No. 24-722

IN THE

Supreme Court of the United States

LARRY E. PARRISH, P.C.,

Petitioner,

v.

NANCY STRONG, *et al.*,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF TENNESSEE, MIDDLE DIVISION

REPLY BRIEF

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PETITIONER'S REPLY TO RESPONDENT'S BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

Reply One

(Respondent's Statement)

The cases cited by Respondent are opinions castigating counsel for Petitioner, saying what they say, but have no relation to the very narrow, but profound, issue in the instant petition.

All of those cases have a context, succinctly stated, which is about judges and a *corum non judice* "judgment" by a trial court that had no subject matter jurisdiction and a judge that is constitutionally disqualified.

Every court has refused to render a decision on either the subject matter jurisdiction or whether the judge was or was not constitutionally disqualified.

All courts are mandated to rule on these two constitutional totally case-dispositive issues; instead, all courts have refused to acknowledge that the issues exist. The appellant has refused to take no for answer and has availed itself of every remedy the law affords.

This is a rock-and-hard-place which, at base, is about nothing but result-oriented adjudications. The judges have become defensive, even, combative, essentially, defending the right of judges to enter result-oriented judgments (e.g., ignore jurisdictional deficiencies and other rules of law) and expect litigants to treat the *corum non judice* "judgments" as if a *corum judice* judgment.

No doubt, 99.9% of the litigants treat *corum non judice* "judgments" as if a *corum judice* judgment because the 99.9% do not have the wherewithal and skill to combat *corum non judice* "judgments." This time is different, and the judges are misusing published opinions to fight back by attacking counsel with what arguably is libel in any other context.

The cited cases cited are events that have occurred along the way as this issue continues to wind its way through the courts and, hopefully, will not reach this Court.

But, most definitely this petition is not that issue. Respondent takes every opportunity to press into use the virtually libelous comments in the opinions cited to hang on to Respondent's *corum non judice* "judgment" and convert it into what is treated as if a *corum judice* judgment.

One thing that has never been seen from Respondent is an explanation that the trial court had subject matter jurisdiction or that the judge was constitutionally qualified, nor does any opinion cited by Respondent.

This dispute has long-since ceased being primarily about Petitioner and Respondent; rather, the dispute primarily is about the structural rights of the public-at-large to be assured that, if and when a litigant is in a court, no court in the United States will ever ignore rule of law and opt to adjudicate by a result-oriented adjudication.

At the moment, there is no more important issue facing this country, unless one considers us being a nation of laws, not men/women, a trivial matter.

The Court is the place in the judiciary where the issue should be resolved. If not, the public will be forced to other ways and means to resolve the issue because the state of affairs (our structure under attack) within the judiciary cannot be tolerated. Structural rights belong to the public-at-large and are not personal rights to be used or not used individually by the will of an individual. Structural rights cannot be changed by any court, by any governor or president or by any legislature.

If judges, without violating the structure, are empowered to adjudicate by result-oriented adjudication, this Court is situated to explain to the-public-at-large, how so.

If judges violate the structure by result-oriented adjudication, this Court is the place to which the public-at-large looks to bring a halt to result-oriented adjudications, everywhere.

Litigants simply cannot be left floundering in the mire of result-oriented adjudications.

Reply Two

(Relitigation)

What makes this case an ideal vehicle to address the only issue presented by this petition is that there are no disputes of fact, and the record on appeal is approximately 50 pages, and there is only one short and straightforward Tennessee rule at issue.

Tennessee has a procedure that separates a motion to recuse from the rest of the case wherein the recusal motion is made. This rule puts the recusal motion disposition at the trial court on an accelerated appellate track.

No fact is at issue in this petition but the uncontested fact that Petitioner's recusal motion was late-filed. The only court action at issue is the single 2-page order by the Tennessee Supreme Court holding that litigants (Petitioner here) who late-file motions to recuse forfeit/waive the litigant's right, forever thereafter, to question whether the judge assigned to adjudicate the litigant's case is constitutionally qualified, per *Williams v. Pennsylvania*, 579 U.S. 1 (2016), to adjudicate the litigant's case.

There is nothing to be litigated by this appeal. There was no litigation below on the Petitioner's motion to recuse. The motion to recue was dismissed because it was indisputably late-filed, according to Rule 10B, and, according to Rule 10B, Petitioner thereby waived/forfeited Petitioner's right to question whether the assigned judge was constitutionally qualified, per *Williams v. Pennsylvania*, 579 U.S. 1 (2016).

If Petitioner prevails, Petitioner gains nothing but the entitlement to return to the trial court and, for the first time, litigate whether the assigned judge is constitutionally qualified, per *Williams v. Pennsylvania*, 579 U.S. 1 (2016).

The fact that the same issue exists in all 50 states gives the Court opportunity to avert the issue being presented in 49 other cases, none of which are likely to be as simple as the question as it is presented in this petition. And, this petition provides all 49 remaining states opportunity to address the Court as amici.

The issues are profoundly important nationwide but simple to discern.

Is the right to a judge who is not constitutionally disqualified because a state of mind like the disqualifying state of mind of Chief Justice Castille in *Williams v. Pennsylvania*, 579 U.S. 1 (2016) a structural constitutional right protected by the United States Constitution, Fourteenth Amendment, Due Process Clause?

If so, can states impose conditions on the application of the structural constitutional right which, if not met, forfeit the structural constitutional right or create a forced waiver of the litigant's access to the structural constitutional right?

CONCLUSION

The Respondent's motion to dismiss is a ploy to distract with no merit. The object is to smear Petitioner's reputation with comments which are in a context that undercuts the reliability of the cited sources, but, more importantly, are irrelevant to anything relevant to this petition.

Therefore, **Petitioner** respectfully urges the Court to deny Respondent's motion to dismiss.

Respectfully submitted,

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