No. ____________________

IN THE

SUPREME COURT OF THE UNITED STATES

Lan Tu Trinh — PETITIONER
(Your Name)

vs.

Kathleen Lien Trinh — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of Pennsylvania
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Lan Tu Trinh
(Your Name)

775 Mustin Lane
(Address)

Villanova, PA, 19085
(City, State, Zip Code)

215-313-3858
(Phone Number)

QUESTIONS PRESENTED

1. The defendant did not follow the first court order issued, but the court did not provide any punishment. Is this a violation of legal procedure?
2. The court ignored the plaintiff's motions denied 17 out of 18 times, even though many of her complaints were about theft, sabotage, noncompliance, forgery, and fraud by the defendant. Would the court's refusal to address these issues be considered as negligence?
3. The plaintiff wanted to save her business with this case, but the receiver was appointed to steal the plaintiff's properties and belongings, push her out of her own personally-owned premises, and dissolve her business without compensation given to the plaintiff. For a case in which the appointment of a receiver was not necessary but was a key step towards the dissolution of the business, would this be considered a violation of business owners' rights?
4. The courts in Pennsylvania, including the Court of Common Pleas and Appellate Courts, ignored the concerns of the plaintiff's healthcare providers of her risk of stroke. All of the courts denied her request to delay a court hearing, placing her in greater health risk. Is this violation of human rights?
5. The defendant and legal persons in this case stole the plaintiff's credit line without her knowledge and built a new school while the case was active, in anticipation of the dissolution of the plaintiff's business. Should the law prioritize the protection of businesses when the issue of sabotage is brought to the court?

6. The Court of Common Pleas has kept the case active for over two years, seemingly with the only purpose being to deplete the plaintiff's finances. Would this be considered an abuse of power by the courts to harass the people they are supposed to serve?

LIST OF PARTIES

[✓] 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:

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APPENDIX J. Transcript of the court hearing on December 4, 2017.

APPENDIX K. Records of the KAT Beauty School accreditation.

APPENDIX L. Police report of my identity being stolen to make the new company, KAT Beauty School.

APPENDIX M. Multiple doctors' notes, detailing my health condition and recommending rest, that I submitted to the Pennsylvania courts to request the delay of a hearing on May 25, 2018.

APPENDIX N. Email from the clerk at the Court of Common Pleas, in which she said I could opt to not attend the hearing after my repeated requests for a delay.

APPENDIX O. Emergency medical records from the day I was transported to the hospital from the hearing on May 25, 2018.

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.

[✓] 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

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

The opinion of the Superior court appears at Appendix B 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).

[✓] For cases from **state courts**:

The date on which the highest state court decided my case was May 23, 2018.
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).

STATEMENT OF THE CASE

I, Lan Tu Trinh, was co-owner of LT International Beauty School, Inc. (LTIBS) with my sister, Kathleen Lien Trinh. Despite the fact that I started the company, built the company, and had 50% ownership of the company, Kathleen would steal funds from the business without my knowledge or permission. Since 2002, she had frozen me out of the financial affairs of the company, closed the company bank accounts on which I was a co-signer, and opened new bank accounts that only she could access. Kathleen had also changed passwords to and frozen me out of company financial aid systems. She restricted me from accessing financial accounts, administrative files, and federal student aid funds that were essential to operating the school and providing an education for students. Kathleen refused to pay me from the company since July 2015, and Kathleen has consistently and repeatedly looted company operating funds and profits for her personal use, all without my consent or approval.

Because of Kathleen's refusal to pay me and for her longstanding misconduct and aggressive and abusive behavior, I had to bring the matter to the Court of Common Pleas in Philadelphia, PA. I brought a lawsuit against her on January 7, 2016, but the proceedings that occurred in the lower court did not provide relief to the damages I have endured. Throughout the case, Kathleen refused to comply with the default judgment order on February 9, 2016 and subsequent orders that were against her interests of retaining complete control or dissolving the business. She constantly sought any opportunity to enrich herself inside and outside of court by producing fraudulent documents and false information. The Court of Common Pleas did not punish her for her refusal to comply to orders or for providing false information.

Even when I was able to retain some control of the school, she would actively attempt to sabotage the school's operations, and her sabotage efforts would be the self-fulfilling reasons she would provide in favor of dissolving the school against my will. She interfered with school operations by often refusing to provide, in a timely manner: administrative, financial, and student records, bank accounts, online access codes, or permission to consult the school's tax specialists. The lower court ignored these actions and did not resolve the matters. The case dragged on for more than 2 years until now without end, with clear favoritism to the defendant. I have raised these issues to the courts in my appeals, but the Court of Common Pleas has denied me with the frequency of at least 16 times out of 17 motions. (Erik Jensen, my previous lawyer, had confirmed this frequency of my denials in an email, attached in Appendix D. He also confirmed that the lower court made a major error in the proceedings.)

The court appointed a receiver in September 2016 to claim that he would help to manage the business, which was an unnecessary action. However, the receiver did not even accomplish this task and seemed to only stay involved for the purpose of stealing my properties, dissolving the school, and destroying my business. He had even provided false documents to a former counsel of mine, so I filed a police report seen as Appendix E. His presence in the case only served to arrange for the false auctions of my business properties (without any of the parties even having the money to truly pay) and the dissolution of the school, and he continues to be involved in the case only to drain my money and destroy me completely.

The lower court and the involved legal persons forced me to sign away the properties to Kathleen in a false sale and then dissolved my business. I was forced by the lower court to sign the agreement that would give Kathleen the properties and dissolve the business, as the court threatened to put me in jail for 30 days. (Appendix F is the agreement I was forced to sign, and Appendix G is the transcript of the July 10, 2017 hearing in which I was forced to sign the agreement. I had written a statement of being forced to sign next to my signature, which was then crossed out in court by lawyers. Appendix H is the police report I filed about the false sale of my property and that the city removed my name from the deed.) My belongings inside of these properties were seized with this unjust sale. The court did not create any orders about this matter. I experienced these losses without any compensation. The legal persons of the case in the Court of Common Pleas said that I would be compensated in five days after the hearing. For months, I had asked for proof of money even being deposited in the escrow account, and they still could not provide the requested evidence. I asked for proof, seen in the transcripts from hearings on October 31, 2017 and December 4, 2017, attached as Appendices I and J respectively.

Kathleen opened a new school business on the properties I lost immediately after that July 10, 2017 court hearing, which fulfilled Kathleen's original goals of kicking me out of business while managing her own. Yet the court still says the case has not reached a final decision, even as she runs her own business in the locations I lost. I still have not received compensation for my losses, which include the belongings I had inside the properties. All of the legal persons in this case claim the money is in the escrow account, and that I would get compensated in 5 days after the hearing on July 10, 2017. After days passed, I requested proof of this money multiple times, but no one in the lower court could provide this evidence to me. I also asked about when the money was deposited and where it came from, which was an answer that they would not provide to me for months. Because of their unwillingness to provide proof, I believe that it might be money illegally collected. The legal persons in the lower courts have often provided fraudulent documents or conducted fraudulent property sales, which I have reported to police before as mentioned in Appendices E and H.

Earlier this year, I discovered that Kathleen had used my credentials and identity information to create and accredit her own school business, KAT Beauty School. I was deemed a "supervisor" of the business without my involvement or knowledge. (See Appendix K and J.) She had already created the business name and gained accreditation on November 6, 2015 before I filed my complaint in January 2016. My brother, Michael Trinh, told me to drop the lawsuit near the beginning of the case because Kathleen intended to leave LTIBS and establish her own school, but he did not mention that she already took steps to create the new school with my name involved. I notified the court that Kathleen intended to create a new school, which would explain her intention to sabotage LTIBS while I regained supervision of the business. The court ignored my explanations and the case proceeded without any mention of her new school being established already; as soon as the lower court dissolved LTIBS and left me without any compensation, Kathleen instantly established KAT Beauty School at the LTIBS campus location and took all of my belongings inside the property.

Recently, I requested a delay of the hearing to have time to recover from a health condition, but the Court of Common Pleas would not grant my request (see Appendix M). For more than a month, I struggled to function normally and keep safe due to my health condition, and I had to consistently check up with doctors. I have submitted three doctor's notes (Exhibit) that stated the need for rest with my health condition, and doctors were concerned that I could worsen my condition if I engaged in stressful activity. However, all levels of the Pennsylvania state courts denied my multiple requests for a delay (see Appendices A, B, C, and N). I had to attend the hearing because I would not have any representative to defend my rights or argue against any agreements that would be significantly detrimental to my wellbeing if I was not present. I had vomited at the courthouse prior to the start of the hearing, but when my husband notified security of my sickness, the court still did not want to delay the hearing. I continued to vomit profusely at the start of the hearing and experienced severe vertigo until I fainted and fell down in court. Someone called 911, and I had to be transported to the hospital to recover. The court neglected to delay the hearing in consideration of my health. (Appendix O is the emergency medical records from my hospital stay.)

REASONS FOR GRANTING THE PETITION

The U.S. Supreme Court should grant my petition because the proceedings of this case in Philadelphia's Court of Common Pleas and the Appellate Court of Pennsylvania has been extremely unfair and discriminatory against me and my wellbeing. At this point, the courts have allowed the defendant to take over everything that I fought to retain and preserve, despite her gross misconduct and illegal activities committed against me or without my knowledge for nearly two decades. I even made multiple reports to the police, but no one took action. The entire case has been filled with misinformation and sabotage by the defendants, with major errors, wrongdoings, and unfair rulings by the PA courts due to favoritism for the defendants. This case was supposed to be very simple because it was supposed to only be about the theft and abuse of power by Kathleen. However, the lower courts have denied most of my motions without acknowledging the defendant's wrongdoings, and the appellate courts have refused to take action, even without consideration of my health. For these reasons, I believe it is appropriate to appeal to the Supreme Court of the United States.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

____

Date: June 11, 2018