

# AppIG

Kelly v. Trump

1192021

SUPREME COURT OF DELAWARE

May 25, 2021

## Reporter

2021 DE S. CT. BRIEFS LEXIS 422 \*

Meghan Kelly, Plaintiff Below, Appellant, v. Donald Trump, a.k.a. Donald J. Trump, a.k.a. President Trump a.k.a. President Donald Trump, in his official capacity as President of the United States Defendant Below, Appellant,

Type: Motion-Other

## Counsel

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Meghan Kelly, Dagsboro, DE, Pro se, as a party, not an attorney advocate.

## Title

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**Appellant's Motion for the Delaware Supreme Court to Rein in Its Arms through Its Agents from Unlawfully Pressuring Appellant to Forgo or Impede Her Case to Protect by Relief It Deems Just**

## Text

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[\*1] 1. I, Meghan Kelly, pro se appellant, having been granted in forma pauperis relief, move this honorable Delaware Supreme Court, unopposed, to reign in its arms through its agents unlawfully pressuring appellant to forgo or impede her case to protect her free exercise of religion, by relief it deems just. I suggest private guidance.

2. My faith in God may appear crazy to others. Nevertheless, I have the freedom to believe by the dictates of my conscience, no matter what the government through its agents believes. [Cantwell v. State of Connecticut, 310 U.S. 296, 60 S. Ct. 900, 84 L. Ed. 1213 \(1940\)](#). I am allowed to think differently instead of being conditioned to worship as the state's forced will of materialism, pursuit of money, and unholy charity that damns people to hell per Jesus, such as fundraising or organized charity. Jesus teaches people "have their reward," meaning they have no reward, no eternal life from God. Matthew 6:1. Organized charity, fundraising, pro bono, and volunteering is no small sin. It is not true charity, but damns people to hell by teaching business greed is love. See *Matthew* 6:1-5. Also see, [State ex rel. Tate v. Cabbage, 210 A.2d 555, 557, 1965 Del. Super. LEXIS 67, \\*1, 58 Del. 430, 433](#), ("It is no business of courts to say that what is a religious practice or [\*2] activity for one group is not religion under the protection of the First Amendment. Nor is it in the competence of courts under our constitutional scheme to approve, disapprove, classify, regulate, or in any manner control sermons delivered at religious meetings."); See, [Africa v. Pennsylvania, 662 F.2d 1025, 1025, 1981 U.S. App. LEXIS 16448, \\*1, \(3d Cir.\)](#), cert. denied, 456 U.S. 908, 72 L. Ed. 2d 165, 102 S. Ct. 1756 ("It is inappropriate for a reviewing court to attempt to assess the truth or falsity of an announced article of faith. Judges are not oracles of theological verity, and the founders did not intend for them to be declarants of religious orthodoxy. However, while the truth of a belief is not open to question, there remains the significant question whether it is truly held. Without some sort of required showing of sincerity on the part of the individual or organization seeking judicial protection of its beliefs, the U.S. Const. amend. I would become a limitless excuse for avoiding all unwanted legal obligations."); [Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682, 682, 134 S. Ct. 2751, 2759, 189 L. Ed. 2d 675, 680, 2014 U.S. LEXIS 4505, \\*1](#). ("Courts have no business addressing whether sincerely held religious beliefs asserted in a RFRA case are reasonable."); [Employment Div., Dept. of Human Resources of Ore. v. Smith, 494 U.S. 872, 887, 110 S. Ct. 1595, 108 L. Ed. 2d 876 \(1990\)](#). ("Repeatedly and in many different contexts, [\*3] we have warned that courts must not presume to

determine the place of a particular belief in a religion or the plausibility of a religious claim."); [\*Presbyterian Church in U. S. v. Mary Elizabeth Blue Hull Memorial Presbyterian Church\*, 393 U.S. 440, 450, 89 S. Ct. 601, 21 L. Ed. 2d 658 \(1969\)](#) (holding that "the First Amendment forbids civil courts from" interpreting "particular church doctrines" and determining "the importance of those doctrines to the religion."); [\*Ben-Levi v. Brown\*, 136 S. Ct. 930, 934, 194 L. Ed. 2d 231, 235-236, 2016 U.S. LEXIS 991, \\*10-12](#). See, [\*Holt v. Hobbs\*, 574 U.S. 352, 352, 135 S. Ct. 853, 856, 190 L. Ed. 2d 747, 747, 2015 U.S. LEXIS 626, \\*1, 83 U.S.L.W. 4065, 93 A.L.R. Fed. 2d 777, 25](#).

3. I write to alert this Honorable Court concerning actions by state government agents taken to apparently impede and obstruct my access to the Courts in this proceeding. I object to such interference, and reserve these issues for appeal, mentioned in part in Exhibit 55, attached hereto, and mentioned below, incorporated herein as if part of this letter, and in my brief, below. Dckt 60 at 63-64.

4. The First Amendment prohibits state officials, employees and agents from retaliating against claimants, such as myself, for exercising their right of access to the courts.

5. "Retaliation by public officials against exercise of First Amendment rights is itself violation of the First Amendment." *U.S.C.A. Const. Amend. 1. Zilich [\*4] v. Longo*, 34 F.3d 359 (6th Cir. 1994).

6. A representative of the Chancery Court staff misled me into almost missing my deadline to file a notice of Exception. See, Docket 54, December 1, 2020 letter, regarding Due Process concerns, also contained in Docket 90, combined with Docket 36, attached to the notice as Exhibit F- Exhibit 55.

7. The representatives at the Chancery Court demeaned me apparently based on poverty, association or religious beliefs. See, *Id.*

8. I asked the Master for her help. She kindly helped me. Dckt 55, 58.

9. In addition, the ODC impermissibly interfered with this case by contacting Judge Clark, per Judge Clark's admission.

10. In mid-April, Judge Clark appeared to threaten me at BJ's, a store, located in Millsboro, Delaware, as if I was on trial for standing up for my faith in Jesus, solely based on my exercise of seeking relief in court based upon alleviating the government sponsored burden government-religion has caused on my free exercise of religion in the action below.

11. The ODC and Judge Clark clearly violated or encouraged the violation of the judicial Code of Conduct, by seeking to use their government power to obstruct my case, showing partiality to the Defendant, [\*5] the President of the United States.

12. "Supreme Court's two-step *Saucier* analysis governs whether a government official is entitled to qualified immunity, considering: (1) whether the facts alleged by the plaintiff show the violation of a constitutional right, and (2) whether the right at issue was clearly established at the time of the alleged misconduct." [\*Werkheiser v. Pocono Twp.\*, 780 F.3d 172 \(3d Cir. 2015\)](#).

13. Judge Clark knew or should have known that seeking to use his cloak of government authority, as a respected, fair judge, to chill or condemn or interfere with my ability to bring this case without government retaliation or pressure violates the Delaware judicial Code of conduct. See, *The Delaware Judges Code of Judicial Conduct*, Canon 1, "A judge should uphold the integrity and independence of the judiciary," Canon 2, "A judge should avoid impropriety and the appearance of impropriety in all activities," Canon 3, "A judge should perform the duties of the office impartially and diligently," Canon 7, "A judge should refrain from political activity inappropriate to the judge's judicial office."

14. My right to a fair, unobstructed trial to alleviate a substantial burden upon my free exercise [\*6] of religion is a constitutional right.

15. "Congress, the Executive, and the Judiciary all have a duty to support and defend the Constitution." [Salazar v. Buono, 559 U.S. 700, 130 S. Ct. 1803, 176 L. Ed. 2d 634 \(2010\)](#)

16. "There is no 'de minimis' defense to a First Amendment violation." [Doe v. Indian River Sch. Dist., 653 F.3d 256, 259, 2011 U.S. App. LEXIS 16121.](#)

17. "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." [Mullin v. Sussex County, 861 F. Supp. 2d 411, 415, 2012 U.S. Dist. LEXIS 67571, \\*1](#)

18. I will likely continue to suffer government threats by the state if the Court does not help me by upholding the Constitutional limits from state overreach.

19. I am standing up for my personal freedom to worship Jesus according to the dictates of my conscience, even if no one else shares the same beliefs, without government persecution.

20. I am permitted to believe differently than the government through its agents, even if what Jesus teaches seems foolish to the world. 1 *Corinthians* 1:18, 2:14-16.

21. "Government official's conduct violates "clearly established" law, so that the official is not entitled to qualified immunity, when, at the time of the challenged conduct, the contours of a right are sufficiently clear that every reasonable official would have understood that what he is doing violates [\*7] that right." *Id.*

22. I do not wish to have any disciplinary action against any of the government representatives for misconduct. I desire fair access to the courts, without government persecution based on my exercise of redressing a grievance to alleviate the burden upon my free exercise of religion from Government sponsored religious persecution directly caused by government establishment of government religion and government-religious views.

23. I object to disparate treatment based on religious affiliation on due process, first amendment and equal protection grounds. I object under RFRA too. See, [Tanzin v. Tanvir, 141 S. Ct. 486, 208 L. Ed. 2d 295 \(2020\)](#). The Supreme Court in dicta explained RFRA applied to state and local employees and agents, not merely federal officials.

24. I received additional pressure by the arms of this Honorable Delaware Supreme Court on May 24, 2021. I received an E-mail offering alleged help from an arm of the Court, the Delaware Lawyers Assistance Program ("DE-LAP"), from Carol P. Waldhauser, Executive Director, copying a mental health professional, relating to a past request for a waiver of attorney filing fees. Attached hereto as an Exhibit.

25. It was not help to pay the fee. [\*8] I paid the fee long ago, though I did not receive a response from this Honorable Supreme Court, per my request back in January 2021 or secondary request in February 2021. I certainly hope this Honorable Court did not instigate the abuse by its arms. If so, please desist.

26. DE-LAP was looking after its own interests, which conflicts from mine.

27. I am a Christian. I believe people go to hell for trusting in what psychologists, mental health professionals, psychiatrists and behavioral theorists teach, which often is focused on being happy or productive materially instead of being holy. The organization premises its existence on mental health theories which I believe harm people. I believe such theories teach patients to seek to fulfill their own material desires instead of doing what is right, thereby teaching people to reflect a little piece of hell on earth, the image of Satan by living for self, conditionally caring based on relationship, reward and avoidance of harm with no sacrificial unconditional love or God in them, teaching a lie that damns. See Isaiah 14 to understand how Satan wanted to be his own God, as high as God, to place self-first. I believe their thinking [\*9] misleads patients to hell, especially BJ Skinner's theories, which most teachers, including myself learned.

28. These mental health professionals focus on misleading people to feel good, not be good, which is not good. I believe it is evil, misleading those they exploit for a paycheck to harm and hell.

29. Carol P. Waldhauser created the appearance of a threat by inaction by requiring a response within ten days.

30. While I believe artificial entities without hearts such as the ODC and DE-LAP, per se behave based on the mark of beast, absence of love, survival, for reward and avoidance of harm, serving greed by exploiting need, not doing good by their love of humanity, but seeking to control, eliminating free will by forcing the entities' will, its interest by threat of punishment, this Court has the power to reign in beasts, aka artificial entities without hearts, organizations, LLCs, corporations and such, with restraint in the form of the rule of law, which teaches love of humanity, not exploitation to serve the beasts' interests, the love for profit and praise at the cost of inhibiting freedom in the form of free will, freedom of conscience by forced will under the threat [\*10] of government sponsored persecution by funding such entities or otherwise.<sup>1</sup>

31. I have the freedom to chase after God instead of chasing after money at this time in my life.

32. I have the freedom to pursue my religion by justice in the courts, to protect my freedom to worship by the dictates of my free will, not the forced will, not the dictates of the state through its agents to worship money, which I believe leads to damnation.

33. I believe business greed is the mark of the beast. Jesus teaches you cannot serve God and money. Matthew 6:24. 1 Timothy 6:10, I stand by God.

34. I am in danger, a different type the bodily harm I will discuss in my brief, albeit I have been visibly shaken up clenching my teeth, and have cried concerning the state attacks related to this motion [\*12] too.

35. Justice in the courts is a command by God. Amos 5:15. "Justice, mercy and faithfulness are greater commands" superseding concerns relating to costs and convenience. Citing Matthew 23:23.

36. Courts should sacrifice potential profit to serve people, not sacrifice people for the love of profit through entities' unjust gains.

37. Please instruct your arms to stop bothering me or other relief this Honorable Court deems just, and to allow me to pursue my case without government threats.

38. I respectfully request the Court guide its arms through relief it deems just. I suggest correction through loving instruction, guidance to prevent additional government interference in this action. Please help.

39. On an aside, I am crying as I type this since I am reliving the wounds of the past where an arm of the Supreme Court economically persecuted me to protect those with shared interests.

40. While I took the Delaware Bar my ceiling at the dorm caved in with a leak and destroyed my bar materials, I paid thousands of dollars for. I complained to the supreme court. As a result, an arm of the court, the Board of Bar Examiners punished me and threatened me and made a complaint [\*13] against me because I asked for help.

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<sup>1</sup> I did not know how bad the world was until I ran office. I think artificial entities without hearts, charities, organizations, not for profits and businesses through alternative entities ("beasts") tempt world leaders through donations, signatures or support in elections, essentially controlling the leaders to mislead by serving the leaders' self-interest by serving the beasts at the expense of the people. The entities who appear to control the world through world leaders arguably likely have contacts in Delaware. I have been writing US Attorney General Garland concerning ideas how he may persuade this Court to save the world in other cases, including one to alleviate an economic crash using laws like 18 USC section 666, considering bailouts, grants and tax breaks as bribes, especially concerning the big payouts in 2020. The courts can tame beasts without hearts with the rule of law, since Judges are not beasts or mere puppets of power or mere robots. Judges are powerful because they may choose to reflect the image of God by love for humanity, sacrificing potential profit for people, making many people richer [\*11] in love and materially, instead of the few. Entities without hearts who seek to get as much as they can for as little as they can will devour humanity, if humanity does not tame it. The heartless entities will seek to control people, if the courts do not take control of them, forcing people to reflect the image of Satan by behaving like heartless beasts too. I hope the Delaware courts will be our world's hero should an economic crash occur too, saving lives and eternal lives.

41. Where you see smoke, you think fire. I joined RLF on a contract for about \$ 135,000 a year. I did not get my contract renewed as the law firm participated in my bar admission.

42. Prior to that in law school, I had rats in my apartment the last semester and during bar exams. I complained.

43. Duquesne, a Christian Law School responded by blaming me and hiking up my rent.

44. The press helped me by putting me on TV and the newspaper, but no actual relief resulted, only harm. I was freaked out and emotionally exhausted. There was a bunch of baby rats trying to climb up my bed as I tried to get sleep. I was horrified. I did not pass the bar the first time. I got super high scores the second time and allegedly high scores in Delaware passing on the first try. I should not be ashamed. I am disappointed in the cold heartedness by the officials of a Christian law school.

45. While I was in law school, my brother was also in an accident. I sought permission to travel and take off time to delay my first bar exam, to see my brother, to make sure he would live.

46. Duquesne said yes. But a day or two before the exam I found a note in [\*14] my box. They changed their mind. They tried to call me. I did not have a phone. I do not buy things I cannot afford. I go without as incurring debt is against my religious beliefs.

47. I took the exam in Civil Procedure, and received my worst grade, and hated civil procedure ever since as a reminder of the cold heartedness of the Christian university.

48. The fact I have a heart to fight heartless beasts, including charities, not for profits, businesses and churches, does not make me weak. It makes me human with the power to reflect the image of God by love, stronger than heartless beasts who seek cold hard cash for survival.

49. My cousin, Peter Conaboy ("PJ"), also was murdered while I was in law school. So, this is all very painful to relive, and to be reminded of by the May 24, 2021 letter.

50. His mother, my Aunt Jackie Conaboy is in the hospital now. She is doing poorly. She may not make it in this life or the next. At PJ's funeral the priest said "hurry it up. I have a luncheon" as people shared stories about PJ. I scolded the priest as I left. "What would Jesus say." My aunt Jackie remembered that. Ever since then, she has not gone to church, and she turned to wine [\*15] not God for comfort. I do not think she will go to heaven, if she does not turn towards God for comfort. I pray, but recognize prayers are not enough at times since people have free choice. She may die soon. God's plan is the same for all. I discern whether people are lost or saved, whether they do man's plan or God's. She is not okay.

51. I learned early to turn to God for comfort, not to turn to any imperfect person or thing in this world for my comfort. I am not like the world. I am sad for the world, as I seek to heal it with love, through justice in the courts, shedding light on evil, not celebrating evil as good.

52. While scars remain well beyond our fleeting lives, harming future generations, and relived by new attacks such as the May 24, 2021 attack, this Court can prevent future harm to me by government actors misbehaving by seeking their own power and profit in this case, right here, right now, before it is too late, and additional harm is incurred, lasting beyond the fleeting lives of the perpetrators who act on self-interest, not love.

May 25, 2021

Respectfully Submitted,

/s/ Meghan Kelly

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pro se, [\*16] as a party, not an attorney advocate

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