
IN THE
Supreme Court of the United States

WESLEY-KEITH: MULLINGS,

Petitioner

v.

AISHA SMITH, et al;

Respondents

PETITION FOR REHEARING

Pursuant to Supreme Court Rule 44, Petitioner respectfully petitions for rehearing of this Court's order dated September 30, 2025, denying his petition for writ of certiorari.

Wesley-Keith: Mullings

Pro Se Petitioner

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PETITION FOR WRIT OF CERTIORARI UNDER EMERGENCY



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I. INTRODUCTION AND SUMMARY OF ARGUMENT

Petitioner respectfully requests rehearing of this Court's denial of certiorari because the Court overlooked authenticated documentary evidence proving the legal impossibility of the underlying adoption order, and because post-denial developments demonstrate active state court defiance of federal jurisdiction. This case presents a complete breakdown of the judicial system where every available forum has refused to address proven jurisdictional fraud, leaving Petitioner with no remedy except intervention by this Court.

Critical Timeline:

- **April 20, 2004:** Isaiah Keishon Mullings born to Petitioner and Roshonda Denise Mullings
- **June 21, 2013:** full custody of Isaiah granted to Wesley-Keith Mullings following the March 19, 2013 death of Roshonda Denise Moore
- **May 28, 2015:** Void adoption order entered claiming Respondent Smith was "domestic partner and fiancée" of Petitioner
- **June 21, 2015:** Petitioner and Smith married (24 days AFTER adoption order)
- **April 20, 2025:** Isaiah turned 21, terminating Family Court jurisdiction
- **June 5, 2025:** This Court docketed Case #24-7363

- **July 30, 2025:** Petitioner filed recusal petition citing federal supremacy
- **Ongoing:** State court continues ultra vires proceedings despite SCOTUS jurisdiction

II. REASONS WHY REHEARING SHOULD BE GRANTED

A. The Court Overlooked Critical Evidence of Jurisdictional Fraud Already in the Record

The certiorari petition contained irrefutable documentary proof that the May 28, 2015 adoption order is void ab initio due to jurisdictional fraud:

1. Legal Impossibility Under New Jersey Law

The adoption order states Respondent Smith was Petitioner's "domestic partner and fiancée" on May 28, 2015. This was legally impossible under New Jersey law:

N.J.S.A. 26:8A-4(a) and NJ Regulation D-33 establish that domestic partnership registration requires:

- Same-sex couples of any age, OR
- Opposite-sex couples where both partners are age 62 or older

Petitioner was age 43 and Smith was age 37 in 2015, making them **categorically ineligible** for domestic partnership. The

authenticated "No Record Found" certificate from the New Jersey Office of Vital Statistics confirms no domestic partnership ever existed.

2. Temporal Impossibility

The marriage certificate proves Petitioner and Smith married on **June 21, 2015**—twenty-four (24) days **AFTER** the adoption order dated May 28, 2015. The adoption order's representation that Smith was Petitioner's "fiancée" cannot retroactively create standing that did not exist at the time of filing.

3. Admission by Respondent Smith

Newly discovered evidence shows that on February 25, 2025, when directly asked "did Keith relinquish his parental rights?", Smith responded: "**No. But I do have legal and physical custody of Zay. Per the court.**"

This admission proves Smith never adopted Isaiah and that all subsequent custody orders were based on a void foundation.

4. Birth Certificate Evidence

Isaiah's authenticated birth certificate lists:

- Father: Wesley Keith Mullings
- Mother: Roshonda Denise Mullings (deceased 2013)

B. Post-Denial Developments Demonstrate State Court Defiance of Federal Jurisdiction

After this Court docketed the certiorari petition on June 5, 2025, state courts have actively defied federal jurisdiction:

1. Ultra Vires Final Restraining Order Proceedings

On May 6, 2025 (16 days after Isaiah turned 21), Smith filed a Temporary Restraining Order against Petitioner in Essex County Family Court. Judge Damian Santomauro has continued these proceedings despite:

- **No subject matter jurisdiction:** Isaiah turned 21 on April 20, 2025, terminating Family Court jurisdiction under N.J.S.A. 2A:34-23
- **No domestic relationship:** The parties' marriage ended in 2018, seven years before the TRO filing
- **Federal supremacy:** Petitioner's July 30, 2025 recusal petition explicitly raised this Court's jurisdiction over identical constitutional claims

2. Explicit Defiance of Federal Jurisdiction

The May 13, 2025 and July 24, 2025 hearing transcripts show Judge Santomauro:

- Stated "I don't care about that" when jurisdictional challenges were raised
- Called Petitioner's legal arguments "nonsense" without addressing their merits
- Threatened "I'll wait you out" when federal supremacy was invoked
- Continued proceedings after being notified of SCOTUS docketing

3. Pattern of Judicial Self-Protection

Every judge who could provide state court relief is now a named respondent in this case:

- Judge Stephen J. Bernstein (void adoption order, May 28, 2015)
- Judge Lisa Fran Chrystal (custody orders, 2018)
- Judge Thomas Joseph Walsh (custody orders, 2019-2021)
- Judge David Brian Katz (denied access to sealed adoption records, 2022-2024)
- Judge Damian Santomauro (ultra vires FRO proceedings, 2025)

This creates a structural impossibility where no state court will break ranks to expose their colleagues' misconduct.

C. Structural Impossibility of Justice Requires Supreme Court Intervention

Petitioner faces a complete denial of forum:

1. State Courts Cannot Provide Relief

All state judges with jurisdiction over this matter are respondents in this case. Seeking relief from them would require judges to rule on their own alleged misconduct—a structural impossibility.

2. Federal Courts Dismissed Under Rooker-Feldman

The District Court and Third Circuit dismissed Petitioner's federal civil rights claims under the Rooker-Feldman doctrine, holding that federal courts lack jurisdiction to review state court judgments.

3. Only This Court Can Break the Deadlock

The combination creates a jurisdictional no-man's land:

- State courts won't provide relief (judges are defendants)
- Federal courts won't provide relief (Rooker-Feldman)

- Only this Court can address the underlying jurisdictional fraud

4. Exception to Rooker-Feldman Applies

This Court has recognized that Rooker-Feldman does not bar federal review when state court orders are void for lack of jurisdiction. *United States v. Windsor*, 570 U.S. 744 (2013); *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280 (2005).

Orders issued without subject matter jurisdiction are void ab initio and not entitled to Rooker-Feldman deference. The authenticated evidence proves the adoption order was void from inception.

D. Manifest Injustice and Time-Sensitive Nature of Relief

1. Fundamental Rights at Stake

Parental rights are among the most fundamental liberty interests protected by the Constitution. *Troxel v. Granville*, 530 U.S. 57 (2000). Petitioner has been separated from his son for over ten years based on a fraudulent adoption order.

2. Time-Sensitive Window

Isaiah is now 21 years old. Each day of delay further erodes the possibility of restoring the father-son relationship during

critical years. The window for meaningful intervention is rapidly closing.

3. Pattern of Institutional Protectionism

Each successive court has refused to examine the foundational fraud, instead deferring to prior void orders to protect judicial colleagues. This demonstrates how judicial self-protection creates systemic injustice requiring intervention by the highest court.

4. State Court Defiance Threatens Separation of Powers

State courts continuing proceedings after this Court docketed the certiorari petition threatens the separation of powers and federal supremacy. If state courts can simply ignore pending federal constitutional review, **the Supremacy Clause becomes meaningless**, and this court would have permitted it by denying the requested application for certiorari.

III. CONCLUSION

This case presents an extraordinary situation where:

- 1. Authenticated government documents prove** the legal impossibility of the adoption order's jurisdictional foundation
- 2. Respondent Smith's own admission** confirms she never adopted Isaiah

3. **State courts are actively defying** this Court's jurisdiction by continuing ultra vires proceedings
4. **All state judges** who could provide relief are respondents protecting themselves and their colleagues
5. **Federal courts dismissed** under Rooker-Feldman, creating complete denial of forum
6. **Fundamental parental rights** have been violated for over a decade
7. **Time-sensitive relief** is required before the father-son relationship is permanently lost

The Court's denial perpetuates a decade-long separation based on proven jurisdictional fraud, with state courts now openly defying federal jurisdiction. With all alternative forums exhausted and state courts proceeding in contempt of federal supremacy, only this Court can provide justice.

Petitioner respectfully requests that the Court grant rehearing, grant certiorari, and summarily reverse the Third Circuit's decision, or alternatively, set this case for oral argument.

Respectfully submitted,

By:

Wesley-Keith: Mullings

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CERTIFICATE PURSUANT TO RULE 44

I, Wesley-Keith Mullings, Pro Se Petitioner in the above-captioned matter, hereby certify pursuant to Supreme Court Rule 44.2 and Rule 44.3 as follows:

1. Grounds for Rehearing

The grounds for this petition for rehearing are restricted to and based upon:

a. Intervening circumstances of substantial or controlling effect:

Following this Court's September 30, 2025 denial of certiorari, state court proceedings have continued in defiance of federal jurisdiction. Specifically, Judge Damian Santomauro of the Essex County Family Court has proceeded with Final Restraining Order proceedings despite:

- Being served with Petitioner's July 30, 2025 Emergency Petition for Recusal explicitly invoking this Court's jurisdiction and federal supremacy;
- Conducting hearings on July 30, 2025 and thereafter while this Court's jurisdiction was pending;
- Threatening Petitioner with arrest for maintaining a website containing court records, in violation of First Amendment protections; and

- Continuing to exercise jurisdiction over matters involving Isaiah Keishon Mullings despite Isaiah turning 21 years old on April 20, 2025, thereby terminating Family Court jurisdiction under N.J.S.A. 2A:34-23.

These post-denial developments constitute intervening circumstances of substantial and controlling effect because they demonstrate active state court defiance of federal supremacy and this Court's jurisdiction, creating an ongoing constitutional crisis that was not fully apparent at the time of the original certiorari petition.

b. Other substantial grounds not previously presented:

Newly discovered evidence obtained after the filing of the original certiorari petition includes Respondent Aisha Smith's admission on February 25, 2025, in text messages to a third party (Linda Heath), wherein Smith was directly asked: did Keith relinquish his parental rights? Smith responded: No. But I do have legal and physical custody of Zay. Per the court.

This admission constitutes substantial grounds not previously presented because:

- It is a direct admission by Respondent Smith that no adoption ever occurred;
- It confirms that Petitioner never relinquished parental rights;

- It proves that all subsequent custody orders were based on a void jurisdictional foundation;
- It was not available at the time of the original certiorari petition filing; and
- It directly contradicts the representations made to state courts over the past decade.

This evidence was discovered through third-party communications and was not in Petitioner's possession at the time of the original petition.

2. Good Faith Certification

I certify that this petition for rehearing is presented in good faith and not for purposes of delay. The petition is filed to bring to the Court's attention:

- Critical authenticated documentary evidence that may have been overlooked in the original review;
- Newly discovered admissions by Respondent Smith that directly prove the absence of any valid adoption;
- Post-denial state court proceedings that demonstrate active defiance of federal jurisdiction and supremacy; and

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2025, I served this Petition for Rehearing on all parties required to be served by mailing a copy via UPS to:

Attorney General for New Jersey
ATTN: Andrew David Spevack
25 Market Street
PO Box 116
Trenton, NJ 08625

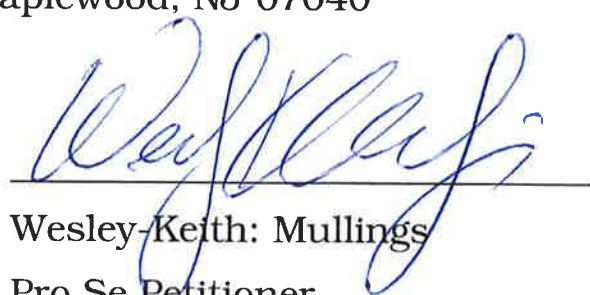
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DEREK A. GUTIERREZ
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Dec. 14, 2025



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- The time-sensitive nature of relief required to preserve fundamental parental rights before the father-son relationship is permanently lost.

Petitioner seeks rehearing because this case presents a complete breakdown of the judicial system where every available forum has refused to address proven jurisdictional fraud, and state courts are now proceeding in contempt of federal supremacy. Only this Court can provide justice.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 20th day of December, 2025.



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2020