

THE SUPREME COURT  
OF THE UNITED  
STATES

Jean Coulter, Petitioner

v.

Blaze Tatananni; Jean Tatananni; Morgan  
Stanley; Richard E. Dietrick; Michael  
Willson; Thomas Russ; Unknown Employee  
of Morgan Stanley, in Pittsburgh (known only  
as "Lisa"), Respondents

On Petition for Certiorari  
to the United States Court of Appeals  
for the Third Circuit

Petition for Rehearing  
of the Denial of  
Petition for Writ of Certiorari

Jean Coulter, Petitioner  
620 Butler Crossing #3, PMB 172  
Butler, Pennsylvania 16001  
412-616-9505

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This case presents an Issue which has not been determined by This Honorable Court – and a final determination on this Issue is desperately needed. Specifically, this matter concerns the **unsettlingly common determination by judges in the lower courts, that a Motion for Recusal can "wait" until the judge has made a number of other, often critically important decisions – and often those "preliminary" determinations have resulted in the immediate dismissal of the case from the Federal Courts. *This Issue has not been explicitly raised in any prior filing.***

#### Introduction

In the Instant Matter, as well as others in cases which were decided by Judge Bissoon (or other judges from the same federal district court), each jurist has chosen to make a number of dubious determinations, including ones which would permit the case to be dismissed from the federal courts - prior to "considering" a pending Motion for Recusal. And, invariably, those suspect decisions served to injure Coulter, simply because she impertinently believed that she could find "justice" in the federal courts, when the State Courts were too corrupt to be relied upon for an honest determination of any case<sup>1</sup>!

In this particular case (and others), Coulter repeatedly requested recusal of Judge Bissoon (and Magistrate Judge Mitchell) based upon Judge Bissoon's prior, overt acts (or the actions of other

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<sup>1</sup> Between 2010 and 2013, three (3) of the seven (7) Justices on the Pennsylvania Supreme Court were forcibly removed from the bench for crimes those Justices committed from within their chambers in the State Supreme Court.

jurists who have been, either directly or indirectly involved). Those acts involved, in the most egregious situation, Judge Bissoon's acts taken for the clearly intended purpose of adversely affect Coulter's Civil Rights – particularly the Right to Due Process. The most blatant example of this arises from **Judge Bissoon's December 2012 Order, requiring the Clerk of the Federal District Court in Pittsburgh, to assign any case filed by Coulter, exclusively to Judge Bissoon!** It is believed that Judge Bissoon learned that Coulter was planning a move out of Pennsylvania (which had only been intended to be her residence for the duration of Coulter's mother's illness). But, apparently Judge Bissoon, found it immensely satisfying to be in the position of being the sole jurist to determine any case filed under Section 1983 by Coulter (by Local Rule) – and thus, Judge Bissoon intended to assure that this position of power continued despite Coulter's planned move at the end of January 2013.

#### Argument

In each and every one of the federal court matters brought to This Honorable Court by Coulter, District Judge Cathy Bissoon has had a central role, whether directly or indirectly. And, this Honorable Court has been "required" to turn a blind eye to the obviously improper (and often criminal) actions by Judge Bissoon – just as the Third Circuit Panels have chosen to do! And, certainly, the pressure to defend the crimes of a member of the Lower Judiciary is unpleasant for every member of This Honorable Court, as well as the members of the Third Circuit Court of Appeals. More important though is that **this unpleasantness would be**

unnecessary, had the clearly biased jurist been required by Case Law or Rules of Court, to consider any pending Motions for Recusal, prior to making any other determinations.

Certainty, Predictability and Uniformity

By failing to require that Motions for Recusal be considered prior to taking any further action, subsequent review of actions which are generally within the realm of the jurist's "discretion", has been necessary.

In the Instant Matter, Coulter was forced to utilize her limited time to yet again formally ask for Recusal of two (2) jurists who had repeatedly chosen to act in a manner which is not permitted by the Code of Conduct for Federal Judges, as well as Federal (and State) Criminal Statutes. And, again, the subject jurists chose to over-look their obligations to Recuse, so that they could instead proceed with the case for the obvious purpose of further injuring Coulter.

In this case, Magistrate Judge Mitchell chose to demand that Coulter prove that she was a Citizen of a state other than Pennsylvania – despite the existence of a case which was notorious in the Western District of Pennsylvania, and which had been filed in 2015, on the basis of Diversity Jurisdiction alone – and where Judge Bissoon determined that she had Jurisdiction to dismiss Coulter's case, With Prejudice. In that earlier case, Coulter v. Lindsay, Judge Bissoon was assigned the case pursuant to her December 2012 Order in an unrelated matter – which required the District's Clerk to assign ever case filed by Coulter to Judge Bissoon exclusively :

IT IS FURTHER ORDERED that ... the following procedure shall be implemented by the Clerk's Office with respect to any documents filed by Plaintiff in the future:

(1) The Clerk's Office shall file any documents submitted by Plaintiff in due course. Plaintiff shall remain responsible for any applicable filing fees.

(2) Plaintiff's filings shall then be submitted to the undersigned ..."

(Coulter v. Ramsden, Dist. Court, WD Pennsylvania 2012)

And, in Coulter v. Lindsay, the sole basis for Jurisdiction in the Federal Courts, was on the basis of Diversity of Citizenship :

"6.) Jurisdiction in this Court is pursuant to 28 U.S. Code § 1332.

7.) Defendants are responsible for significant injuries to Coulter, as the result of Defendants' acts of FRAUD as well as ..."

(2:15-cv-00289-CB, Doc. 1, Complaint, page 3)

And, similarly in the Docket, diversity is the sole basis for Jurisdiction in the Federal Courts :

"U.S. District Court

Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:15-cv-00289-CB

COULTER v. LINDSAY et al

Assigned to: Judge Cathy Bissoon

Case in other court: Third Circuit, 15-02144

Cause: 28:1332 Diversity-Other Contract

Date Filed: 03/02/2015

Date Terminated: 03/06/2015

Jury Demand: Plaintiff

Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity" (Docket of Coulter v.  
Lindsay 15-cv-00289, filed March 2, 2015)

Indeed, on March 6, 2015, Judge Bissoon determined that the federal court possessed Subject-Matter Jurisdiction in the matter of Coulter v. Lindsay (2:15-cv-00289-CB). It should be noted that Coulter v. Lindsay was the first case brought by Coulter in the federal courts that was based on jurisdiction pursuant exclusively due to Diversity :

"Date Filed	#	Docket Text
03/02/2015	1	COMPLAINT against JOSEPH VICTOR CHARLTON, ALEXANDER H. ...

03/06/2015	2	ORDER, Plaintiff's Complaint (Doc. 1 ) is DISMISSED WITH PREJUDICE, pursuant to this Court's December 18, 2012 Order, filed in Civil Action Nos. 12-1050 (Doc. 33) and 12-1241 (Doc. 20), ... Signed by Judge Cathy Bissoon on 3/6/2015. ..." (Docket of Coulter v. Lindsay)
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The Instant Matter was filed on May 22, 2017. Between March 2015, when Coulter v. Lindsay was Dismissed with Prejudice, after Judge Bissoon determined that the federal courts had jurisdiction for Diversity cases involving Coulter and Citizens of Pennsylvania – there were cases decided by Judge Bissoon as well as other judges :

a. In some of those cases, it was determined that Coulter is/was not a Citizen of Pennsylvania (Coulter v. Dunbar Community Center, 2:16-cv-00125-AJS, filed on February 1, 2016).

b. And some that found that Coulter is/was a citizen of Pennsylvania (Coulter v. Coulter, filed on 07/27/2015 and dismissed on 04/22/2016 for lack of Subject-Matter Jurisdiction by Judge Bissoon and now, only recently, Coulter v. Paulisick, 2:15-cv-00937-JFC – filed on July 20, 2015, and dismissed earlier this year, on the basis of lack of Subject-Matter Jurisdiction by the Chief Judge of the District who relied exclusively on the subsequent decision by Judge Bissoon, which "changed" Bissoon's prior decision for Diversity Jurisdiction.)

The differences in determinations of Coulter's Citizenship are not based on any changes in Coulter's residence, place of employment, etc. – but are instead based exclusively upon the degree of separation between the judge hearing that particular case, and Judge Bissoon (or some other federal court judge who heard the case after that judge first chose to assist in the concealment of crimes by Judge Bissoon)! And, it should be noted that Judge Conti, who dismissed Coulter v. Paulisick for lack of Subject-Matter Jurisdiction, did so only after being re-assured by Paulisick's Counsel that Counsel would not comply with the Code of Conduct for Pennsylvania Attorneys by reporting Judge Conti's (and Judge Bissoon's) actions.

Reporting crimes such as those by Judge Bissoon and Judge Conti, which blatantly violate 18

**U.S. Code § 241 and 18 U.S. Code § 242 (Color of Law Violation of Rights and Color of Law Conspiracy Against Rights), is required of all Pennsylvania Attorneys pursuant to 204 Pa. Code § 81.4. Rules of Professional Conduct :**

**"Rule 8.3. Reporting Professional Misconduct.**

...

(b) A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the appropriate authority."

Indeed, in Defendants "response" to the Motion for Recusal, which explained :

"3.) [Judge Conti] learned of Judge Bissoon's crimes, when Coulter erroneously sent the formal Complaint of Judicial Misconduct against Judge Bissoon to the attention of [Judge Conti]. ... Rather than forwarding Coulter's Formal Complaint of Judicial Misconduct by Judge Bissoon to the Chief Circuit Court, and reporting Judge Bissoon's criminal acts to the appropriate authorities in Federal Law Enforcement, **[Judge Conti] instead "buried" Coulter's Formal Complaint of Judicial Misconduct by Judge Bissoon.** That Complaint stated :

"... (2.) Even more egregious, is the fact that Judge Bissoon has, on December 18, 2012, filed in Civil Action Nos. 12-1050 (Doc. 33) and 12-1241 (Doc. 20), issuing a ORDER to Court Personnel, requiring them to "assign" each and every case filed by Pro Se



Plaintiff Coulter exclusively to Judge Bissoon ...

" the following procedure shall be implemented by the Clerk's Office with respect to any documents filed by Plaintiff in the future:

(1) The Clerk's Office shall file any documents submitted by Plaintiff in due course. Plaintiff shall remain responsible for any applicable filing fees.

(2) Plaintiff's filings shall then be submitted to the undersigned ..."

Rather than reporting the crimes which Counsel had just learned of, Defendants' Counsel feigned a misunderstanding of Judge Conti's concealment of the crimes by Judge Bissoon, as well as, supposedly, miscomprehending the illegality of Judge Bissoon's Order itself :

"Defendants oppose Plaintiff's Motion for Recusal ... it appears as if Plaintiff's grievances rest with the Honorable Judge Bissoon's involvement in prior litigation involving Ms. Coulter. Additionally, the requested relief ... would be prejudicial to these Defendants, as well as wholly unnecessary and improper."

It should be noted that, almost instantaneously after Counsel's re-assurance that Counsel would continue to protect both Judges Conti and Bissoon, Judge Conti ruled again against Coulter and again, in favor of Paulisicks – finding the Lack of Subject Matter Jurisdiction must be decided prior to the pending Motion for Recusal – despite the fact that Judge

**Conti had determined that she "possessed"**  
**Jurisdiction for the prior three (3) years!**

**Review of Case Law**

Coulter has not uncovered Case Law directly related to the issue of improperly delayed determinations for Motions for Recusal – in order for a Federal Judge to first produce a "finding" which requires the case be Dismissed for Lack of Subject-Matter Jurisdiction. Of course, logically, Recusal Motions should be determined before any other matter, particularly when the other determination completely dismisses the case (or at least places it outside of the federal court system). **This is particularly necessary due to the extreme deference that the Appellate Courts give to their consideration of any decision by a lower court!** But, beyond the necessity for eliminating the effects of deference to prior decisions, even if they are produced by a judge who most certainly should have Recused, the necessity for "certainty, predictability and uniformity" must be considered, as these principles have frequently been cited as crucial elements in the reasoning for many of the cases heard by This Honorable Court. For example, in **Markman v. Westview Instruments, Inc.**, 517 US 370 - Supreme Court 1996, the decision makes it clear that Precedent is an important consideration in order to assure "certainty" **that the decisions of one judge will not dramatically differ from decisions by another judge – or one region's decisions conflicting from courthouses in another region :**

"But whereas issue preclusion could not be asserted against new and independent

infringement defendants even within a given jurisdiction, treating interpretive issues as purely legal will promote (though it will not guarantee) intrajurisdictional certainty through the application of *stare decisis* on those questions not yet subject to inter jurisdictional uniformity under the authority of the single appeals court."

Similarly, **American Dredging Co. v. Miller**, 510 US 443 - Supreme Court 1994, explains that their must be **uniformity and consistency**" so that rules would mean the same thing regardless of where the circumstances occurred :

"One thing . . . is unquestionable; the Constitution must have referred to a system of law coextensive with, and operating uniformly in, the whole country. It certainly could not have been the intention to place the rules and limits of maritime law under the disposal and regulation of the several States, as that would have defeated the uniformity and consistency at which the Constitution aimed on all subjects of a commercial character affecting the intercourse of the States with each other or with foreign states."

#### Beyond Certainty, Predictability and Uniformity Review of Case Law

Beyond the necessity for certainty, and predictability, **Payne v. Tennessee**, 501 US 808 - Supreme Court 1991 speaks of the effects of a lack of predictability and consistency, as it affecting the perceptions of bias in the courts :

"... *Stare decisis* is the preferred course because it promotes the evenhanded,

predictable, and consistent development of legal principles, fosters reliance on judicial decisions, and contributes to the actual and perceived integrity of the judicial process. See *Vasquez v. Hillery*, 474 U. S. 254, 265-266 (1986). ..."

### Conclusion

It is inconceivable how any jurist who has seen the evidence of Judge Bissoon's crimes (during the numerous reviews of those cases), can believe that their integrity and conscience can possibly permit the continuing concealment of Judge Bissoon's crimes – and even "assistance" with Judge Bissoon's oppression of Coulter! **Surely, every jurist must at least start their career with the intention to act in a manner which will protect both the public's perception as well as the necessary inherent integrity of their profession.** Further, it seems as though it would be hard to sleep knowing that their own integrity must come into serious doubt every time that one of their fellow jurists acts as Judge Bissoon has acted in every case filed by Coulter. And even if no jurist feels any concern about how they are perceived in this life (or the next), surely there must be some who would question whether their blind allegiance to a fellow jurist can be considered to be permissible on the most basic principle, that of Fundamental Fairness.

In the news lately are the fifty (50) people (mostly parents) who have been "caught-up" in a scandal, as the result of a parent trying to give their children every opportunity for an education at one of the nation's best colleges. None of those parents can be expected to be concerned about the reputation of

the elite university being ever so slightly diminished by their child if he/she does not come out of college at the level of accomplishment and benefit to society - which some stranger's child might have been capable of. But, the concerns of parents who "cheat the system" for the benefit of their own child, are not expected to always follow the rules to the "letter" when to bend the rules would benefit their own child.

But that is not the situation which an Appellate Jurist, or even This Honorable Court is facing. It is not "love" which causes the jurists who conceal Judge Bissoon's crimes, to do so. It can only be imagined to result from a mis-placed "loyalty" or perhaps a miscomprehension of the severe damage which is inflicted on every Judge or Justice's profession and reputation, every time that another judge behaves in the way that Judge Cathy Bissoon has.

There is, essentially, no dissent when I explain how an "honest judge is like a unicorn" - because everyone seems to have personal knowledge of at least one situation when a judge has chosen to act in a manner which is completely illogical - and indefensible!

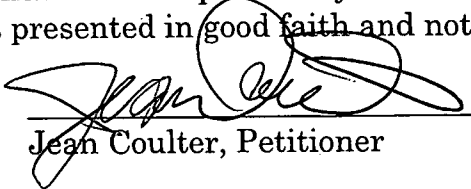
Respectfully Submitted,



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Jean Coulter

I swear under Penalty for Perjury that this Petition is limited to substantial grounds and intervening circumstances, which have not previously been presented - and is presented in good faith and not for delay.



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Jean Coulter, Petitioner