No. 24-7359

ORIGINAL

FILED
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SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Gina Gunn — PETITIONER
(Your Name)

vs.

Washoe County Human Services Agency / Child — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Nevada State Supreme Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Gina Gunn
(Your Name)

2542 Old Stony Point Rd. Apt. 462
(Address)

Santa Rosa, CA., 95407
(City, State, Zip Code)

(707) 657-9750
(Phone Number)

QUESTION(S) PRESENTED

Due process violations.

Safety of W.C.H.S.A determinations.

Legality of W.C.H.S.A conduct and actions.

Question of child best interest.

Family rights.

Child rights.

Parental rights.

School obligations to parent and relationship to W.C.H.S.A.

LIST OF PARTIES

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

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

RELATED CASES

Gina Marie Gunn Vs. State of Nevada district case # CR21-1778

TABLE OF AUTHORITIES CITED

CASES PAGE NUMBER

As an unrepresented litigant, I have difficulty in citing the law.

STATUTES AND RULES

OTHER

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IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

[ ] For cases from **federal courts:**

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

[X] For cases from **state courts:**

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

[X] reported at State Filings; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

JURISDICTION

[ ] For cases from **federal courts**:

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

[ ] No petition for rehearing was timely filed in my case.

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

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

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

[X] For cases from **state courts**:

The date on which the highest state court decided my case was 10/17/2024. A copy of that decision appears at Appendix A.

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Sixth Amendment
Fourteenth Amendment
Freedom of Information Act
State Obligations under The Violence Against Women Act
State obligations under The Child Abuse Prevention and Treatment Act

Statement of The Case

I would like to file an appeal with the United States Supreme Court for a matter concerning the termination of my parental rights. The matter is as follows. I had my child removed from my custody and care in December 2020. It was my belief at the time that the removal of my child was unlawful and represented an extreme act of misconduct by Washoe County Human Services CPS.

I had a previous case in which my child was removed from my care. This occurred in 2017. At that time I did not believe that it was fair to have occurred, however I was informed that it was unlikely for the judge to rule in my favor. That the judges in local family court held preference to rule on behalf of the agency and that my mental health record would be used to reflect poorly on myself which would be damaging.

I would like to state that at the time my actions were not harmful. I was trying to leave my abusive home. I had no access to transitional living or shelters as I had already obtained a record for domestic violence. It was unfair to be placed at this disadvantage and to bear full responsibility for difficulties in my personal relationships. I am not a violent person and do my best to contribute to my home and my relationships.

Since I was compelled to engage in these programs on this basis, I complied in full with programs and agency recommendations. I succeeded in the mental health court program and reunification. There should have been greater clarity on the record of my participation and administrative observations of my contributions. Currently the agency has an extreme harsh and negative viewpoint of my behaviors and mental health diagnosis. They have described me to be extremely violent and unpredictable. They have used my mental health diagnosis as a basis for removal without effectively clarifying the manner in which a risk of harm to my child would present itself. The agency opinion of extreme violent personality has been upheld by the courts.

The agency did not provide any evidence for the accusations of violence and erratic behavior other than the opinion of a court doctor that speculated on the possibility of PTSD and Borderline Narcissistic Personality Disorder. This was not an official diagnosis and should not hold any standing with the court. It should require confirmation of this diagnosis by a psychiatrist after ongoing observation, which it never did. My participation with ongoing treatment was for bi-polar1. I was even required to sign a statement around the time of graduation of the program for that diagnosis and no other. I was informed by a therapist that it was unlikely for me to have those conditions due to her observation while engaging with me. I never thought that these single notations from a certified professional that occurred within a single brief discussion would be used in such manipulative manner against my character and behaviors in the future.

It is also a violation of the federal rules of evidence to believe in the possibility of abuse based upon diagnosis alone. Agency and courts also have a responsibility to treat my diagnosis with accuracy in order to prevent malpractice and harm to myself as a patient. I do not need to be treated for conditions I do not have, to insist on this diagnosis as a ruling judicial authority is to influence my treatment in a way that is irresponsible. Also there has never been an act of substantiation for claims of physical abuse that can prove that any act of my own towards my daughter represented an act of abuse or extreme harm. The agency used diagnosis to assert a frequency and extreme of conflict that is not present in my actions towards my child.

Another example of negligence and extreme risk to my health is a written statement presented to me on a document written by agency worker Emily Ruff while forcibly taking my child with police assistance. Document stated "Gina Gunn is Schizophrenic" while providing notice that minor child was being taken. Document did not say that it observed any harm or injuries or circumstances of risk or neglect in my home. This was a malicious statement made by the worker intended to cause harm and emotional trauma and insult. It was handed to me for my records. This document was not present in the discovery for TPR hearing. It was present in initial discovery for hearing in March 2021. Representing attorneys Veronica Chavez and Neil Grad both refused to discuss the significance of this evidence or present it for the record.

The records kept by the agency are also reflective of very low evidentiary standards for verification purposes. The agency refused to disclose reports during instances where my family was being investigated in years prior to the removal of the child. I had no knowledge of the content of their records prior to the removal in 2020. The record states that all claims of abuse were unsubstantiated. Also I find fault with the agency for having conducted these investigations in the first place. The frequency of investigations is suggestive of harassment. Some of the cases were so insignificant and it was inappropriate for agency to be present with my child without real need. All records were inaccurate in their findings.

I should have been allowed to know what was contained in these reports and challenge their findings in a timely manner. I was not even allowed to do so upon removal. The chronology of reports kept is incorrect which makes it difficult to understand the timeline and details involved. The records lack clarifying details such as who was conducting the interview, what was stated within discussions and all parties present and involved in the notification process. It cannot be legal to remove a child and permanently severe contact with their parent without having an adequate evidentiary and records process that provides convincing proof of the claim of child abuse. Some records contained are indications of malice and it is easily proved that false statements and accusations are present as well. To be able to prove clearly that agency workers lied on the record should be significant enough to validate the accusation that determinations and actions taken were also unsafe and not in the best interest of the safety of the child in question. There is proof of harm to Child within these investigations andd the conduct of agency workers.

My child was assaulted by agency worker Emily Ruff. She grabbed her arm when we were attempting to go inside our home on the day of forced removal. E. Ruff has since denied this action and made false statements of events that occurred. The record now states that I yanked minor child inside though this accusation was not present in her testimony at the hearing in March 2021.

A claim of medical neglect by myself was submitted by the agency. It is not clear what basis they had for this complaint. My child was not in need of medical care. She was up-to-date on all check-up appointments. There were 3 separate diagnoses made when the agency initially underwent medical care for my child. Saccadic eye movement, an inner ear balance problem and the need for 5 fillings form the dentist. I believe that all of these diagnoses were incorrect and that they represent acts of medical abuse and malpractice against my child.

Minor child was placed in a foster home with her paternal aunt Jennifer Dahlberg and the Dahlberg family. W.C.H.S.A had little concern for how such a placement could impact my daughter emotionally. Child in question really wanted to be connected to a larger family and frequently expressed a desire to speak with her father. My child could not have been made comfortable in this environment. There is a record that minor child was assaulted by more than one of her cousins on a trampoline. They beat her severely. This incident was not taken seriously by the agency and was not presented before the courts for consideration by my representation. To exaggerate situations in my home to reflect as acts of child abuse while treating this documented and verified act of physical harm exemplifies the bias that the agency held in their opinion. This is a more severe act of abuse than anything present on agency record against myself. It is not the only incident of physical abuse in foster care. Minor child also underwent oral surgery for a mouth injury after "falling off the monkey bars". I do not know if surgery was necessary and could have also been further malpractice.

There is also cause for concern for current foster placement with Terry and Rueben Estrada. They look after many foster children. There is no information on record of the outcomes for these placements after being cared for by these people. Terry Estrada did not make statements that exemplified the capacity to emotionally support and understand the needs of the child in question. She participated in presenting an additional barrier to communication with myself and child. It is not the act of a considerate or safe caregiver to be hostile to the mother of the child.

The agency stated on the record that everything was going great with minor childs' placement with the Dahlberg family. The Dahlbergs' decision to discontinue caring and providing for minor child is evidence that no significant attachment existed. W.C.H.S.A has never in a single instance represented a correct opinion about the safety and care provided for child in question within their placements. They represent a false and deceptive judgement which has contributed to abuses frequently. They contributed to abuse in my home with my mother, they have also ignored and enabled abuse in the school environment.

The circumstances present while living in Reno Nevada represented an extreme of victimization that both myself and my child were subjected to. This pattern of victimization went unacknowledged by the courts and created cause for substantial alarm. I could not possibly participate in a program that was making unreasonable demands on my time and efforts without any benefit to be provided for the security or improvement of my home. The harm caused by agency action created additional conflict. Being forcibly medicated could not improve my home life. It could, however, serve as a considerable risk to my personal health.

The manner in which my family is treated in public interactions requires to be respectful and lawful in nature. The school was at fault for creating a truancy issue. They were responsible for creating an acceptable distance learning program. They were in violation of their obligation to me. I was not allowed any opportunity to correct the truancy matter. It is possible that the school committed additional violations in previous W.C.H.S.A investigations as I was not informed of problems concerning child care. The school should be obligated to communicate openly with me as a parent, not to undermine my authority or engage in secrecy.

These programs have a reputation for abuse of the public. It is possible that no public entity ever had the intention of dealing with my family with honesty or in a safe manner. The risk of harm to my child has only increased since eliminating my presence in her life. The termination of contact that has been effected is severe, it is permanent and it makes it impossible to have any awareness of the safety conditions that exist in her environment currently. I have no confidence that W.C.H.S.A will ever truly uphold their responsibility to protect my child from harm.

Where it concerns court proceedings, the complaints that exist are several. I was not provided legal representation for any aspect of my case. There is no evidence on record that any argument was made on my behalf. No detail of my complaint of misconduct is present within representation. No question was raised of agency decisions or validity of accusations against myself. The unusual nature of the argument for removal which was a mental health concern primarily was not discussed in any meaningful way that would protect my rights as a person and mother. The harm present within agency actions towards myself and child was not illustrated by anyone. These are real circumstances that impact us significantly. There is no cause for interpreting these actions as helpful or beneficial to child safety.

The statements of child that were presented in court by agency and other parties was hearsay. There is no reason to believe that they are accurate. The opinions of minor child represented at a hearing where the child was not present is a procedural error which should not have been allowed to influence court opinion. It should also be deemed a violation of the rights of the child in question. There was no opportunity to evaluate the safety of minor child or whether or not the child was being isolated or influenced by agency and foster placement.

Attorneys withheld all information about family law and court proceedings that would allow for me to better understand the legal standards for effectively judging and evaluating child safety and the qualities of caregivers. I have not been treated fairly and there is no reason to assume that the interests of minor child are being upheld within a placement that has not been subjected to appropriate evaluation. There is a significant question of judgement of agency workers and lack of acknowledgement to psychological and emotional needs of child within their opinions and actions. For instance my relationship with my child should not be deemed as something so insignificant. I am a loving provider. My reinforcement issues were negatively impacted by the decision to remove minor child from my care. The feeling of insecurity that my child might feel when seeing how I am viewed by the authority figures present in her life could not be healthy. This is an additional reason why I feared consenting to the reunification program. I did not think that W.C.H.S.A could establish a healthy dynamic that would allow for us to maintain the bond between mother and child. I did not feel comfortable bearing witness to incorrect instructions to child or authorities and relationships that did not understand what roles to accept or promote within participants respectively.

There was no standard of evidence for claims of abuse. Agency records are even indications of limited perspective and ability to observe actuality of circumstances described. I do not believe that a childs' statements alone can verify the actuality of events in our home. Nothing that minor child is recorded to have said is even that severe. There is no material evidence whatsoever to prove the alleged statements represented facts within our home.

There was no question raised at all as to the legality of agency conduct. The judge herself referred to overt familiarity with agency to affirm confidence that actions taken were acceptable. This is not an appropriate basis to judge a case. Facts and details require to be presented by all parties. All conduct requires to be evaluated.

The courts ruled against my filings due to lack of cover letter and various other deficiencies. It was undue hardship to myself to be required to undergo some of these requirements. I had to wait 17 days before submitting a request for submission. This was difficult due to transportation issues and being provided conflicting information at the filing office. It is unfortunate the courts did not make exceptions due to extreme need. The nature of my complaint is such that the courts have responsibility to acknowledge my filings and fulfill my rights to be heard in a meaningful way. This is especially true for my request for a new hearing and my complaint of medical abuse of minor child.

I also attempted to request a transfer of jurisdictional authority that was not forwarded or taken seriously by appointed counsel Neil Grad. If in any case I am able upon requirement, to participate in a reunification path with the local agency in Santa Rosa California, I would be willing to do so. I have no complaint with any other CPS program other than that of W.C.H.S.A. Their conduct is illegal and unsafe in an extreme that is quite unfortunate to be allowed to this extent. It has been quite hard to be heard before

a court body. The silence I have been forced into as a party to a serious legal matter is not upholding my right to be heard fairly. My case was never presented before a court body. The public defenders and attorneys assigned are not upholding a standard for representation at all.

Mediation was refused by W.C.H.S.A and D.A. This is an indication of lack of cooperative effort and administrative responsibility to the public. W.C.H.S.A had the express intention of demanding that I undergo therapy and medication. This was never an acceptable standard for me. There is no indication of handling representatives making statements or efforts to express these difficulties and of why it was inappropriate as a standard for reunification. I was denied all contact with the child until such time as I spoke with a therapist that the agency designated to see minor child. This was an extreme that was unnecessary. The agency has observed me in visitations previously. I have always engaged safely with my child. There was no validity to suggesting otherwise. Without ensuring my voice was respected I was unable to cooperate with the reunification plan.

The courts did not review these abuses prior to terminating my parental rights. I did not have the opportunity to appeal the initial evidentiary hearing before the higher courts. I was forced to undergo a TPR hearing as the only matter to bring before a court body. I retained the hope of being able to voice these concerns and reveal the truth of agency conduct and false determinations. I was refused this opportunity as well. Judge Dollinger allowed for a recess with attorney Neil Grad who came to the hearing completely unprepared and required for me to develop lines of questioning for individuals presenting testimony at the day of the hearing. That proves that the judge was aware that the attorney was not presenting substantial representation.

The appeal before the Nevada State Supreme Court was concluded with the state affirming the ruling of the lower court as of October 17 2024. The wording contained in the legal brief for this appeal was not such that it adequately represented the substance of my complaint. Attorney removed all details of misrepresentation and safety concerns. Attorney did not illustrate how it was not possible to engage in a reunification program. The matter of abuse of paternity committed by the agency is relevant to my complaint of the safety and interests of minor child. The agency placed the child in danger by allowing contact with an incarcerated individual even while denying me the right to speak to her over the phone. It is highly manipulative to attempt to gain consent for adoption by contacting Chris Hawkins. How is it possible that such an individual would have any right to do so? W.C.H.S.A has an obligation to uphold the law and child safety. It is reflective of irresponsible and dangerous attitudes that they would consider such action.

The rights of minor child are also important. I do not believe that the child in question was ever informed of their rights or the meaning of the legal proceedings that were ongoing. Child was appointed an attorney that has not represented their interests. There are no safeguards in place to ensure her rights or the safety of attorney client interactions. There is no way my child could be satisfied in never seeing me again. We

loved each other very much and my child was always excited when I came home from work. Every single day we looked forward to seeing each other. It is not normal to imply that a child does not miss their parent in even a small way. The courts do not find anything remiss about the manner in which her attitudes are being described and presented.

For these reasons I would like to bring my case before the United States Supreme Court to ensure that Washoe County Human Services and Nevada Family Courts are acting in a lawful manner. Under their obligations to the Violence Against Women Act and the Child Abuse Prevention and Treatment Act, these entities require to create programs that work and that protect the rights and safety of the public. The methods employed to provide services to the public cannot be made contrary to those interests. Intervention methods require to be safe and in accordance with recommended actions that ensure appropriate understanding of how to create beneficial outcomes. The actions taken in this case promote abuse. They have not identified abuse correctly. These public workers are obscuring facts and causing harm.

REASONS FOR GRANTING THE PETITION

As a matter of importance concerning public safety and based upon federal obligation to ensure that states are in adherence to obligations set forth by V.A.W.A and C.A.P.T.A.

Additionally please consider the exessive time I have been waiting for the matter to be heard fairly as well as court dysfunction at the state and local level.

The extremity of harm being allowed towards a private citizen and my child. I have not been allowed any opportunity to be heard and I cannot be denied my parental rights without representation and due process.

Actions taken by W.C.H.S.A. are harmful and all proceedings ~~[illegible]~~ heretofore underwent have ignored significant and extensive details of the writen law in granting authority.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Dina Quinn

Date: 11/05/2024 - 12/23/2024

Appendix A