

Case No. _____

**IN THE SUPREME COURT OF THE
UNITED STATES**

IN RE SUSAN ROSE, Petitioner.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit Court

PETITION FOR A WRIT OF CERTIORARI

Petitioner, Pro Se In Forma Pauperis

Susan Rose
9553 S. Indian Ridge Drive
Sandy, Utah 84092
(385)888-1637
(801) 572-3363
susan_rose@comcast.net

Respondents

State of Utah

Governor Herbert (officially only)
350 North State Street #200
Salt Lake City, Utah 84114-2220
(801) 538-1000

Mr. Brent Johnson
General Counsel
Utah Administrative Office of the Courts
For the Utah Supreme Court
450 South State,
2nd floor north
P. O. Box 140241
Salt Lake City, UT 84114-0241
Phone Number: 801-578-3800
Fax: 801-578-3843
Website: <http://www.utcourts.gov>

QUESTIONS PRESENTED FOR REVIEW

Does the Utah's Supreme Court's designed "civil" lawyer regulation system so infect the U.S. Court processes, that the 10th Circuit Court's reciprocal disbarment order requires reversal?

PARTIES

Petitioner-Susan Rose

Respondents -The Tenth Circuit Court; Utah State via Governor Herbert;
The Utah Supreme Court ("UTSCT") via Mr. Brent Johnson, General Counsel
Utah Administrative Office of the Courts.

Who is Not a Party- *The Utah State Bar is not a party.* It is integrated with the UTSCT.¹ The prior member- elected Bar Commissioners role of rule making and pre trial investigations and hearings are now done by UTSCT appointees.

No corporations are involved

¹ *In re Integration & Governance of the Utah State Bar*, 632 P.2d 845 (Utah 1981)

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**PETITION FOR CERTIORARI
FROM THE TENTH CIRCUIT COURT
RECIPROCAL DISBARMENT**

Petitioner Susan Rose, appearing *pro se*, and upon motion for permission to file in *forma pauperis*, respectfully petitions this Court for a Writ of Certiorari to review the Tenth Circuit Court's March 7, 2018 reciprocal disbarment ("Appendix" 001a) case no.. 18-802 as based upon an order to show cause issued from Utah's 3rd District Court order of disbarment (003a) issued on remand from the Utah Supreme Court ("UTSCT") disbarment order. 005a.

OPINIONS BELOW

The Tenth Circuit Order does not appear to be published, though it does not say it is unpublished, case no. 18-802. The underlying Utah Supreme Court order is reported as *Office of Professional Conduct v. Susan Rose*, 2017 UT 50. 005a. A 2011 order denying enforcement of U.S. Court orders FOR the lawyer, for the Prosecutor's admitted same issues (057a-058a) as the state prosecution. 044a-049a.

OTHER RELATED PETITIONS

Petitioner filed a timely Petition for Certiorari from the Utah Supreme Court's Aug. 15, 2018 disbarment order that was denied. see docket case 17-7003.

JURISDICTION

This Court has jurisdiction to review the Tenth Circuit Court's March 7, 2018 reciprocal disbarment order (001a) pursuant to the U.S. Constitution Article III, 28 U.S.C. 1254(1) and 2101(c).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Due Process Clause of the Fifth Amendment provides, in relevant part:

No person shall . . . be deprived of life, liberty,
or property, without due process of law.
U.S. Const. amend. V

The Equal Protection clause of the Fourteenth Amendment in relevant part

No state shall make or enforce any law which shall abridge the
privileges or immunities of citizens of the United States; nor shall
any state deprive any person of life, liberty, or property, without
due process of law; nor deny to any person within its jurisdiction
the equal protection of the laws.

XIV Amendment sec. 1

The Supremacy Clause of the Sixth Article provides

This Constitution, and the laws of the United States and all
treaties made, or which shall be made, ... shall be the supreme
law of the land; and the judges in every state shall be bound
thereby, anything in the Constitution or laws of any State to the
contrary notwithstanding.

U.S. Constitution Article VI sec. 2

Utah Constitution Supremacy Clause

Article I, Section 3 [Utah inseparable from the Union.]
The State of Utah is an inseparable part of the Federal Union
and the Constitution of the United States is the supreme law of
the land.

Relevant statutory provisions are set forth in the appendix to this petition.
(079a-081a)

STATEMENT OF THE CASE

I. The Tenth Circuit Court has ratified, through reciprocity, a void ab initio UTSCOT system of state disbarment violating U.S. Constitution Due Process standards.² Both of Petitioner's underlying cases in the formal complaint are rooted in how she defines Navajo Court jurisdiction.³ A comparison of MacArthur in 2005 with 10th Circuit's *Barboan*, *infra*, 2017, shows Petitioner was not filing meritless or frivolous arguments, but was ahead of the curve.

A. **10th Circuit's conflicting ruling.** The Tenth Circuit Court reciprocal discipline order, 001a, ratifies the UTSCOT's adoption of a void "civil", "non-adversarial trial" lawyer regulation process. The UTSCOT standard directly conflicts with the U.S. Constitution's Fifth Amendment, violating the Fourteenth Amendment's restraints, as found in 1) the U.S. Supreme Court's *In re Ruffalo*, 390 U.S. 544, 550, 88 S.Ct. 1222 1225, 20 L.Ed.2d 117 (1968)(adversarial trial, quasi-criminal Due Process), 2) other Tenth Circuit states adopting *Ruffalo*'s standard,⁴ 3) the Tenth Circuit's ruling in *Razatos*,

² *World-Wide Volkswagen Corp. v. Woodson*, 444 U.S. 286, 291, 100 S.Ct. 62 L.Ed.2d 490 (1980) ("A judgment rendered in violation of due process is void in the rendering State and is not entitled to full faith and credit elsewhere.")

³ The Prosecutor's formal complaint addresses two underlying Navajo Nation jurisdiction question cases, "OPC" matter, i.e. "federal matter" i.e. *MacArthur et al v. San Juan County et al*, 391 F.Supp. 2d 895 (D. Utah 2005)(seeking to enforce Navajo Nation injunction and other orders) and "Smith matter". 068-078 Relevant parts of the formal complaint.

⁴ The following 10th Circuit states agree with *Ruffalo*, and *Razatos*' Courts' application of U.S. Constitutional professional license safeguards.

infra, adopting *Ruffalo*'s Due Process protections for lawyers from state invasions of their professional *Ruffalo*'s standard. See, *Razatos v. Colorado Supreme Court*, 746 F.2d 1429, 1436 (C.A.10 (Colo.), 1984).

It is clear that attorney discipline, although designed to protect the public, necessarily imposes a punishment or penalty on a lawyer that entitles him to procedural due process. In *re Ruffalo*, 390 U.S. 544, 550, 88 S.Ct. 1222 1225, 20 L.Ed.2d 117 (1968). Moreover, since these proceedings are "quasi-criminal" in nature, *id.* at 551, 88 S.Ct. at 1226, see *Phelps*, 662 F.2d at 653 (McKay, J., dissenting), and deprive an attorney of the right to earn a livelihood, "an analogy to the criminal law is appropriate." *Id.*

B. The UTSCCT system for this and all Utah lawyers. The UTSCCT knowingly and willfully adopts rules that support a 1) state "civil" disbarment (14-501(c)) that eliminates the Prosecutor burden by civil burden shifting rules; 2) by "default" of original charges, without a Utah Rule of Civil Procedure rule-required separate default "judgment" formally certified and mailed by the Utah state court clerk, 3) rooted in Navajo jurisdiction definition questions that Congress forbids to state courts (25 U.S.C. 1321-

Wyoming -See, *Bd. of Prof'l Responsibility v. Custis*, 2015 WY 59, 348 P.3d , 823, 829-830(Wyo., 2015).

Oklahoma- *State ex rel. Okla. Bar Ass'n v. Demopolos*, 352 P.3d 1210, 2015 OK 50 (Okla., 2015) fn. 50.

Kansas- accepts *Ruffalo*, though maintains notice of charges are to be more "civil", and need not specify a specific instance of misconduct, yet also holds that "clear and convincing evidence" must ultimately support state discipline. *In re Holyoak*, 304 Kan. 644, 660, 372 P.3d 1205 (Kan., 2016) *New Mexico and Utah eliminate Ruffalo quasi criminal standard. In Matter of Convisser*, 242 P.3d 299, 148 N.M. 732, 2010 -NMSC- 37, 2010 NMSC 37 (N.M., 2010)

1326)(*Ute, Myton, Barboan* ⁵), 4) unsupported by identification of a single act warranting a complaint to be filed, and lacking a shred of *substantial* evidence to support the formal complaint; 5) without an adversarial trial⁶, 6) without the Prosecutor carrying a burden of preponderance of evidence (14-517(b)) due to “civil” burden shifting rules⁷, 7) on hearsay charges of opposing counsel and “snippets” of Judges’ statements (047a) made without prior notice or a hearing, out of the context of the whole record, 8) illegally relitigating U.S. Court orders for the “same” issues, (057-058)(*Ute, Myton, infra*), 9) without a pretrial rule-defined 8 member screening panel being called initially, (all did not have to show up), that the UTSCCT Prosecutor as panel secretary/administrator (14-503(h)), hand picked 3, without 14-503(d) random assignment, and limited to a one hour hearing for each underlying Navajo and federal question case (063-067); 10) and gave no prior notice as to the identity of the “OPC” complainant until after the UTSCCT- Prosecutor

⁵ See, *Ute Indian Tribe of the Uintah & Ouray Reservation v. Myton* 835 F.3d 1255 (10th Cir. Aug. 29, 2016) (10th Cir., 2016)(“Myton”), and *Ute Indian Tribe of the Uintah & Ouray Reservation v. Utah*, 790 F.3d 1000 (10th Cir., 2015)

⁶ *In re Strong*, 616 P.2d 583, 585 (Utah 1980)(“Thus, the preservation of the integrity of the Courts and the safety of the public must rise above the strict technical rules of evidence that govern the usual adversary proceeding between individuals. This is not a proceeding to determine conflicting claims of right where one party prevails over the other. This proceeding is commenced by an accusation being made of misconduct where no specific relief is demanded or requested.”)

⁷ *In re MacFarlane*, 350 P.2d 631,636 (Utah, 1960)(J. Wade dissent)

(“If the presumption shifts the burden of proof in a disciplinary proceeding the same as in a civil action, then neither clear and convincing proof, nor a preponderance of the evidence or even substantial evidence is required to disbar an attorney where such a presumption is involved. [due to civil burden shifting rules].... So a different rule should apply in a disciplinary proceeding than in a civil action which merely determines property rights.)

orchestrated screening panel, also hiding her identify from the state court, (069a), 11) without giving prior notice as to the specific discipline sought, without linking facts to counts, without citation to substantial evidence, and without pleading the rule required elements of appropriate *mens rea* for discipline. 077-078.

The Tenth Circuit Order therefore ratifies the UTSCOT disbarment system that in reality, allows majoritarian interests to weaponize the UTSCOT Prosecutor and Courts against any lawyer with minority interest clients, Mr. Parker Nielsen prevailed against Utah in the Navajo Trust fund case...

disciplined in this system. Mr. Tyler Larsen sued Davis County in U.S.

Court...disciplined in this system with his opposing counsel Mr. Trentadue using the state court Prosecutor filings to discredit him in U.S. Court. My own lawyer who zealously advocated for me is being disciplined this way.

C. The UTSCOT knows it cannot cite to a Utah Constitutional amendment for authority to adopt a U.S. unconstitutional system that is void for lack of Due Process.

State v. Briggs, 199 P.3d 935¶ 26 (Utah 2008).

¶ 26 Nevertheless, the protections in the federal Constitution **provide a constitutional floor**, which, if Utah's Constitution or laws provide a lesser level of protection, renders interpretation of Utah's Constitution unnecessary. **In other words, if the challenged state action violates the federal Constitution, we need not reach the question of whether the Utah Constitution provides additional protection; we may instead resolve the case with reference only to the federal Constitution**

D. The UT SCT system violates Utah's constitution by eliminating lawyers elected representative's involvement to prevent such an unconstitutional system.

1. The UT SCT states it has all "inherent" and "constitutional" authority over lawyer regulation by the elimination of the lawyer's elected representatives and elected executives by Utah's 1985 adoption of Article VIII sec. 4 amendment. Disbarment Order ¶ 60, 026a.

Our state constitution gives this court "plenary authority to govern the practice of law. This authority is derived both from our inherent power and—since 1985—explicit and exclusive constitutional power." *Injured Workers Ass'n of Utah v. State*, 2016 UT 21, ¶ 14, 374 P.3d 14; UTAH CONST. art. VIII, § 4 ("The Supreme Court by rule shall govern the practice of law, including . . . discipline of persons admitted to practice law."); *Injured Workers Association of Utah v. State of Utah*, 2016 UT 21 ¶26. The UT SCT has no legislative or executive limits on its powers over the practice of law.

The 1985 Amendment to Article VIII sec. 12 also provided for the elimination of elected Bar Commissioners involvement in lawyer regulation rulemaking and hearings by UT SCT appointed Judicial counsel's.

2. This and targeted lawyers bare no responsibility for lack of U.S. Constitutional protections. With or without lawyer's arguments, with or without raised issues, unlike other cases, targeted lawyers are not the U.S. Constitutional protections are not found for them. Case after case, as here, the UT SCT states the lawyer "fails to" raise, or "fails to" argue, or "fails to"

support, as here, 40 times. The lawyer is the victim, not the perpetrator of UTSC's intentional U.S. Constitution inapplicability to their, and all, Utah lawyer's license rights.

3. Utah lawyers, as a condition of using their license, are forced to pay for their own prosecution, and have no voice to challenge the UTSC system. Lawyer must pay a required annual fee approximately \$500, in an "integrated" Bar without any independent voice, to financially support the Prosecutor, without having any UTSC rule-delegated supervisory authority over his policies, processes, hirings, firings, and procedures.

No case since 1985 identifies a successful constitutional challenge to the UTSC rules.

4. The UTSC system is repugnant to elected representative government. It also violates Utah's Constitution. Article I sec. 3 mandates the Utah Courts apply the U.S. Constitution as the "Supreme Law of the Land". Article IV, section 10 is an oath every Utah Justice takes: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this State, and that I will discharge the duties of my office with fidelity.["]

By UTSC plan not conforming to the U.S. standards, these Utah Constitution mandates are violated and the system is void.

Charles River Bridge v. Warren Bridge, 36 U.S. 11 Pet.420, 440, 579

(1837) (“[T] the power of the legislature [here, the Utah Supreme Court] is unquestionable; but, by the constitution of the state, it must be exercised in a particular manner; and **if not so exercised, the act is void.**”).

E. The UT SCT does not entertain constitutional challenges to its rules. Justice Lee, (rumored to be on President Trump’s short list for

this Court), writing for the UT SCT, in 2016, identified the UT SCT will not accept Constitutional challenges to its lawyer regulation rules during

litigation. Their rules deserve “respect”. This way any “trouble makers”

names will be duly identified for future “regulation” too. *In re Discipline of*

Brian Steffensen, 2016 UT 18 (“¶9 Lawyers and litigants are free to seek an

audience with one of our advisory committees if they wish to advocate for an

amendment to our rules. ¶10 But we see no basis for effectively amending our rules in the course of this adjudicative proceeding.”).

F. No Impartial Judges. First, it is impossible for the UT SCT to adjudge its own initiated, adopted rules impartially. Second, All pretrial panel lawyer members, and all Utah Judges, including Utah lawyers as Judges in ALL other jurisdictions, are subject to the UT SCT’s arbitrary unconstitutional prosecution in state courts by UT SCT rules. Rule 14-506(a) covers all lawyers everywhere. 081a. Rule 14-506(c) states

(c) Former judges. A former judge who has resumed the status of a lawyer is subject to the jurisdiction of the Supreme Court *not only for conduct as a lawyer but also for misconduct that occurred while the lawyer was a judge and would have been grounds for lawyer discipline* provided that the misconduct was not the subject of a judicial disciplinary proceeding as to which there has been a final determination by the Supreme Court.

Plainly read, this UTSC rule places an automatic concern for future income and advancement, into the Judges' thinking when making rulings, not only for lawyer regulation cases, but for all cases where Judges may believe one side's counsel has access to the UTSC prosecutor, as here, and the judge or justice may possibly return to lawyer status within Utah's four year statute of limitations period. *Ward v. Village of Monroeville*, 409 U.S. 57 (1972) ("... it is of no constitutional relevance that petitioner could later be tried de novo in another court, as he was entitled to an impartial judge in the first instance."): *United States v. Mississippi Valley Generating Co*, 364 U.S. 520, 549 (1961) ("an impairment of impartial judgment can occur in even the most well-meaning men when their personal economic interests are affected by the business they transact on behalf of the Government.")

G. State Court illegally acts as appeals court to Navajo and U.S. Courts. The "state" proceeding, even if U.S. Constitutionally conforming, is void as the state lacks federal question jurisdiction⁸ over a U.S. Court's

⁸ *Int'l Longshoremen's Ass'n v. Davis*, 476 U.S. 380, 392, 106 S.Ct. 1904, 90 L.Ed.2d 389 (1986) (holding that where "a state court . . . ha[s] no subject

lawyer regulation, and b. to disbar lawyers as to how they advocate exclusive federal question cases.

1. Utah's U.S. District Court Judge Bruce S. Jenkins, states, "This question whether the State court may second-guess this court's evaluation of the propriety of attorney conduct *before this court* appeared to raise important considerations of judicial power and federalism." 045a [emphasis in the text.]

a. The UT SCT claims Rule of Professional Conduct 8.5(a) authority over ALL Utah lawyers, in ALL jurisdiction, for ALL conduct. Disbarment Order ¶70 029a. The UT SCT ignores 8.5(b) restraints on prosecuting lawyers who believe their work effects non state jurisdiction law. 078a-79a

2. The Tenth Circuit Court with Judge, now Justice, Gorsuch, appears to have already answered this question in 2015 and 2016, condemning Utah's forty year pattern of illegally, knowingly, purposefully, harassingly, relitigating U.S. Court orders in void state court proceedings.

H. **No federal question Indian law jurisdiction.** The Tenth Circuit Court in *Myton, Ute*, and now *Pub. Serv. Co. of N.M. v. Barboan*, 857 F.3d

matter jurisdiction to adjudicate the issue . . . , any judgment issued by the state court will be void ab initio") (emphasis in original).

1101 (10th Cir., 2017)(“Barboan”) all identify that state law and state court jurisdiction does not apply to cases arising within the federally-recognized Indian Nations within Utah—*precisely the basis for the state prosecution of this Petitioner zealously advocating against state court jurisdiction in two Navajo rooted cases* that the state seeks to relitigate *via lawyer regulation*.

REASONS FOR ACCEPTING THIS PETITION

As Chief Justice Marshall wrote, Courts must balance between protecting the public, and protecting the lawyer.

On one hand, the profession of an attorney is of great importance to an individual, and the prosperity of his whole life may depend on its exercise. The right to exercise it ought not to be lightly or capriciously taken from him. On the other, it is extremely desirable that the respectability of the bar should be maintained, and that its harmony with the bench should be preserved. For these objects, some controlling power, some discretion, ought to reside in the court. This discretion ought to be exercised with great moderation and judgment; but it must be exercised; and no other tribunal can decide, in a case of removal from the bar, with the same means of information as the court itself.

Ex parte Burr, supra, 22 U.S.529 at 529-30 (1824)

A. **Accepting this Petition resolves a split in state’s views of lawyer Due Process standards.** Oklahoma, Kansas, Colorado, all adopt the *Ruffalo, Razatos*, quasi criminal, adversarial trial, clear and convincing evidence, to protect lawyers liberty and property interests in their licenses.

Utah and New Mexico⁹ adopt the civil, preponderance standard, that by civil burden shifting eliminates any Prosecutor burden of proof (*MacFarlane supra*), allegedly to protect Courts and the public. There is no proof that states adopting the *Ruffalo quasi criminal* standard are somehow endangering their courts and citizens. C.f. generally, for one example of a state that has adopted U.S. Supreme Court lawyer standards. *Nguyen v. State Health Med. Quality Assur.*, 29 P.3d 689, 692, 144 Wash.2d 516 (Wash., 2001).

B. Utah lawyers have no other place to obtain relief from this

system. 1) The UTSCCT will not entertain such challenges to its rules.

Steffesen, supra. 2) The U.S. District and Tenth Circuit Courts read *Middlesex*¹⁰ as a ruling obliging federal courts to wait until a state court is exhausted, even when the state court is refusing petitions for writs, challenging the rules, and not enforce U.S. Court orders, as was done here.

046a. While not controlling, the American Bar Association did an analysis of integrated Bars, in American Bar Foundation Research Journal, 1983, Vol. 1, pp. 1-108, advising integrated Bar's should be abolished, as the Bar has a strong interest in being independent. *Id.* at 108.

⁹ *In Matter of Convisser*, 242 P.3d 299, 148 N.M. 732, 2010 -NMSC- 37, 2010 NMSC 37 (N.M., 2010

¹⁰ *Middlesex County Ethics Comm. v. Bar Assn.*, 457 U.S. 423, 424 (1982) says U.S. abstention applies as long as "state disciplinary rules were not "flagrantly and patently" unconstitutional".

C) Utah's Article VIII sec. 4, and 12, eliminating lawyers' elected representatives creates a system that is repugnant to the Utah constitution . Disbarment order par. 60, 024a. *Charles River Bridge v. Warren Bridge*, 36 U.S. 11 Pet.420, 440, 579 (1837) ("[T] the power of the legislature [here, the Utah Supreme Court] is unquestionable; but, by the constitution of the state, it must be exercised in a particular manner; and if not so exercised, the act is void.").

D) **Infection of all jurisdictions.** Rule of Professional Conduct 8.5 (a) and (b) was adopted by the UTSCCT in 2005. **Rule 8.5(a) is interpreted by the UTSCCT as total regulatory power over ALL Utah lawyers, in ALL jurisdictions, for ALL actions including how a lawyer may litigate another state's laws.**

Rule 8.5(a). Disciplinary Authority; Choice of Law.

(a) Disciplinary Authority. A lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction, regardless of where the lawyer's conduct occurs. A lawyer not admitted in this jurisdiction is also subject to the disciplinary authority of this jurisdiction if the lawyer provides or offers to provide any legal services in this jurisdiction. A lawyer may be subject to the disciplinary authority of both this jurisdiction and another jurisdiction for the same conduct. [i.e. reciprocally]

Utah's U.S. District Court rule DUCivR 83.1.5.1(a) adopts the Utah Rules of Professional Conduct 8.5 as "interpreted by" the U.S. Court judges---not as interpreted, and applied by the Utah State Court. Adopting the rule is not

adopting the state jurisdiction to displace federal jurisdiction that Congress protects by the Rules Enabling Act 28 U.S.C. 2072(b) "All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect. disallowing all other law." Under F.R.C.P. 83 Utah adopted

DUCivR 83.1.5.1 (a) Standards of Professional Conduct.

All attorneys practicing before this court, either as members of the bar of this court by pro hac vice admission, must comply with the rules of practice adopted by this court and with the Utah Rules of Professional Conduct as revised, amended, and *interpreted by this court.*

The Disbarment order ignores any discussion of Rule 8.5(b) prohibiting state court processes in non state jurisdictions except reciprocally, not applied in this case effecting Navajo Court jurisdiction issues prohibited to states. 25 U.S.C. 1321-1326.

Utah Rule of Professional Conduct 8.5 (b) follows:

- (b)(1) for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits, unless the rules of the tribunal provide otherwise; and
- (b)(2) for any other conduct, the rules of the jurisdiction in which the lawyer's conduct occurred, or, **if the predominant effect of the conduct is in a different jurisdiction, the rules of that jurisdiction shall be applied to the conduct.** *A lawyer shall not be subject to discipline if the lawyer's conduct conforms to the rules of a jurisdiction in which the lawyer reasonably believes the predominant effect of the lawyer's conduct will occur.*

4) Lack of prior notice to this Petitioner

All targeted lawyer's formal complaints fail to link facts with counts, and this complaint fails to cite to a single discrete act warranting its filing, a single piece of substantial evidence to support it, and does not identify the specific discipline sought or plead the elements of mens rea necessary for disbarment. 067a-078a.

Further, the disbarment order is based on "snippets" of hearsay taken out of the context of the entirety of the original cases, and disbars this Petitioner based on state court complaints issued without prior notice, or a hearing, by Judges subject to prosecution if they "obstruct justice" of the Prosecutor, albeit after they return to lawyer status. Rule 14-506(c).

In both cases, the Petitioner was not on notice

- that zealous advocacy against state court jurisdiction within the Navajo Nation involving non Indians, for injuries arising within the Navajo Nation was "frivolous" "meritless" or otherwise professional misconduct;
- that for the MacArthur "OPC" "federal matter" the complainant was opposing counsel so she could not be called as a witness pretrial purposes;
- that Utah Courts were in a 40 year litigation Indian War with state courts used to prosecute Indians outside Treaty and Congressional statute prohibitions against state courts;

- that Utah intentionally relitigated federal court orders, here, regulating lawyers on the same issues ruled on by U.S. Courts' judges in the lawyers' favor;
- that the Utah Supreme Court knowingly and willfully by itself or appointees with its great expertise and knowledge, affirmatively initiated, adopted, interpreted, the lawyer regulation rules violating U.S. Constitutional lawyer protections;
- that the Utah Supreme Court was refusing to entertain U.S. Constitutional challenges;
- that there is no adversarial trials of lawyers in Utah by design intentionally created by the Utah Supreme Court;
- that the rules pertaining to lawyer regulation would be read so liberally for the Prosecutor as to eliminate entire sections of them for lawyer protection;
- that the Prosecutor would be a rule maker, screening panel secretary and administrator, private secret policy maker, supreme court advisor, and unethical accuser of lawyers bringing cases without substantial evidence based on bald accusations he will always win by default, even without a default "judgment" entered;

- that she could be prosecuted for non-state jurisdiction claims arising in litigation predominantly affecting Indian Nation and U.S. court jurisdiction;
- that suing a political subdivision in U.S. Court, could result in the Prosecutor initiating suit against a lawyer with the state case to discredit the lawyer in a U.S. case;
- that any lawyer representing a client zealously, against majoritarian interests with access to the Prosecutor, could be professionally disbarred;
- that any lawyer representing a targeted lawyer could be targeted for prosecution;
- that Utah judges could be prosecuted for their actions and decisions on the bench, albeit after they return to lawyer status for a four year look back period;

CONCLUSION: For all the foregoing reasons, this Petition should be accepted.

Respectfully submitted,

Petitioner

Susan Rose
9553 S. Indian Ridge Dr.
Sandy, Utah 84092
385-888-1637

Respondents

Governor Herbert
350 North State Street, Suite 200
PO Box 142220
Salt Lake City, Utah 84114-2220
Phone: 801-538-1000
Toll Free: 800-705-2464

Mr. Brent Johnson
General Counsel
Utah Administrative Office of the Courts
For the Utah Supreme Court
450 South State,
2nd floor north
P. O. Box 140241
Salt Lake City, UT 84114-0241
Phone Number: 801-578-3800
Fax: 801-578-3843
Website: <http://www.utcourts.gov>

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