

No. _____

In the Supreme Court of the United States

Chris Jaye

Applicant,

vs.

NJ Attorney General Hoffman, et. al.

Respondents.

**Emergency Application for Stay of Injunctive Relief to Stay All State and Federal
Cases Pending the Petition of Mandamus Now Filed (17-738)
with the Supreme Court of the United States**

**Chris Jaye
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Plaintiff
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TO THE HONORABLE SAMUEL A. ALITO, JR., ASSOCIATE JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR
THE THIRD CIRCUIT:

At this time, I have a petition for a writ of certiorari (17-739) and a petition for
mandamus or prohibition (17-738) filed with this court. I am seeking a stay of all
state cases (28 U.S. Code § 2283) and stays of all federal cases and federal appeals,
including, but not limited to 16-07771, 17-05257, 17-2231, 17-2564, based on the
departures from judicial procedures in this appeal (16-2641).

The Third Circuit, much like the state judges, have no right to provide any relief to
any party is involved in criminal activities. This includes granting dismissals (a
form of relief) to those who have acted beyond their lawful jurisdiction.

State actor-defendants (state judges) have acted beyond the law, outside of their
authority, in violation of the constitution and state statutes. And they have done so
to perpetuate criminal acts. "Due process protects the defendant's right not to be
coerced except by lawful judicial power." *J. McIntyre Machinery, Ltd. v. Nicastro*,
131 S. Ct. 2780 - Supreme Court 2011

At all times prior to this case, during this case and since this case, the state actor-
defendants (the judges) were without any jurisdiction over me since their rulings
involved criminal conduct. All of these unlawful acts were further aided by other
state actor-defendants. The state actor-defendants were parties to the criminal acts

and violation of my rights. Where relief was due to me via both federal and state civil rights acts, (ECF 34) none was given.

No action was taken by either the district court or the appellate court to stay the state actions while these crimes were being perpetrated. (App. 5, App 10, App 41-48, App 49-57) But I have every right to the remedy of stays of state action as a litigant in a civil rights suit. *Mitchem v. Foster* (US Supreme 1972): "Under the criteria established in our previous decisions construing the anti-injunction statute, § 1983 is an Act of Congress that falls within the "expressly authorized" exception of that law." Yet for two years, all motions for all stays sought (ECF 3, 8, 12, 22, 34, 58, 63) that were needed to stop ongoing acts of bad faith, harassment and violations of my civil rights were denied without any right in the law and in contrast to controlling law. (ECF 11, 17, 21, 49, 65)

Without intervention by the district court and the Third Circuit, the same crimes based on the same theft (See US Supreme Court Docket 15-735) continued (App 60-63, App 64-70, App 71-77, App 84-86) and continues to this day (App 88-89).

Repeatedly, district court judges made claims that I was simply a "loser" seeking to appeal judgments to preclude, dismiss and close this case three separate times. No such pleading by me supported these findings, including the complaint relied upon to dismiss this case for the last time (ECF 34). (App 41-48)

Appealing this dismissal by preclusion, the Third Circuit affirm the denial of such relief and the dismissal of this valid case on similar grounds: (App 49-57)

“But at least some of her claims seek relief for injuries caused by judgments that were entered against her before she commenced the underlying action. To the extent that is the case, the District Court correctly determined that those claims are barred by the Rooker-Feldman doctrine. See Great W. Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159, 165 (3d Cir. 2010) (stating that the Rooker-Feldman doctrine deprives lower federal courts of jurisdiction over suits that are essentially appeals from state-court judgments).”

These false facts created by the Third Circuit -- which do not stem from my complaint (ECF 34) -- now stand on the record; giving credence to illegal judgments rendered in other matters now pending (17-2564, 17-2231, 16-07771, 17-05257). But it is not the role of the Third Circuit to create facts and grant jurisdiction for state actors by their decree which has negated my claims and denied my independent cause of action.

Neitzke v. Williams, 490 US 319 – 1989, “What Rule 12(b)(6) does not countenance are dismissals based on a judge's disbelief of a complaint's factual allegations. District court judges looking to dismiss claims on such grounds must look elsewhere for legal support.”

Since the judges of the Third Circuit have now legitimize theft as valid judgments and bestowed upon others standing that does not exist, they have prevented remedies in the law that would right this wrong in this case. And they have also impacted relief that could be obtained in other pending state and federal cases. *Marbury vs. Madison* (US Supreme 1803).

More infuriating is the damage done to me in the state court while this case was dragging along at a glacial pace in the district and appellate courts for nearly three years (December 2, 2014-August 22, 2017) with no stays, supplemental jurisdiction nor any relief of any kind. As a direct result of the failure of the federal court judges (district and appellate) to act, the state actor-defendants and their colleagues sought their revenge upon me. (App 59, App 60-63, App 64-70, App 71-77, App 84-86, App 88-89) Piecemeal litigation commenced at my great cost -- and always to my loss. But not a single judge stepped in or stepped up to stop the criminal acts taking place in violation of my constitutional rights.

Based on the history of that which has transpired, it is clear that all will continue to act in this absurd manner (App 40, App 92) in this and every case without this Court's intervention.

All Prior Relief Sought Has Been Denied

I have sought a stay of all federal cases and a change of venue from the Third Circuit and the US District Court entirely. This relief was denied (App 56) as was every single stay of state action sought by me via the Third Circuit. (App 5, 19-20 and 56) All stays sought in the district court were also denied. (ECF 11, 17, 21, 49, 65) The decisions I seek to be reviewed are App 56, 5, 19-20 and 56.

Without any avenue for relief elsewhere, the crimes continuing in the state and the record now reflecting facts that will harm my other pending cases, I turn to this court for this extraordinary relief.

Without this Court's intervention, it is certain that the result will be nothing but more of the same: more theft in the state courts, more dismissals in the federal courts based on fraudulent findings, more defenses raised by parties without standing (App. 92) improperly adjudicated by federal judges, more delays caused (App 90-91), more discovery ruined, more improper dismissals (App 40) by judges seeking to protect their colleagues and more damage done to me – and me alone – by all.

I cannot fight this on fifteen fronts as I am being forced to do on my own at the same time – at my expense. I am supposed to have a government. **This is their job, not mine.** But I am alone in this fight: and now I am fighting judges rather than my cases. So I turn to this Court for relief that has been deprived me in every other court by every other judge.

**Every Judge in Every Court Has Been Made Aware of These Crimes,
Including the US Supreme Court (15-735)**

This Court was made aware of these crimes when I petitioned it in 2015 – Docket No. 15-735. In the Brief Factual Background of 15-735, I noted:

"Yet repeatedly, confiscatory restrictions, illegal liens, unauthorized court actions and fraudulent filings with the court by thieves and intermeddlers have resulted in deprivation by the state."

This Court was made fully aware that the state actor-defendants were using the powers of their office to force me to pay for funds I did not owe and forcing me to pay monies being embezzled by my non-profit corporation. (See 15-735, App 7-8; court order). The theft was further emphasized by me via 15-735, Pg. 17: "Not even the NJ Supreme Court would address these crime. (App. 86-87) . . . I did not agree to be a party to crimes to keep my own roof over my head."

This Court was also made fully aware that parties without standing sought and obtained unlawful relief (monies) from the state actor-defendants. (See 15-735, pgs 8-9) And this Court was made fully aware that I was not the only victim of this scheme.

This Court was also made well aware that due process was denied me in order to obtain the illegal judgment – without having seen or reviewed any contract or settlement -- and while my case for fraud was still pending. As noted in 15-735, Pg. 13:

"The court did not look to the contract nor the settlement it cited. (App. 2). They court presumed terms of a contract, presumed terms of a settlement and presumed full compliance by OKV with both. It made this presumption in the same manner is presumed standing."

This Court was also made aware of all the violations of my right to due

process. (15-735, pgs 8-9) As you were also made aware, the appellate court judges did not even bother to address my challenges to standing. (App. 58-59) And yet they still affirmed an unauthorized judgment (App 60-63) resulting in the taking of monies not owed by contract or law: followed by sanctions (App 92-96), the seizure of funds from the state and an arrest warrant absent any right in the law, no trial and no meaningful due process. (This has been the pattern ever since. App 64-77)

Despite taking these same FACTS to every single court, no relief was given by this Court. No relief has been given by any court. And nothing but harm has come of it.

Deprivation, Loss and Irreparable Harm

My property has been slandered. My home has been foreclosed upon. My credit has been destroyed. My name is all over the internet as a deadbeat who fails to pay her debts via false facts and fraudulent rulings – with more to come as more state suits filed against me are now pending.

My business (*my livelihood*) has been impaired. I have been extorted into paying debts I do not owe by any law and am now without my own monies I need for my business. I have had my money held in trust seized without due process (App 92-95). My liberty has been put at risk twice and arrest warrants have been signed. Sheriffs have been to my door. Foreclosure notices have been posted on my garage, in the paper and on the internet. My

life has been altered. My good name is ruined. And yet no one – not even
THIS COURT – will act.

This theft has gone for ten years as have these cases involving the illegal acts
of certain parties. (See 15-08324, ECF 127 and App 92) And this theft has
been known and ignored by the federal court for nearly four years.

Without a stay of state action (28 U.S. Code § 2283) immediately granted and
a stay of all federal cases put into effect until such time the petition for
mandamus is address, more damage will be done.

No state cases nor any action by the district court or the Third Circuit that is
now pending should be permitted to commence until the mandamus pending
(17-738) is addressed. And no action should commence in the federal court
until full compliance with the rules of court (28 U.S. Code § 1654) is enforced
by this Court.

**Pattern of State-Sanctioned Theft and Extortion
(Violations of Constitutional Rights Ignored by Federal Judges)**

On March 11, 2013, a judgment was ordered against me for monies not owed
to a condominium corporation via a suit filed by a party not authorized to
commence suit. On December 3, 2015, another judgment for more than
\$15000 was signed against me in favor of the same corporation via the same
unauthorized debt collector. On August 1, 2015, the court sanctioned me for
\$6200 (App 93-95) involving this same unauthorized action and my money
held in trust with the state was seized (App 96). On/about August 15, 2015,

the Sheriff attempted to arrest me via a warrant from the court (App 93-95). No action was taken by the state to stop this criminal, Steve Rowland, from acting. (App 79) This threat of my liberty being at risk was known to the Third Circuit (App 11-18), but no relief was given. (App 19)

As of September 2015, I had two prejudgment liens on my home, two judgments filed with the state, \$6200 seized from me without a trial and an arrest warrant out against me. State actors were involved in every action at all times.

In order to sell a property and commence with my business, I was forced to have **\$30,044.07** (the payoff amount determined by the unauthorized debt collector) to be paid from the transaction. The total loss to me (excluding my own court costs) now totaled **\$36,544.07**. And although extorted and paid in the full, the prejudgment liens were not discharged by the state actor (Defendant Melfi, see 16-07771).

In March 23, 2016, a judgment in the amount of \$11,485.86 was signed against me for the same corporation via another unauthorized suit brought by the same debt collecting lawyer. Another public judgment was recorded with the state by this same lawyer. Another arrest warrant was signed by Judge Mabrey. Again, the sheriff came to my door to arrest me. And again upon selling another property, the payoff amount demanded by the debt collecting attorney to have clear title was \$11,955.12.

In May 2017, a state judge deemed my answer (App 81-83) in a foreclosure action (which included the two prejudgment attachments not discharged) as uncontested. Standing was deemed not a valid defense to the action. No original note was produced. A judgment in the amount of \$179,387.31 was signed. (App 84-86)

No stays were granted by either the federal or state courts even though I offered to post a bond pending the appeal. (App 87) The district court denied emergent injunctive relief and my appeal of the denial of this stay (17-2231) was not adjudicated in time and has not been adjudicated yet. (App 90-91).

On September 27, 2017, I lost my home to a foreclosure action. I had to use money set aside to operate my business to buy back my own home at auction.

On August 3, 2017, a judgment in the amount of \$8867.21 was signed via another unauthorized action seeking monies not owed by the same debt collecting attorney. The judge authorized that the unconstitutional prejudgment lien (filed in September 2016) be enforced. In September 2017, the judgment was filed with the state.

In every single one of these cases, there has been:

- No proof of standing (App 59, 78, 79)
- No right to a trial
- No right to cross-examine witnesses
- No meaningful due process of any kind

Judges (not juries) in every single case have made the rulings in every single case in total violation of the New Jersey Constitution. And it has all been done absent any proof, absent any authority in law and lacking any meaningful due process. *Shelley v. Kraemer* (US Supreme 1948): "The action of state courts in imposing penalties or depriving parties of other substantive rights without providing adequate notice and opportunity to defend, has, of course, long been regarded as a denial of the due process of law guaranteed by the Fourteenth Amendment." (See 15-735, pg 14-15)

Seeking relief from these crimes in the federal court, my complaint (ECF 34) was not considered. And my challenges to state statutes have been ignored entirely (as they have been in every other case now pending in the district court). My rights have been violated on every front, by every judge. Every remedy (the law) created by Congress that exists to protect me from such abuses has been eviscerated by both the district and appellate federal judges. And the theft continues in the state to this day due to the federal court not providing remedies in the law.

Conclusion

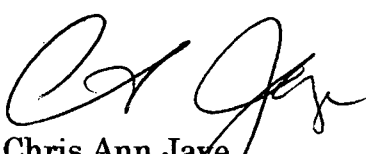
The departures from judicial procedures in this and other cases now pending are so great that the judges have negated the self-correcting mechanisms that are supposed to exist. Clearly, I have gone through all the proper channels. And I have been given no relief. Other than sitting back and being

raped by my own government in silent acquiescence until I am bankrupted, homeless or dead, what else am I supposed to do?

The Third Circuit judges have negated their role as impartial jurists and have become parties to the theft by and through its judicial decree. (App 41-48, App 49-57) I no longer want to be judged by them until direction is given by this court.

As evidenced by the attached documents, this insanity (caused by all involved in the federal court) does need not continue. I do not need to be bounced between five courts as some form of amusement. A stay of state action should be put into effect based on my pleading (ECF 34) and all federal cases stayed as well. Until such time that the Third Circuit and district court judges can justify their rulings in the law, I should not be forced to deal with these arbitrary, unfounded rulings: rulings (false facts) that give credence to criminal conduct in the state court which will impact other pending federal matters. (17-2231, 17-2564, 16-07771, 17-05257)

This legal labyrinth created by these judges to protect other judges needs to be put in check. Due process requires process. What is before you is not a process; it is chaos caused by those with power to ensure defeat. And it should not and cannot be tolerated.



Chris Ann Jaye
November 21, 2017