right to receive due process. The petitioners include a constitutional and congressional basis of subject-matter jurisdiction for this Court to change a law. See U.S. Const. Art. III, Sec. 2. Respondent, Delaware Electric Cooperative, Inc., via President, Rob Book, where the utility provider violated the PJM Master Tariff which governs the rules, tariffs, and procedures for transmission and distribution services. Petitioners complain after Respondent, Delaware Electric Cooperative, Inc., via President, Rob Book, violated the PJM Master Tariff as it relates to the transmission and distribution of utility services in zip code 19968, specifically where there is only one utility provider, with no backup electricity provider in the specific geographical location. Petitioners cite the Federal Power Act (FPA) as it applies to utility companies by granting the Federal Energy Regulatory Commission (FERC) jurisdiction over the transmission and sale of electric energy in interstate commerce including the terms, and conditions of service for the transmission and sale of electricity. The utility company is required to provide non-discriminatory access to the electricity grid and to comply with reliability standards established by FERC.



STATEMENT

4. Petitioners understand that the primary concern of this Court is not to correct errors in appellate court decisions. This Court is kept to decide cases presenting issues of importance beyond the particular facts and parties involved. Petitioners ask to file this Petition including a change of law request, as a legal document, in order to formally request this Court change a law and take specific action. This petition includes a change of law request, challenging the existing law, where Petitioners seek relief and request a change to the federal appellate court's ruling.

I. State trial court proceedings.

5. On January 7, 2025, Respondent, Delaware Court of Chancery, denied Kenneth's request to proceed *In Forma Pauperis*. (App. E) Respondent, Delaware Court of Chancery, states that Kenneth is "malicious". Petitioner, Kenneth, has forensic evidence that demonstrates his ability to read and write was found to be at a first to second-grade level. Kenneth respectfully filed a motion to proceed without the payment of fees in this Court and the Delaware Court of Chancery as Kenneth is indigent. The petitioners note that the denial of Kenneth's request to proceed *In Forma Pauperis* is evidence of an abuse of discretion by Respondent, Delaware Court of Chancery. Petitioners maintain that court employees intend to prevent Petitioner, Kenneth's, interlocutory appeal from moving forward in the state supreme court, especially if Kenneth cannot afford to pay the additional five hundred dollars for the required docketing fee. Petitioners note that it is perhaps an abnormal court requirement, unique to Delaware, to require a docketing fee to be paid in two



separate courts for filing the exact same appeal documents. There are fees required in both the state supreme court and the Delaware Court of Chancery, before the Register in Chancery will submit the docket to the Delaware Supreme Court. Petitioner, Kenneth, states herein that he does not understand the fees that are requested by the deadline of January 31, 2025, by Respondent, Delaware Court of Chancery. Kenneth notes that he has previously paid five hundred dollars to the Delaware Supreme Court on several occasions, where all of the prior cases were dismissed. Courts follow specific procedures in consideration for *In Forma Pauperis*. Kenneth insists that he has already paid Respondent, Delaware Court of Chancery, \$1,336.44 for the trial transcript in September of 2024, and based on the fact that he is indigent, it is unreasonable for Respondent, Delaware Court of Chancery to deny the request. Kenneth's requests for permission to proceed *In Forma Pauperis* were granted by the appellate court and the state supreme court. Petitioner, Kristina notes that as per File and Serve Express, Respondent, Delaware Court of Chancery, has the highest court fees in the nation. Petitioners submit a Request for Relief from Judgement to this Court regarding proceedings in state court that include Kenneth based on evidence provided by a forensic expert pursuant to Delaware Trial Handbook § 28:2, Entry of Judgment in Civil Cases.

## II. State supreme court proceedings.

6. Civil Action number 24-6030, assigned by this Court, was submitted to the Supreme Court of Delaware for rehearing after denial in January 2025. Petitioners also request an interlocutory review by the state supreme court, via civil action



number 429,2024, based on the following: Petitioners are seeking permission to appeal a ruling made by the trial court and filed an interlocutory appeal before the end of the case after due process was denied for Kenneth at trial in 2022 (App. G) and the subsequent hearing held in April of 2024. This petition demonstrates that the appeal falls within the jurisdictional scope of the appellate court, as specified in 28 U.S.C. §1292(b) and Supreme Court of the State of Delaware, Rule 42(b)(iii), and other applicable statutes. The elderly petitioner filed a valid claim for an interlocutory review after errors in the submission of evidence, which include the violation of laws pertaining to fraud, negligence, elder abuse, and the intentional infliction of emotional distress, see Appendix F Affidavits of Elder Abuse, Work and Record Keeper. (App. F) Respondent, the Delaware Court of Chancery, does not have jurisdiction over criminal matters, including fraud committed by Respondent, Judith. On November 25, 2024, the Delaware Supreme Court granted Kenneth Talley's request to proceed *In Forma Pauperis*. Petitioners maintain that state courts follow the same procedures for determining indigency, however these two courts did not apply the exact same procedures with regard to Kenneth after the request to proceed without payment was accepted by the state supreme court, then denied by the state trial court. Petitioners complain to this Court that it is a contradiction in the application of law and procedure that requires clarification. This petition for a writ of certiorari is invoking Rule 12.4, seeking review of multiple judgments, see Appendix G Delaware Court of Chancery C.A. No. 2021-0011-PWG, (App. G), and Appendix H Delaware Superior Court C.A. No. S22C-12-013-MHC, (App. H). Petitioners complain these judgements are unlawful.





### III. Federal court proceedings.

7. The lower court used time in its decision as a valid reason to deny the appeal. Petitioners complain because it is technically Congress that has the authority to decide, within constitutional bounds, whether federal courts can hear cases. Congress determines when, and under what conditions, federal courts can hear this legal dispute, after denial by the lower court. (App. A) Petitioners cite *United States v. Curry*, 47 U.S. 106 (1848). The original civil action complaint was filed on March 23, 2023 with the federal district court where the plaintiffs demanded a trial by jury after being denied due process at the original trial with no jury present. The federal appellate court upheld the decision of the lower court, including a denial of the petitioners request for a trial by jury. Petitioners complain to this Court after federal courts used the state trial court's unconstitutional decision, published at *Talley v. Horn*, 277 A.3d 937 (Del. 2022), as the basis for judgement. Petitioners complain that the judgements derived by the federal appellate court and the federal district court specifically deny Kenneth's right to a trial by jury provided under the Seventh Amendment. The state court held a *non-jury trial* regarding an established life estate or constructive trust for Kenneth, where Respondent, Delaware Court of Chancery, "made" Kenneth act as a lawyer, and denied the ADA Accommodation request at the beginning of the two-day trial. Petitioners complain that Delaware is the only state with a Court of Chancery with the authority to usurp the Constitution outlined in its State Constitution. Petitioners argue that in Delaware, state law usurps federal law when the limited civil exceptions of the Sixth Amendment are not applied by state

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courts during civil proceedings that involved indigent and illiterate Petitioner, Kenneth, indicating there is a gap in the law, between the Fifth and Sixth Amendments. State courts did not account for existing protections under the law which are allowed for indigent citizens. Petitioners file a change of law request with this Court in order to protect illiterate and indigent citizens. The legal requirements for this change of law are included herein as follows: This petition challenges the constitutionality of the Sixth Amendment where the limited civil exceptions are not a guarantee for indigent or illiterate citizens in civil proceedings. This petition includes a change of law request and challenges the constitutionality of the Sixth Amendment, in civil proceedings after the limited civil exceptions were not applied for indigent and illiterate Petitioner, Kenneth. Petitioners ask this Court to change the existing law by adding protection for illiterate citizens in the Constitution. Petitioners state that the word "illiterate" may be added under the same set of limited civil exceptions to update this law. The Sixth Amendment was originally enacted by the Legislative Body of Congress on December 15, 1791. Petitioners argue that when the limited civil exceptions are not exercised by courts during the application of law and procedure, there is a gap in the law regarding equal protection between the Fifth and Sixth Amendments. Petitioners argue that the limited civil exceptions were excluded for Kenneth, where the Sixth Amendment of the United States Constitution violates a specific constitutional provision, outlined as Kenneth's right to receive due process, which is protected under the 5th Amendment to the United States Constitution, as incorporated to the States through the 14th Amendment.



Petitioners maintain that federal criminal statutes are an extension of the Sixth Amendment, including the civil exceptions for citizens who are indigent. Where Petitioner, Kenneth, is indigent and illiterate, the denial of the elderly petitioner's rights, by the individuals and corporations named herein as respondents, was unconstitutional. During state legal proceedings, criminal acts were carried out against the elderly petitioner by state employees/agents and others acting on behalf of the state, under the "color of law" in violation of § 242. Respondent, Patricia Griffin, and Co-respondent, Judge Mark Conner, cannot invoke judicial immunity, using the Eleventh Amendment, for acts that violate a litigants civil rights, see Robert Craig Waters, Tort & Insurance Law Journal, Spr. 1986 21 n3, p509-516, where the specific article cited and found on pages 509-516 of the mentioned issue, the author contributes to the petitioners usage of tort law outlined in the original civil action. Petitioners complain and firmly state that the law is linear where it has been written and numbered in a specific order that is required for the correct application of constitutional law, where Kenneth's rights under the Fifth Amendment, Sixth Amendment, and Seventh Amendment are to be applied *before* the respondents can claim an act for which they are entitled to receive immunity under the Eleventh Amendment. Respondents, employed or licensed by the state, acted with wanton negligence on behalf of a single agent, Respondent, Judith Horn, a citizen of New Hampshire. Petitioner, Kenneth, was denied due process and ADA accommodations during state court proceedings, where the trial court's decisions were upheld by the federal district court, and upheld by the federal appellate court. Petitioners complain



after Kenneth's right to receive due process was denied in all state and federal courts based on the fact that Kenneth, is indigent and illiterate. Petitioners maintain that the state trial court proceedings were unconstitutional and where these state court judgements were used as the basis for the unconstitutional federal appellate court's decision(s). Petitioners support their claim by including the forensic psychological evaluation which states "Mr. Talley's reading, spelling, and writing skills were found to be far lower than his intellectual abilities, and were only at the first to second-grade level." (App. D, Page 8, Line 2) Due to these acts of wanton negligence, by the respondents, petitioners include a change of law request in order to affirm and update the limited civil exceptions found under the Sixth Amendment. The updated law includes language that protects illiterate citizens after Kenneth has been harmed by unlawful judgements made by Respondent, Delaware Court of Chancery see (App. G), and Delaware Superior Court see (App. H) pursuant to Rule 12.4. This Petition for a Writ of Certiorari seeks relief and includes a change of law request in order to seek a declaration of equal protection for illiterate citizens, after it was found that the Sixth Amendment of the United States Constitution has an identifiable gap in protection for citizens in legal cases where the established limited civil exceptions, for indigent and illiterate citizens is not a guarantee. Petitioners seek a change of law to add a constitutional guarantee, under the limited civil exceptions, for illiterate citizens. Petitioners ask this Court to recognize the limited exception for the indigent found under the Sixth Amendment and confirm how this law, when applied correctly, provides protection for Kenneth as an indigent citizen. Petitioners pray this Court will



amend the language of the law in order to add protection for illiterate citizens after Kenneth's right to receive due process was denied in state and federal courts. Petitioners include neurological and forensic psychological evaluations as clear and profound evidence that demonstrates how the actions of the individuals and corporations listed herein as respondents, have specifically violated numerous laws, statutes, ordinances, and regulations, including fraud, neglect, elder abuse, and breach of contract. (App. F) The petitioners complain that the continual overt acts, including ongoing eviction and ejectment tactics used by the respondents, violate Elder Abuse Delaware Law TITLE 31, Chapter 39, Adult Protective Services, 3902 (12) regarding financial exploitation of Kenneth Talley after the plaintiffs are using "deception, intimidation or undue influence," as well as engaging in other dishonest conduct as the plaintiffs/landlords in this matter. This comes after Kenneth, at the age of 88, currently faces ejectment for the fourth time in five years in the state of Delaware. Petitioners complain that the original complaint is based on the acts of the individuals and individual corporations named herein as respondents. The federal appellate court has appellate jurisdiction and its ruling in this case may be appealed to this Court.

### REASONS FOR GRANTING THE PETITION

I. The issues presented in this petition are extraordinary and require this Court's prompt resolution.

8. The federal district court's decision, upheld by the appellate court, referenced Title 18, § 242, claiming that § 242 is a criminal statute with no private right of



action. Petitioners argue § 242 is valid, the criminal statute may confer a private right of action after learning that “Mr. Talley’s reading, spelling, and writing skills were found to be far lower than his intellectual abilities, and were only at the first to second-grade level.” (App. D, Page 8, Line 2) State employees/agents made the decision to force Kenneth to act as a lawyer during the two-day trial, where Respondent, Delaware Court of Chancery, did not apply the law correctly or consider the fact that Petitioner, Kenneth is indigent, and thus entitled to protection under the limited civil exceptions of the Sixth Amendment. This Court’s decision in *Turner v. Rogers* (2011) upheld the right to counsel for indigent litigants in certain circumstances. Petitioner, Kristina, argues that Title 18, § 242 is poorly written. In this civil action involving individuals and individual corporations, whom acted on behalf of a single agent, Respondent, Judith. Respondents, employed or licensed by the state, whom have acted with wanton negligence on behalf of this agent are responsible for their actions as individuals as well as responsible for their actions as employees and lawyers licensed by the state. Petitioners complain that where the individuals named herein as respondents are responsible for acting on behalf of the state, instead acted as individuals and individual corporations acting on behalf of an agent, Judith. The federal district court determined that *only* government agencies and officials have the implied right of action regarding “color of law” complaints under § 242. Petitioners complain that these unconstitutional acts were blatantly ignored by the Delaware Department of Justice. Petitioners challenge the restricted application of this statute by the federal district court and seek to overturn the appellate court’s



decision(s). (App. A) (App. B) Petitioners also invoke Rule 12.4 and seek to overturn state court's decisions made by Respondent, Patricia Griffin, (App. G), and Co-respondent Judge Mark Conner, (App. H). Petitioners maintain that the original civil action includes criminal acts committed by individuals and individual corporations acting on behalf of a single agent, a citizen of New Hampshire, which allow the petitioners to meet the requirements needed to establish a federal question. The petitioners maintain that evidence presented in the forensic psychological evaluation provides details as to where the respondents employed and licensed by the state are in direct violation of § 242. Petitioners maintain that state courts, named in this civil action as individual corporations, did not follow basic court procedures when applying the law for an indigent citizen, Kenneth. Petitioners complain that Respondent, Delaware Court of Chancery is *not* in compliance with the Sarbanes-Oxley Act, after receiving hand written paper receipts, where court employees refused to add the case number to the receipt. Petitioners complain that Respondent, Delaware Court of Chancery is unable to provide an electronic receipt for payment that includes the case number under which the payment was applied is a violation of the Sarbanes-Oxley Act, due to the fact that the cash only receipts provided to the petitioners by this respondent are out of compliance with basic accounting principles. Petitioner, Kenneth, used the criminal statute to file a claim that seeks relief from the abuse of power under the guise of state authority, which is illegal. The petitioners may have a right to bring constitutional complaints in this private action, under the federal criminal statute, after the forensic psychological evaluation shows where "Mr. Talley's



reading, spelling, and writing skills were found to be far lower than his intellectual abilities, and were only at the first to second-grade level.” (App. D, Page 8, Line 2)

Petitioners complain that there is an error in the application of law and procedure against government agencies and officials, when restricted from private action and may only to be brought before this Court by government agencies and officials.

Kenneth, is severely traumatized after having his basic constitutional rights violated, and unlawful ejectment by force from his home after he was “made” to act as his lawyer in a two-day trial. Kenneth has suffered numerous unjust adjudications in state and federal courts, where it was a criminal act to remove his rights under the Constitution.

## II. Disputed questions of competency reserved for experts.

9. Petitioners cite “Per Dr. Mapou, Mr. Talley meets criteria from the Diagnostic and Statistical Manual of Mental Disorders Fifth Edition Text Revision (DSM-5-TR) for the following diagnoses: Specific Learning Disorder, with impairment in reading (word reading accuracy, reading rate, fluency, and comprehension; developmental dyslexia), moderate; Specific Learning Disorder, with impairment in written expression (spelling, writing fluency), moderate; Mixed Receptive-Expressive Language Disorder, mild; and Mild Cognitive Impairment.” (App. C) Petitioners cite forensic expert Dr. Cooney-Koss stating “....the constellation of factors that were present for Mr. Talley that resulted in this examiner’s opinion that he was not competent to represent himself during his past legal proceedings.” (App. D)

## III. Errors in the application of law and procedure.





10. Based on the forensic psychological evaluation, Petitioner, Kenneth, was not competent in reading and writing beyond a first to second-grade level and thus not competent when he entered into a real estate contract with Respondents, Judith Horn, and Darren Horn, Sr., in 1989. A substantial question of law arose when there was a misconstruction of the real estate contract as it pertains to the original typed deed document, which was altered with an office product known as "white-out" by Respondent, Judith, and transformed into a photocopy by placing the document on a photocopier. This was followed by the incorrect application of a principle of law, by the state trial court, in construing the contractual documents. Petitioners complain that the original "typed" document was never produced for review and inspection in any court despite the repeated requests under applicable state law, Del. R. Civ. P. Super. Ct. 34. Petitioners cite the following state laws regarding the errors in the application of law and procedure: Adequate remedy in other courts as per 10 Del. C. § 342, where the Court of Chancery shall not have jurisdiction to determine any matter wherein sufficient remedy may be had by common law, or statute, before any other court or jurisdiction of the State; Power of courts as per 10 Del. C. §6501; Construction of contract before or after breach as per 10 Del. C. §6503; Delaware Title 10, Courts and Judicial Procedure, Special Proceedings, Chapter 67. Ejectment; § 6701; Procedure; Statute of Limitations as per 10 Del. C. §7901, Right of Entry; Review Procedure of Responses as per Del. R. Civ. P. Super. Ct. 126; Joinder needed for just adjudication as per Del. R. Civ. P. Super. Ct. 19; Misjoinder and Nonjoinder of Parties as per Del. R. Ch. Ct. 21; General provisions governing discovery as per Del. R. Civ. P. Super. Ct. 26;



Discovery scope and limits as per Del. R. Civ. P. Super. Ct. 26(b); Production of documents and things and entry upon land for inspection and other purposes as per Del. R. Civ. P. Super. Ct. 34. Requests for admission as per Del. R. Civ. P. Super. Ct. 36, where a party may serve upon any other party a written request for admission of the truth of any matters within the scope of Rules of the Supreme Court of the State of Delaware, Rule 26(b), set forth in the request that relate to statements or opinions of fact or of the application of law to fact, including the genuineness of any documents described in the request and as per the Rules of Civil Procedure for the Superior Court of the State of Delaware, Rule 81, Exceptions, Ejectment. Petitioners seek relief from the federal appellate court decision and challenge the lower court's ruling by including a writ of mandamus. The All Writs Act, 28 U.S.C. § 1651(a), confers the power of mandamus on federal appellate courts. Petitioners cite *La Buy v. Howes Leather Co.*, 352 U.S. 249, 77 S. Ct. 309 (1957). Petitioners maintain that all of the legal cases regarding Kenneth are extreme and it is excessive to administer four eviction and ejectment legal actions, in a five year time period, against Kenneth Talley. Petitioner, Kenneth, complains to this Court after the Sussex County Sheriff served papers for ejectment by force from temporary housing. Petitioners complain that Kenneth's landlord, Judge Kenneth S. Clark, Jr., a recently retired state court employee, is also the long time coworker and friend of Respondent, Judge Mark H Conner, and Respondent, Patricia W. Griffin. Petitioners complain that it is a conflict of interest to file for ejectment in a Sussex County Court after Judge Kenneth S. Clark, Jr., presided over Kenneth's criminal court proceedings in Sussex County, Delaware, and where

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Judge Kenneth S. Clark, Jr., is also Kenneth Talley's landlord in Sussex County, who recently filed a case in March of 2025 for ejectment by force of Mr. Talley. Petitioners beg this Court for mercy because the elderly person needs a safe and secure place to live for his general health and well-being where he does not have to live in fear of continuous eviction and ejectment actions in the state of Delaware. Petitioners state that the actions of the individuals and individual corporations named herein as respondents are acts of wanton negligence. Petitioners cite the forensic psychological evaluation which states "Mr. Talley indicated that he had one witness; however, he did not know what to ask her. With regard to Judy, Mr. Talley stated that she told many lies about him in court, which really bothered him. He commented, "I couldn't hold it in and started crying. It's your own kid." Mr. Talley stated that he had to walk out of court at one point so that he could cry in his truck. When questioned about how he could challenge a witness in court, Mr. Talley responded, "I didn't. I should have. I think I did ask questions. I don't know." (App. D, Page 13, Line 20) Mandamus may be appropriately issued in this instance, where there is an ongoing usurpation of judicial power. The petitioner's include a writ of mandamus as a legal request to compel this Court and government officials to perform the specific duties required to correct this abuse of discretion. In the United States, this Court and all courts established by Act of Congress, have the authority to issue writs of mandamus "in aid of their respective jurisdictions and agreeable to the usages and principles of law," according to the All Writs Act (28 U.S. Code § 1651). In this Court, a writ of mandamus is an extraordinary remedy, which may be used by the petitioners under



these extreme circumstances of peculiar emergency and public importance for indigent and illiterate citizen Kenneth. This petition includes a request for this Court to order the lower courts to perform their specific duties. This Court has issued writs of mandamus in certain cases, such as when compelling a lower court to perform a ministerial duty. See, *Marbury v. Madison*, 5 U.S. 137, where William Marbury attempted to have this Court issue a writ of mandamus to force Thomas Jefferson to install Marbury as a Justice of the Peace. This Court's authority to issue writs of mandamus is limited by the Constitution and laws of the United States. Petitioners maintain that this remedy may be used in this extreme situation. Petitioners show where the lower courts, including respondents acting as state employees and others licensed by the state, have a legal duty to perform the specific act of upholding the Constitution. Petitioners are in compliance with this Court's rules and procedures. Petitioners have a direct stake in the law being challenged and petition this Court to change it or make recommendations that will protect illiterate citizens. This petition states the grounds for challenging the law, including the constitutional violations that occurred. This petition successfully demonstrates that the Sixth Amendment may be unconstitutional when incorrectly applied without including the limited civil exceptions for indigent citizens, specifically identifying a gap between protection for indigent (and illiterate) citizens with regards to the application of the Fifth and Sixth Amendments. Petitioners include a writ of mandamus in this petition as they currently face extraordinary circumstances. The petitioners writ of mandamus, included herein, may be used to correct an abuse of discretion by the lower courts as



well as government officials, and compel the federal appellate court to reconsider a decision by taking further action. The Sixth Amendment guarantees the right to an attorney in criminal cases and in civil cases, under limited civil exceptions. Civil right to counsel refers to the fact that Petitioner, Kenneth was unable to afford services in legal matters involving basic human needs, such as shelter, sustenance, safety, and health, thus Mr. Talley requires access to a lawyer. Laws to protect the indigent and illiterate are not uniform across the country. The scope of 'right to counsel' in civil cases remains a subject of public debate, which categorizes this legal dispute as quantifiable as it pertains to a matter of national public importance. Petitioners include a writ of mandamus when filing a Petition for a Writ of Certiorari with this Court to affirm "a right to counsel with limited civil exceptions" as a constitutional guarantee for citizens who are indigent and/or illiterate. Petitioners include a writ of mandamus in this petition in order to compel this Court to correct an error in a judgment and take specific action to correct an abuse of discretion and ask to change the law. Petitioners identify the specific law to challenge, the Sixth Amendment, where it is applied by state and federal courts without a guarantee of allowing for the limited civil exceptions as they are defined under this law. Where the Sixth Amendment is the basis for all federal criminal laws, the law may be extended to include protection for illiterate citizens. Conveniently, the law already includes limited civil exceptions which include protection for indigent citizens. Petitioners maintain that this Court may ask Congress to extend the language of the law so that the Constitution may include protection for illiterate citizens. These lawful steps are being



taken to amend the Sixth Amendment of the Constitution in an effort to extend its protection under the law to illiterate individuals. Petitioners maintain that strengthening the foundation of the Constitution is required to ensure adequate legal representation is provided to protect Kenneth, a citizen who has been found by doctors to read and write at the first to second-grade level and unable to act as a lawyer to represent himself during the legal proceedings. To correct an error of law, as it is written or applied, the law may be amended to include illiterate citizens as a limited civil exception. Petitioners argue that citizens who have been declared indigent qualify for a lawyer under the limited civil exceptions defined under the Sixth Amendment, and these exceptions to the law may be expanded to include illiterate citizens. Protection is allowed under the limited civil exceptions of the Sixth Amendment for Petitioner, Kenneth, since he was declared indigent, especially where the evidence of equity from Co-respondent Judith was received by Mr. Talley's attorney, Respondent, Olga Beskrone, Esq., but the evidence was withheld from the state trial court, resulting in an error in the application of law and procedure. Petitioners challenge the decision of the appellate court, arguing that the indigent status of the elderly petitioner is protected under the Sixth Amendment when the limited civil exceptions are deemed applicable. The petitioners argue that the basic civil and constitutional rights of this elderly citizen were denied by the appellate court. As an indigent citizen, there may be a constitutional right to an attorney for this individual, who is indigent. Petitioners seek a judicial review after the denial of Kenneth's right to receive due process under the Fifth and 14<sup>th</sup> Amendments. In *Williams v. Pennsylvania* (2016),



this Court held that a judge's participation in a case as a prosecutor before becoming a judge, without recusal, violated due process and the judge's impartiality. The case cited demonstrates a decision from this Court that ensures individuals receive fair treatment and procedural protections under the law, as guaranteed by the Due Process Clause of the Fourteenth Amendment.

#### IV. Errors in the submission of evidence.

11. As per the forensic evaluation, "Mr. Talley's struggles in court related to his literacy, comprehension, and communication." (App. D) Kenneth Talley was not aware of the evidence held by his attorney, Respondent Olga Beskrone, Esq., which states the \$1.2 million net worth of Respondents, Judith and Darren Horn, Sr.. This also qualifies as an error in the submission of evidence during the non-jury trial, where the unconstitutional judgement was later upheld by the federal appellate court.

Withholding crucial evidence of equity from a trial regarding equity, in the states court of equity, by Respondent, Olga Beskrone, Esq., and Co-respondent, David Weidman, Esq., is a serious error in the submission of evidence. In addition, the Respondent, Judith, withheld information that Petitioner, Kenneth, had only received a sixth grade education, where Judith was well aware of this fact after Kenneth worked "under the table" as an employee for Co-respondents Judith and Darren Horn, Sr.. Petitioner, Kenneth, complains to this Court that it is an error in the submission of evidence for Respondent, Judith, to withhold the information and evidence regarding his employment from the legal dispute regarding the real estate property.



### CONCLUSION

Petitioners understand that this judicial process is not a matter of right, but of discretion, and humbly attempt to navigate the process. Petitioners maintain that the Constitution protects indigent citizens, including Kenneth. Mr. Talley states that the respondents know he is elderly and it is also obvious that as an elderly citizen, Mr. Talley needs a place to live in Sussex County, Delaware, in order to be safe and secure with the ability to maintain his healthcare plan established by local doctors. This petition comes after the Sheriff delivered papers to eject Mr. Talley by force from temporary housing. Kenneth is living in fear of being evicted and/or ejected from where he resides in Millsboro in April of 2025. Petitioners try to explain to this Court what is happening in Delaware after the unlawful and unconstitutional ejection of Mr. Talley from his home in Milton in October of 2023. Expert forensic evidence confirms Kenneth's inability to act as a lawyer and provides sufficient background information to support this Petition for a Writ of Certiorari. (App. D) Petitioners cite the reasons for this petition as concise as possible and include a writ of mandamus to change the law. This Petition for a Writ of Certiorari is consistent with the purpose of the petitioner's claims, where this Court may determine that the facts alleged are sufficient to show a plausible claim for relief. This Court may decide to review the federal appellate court decision(s) as well as the state court decision(s) in order to correct errors in law or fact.





WHEREFORE, Petitioners, Kenneth R. Talley, *pro se*, and Kristina K. Talley, *pro se*, file a Petition for a Writ of Certiorari, Motion to Allow Evidence, and Motion To Proceed *In Forma Pauperis*. By granting certiorari, this Court has the jurisdiction and the expertise to address our important legal question and establish precedent for future cases. Where this Court may find that the lower court erred in its decision, petitioners ask this Honorable Court to allow relief that it deems just and proper according to the Constitution, adopted by our Founding Fathers on September 17, 1787, and ratified by the states on June 21, 1788, as the supreme law of the land, as stated in Article VI, Clause 2. Petitioners seek to uphold basic core values and maintain the resolve required to strengthen our foundation of law. This Petition for a Writ of Certiorari may be granted and decisions of lower courts summarily reversed.