

No. 18 - 775

In the
SUPREME COURT OF THE UNITED STATES

In Re Chien

&

Andrew Chien

Petitioner,

v.

Commonwealth of VA, Mark R Herring, Chesterfield
County, Karl S. Leonard, Frederick G. Rockwell III,
Judy L Worthington, Mary E Craze, Wendy S Hughes,
Donald W Lemons, Glen A Huff, W. Allan Sharrett,
Dennis S Proffitt

Respondents.

On Petition for Writ of Certiorari to
the United States Court of Appeals
for the Fourth Circuit No. 18-6346 & 18-1523

PETITIONER'S SUPPLEMENTAL BRIEF (II)

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February 11, 2019

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Virginia Supreme Court Ordered Brief

Pursuant to Rule 15.8, Petitioner Andrew Chien ("Chien") submits the Supplemental Brief (II), based on the order, App. 104a, dated January 23, 2019 by Virginia ("VA") Supreme Court. As mentioned in Supplemental Brief (I), this Court has original jurisdiction of this case from "28USC §1251(b)(3)", therefore, it is proper, for purpose to dig out the merits of this case, by submitting Chien's Brief for VA Supreme Court, App. 105a, in which most disputed merits were the same as that of Writ of Certiorari. The order of VA Supreme Court is important that Chien's case needs a discovery by going to the original documents of why and how Chien being incarcerated for about 38 months.

As mentioned in p.16-17 of Writ of Certiorari, Chien, following VA Prisoner Litigation Reform Act, filed counter-suit in 2014 in VA Prince George Circuit Court, against Richard J Freer ("Freer"), Andrew k Clark ("Clark") and LeClairRyan under Case CL.14-491. That Circuit Court originally arranged a hearing dated 9/8/2014, but was objected by Clark. Then the Court cancelled the hearing, and later rubber-stamped the order asked by Clark, which contained 393 misrepresentations and 94,248 jurisdiction errors, with serious and widely legal unfair of due process on Chien.

Under Case CL.12-491, on 06/25/2018, Chien filed Motion to require an independent action to invalid the order dated 9/8/2014, following VA Code

"§8.01-428(D)- This section does not limit the power of the court to entertain at any time an independent action to relieve a party from any judgment or proceeding".

The motion was rejected by Price George Circuit Court of VA due to the excuse that Chien was no longer a prisoner under Case CL.14-491. However, despite of Chien's recovered liberty, the legal discrimination created by that order dated 9/8/2014 still is effective, and Chien's false imprisonment claim, which is easily verified by the jail records, had not been recognized by any Court so far. But VA Code § 8.01-690 gave authority of the Price George Circuit Court to affirm the false imprisonment.

“§ 8.01-690-The provisions of this chapter shall apply to all pro se civil actions for money damages brought under the laws of this Commonwealth, or for injunctive, declaratory or mandamus relief, brought by prisoners incarcerated in any state or local correctional facility, or operated pursuant to the Corrections Private Management Act (§ 53.1-261 et seq.)”.

Then Chien filed appeal to VA Supreme Court under Recording No. 181291 on 10/1/2018. The Defendants-Appellees Clark, LeClairRyan, Freer at Clark and Joseph M. Rainsbury, filed “Motion to Dismiss Appeal” on 10/15/2018 with purpose to waiver of filing Brief to avoid to answer the merits of both legal discrimination and false imprisonment. The order of VA Supreme Court on 1/23/2019 denied the motion, order them to file Brief before 2/13/2019. Chien believes eventually Chien will win the appeal, then get a chance to affirm Chien's claim of illegally incarceration in the Prince George Circuit Court.

As mentioned on p.12-13 of Certiorari, in the Offense Case Management System, Chien's offense code was “CON3210S9”, which is court contempt by a judge (not Commissioner in Chancery) under punishment of VA Code “§18.2-456” and “§18.2-457”

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with maximum penalty of \$250 or ten days in jail if without jury impaneled. The misused offense code approved that VA Statutes doesn't allow any private lawyer as agency of the court, such as William K Grogan with title of Commissioner in Chancery, to incarcerate any person without permission from the Court. Chien's imprisonment was judicial corruption of VA, which the Federal Courts have jurisdiction, under "28USC§1367" supplemental jurisdiction.

Conclusion

This case is the worst case in existing case laws for past fifty-years that private lawyers usurped the authority of the judge to engage consumer debt collection by criminal means to violate "15USC§1692d(1)".

This case is also a worse case of retaliation of Chien's whistle-blower of Freer, Clark and LeclairRyan to engage embezzlement and money-laundering at court fraud.

Chien's Writ of Certiorari will be granted.

Respectfully-submitted



Petitioner: Andrew Chien

**Additional material
from this filing is
available in the
Clerk's Office.**