No. 24- 148

IN THE

Supreme Court of the United States

WITTAYA THEERACHANON,

Petitioner,

v.

FIA CARDS SERVICES N.A., *et al.*,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF DELAWARE

PETITION FOR WRIT OF CERTIORARI

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QUESTION PRESENTED

Three Times Abuse of Process happened to the Petitioner in three Court Proceedings. They occurred in the same pattern. The Respondent controlled Judges repossessed the Judgment in The Respondent's favor. The analysis found that the pattern of abuse of process happened to the Petitioner is The Respondent's Recidivism business activities to increase the percentage of the double benefits they receive after using the NPL accounts filling as the Bad Debt Deduction to be 100%.

Are The Petitioner and Others under the same law as The Respondent? (FIA Cards Services N.A., Bank of America N.A.)

No Man Is Above The Law, And No Man Is Below It.

(Former United States President Theodore Roosevelt.)

THE LIST OF PARTIES

1. **Wittaya Theerachanon**

2. **FIA Cards Services N.A.**

3. **Bank Of America N.A.**

4. **Tenaglia & Hunt P.A. LLP**

5. **Richard Layton & Fingers P.A. LLP**

RELATED CASES

In The General District Court of Fairfax County, Virginia.

04/18/2021 The Respondent and Its Attorney filed a frivolous lawsuit against the Petitioner after the deceptive action of hiding the Contract from The Petitioner; it caused a violation at the General District Court of Fairfax County, Virginia. Case # 21007009-00.

The Petitioner submitted the Continuance Form and requested a new court hearing date. The court clerk received the document and responded by telling the Petitioner to wait for a new court date after the clerk put the document in front of the docket file (***Appendix F***).

The Presiding Judge called the Petitioner on the hearing date and time and said, "I will not postpone your case." The Judge did not give any notification before the call.

11/23/2021 The Judge rendered a default judgment against the Petitioner. The law firm (Tenaglia & Hunt P.A. LLP) tried to collect the debt by mailing the Judgment document in a package. Counsel Jennifer L. Dering made a statement against interest and admitted her client (Tenaglia & Hunt P.A. LLP) obtained the judgment document on that day in her Opening Brief at the Chancery Court of Sussex County, Delaware (***Appendix F***).

In The Chancery Court of Sussex County, Delaware.

05/18/2023 The Petitioner filed a lawsuit against the Respondent under Malicious Prosecution.

09/08/2023 The Court held an Oral Argument. The Opposing Counsels entered the lawsuit without filing an Entry of Appearance. The Presiding Magistrate denied The Petitioner's Motion to Expedite without disclosing the reason for the denial.

The Opposing Counsels submitted an Opening Brief and stated that the Counsel representing Bank of America N.A. was a Defendant in the lawsuit.

The Petitioner Submitted an Answering Brief to correct all the faults that conflict with the law and reaffirm that FIA Cards Services N.A. and Tenaglia & Hunt P.A. LLP are the defendants in this lawsuit. The Petitioner asked for the Entry of Appearance, but they ignored it.

The Opposing Counsels had been abusing the lawsuit for almost a year. All documents submitted under Bank of America N.A. as the defendant included all documents from The Presiding Magistrate.

04/02/2024 After being quiet and never enforcing any court rules, The Presiding Magistrate issued The Final Report, dismissed The Complaint, and left all the Petitioner's questions unanswered (***Appendix D***).

The Petitioner submitted The Notice of Exception and filed The Motion of Recusal and the Motion to change venue.

In The Supreme Court of The State of Delaware.

The Petitioner Submitted a Notice of Appeal to The Court and served the Notice of Appeal to Opposing Counsels.

04/23/2024 The Petitioner filed "The Appellant Opening Brief"

04/27/2024 The Appeal Court accepted the Appeal under The Appeal Interlocutory Order.

On 05/08/2024, Judge Gary F. Traynor issued the draft order to dismiss the Appeal Application (***Appendix B***) because The Petitioner filed a Notice of Exception after the timeline. The Final Report was adopted as the Final Judgment by the Chancery Court.

05/09/2024 Magistrate Bonnie W. David issued an Addendum to the Final Report (***Appendix C***) suggesting that the Chancery Court adopt the Final Report as the Final Judgment because the Petitioner filed the Notice of Exception after the timeline.

05/09/2024 Chancellor Kathaleen St.J McCormick issued the Order "Regarding Procedural Review" (***Appendix E***) and gave the Petitioner time to respond within ten days. The fact-finding process will begin on 05/20/2024

05/16/2024 The documents in response to the Chancellor's order were delivered to the Chancery Court of Sussex County, Delaware. The case manager filed a blank file in the docket file.

On 05/17/2024, The Petitioner submitted The Motion to reargue, filed The Motion Recusal with Judge Gary F. Traynor, and submitted The Application of Entry of Default to the Court (***Appendix G***).

05/17/2024 Judge Gary F. Traynor issued The Confirm dismissal Order of the order on 05/08/2024 (***Appendix A***). The document stated that the Petitioner didn't submit the documents in response to the Chancellor's order.

06/04/2024 The Petitioner submitted another copy and letter explaining everything with relevant evidence to the Chancellor. After Chancellor Kathaleen St.J McCormick received the Petitioner's documents, the Chancellor refused to sign the Magistrate's Final Report. The Chancery never adopted The Magistrate Final Report, as Judge Gary F. Traynor stated in the Appeal Court's Mandate.

Chancellor Kathaleen St.J McCormick passed the Petitioner's documents to the Case manager. The Chancellor got all the information so she could return the documents to The Petitioner and let the Petitioner and those people know by passing this document to the Case Manager.

The Case Manager mailed documents those from she received from the Chancellor retuned to the Petitioner.

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CITATIONS

PETITION FOR WRIT OF CERTIORARI

The Petitioner Wittaya Theerachanon respectfully petitions this Court for a Writ of Certiorari to review

The Order of
The Supreme Court of The State of Delaware.

The Final Report of
The Chancery Court of Sussex County, Delaware.

The Default Judgment of
The General District Court of Fairfax County, Virginia.

OPINIONS AND ORDERS BELOW

Set forth here in *Appendix A* The Dismissal Order The Petitioner's Interlocutory Order Appeal Application after the case was accepted by the Appeal Court demanding admission criteria set up by the AI (Artificial Intelligence) system, but the Judge dismissed it two weeks later. It's The Order from The Supreme Court of The State of Delaware, Case No # 155, 2024 Order by Judge Gary F. Traynor. The Order was issued on 05/08/2024 and confirmed as a final order on 05/21/2024. The Order was issued before the fact-finding process order by Chancellor Kathaleen St.J McCormick order on 05/09/2024 and gave ten days for the Petitioner time to respond. But the appeal court dismissed the application before the fact was found. After The Petitioner submitted the response documents to The Chancellor, The Chancellor refused to sign the Magistrate Final Report.

Set forth here in *Appendix D* The Final Report CA #2023-0536 issued by Magistrate Bonnie W. David at The

Chancery Court of Sussex County, Delaware. The lawsuit was filed at this court with Relevant evidence proving the debt was forgiven under *Uniform Commercial Code § 3-402*. Still, The Presiding Magistrate issued the Final Report to dismiss the Sufficient Complaint and force the lawsuit to have a new defendant, Bank of America N.A. The fault allegations in the entire document violate Court rules and misconceptions in Corporate law. They set up legal thuggery for one year before issuing the Final Report.

Set forth here in *Appendix F* The Default Judgment rendered against the Petitioner after planning and succeeding in making the Petitioner miss the hearing date. The Judgment commands The Petitioner to pay the debt forgiven by law. The Petitioner submitted the Continuance Form request for a new court date on time; the Court's Clerk responded that the court received the document and would put it in the front of the docket file, which led to the Petitioner waiting for a new court date, but didn't hear back from the court. The Judge called at the time and date of the hearing date and said, "I will not postpone your court date," and rendered a default judgment against the Petitioner. The Judgment from The General District Court of Fairfax County, Virginia, Case number GV-21007009-00, by Judge Gary L. Moliken entered on 11/23/2021.

BASIS FOR JURISDICTION IN THIS COURT

A Fair Trial and Due Process Clause are the fundamental rights of An American Citizen that are Guaranteed by the Bill of Rights and protected under Constitutional law. The abuse of process is a federal subject matter mentioned in this petition three times:

The first time abuse of process was in the default judgment of the General District Court of Fairfax County, Virginia. Case # GV-21007009-00 Entered on 11/23/2021. By Judge Gary L. Moliken.

The second time, Abuse of Process, is The Final Report from The Chancery Court of Sussex County, Delaware, CA#2023-0536. By Magistrate Bonnie W. David. Issued on 04/02/2024.

The third time Abuse of Process, is the Dismissal Order Appeal Application from the Supreme Court of the State of Delaware, Case #155, 2024, by Judge Gary F. Traynor entered on 05/08/2024 and became Final decision on 05/21/2024.

This petition sought legal remedies for over $75,000. The profound analysis found that the abuse of process was the pattern of the Respondent malicious Recidivism business practice to increase revenues. The targeted group of victims are Minority U.S. Citizens who lack law understanding and are Limited in English.

The Respondent is a Giant Corporation; its Recidivism is considered Public Harm, a national issue that needs to be stopped by the highest power in the country. The Supreme Court of the United States finalized the punishment of a giant corporation in a case similar to its Recidivism business practice 21 years ago in *State Farm v. Campbell, 2003.*

The Petition is filling Pursuant to 28 U.S.C. § 1257(a). The Supreme Court of The State of Delaware issued a Dismissal Order before the fact-finding Process was completed; the context in the document is misrepresented from the fact abridged The Petitioner's Constitutional Rights. The United States Supreme Court could review the decision through the Writ of Certiorari. And it was filed within 90 days after The Mandate was issued.[1]

THE FEDERAL JURISDICTION PROVISION

Grounds, The Constitutional Standing,[2]

"The concept of standing broadly refers to a litigant's right to have a court rule upon the merits of particular claims for which she seeks judicial relief. 1. The Supreme

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1. 28 U.S.C. § 1257 – U.S. Code – Unannotated Title 28. Judiciary and Judicial Procedure § 1257. State courts; certiorari

(a) Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the United States.

2. Overview Of Standing, Article III, Section 2, Clause 1, The concept of standing broadly refers to a litigant's right to have a court rule upon the merits of particular claims for which she seeks judicial relief. 1. The Supreme Court has held that, as a threshold procedural matter, 2. a litigant must have standing in order to invoke the jurisdiction of a federal court so that the court may exercise its "remedial powers on her behalf." 3. In general, for a party to establish Article III standing, he must allege (and ultimately prove) that he has a genuine stake in the outcome of the case because he has personally suffered 1920, Cornell Law School, Overview of Standing, https://www.law.cornell.edu/constitution-conan/article-3/section-2/clause-1/overview-of-standing

Court has held that, as a threshold procedural matter, 2. A litigant must have standing to invoke the jurisdiction of a federal court so that the court may exercise its "remedial powers on her behalf." 3. In general, for a party to establish Article III standing, she must allege (and ultimately prove) that she has a genuine stake in the outcome of the case because she has personally suffered"

U.S. Constitutional, The Fifth Amendment "Due Process"[3]

No person shall be deprived of life, liberty, or property without due process of law;"

This Petition was requested only once for A Fair Trial, promised by the Constitution after Triple Abuse of Process within 3 Court Proceedings.

U.S. Constitutional, The Fourteenth Amendment

"Equal Protection"[4]

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the

3. Interpretation, The Fifth Amendment "procedural due process," which concerns the fairness and lawfulness of decision making methods used by the courts and the executive. Governmental actors violate due process when they frustrate the fairness of proceedings, when a judge is biased against a criminal defendant or a party in a civil action. Likewise, fair notice and the opportunity to be heard are due process requirements in criminal, civil. https://constitutioncenter.org/the-constitution/amendments/amendment-v/clauses/633

4. The Fourteenth Amendment prohibits states from depriving any person of life, liberty, or property without due process of law.

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 law."

"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 law."

As a U.S. citizen and a minority, the Petitioner must declare equal protection under the Constitution's Fourteenth Amendment to protect myself and other minorities who lack legal understanding and are limited in English from the Respondent's malicious recidivism business practice.

The three times Abuse of Process within three court proceedings happened from The Respondent's Parent Entity's deep connection was established in the Judicial System colluded with the Judges repossessing the

Judgment in their favor needed to be redressed by The Court. The United States Supreme Court must take this case into its possession.

THE PETITIONER'S STATEMENT OF THE CASE

All documents attached below were only submitted to The Honorable Supreme Court of The United States to see the fault. The malicious action by a group of people with legal authority in hand but colluding with each other messed up the Conception and Court Proceedings of United States law, confusing the lawsuit and wasting time and justice resources because of these people's misconduct.

Simply but firmly stated by the Petitioner to cut all unnecessary fault situations from those legal professionals' misconduct, The Petitioner stood on Constitutional ground as a U.S. citizen after these group of legal professionals had aggressively abridged The Petitioner's Constitutional Rights. Also, it is simply U.S. law. If the Respondent FIA Cards Services N.A., who was the original cause of malicious harmful and Recidivism, prove that they appeared in all the court proceedings to answer the Complaint or otherwise defend this petition, which can be closed by the Honorable Supreme Court of the United States if the Respondent fails to appear in the Court Proceedings after the Petitioner's warning. The Default Judgment must be rendered to the Respondent as it was rendered to The Petitioner when they filed a frivolous lawsuit against the Petitioner in Virginia court, and if the malicious harm was repeated, and recidivism as the same pattern happened to the Petitioner, the Punitive Damage must be disposed of. The default judgment application was submitted to the appeal court but never reviewed; it was only biased to dismiss the case (***Appendix G***).

This Petition proves that no one can stay over U.S. law; U.S. Law is Absolute and Enforced. It also sends a message to the Legal Professional's Groups in the State of Delaware that they must retire if they have chosen the wrong career and stained the Justice System.

One last question to the Respondent: "Why ignore the Complaint and Summon?"

THE MESSAGE TO CHANCELLOR KATHALEEN ST.J MCCORMICK

After the Petitioner knew the response documents weren't delivered to Chancellor Kathaleen, the Petitioner mailed the letter and another copy to The Chancellor. Still, the Petitioner didn't know if Honorable Kathaleen St.J McCormick received it. The Petitioner is taking this even if, one day, Chancellor Kathaleen will get a chance to read this petition. Hence, The Chancellor sees the documents to prove the Petitioner didn't ignore The Chancellor's order. Still, they made it look that way and to inform The Chancellor something wrong was going on inside The Chancery Court of Sussex County, Delaware.

We are grateful to have Chancellor Kathaleen St.J McCormick at the Chancery Court of the State of Delaware to ensure that all court proceedings under the Chancellor's review must be Just. We have trusted the right person. Please be with us forever, Chancellor Kathaleen.

THE FINAL ACTION ON EACH COURT BEFORE SUBMIT THE PETITION

The Judges from both courts aggressively took action to dismiss the case at this stage, with every part involved in this mission appearing.

The Petitioner submitted the document in response to Chancellor Kathaleen's "Regarding Procedural Review" ordered on 05/15/2024; the UPS Proof of Delivery showed The Document delivered to The Chancery Court of Sussex County on 05/16/2024. Still, the case manager filed blank files in the Docket Files.

The Supreme Court of the State of Delaware by Judge Gary F. Traynor stated in the Final Order confirmed the Ordered on 05/08/2024 that the Appeal Application is dismissed from the Final Report adopted to be the Final Judgment; the Court lacked Jurisdiction and said the Petitioner didn't respond to the Chancellor's Order (***Appendix A***). The Chancery Court of Sussex County files blank files to docket files but must prove that the case manager in this lawsuit got involved in this mission.

The Petitioner got the answer to why the case manager didn't file the Notice of Exception even though the document was with her before the deadline. It was planned that the Petitioner file the Notice of Exception after the timeline so that The Magistrate's Final Report could be adopted as the final judgment, and The Appeal Court will dismiss the Appeal Application for this reason. Such good Teamwork and a good plan were laid out. The Petitioner only wonders how this group of people felt when they had a meeting and laid out this malicious plan while everyone took roles as the Court that all U.S. citizens pay respect to.

As of today, on ***June 6, 2024***, after The Case manager and the Presiding Magistrate at The Chancery Court of Sussex County, Delaware, conspired to make both times of documents' filling filed after the timeline to hide the facts from The Chancellor, the Petitioner submitted another Copy and letter to Chancellor Kathaleen to inform the truth in the confusing situation. The Chancellor refused to sign the Magistrate Final Report.

However, Judge Gary F. Traynor's biased order dismissed the Appeal Application issued before the fact was found because The Magistrate's Final Report adopted as the final judgment made the Appeal Court lack jurisdiction. At this time, the appeals court judges must realize the fact, and they fall to one of the members of this malicious mission. Delaware's court system needed attention to the point.

THE PROFOUND ANALYSIS THE SUPREME COURT OF STATE OF DELAWARE MANDATE

After the order to dismiss the Appeal application on 05/08/2024 still looking for a fact. The Chancellor Kathaleen Order on 05/09/2024 gave The Petitioner 10 days to submit the document. The petitioner submitted the document to respond to Chancellor Kathaleen's Order on 05/15/2024, before the timeline.

As Judge Gary stated about this document, the Petitioner did not file any document; Chancellor Kathaleen must think the Petitioner ignored the correspondence, but that is how the Judges from both Courts treated the Petitioner the whole time. They only conspired to delete this lawsuit from the Court system, even lying and using every tactic in the court process to dismiss the application.

All Judges must plan not to file the petitioner's document in response to the Chancellor's Kathaleen to hide that the petitioner submitted the Notice Of Exception on time so Magistrate David's Final Report can be adapted to be the Final Judgment. The Supreme Court of the State of Delaware can dismiss the petitioner's appeal application, and the entire document of this order is lied and misrepresented. – The Third Time Abuse of Process.

The Notice of Appeal filed on 04/16/2024 by the Court ruled that after the appeal for the interlocutory Order's application was accepted, the second Notice of Interlocutory needs to be filed again as a Supplement. The Notice The Judge referred to in the document is the Supplementary Notice filing.

The Certification Application was submitted to Magistrate David at The Chancery Court on time, but the Magistrate ignored it. By Court rule 42, either action of Magistrate David, signed the application refused to sign or ignored only needs to be stated within the Supplement Notice and noted in the document.

The reason for opposing the Order of dismissal on 05/08/2024 was Magistrate David's Addendum to the Final Report and The Order to dismiss issued almost the same day, 05/08/2024, and it was biased and unfair reason because Chancellor Kathaleen's Order to find out the fact on 05/09/2024 and given ten days for the time to respond, but dismissed before the facts were found, the Final Ordered submitted on 05/17/2024, still submitted before the fact-finding process began. Judge Gary argued that the Order on 05/08/2024 was issued one day before Magistrate David's Addendum to the Final Report (***Appendix C***). If it were issued one day before the source information issuer, no one would know the information before the source. How did Judge Gary F. Traynor see all information from The Addendum To Final Report? Since it is internal information, only Magistrate Bonnie W. David can see it, but Judge Gary got it in advance. It showed both judges had personal contact, which was prohibited by law. The addendum to the final report information is only the suggestion by the Magistrate; nothing is a fact yet, but

Judge Gary F. Traynor took the suggested information as fact, and it's wrong.

The Chancery Court of the State of Delaware never adopted the Magistrate Final Report as The Final Judgment and The Petitioner submitted the Notice of Exception on time.

The Motion of Recusal targeted to recurse Judge Gary F. Traynor. The targeted Judge made the judgment on the Motion. It will always be without merits. This wasn't the correct setup.

All Courts in the United States have the Court Rule Civil Procedure, Rule 55, to render a Default Judgment to defendants if they do not appear in court proceedings to answer the Complaint or otherwise defend, including the Supreme Court of the State of Delaware. Still, Judge Gary F. Traynor brought up another court rule to protect the defendant from punishment. Is it possible to be a judge, but I didn't know this court rule? This action only shows bias.

CASE STATEMENT AND CORPORATION DISCLOSURE

Wittaya Theerachanon (A Natural Person, A Consumer)

The Plaintiff at the below Court.
The Appellant at the Appeal Court.
The Petitioner at this Court.

FIA Cards Services N.A. (Stock Public Company)

The Defendant at below Court. (Absence)
The Appellee at the Appeal Court. (Absence)
The Respondent at this Court.

It's Bank Of America N.A.'s Subsidiary. It's wholly owned by Bank of America N.A. It's taking part of duty as the debt collector; both entities merged in 2006 and conducted business under this name since 2014. MBNA was a previous name. The Head Office is at 1100 N King Street, Wilmington, DE 19884.[5]

A Subsidiary is a company that is owned by another company. The owning company, called the parent or holding company, usually owns more than 50% of its voting stock (it can be half plus one share more) of the Subsidiary. Despite the ownership stake, the subsidiary and parent companies remain separate legal entities for liability, tax, and regulatory reasons.[6]

Bank Of America N.A. (Stock Public Company)

The Respondent's Parent Entity. It's a Stock Public owned Company. It's a Giant Corporation. The head office is at the Bank of America N.A. Corporate Center, 100 North Tyson Street, Charlotte, NC, 28255.

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5. 2024, Wikipedia, Bank of America, https://en.wikipedia.org/wiki/Bank_of_America.

6. 2024, Christina Majasaki, Investopidia, Subsidiary vs. Wholly-Owned Subsidiary:

What's the Difference?. https://www.investopedia.com/ask/answers/032615/what-difference-between-subsidiary-and-wholly-owned-subsidiary.

Parent Entity: A Parent Entity or Holding Company is A company that directly or indirectly controls any other company or companies.[7]

Tenaglia & Hunt P.A. LLP. (Law Firm)

The Defendant at below Court.
The Appellee at the Appeal Court.

The law firm represented both entities and filed a frivolous lawsuit against the Petitioner at the General District Court of Fairfax County, Virginia. They are at 9211 Corporate Blvd, Suite 130, Rockville, MD 20850. The frivolous Lawsuit undersigned by Counsel Michael P. Chabrow, Counsel Amelia M. Kozlowski and Counsel Mathew A. Belle, represented by Counsel Jennifer L. Derings. The Represented Counsel made a Statement Against Interest in the T&H Opening Brief submitted to the Chancery Court of Sussex County by admitting, "The law firm got the Judgment from the frivolous lawsuit on 11/23/2021."

Richard Layton & Fingers P.A. LLP. (The Largest Law Firm in Wilmington, Delaware)

The law firm represented Bank of America N.A. at the Chancery Court of Sussex County, Delaware, and the Appeal Court (Supreme Court of the State of Delaware). This Law Firm entered the lawsuit at The Chancery Court of Sussex County without authority and intends to continue the mission at the Supreme Court of

7. Cornell Law School, The Definition of Parent Entity or Holding Company, https://www.law.cornell.edu/cfr/text/12/390.303

the State of Delaware if the judge does not dismiss the case from bias. The Counsel submitted the Disclosure Corporation and Financial Interest, which showed they represented Bank of America N.A. by putting a confusing answer in the document. Under the Presiding magistrate, misconduct made this law firm mess up the lawsuit all the way they wanted. They are located at 920 N King Street, Wilmington, DE 19801. The counselors who were recorded were Kevin M. Kidwell and Mathew D. Perri. Another Statement Against Interest by Counsel Kevin M. Kidwell admitted that the Respondent filed the frivolous lawsuit as a Creditor to recover the debt. Although the judgment was in its favor in 2021, it has no legal right to file the lawsuit; the debt was forgiven under Uniform Commercial Code § 3-402 in 2019.

In every court in each lawsuit, the case must be handled by someone who only follows the law, and someone with bias carries the pessimistic philosophy for someone who works at a place called to court. "Court," especially "Judge," is more than a career. To decide to pursue this career, one must leave all other reasons behind and make the Court in the United States a place for U.S. citizens to depend on rainy days. In the three-court proceedings, abuse of process led the Petitioner to see the actions from five judges acted impartially, colluding with each other to block the Petitioner's petition out of the Court's system to protect the Respondent and Bank of America N.A. evilly. No one cares about the Petitioner's Constitutional Rights. Five judges violated the Constitutional Law after declaring a Fair Trial to the Appeal Court after finding the Magistrate's misconduct at the Trial Court. The Appeal Court still dismissed the Appeal Application with no heart or law obedience.

The Petitioner was a consumer harmed by The Respondent as stated in the malicious harm found by The OCC (The Office of Comptroller of the Currency) Stipulation and Consent Order, 2015, Article I, Comptroller Findings, pages 2-3.[8] (***Appendix I***)

Along the fault dispute pathway, the Petitioner found an Angle. Only one document issued by Chancellor Kathaleen St.J McCormick (***Appendix E***) destroyed the malicious plan of the five Judges in three courts. It opened the pathway for the Petitioner to submit the petition to The Supreme Court Of The United States

8. 2015, The OCC, Consent Order, Cromptroller Findings, Article I, 3. In connection with the Bank's sworn document and Collections Litigation processes, the Bank: (a) Filed or caused to be filed in courts affidavits executed by its employees or employees of third-party service providers making assertions in which the affiant represented that the assertions in the affidavit were made based on personal knowledge or based on a review by the affiant of the relevant books and records, when, in many cases, they were not based on such personal knowledge or review of the relevant books and records; (b) Filed or caused to be filed in courts numerous affidavits when the Bank did not follow proper notary procedures; (c) Failed to devote sufficient financial, staffing and managerial resources to ensure proper administration of its sworn document and Collections Litigation processes; and (d) Failed to sufficiently oversee outside counsel and other third-party providers handling sworn document and Collections Litigation services. 4. The unsafe or unsound practices and violations of law identified in this Article were, in part, the result of deficiencies in the Bank's enterprise compliance risk management function, including deficiencies with respect to independent testing, governance routines, risk assessment, and oversight. 5. By reason of the conduct set forth above, the Bank engaged in unsafe or unsound practices and violations of law. Pursuant to the authority vested in him by the Federal Deposit Insurance Act, as amended, 12 U.S.C. §1818(b), the Comptroller hereby ORDERS

today. The final action The Chancellor refused to sign Magistrate Bonnie W. David's Final Report, which made all Supreme Court of the State of Delaware's Judges unethical from the impartial conduct engaging improper ex parte communications with parties or counsel for one side in this lawsuit.

The Petitioner may be the first to bring this issue through the Writ of Certiorari and pass it to the United States Highest Court. No one can get this issue to the Court of blocking during Court Proceedings.

Also, the targeted groups were minorities who lacked law understanding and were limited in English; the petitioner is one of them. After This Petition may or may not find anyone who could understand the faulty circumstances that were orchestrated harm in the system and have enough skill in legal determination as the Petitioner. This Petition freed the Petitioner from malicious judgment after the abuse of process within three court proceedings. This petition also included the practical method of resolving all the violence in the debt collection system. The pragmatic method the Petitioner found will clean up the deep connection of the Respondent's Parent Entity (Bank Of America N.A.), established further in all courts in the United States, cut all connections within the debt collection system as they lead to the Conflict of Interest. And prevented the Other Minority who have less opportunity than the native Majority from falling into the loophole for us to have some chance to pursue the American dream for a better life.

THE VOICE OF THE CHOSEN ONE

The mission of the Petitioner alone carries the duty to embark on all the abuse of process to meet the final chance to petition in this issue; the Petitioner is self-represented and represents uncountable minorities who had failed in the deceptive financial transaction from the Recidivist Respondent but never got a chance to speak out, only taking the painful silence in United States history until today. If the National Highest Court refuses this petition, this faulty transaction will continue to cause harm to American communities. The recidivist business transactions needed to stop by punishing the recidivist respondent. They repeated the malicious, harmful behavior after The OCC (The Office Of The Comptroller Of The Currency) punished the Respondent for the same action in 2015 (***Appendix I***).

As the Chosen One to self-represent and represent all the pain of those minorities in the past who fell into this trap, the Petitioner feels how they feel the most since it happened to the Petitioner. May the Chosen one who is self-represented and representing those folks requesting the Supreme Court of the United States take this petition to the Court's possession. Don't leave us alone in this unfair practice. This petition did not ask for even the equivalent, only some opportunity for the Petitioner and those minorities to have a better life for themselves and their families.

ARE THE PETITIONER AND OTHERS UNDER THE SAME LAW AS THE RESPONDENT AND ITS PARENT ENTITY?

Based on all legal theories and relevant evidence, it was proved the Recidivist Respondent was at fault. However, the case is still dismissed from the power and The Respondent's deep connection with the Judicial System. This lawsuit passed the proofing stage, raising this question. The Petitioner submitted the Application Package of applying Entry of Default Judgment to The Supreme Court of The State of Delaware due to over a year the Respondent failed to appear in the Court process; only the Parent Entity submitted disturbance documents during entire court proceedings abused the law concept and court rules. Even after the petitioner had corrected the wrong, they stubbornly continued the abuse under the shadow of the Presiding Magistrate's misconduct at The Chancery Court of Sussex County, Delaware. After "The Appellant's Opening Brief" was filed, The Respondent had to submit the financial disclosure. The Counsel submitted the document, continuing to miss the law concept. Showing the Parent Entity will reenter the appeal process if the Appeal Application is still active. The Petitioner has restricted the rights living in the faulty circumstance for seven years from the same situation the Judge and the Respondent planned to make the Petitioner miss the Court date to render the default judgment against The Petitioner was at the first court in Virginia.

"This lawsuit proved that the Recidivist Respondent was at fault for all causes of harm but failed to appear to the Court during the proceedings. The Petitioner must be entitled in this matter of law to the application for the

Default Judgment submitted to the appeal court. If the Appeal Court's Judges acted impartially, the Application must be signed then."[9]

Still, the appeal application was dismissed by unethical judges after the strict AI system had accepted the case. From the three Judges' biased actions, fear the petitioner to evaluate it would only stay pending and be dismissed, and it was dismissed finally. Only the power of the Honorable National Highest Court will move the case forward to free the Petitioner from the faulty circumstance after the abuse of the process in 3 court proceedings for seven years and reimburse the fairness for those who didn't have a chance to fight for their right through this petition.

THE COMPARISON OF RECIDIVISM BETWEEN STATE FARM INSURANCE GROUPS 2003 & FIA CARDS SERVICES N.A. 2024

The profound analysis found that the abuse of process that happened to the Petitioner three times in three Courts is the pattern of the Recidivism Abuse of Process; the Respondent practices their malicious intent behavior by picking the targeted group of minorities who lack law understanding and have limited English skills to file a frivolous lawsuit or used the abuse of process in the court proceedings if needed to get the Judgment for

9. Default Judgment also known as Judgment by Default is a ruling granted by a judge or court in favor of a plaintiff in the event that the defendant in a legal case fails to respond to a court summons or does not appear in court. 2022, Cornell Law School, Default Judgment Definition, https://www.law.cornell.edu/wex/default_judgment

the intimidating purpose to use the document in debt collection strategy to fear the debtors then they will pay whatever the amount the Respondent demand. They plan to increase the double benefits after using NPL accounts to file deductions as Bad Debts in their income tax and keep the NPL accounts as debt collection accounts. The recidivism from a giant company similar to this case happened with State Farm Insurance Group in 2003, *State Farm v. Campbell, 2003*, and the lawsuit finalized the judgment by this court.

1. FIA Cards Services N.A.'s Parent Entity is Bank Of America N.A.[BANA] is in the same category as the business size definition in the United States as a Giant Corporation, the same as State Farm Insurance Group.

2. The punitive damage calculation formula has varied, but this lawsuit must only be based on the case of *State Farm v. Campbell, 2003.* Because of the size of the business as a Giant Corporation, their harm must be considered "*Public Harm*[10]."

3. The recidivism of State Farm Insurance Group's malicious action as public harm resulted from a national scheme to meet corporate fiscal goals by capping payouts on claims company-wide. This scheme was referred to as State Farm's 'Performance, Planning and Review,' or PP & R policy[11] (415).

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10. Public Harm A crime that concerns the society as a whole, contrasting with private or civil wrongs that impact individuals or specific parties involved. https://dictionary.justia.com/public-offense

11. State Farm v. Campbell, https://supreme.justia.com/cases/federal/us/538/408/#415

Campbell is one of many who got refused a claim. The recidivism of FIA Cards Services N.A. is to raise the percentage of double benefits they have been taken advantage of the system from the IRS regulation Topic 453/ Bad Debt Deduction is incompleted, opening the gap of law for all financial institutions in the United States, including the Respondent claiming double benefit as Magistrate David referred to in the Final Report (***Appendix D***). Still, this wasn't the leading cause of action for the Petitioner to file the lawsuit at The Chancery Court of Sussex County, Delaware; it was only the next step in demonstrating the defendant's recidivism. The recidivist FIA Cards Services N.A., hiding under the Bank Of America N.A.'s umbrella, orchestrated this plan to increase the double benefit from 10-20% to 100%, while the other financial institutions still take 10-20% from the resale of the debt documents to the debt collectors for 10-20% from the debt face value. FIA Cards Services N.A. did not sell these documents to any debt collectors but plans to collect the double benefits on their own by using the court's judgment document for intimidating purposes to fear the debtors so they will make payment in whatever amount FIA Cards Services N.A. demands. To succeed in the business strategy to raise the double benefit from 10-20% to 100%, this debt collector needs to ensure their deep connection in the Judicial System is in excellent standing to get all the Judgments in their favor no matter what. The Petitioner's case is one of many cases. They used the same pattern of malicious abuse of process in the court proceedings to abuse the debtors. *"The Recidivism business practice of the respondent contributes to the number of personal bankruptcies, to* *marital instability, to the loss of jobs, and invasions of individual privacy*"[12]

They proved they succeeded with the assistance of the law firms in their connection, including Richards Layton & Fingers P.A.LLP. (Represented) and Tenaglia & Hunt P.A. (Defendant), both involved in this lawsuit as the defendant and the other as the represented Attorney. The deep connection between them and many more law firms and other debt collectors was caused by the Conflict of Interest in the Debt Collection System and stepped up to ruin the Judicial System, as we can prove from the Petitioner's three-times lawsuit. FIA Cards Services' recidivism malicious business practice subjected the most significant punitive damage: the exact malicious intent behavior of State Farm Insurance Group liable for $145,000,000 in 2003. As of today, it's 21 years later. Also, the Respondent's Recidivism business practice is more aggressive violence against the United States, ruining the United States judicial system regarding Trustworthiness and Confidence. The country had built up history as a World Leader. We had been involved in all the world's unfair critical issues and resolved those issues from

12. CFPB Final Rule, 2020-12 P.2 Summary Of The Final Rules, Congress passed the FDCPA to eliminate abusive debt collection practices by debt collectors, 1. To ensure that those debt collectors who refrain from using abusive debt collection practices are not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuses. 2. The statute was a response to "abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors." 3. According to Congress, these practices "contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy."

our Judgment. We cannot let the United States Judicial System be stained by the Respondent's deep connection within the Judicial System. Those unethical Judges need to be removed from the Judicial System. $290,000,000 (Two Hundred and Ninety Million Dollars) is the double penalty from State Farm Insurance Groups or 21 times $145,000,000 (One hundred and Forty-Five Million Dollars) in Punitive Damage, which the Respondent deserved since it's based on a case from a 21-year recidivism action.

THE REASONS FOR GRANTING THE PETITION

For The Court to accept the case into the Court possession, the Petitioner must have standing:

1. The Supreme Court has held that as a threshold procedural matter,

"The Court made the final Judgment in State Farm v. Campbell, 2003. This lawsuit is similar in every circumstance to that case. Also, the abuse of process happened within three court proceedings, and its federal subject matter needed to be redressed by this court. The Respondent is a Giant Corporation; their Recidivism is considered harmful and public harm. It's a national issue."

2. The Petitioner must allege (and ultimately prove) that she has a genuine stake in the case's outcome because she has personally.

Suffered.

"The petitioner failed to live in the fault circumstance. The restricted credit life and financial power; all federal

benefits denied, including student loans, for over seven years from the abuse of process set up by the Respondent as of today. The lawsuit was filed to correct the fault of the abuse of process at the first court, but the Respondent maliciously set up another two instances of abuse of process in the court proceedings within two courts. The wilful action was reckless disregard for the petitioner's life, effective."

3. A concrete and particularized injury that is traceable to the allegedly unlawful actions of the opposing party.

*"The Chancellor refused to sign Magistrate Bonnie W. David's Final Report at the Chancery Court of Sussex County, Delaware (The Below Court). Still, the Supreme Court of the State of Delaware (The Appeal Court) dismissed the Petitioner's Appeal Application because the Final Report was adopted as the Final Judgment, which made The Appeal Court lack jurisdiction. The dismissal Order from the Appeal Court, The Final Report from the Below Court, and The Default Judgment from the frivolous lawsuit at the First Court in Virginia needs to be redressed by The Supreme Court of The United States. Those Judgments happened from abuse of process. At this stage, after all the abuse of process in three Courts, only the Honorable Supreme Court of The United States power, the highest power in this country, can correct these conflicts of laws from those legal professional misconduct colluded with the Respondent and will get the judgment in many cases in the Respondent's favor. The Petitioner's case is only one of the uncountable accounts from the Respondent's Recidivism business practice, which they repeated after getting punished by The OCC. (The Office of Comptroller of the Currency) in 2015 (**Appendix I**).*

CONCLUSION

After falling into this trap, the Petitioner took time to research and took time in analysis into the issue till she found all the violence and harm in the Debt Collection System's root of the problem from the Sympathy Regulation from IRS Topic 453/Bad Debt Deduction. It allowed all entities in the United States to deduct all the debt that can't be collected as business expenses.

The regulation is from the nice heart of the government and was enacted to help small businesses at the high risk of being back on their own feet again if they fail. However, it has become a big reward for all financial institutions in the United States. All NPL accounts in the Financial Institutions in the system fall into this expense category.

They followed the regulation and deducted all NPL accounts as their bad debts, but the wrong thing was that financial institutions were different from other types of business.

Their bad debts will happen regularly as they are part of the risk of business and in large amounts. By law, the Financial Institution receives the total tax credit after the deduction of NPL accounts. We must consider that the debt is paid in full by the United States, but we left this 12.7 billion dollars. According to the CFPB report, the debt collection system.[13] as the law is incomplete.

13. 2020, The CFPB, Debt Collection Report, p.8, https://files.consumerfinance.gov/f/documents/cfpb_debt-collection_final-rule_2020-10.pdf

The Petitioner is a nominator of the nominee "The Resolution Debt Collection System Reconstruction" by The National Medal Technology and Innovation (NMTI) hosted by The White House. (***Appendix J***). The nominee project will bridge the gap in law for the United States to collect these funds under the extension part of "The IRS Regulation Topic 453/Bad Debt Deduction/Financial Institutions."[14]

Respectfully submitted,

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14. "The extended part of this topic that needs to be extended is to add the specific direction of the NPL accounts after used to filed as bad debts deduction must considering those accounts paid off by the United States because the filler will receive the full amount relief as a tax credit the Financial Institutions must lack of legal ground to exercise in the account after filling. After filling, The Financial institution must submit the summary of Form-1099 with copies to The USNDCB before May 15th, of every year [use form USNDCB#0002/2024] The NPL accounts after filling deduction as bad debts will be transferred to under the authority of the Government Agency "The USNDCB" (The United States National Debt Collection Bureau) www.USNDCB.gov The NPL account's owner must contact the agency through their website ASAP or call for more information at 02-515-9999 ext. 3010, Debt Relief Option is available. The NPL account's owner, please be aware that the account details will be completely available to the USNDCB after June 15th of the same year at the account defaulted "details will be completely available to the USNDCB after June 15th of the same year at the account defaulted"