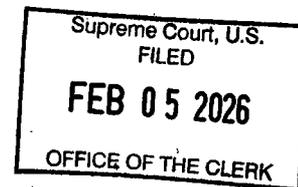


25-1066 ORIGINAL  
No. \_\_\_\_\_

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In the  
The Supreme Court of the United States

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Marian A.,  
*Petitioner,*

v.

Corina G.  
*Respondent.*

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On Petition for a Writ of  
Certiorari to the  
Court of Appeal of California,  
Fourth Appellate District,  
Division One

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**PETITION FOR A WRIT OF CERTIORARI**

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## QUESTIONS PRESENTED

1. Does the state of California's sanctuary state policy disproportionality grant special solicitude to Hispanic illegal immigrants over and above bona-fide U.S. Citizen's Civil Rights violate the Fifth and Fourteenth Amendments, and the Due Process Clause, as to suppress federal diversity issues and lack of subject matter jurisdiction of sovereign Mexican citizens in family court proceedings? Do these de facto procedures violate constitutional safeguards, by granting illegal immigrants special solicitude over U.S. citizens? Particularly as to interfering with contacts that destabilize equal custody of minors to ensure expansion of federal subsidies to benefit the state, violating the Fourteenth and Fifth Amendments?
2. Does state actors' interference into a civil equity contract, a statutory non-modifiable contract (a Property/Custody Settlement Agreement) through means of duress and coercion by warrantless arrest, destruction of evidence and witness tampering, state concealed retroactive move-away impair the obligation

of contracts in violation of Article I, Section 10 of the U.S. Constitution?

3. Does the state of California's warrantless arrest of Petitioner on his own property, [*Lange v. California* 594 U.S.] without probable cause, by verbal admission by police ["The DA will kick this back"] and wholly lacking any exigency, or grand jury indictment, and reliance on clearly conflicting witness statements to manufacture four felony charges [all dropped], that caused a \$210,000 stacked bail, violates the Fifth Amendment's requirement for Due Process of Law and indictment for infamous crimes, particularly when used specifically as to maliciously interfere with a private property settlement agreement [PSA] and thereby instantly terminate parental rights without any hearing to show cause, or any fitness findings to then concealing a 100-mile move-away, by conducting the procedure retroactively, without any full adversarial hearing beforehand, violate due process by the state?
4. Whether state actors' deliberate interference in a non-modifiable property settlement agreement (PSA), through intentional unlawful arrest, witness

tampering and evidence tampering, impairs the obligation of contracts in violation of article I, Section 10 of the U.S. Constitution, especially when such actions redistribute property and custody rights without due process.

5. Whether the state's actions—arresting Petitioner without cause, warrant or exigency and tampering with witnesses (including minor children), destroying exculpatory evidence, and enabling a retroactive “move-away” order that relocated children before any adversarial hearing—constitute a conspiracy under color of law to violate federally protected rights, akin to racketeering under 18 U.S.C. § 1961 et seq. (RICO), thereby abridging Petitioner's Fourteenth Amendment privileges and immunities, including fundamental parental rights as established in *Troxel v. Granville*, 530 U.S. 57 (2000).
6. Whether California's retroactive approval of a child relocation ('move-away') without first ensuring a full adversarial hearing and recalling the children to their original residence violates Due Process of Law under the Fourteenth Amendment and federal precedents like *Santosky v. Kramer*, 455 U.S. 745 (1982), by

presumptively terminating parental rights based on fabricated evidence and state misconduct.

#### LIST OF PARTIES

- Petitioner: MARIAN ANTHONY – A U.S. Born Citizen – Hon. Veteran
- Respondent: CORINA GALVEZ -A Mexican Born Citizen

#### RELATED CASES

- *Anthony v. Galvez*, no. 19F1005322N, superior court of California, County of San Diego (ongoing family law proceedings).
- *Anthony v. Galvez*, no. D083483, California court of appeal, fourth appellate district, division one (judgment entered September 5, 2025).
- *Anthony v. Galvez*, no. S292952, Supreme Court of California (petition for review denied November 12, 2025).

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#### TABLE OF AUTHORITIES

##### Cases:

- *Andrew v. V. Superior court*, 234 cal. App. 4th 103 (2015)
- *Dunaway v. New York*, 442 U.S. 200 (1979)
- *Fletcher v. Peck*, 10 U.S. 87 (1810)
- *Home building & loan Ass'n v. Blaisdell*, 290 U.S. 398 (1934)
- *Hurtado v. California*, 110 U.S. 516 (1884)
- *Lange v. California*, 594 U.S. \_\_ (2021)
- *Lehr v. Robertson*, 463 U.S. 248 (1983)
- *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996)
- *Mcculloch v. Maryland*, 17 U.S. 316 (1819)
- *Mcdonald v. Chicago*, 561 U.S. 742 (2010)
- *Rodriguez v. City of Fresno*, no. 1:09-cv-02176 (E.D. Cal. 2011)

- *Saenz v. Roe*, 526 U.S. 489 (1999)
- *Santosky v. Kramer*, 455 U.S. 745 (1982)
- *Slaughter-house cases*, 83 U.S. 36 (1873)
- *Stanley v. Illinois*, 405 U.S. 645 (1972)
- *Terry v. Ohio*, 392 U.S. 1 (1968)
- *Timbs v. Indiana*, 586 U.S. 146 (2019)
- *Troxel v. Granville*, 530 U.S. 57 (2000)
- *Trustees of Dartmouth College v. Woodward*, 17 U.S. 518 (1819)
- *United States Trust Co. V. New Jersey*, 431 U.S. 1 (1977)

#### STATUTES AND RULES

- U.S. const. Amend. V
- U.S. const. Amend. XIV, § 1
- U.S. const. Art. I, § 10
- 18 U.S.C. §§ 1961 et seq. (RICO)
- 28 U.S.C. § 1257(a)
- 42 U.S.C. § 1983
- Cal. Fam. Code §§ 3020, 3040, 3591, 7501
- Sup. Ct. R. 10, 13

## PETITION FOR A WRIT OF CERTIORARI

Petitioner Marian Anthony, respectfully petitions for a writ of certiorari to review a judgment to the Court of Appeal of California, Fourth Appellate District, Division One

### OPINIONS BELOW

The opinion of the California Court of Appeal, Fourth Appellate District, Division One, affirming the trial court's orders, is unreported but available at No. D083483 (Sept. 5, 2025) (App. 1-20). The Supreme Court of California's order denying review is unreported (No. S292952, Nov. 12, 2025) (app. 21).

### JURISDICTION

The Supreme Court of California denied Petitioner's Petition For Review on November 12, 2025. This court has jurisdiction under 28 U.S.C. § 1257(a), as the judgment is final and raises federal questions. This petition is filed within 90 days of the denial, pursuant to sup. Ct. R. 13.

**CONSTITUTIONAL AND STATUTORY  
PROVISIONS INVOLVED**

- U.S. const. Amend. V: “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury... nor be deprived of life, liberty, or property, without due process of law...”
  
- U.S. Const. Amend. XIV, § 1: “...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 laws.”
  
- U.S. Const. Art. I, § 10: “No state shall... pass any... law impairing the obligation of contracts...”
  
- 18 U.S.C. § 1961 et seq. (RICO): Defines racketeering activity to include acts involving fraud, obstruction of justice, and witness tampering, actionable when conducted as a pattern by an enterprise.

## STATEMENT OF THE CASE

This case arises from a private equity contract [Exb. 1004 D-E], a Property Settlement Agreement [PSA”] that was formed by and between Petitioner Marian Anthony and Respondent Corina Galvez from April 2019 until its ratification on November 2020. That PSA contract was an executory contract with specific terms and conditions that forever resolved and redistributed equity in private property, custody of minor children, with specific terms and conditions required to maintain within the Plaintiff’s trust held property. This agreement was formed without judicial interference. The contract agreement was formed of free will by and between the parties of mutual obligations [Exb. 1004B]. Galvez signed quit claim deeds, granting all property interest to Anhtony, subsequently Anthony grants Galvez capacity as successor trustee [Exb. P] in the family trust. Yet, nearly two years after formation, the Respondent began to cause damages, flooding the property, neglecting to maintain required terms, then ultimately breached the sanctum sanctorum [by Failure to notify] by concealing a hitman [MMA Fighter -Stephens] who she secretly invited from Arizona, coordinated flight across state-lines to confront the

Petitioner in his own home with physical violence - to upset the apple cart of the PSA. Ring home security camera video and audio footage captured the Aug 5<sup>th</sup>, 2022 confrontation, whereas Stephens makes threats to Anthony [Exb. Q] and refuses to leave Anthony's home despite Anthony and Galvez's joint mutual demands for Stephens to leave the property. Stephens and Galvez then engage in a physical confrontation, pushing each other, as they argue, then upon observing the conflict, Anthony turns and walks to his vehicle, driving away with the minor children. Anthony makes no threats, displays no hostility and leaves his property peacefully ["You're not welcome here."]- retreating when reasonable or necessary in accordance with the state law. The video captures the above incident – the first instance.

Respondent Corina Galvez calls 911 on Aug 5<sup>th</sup>, 2022, after Anthony has already left his property, and reports that Anthony had a "gun" and she meets with police immediately afterwards. Galvez now she denies ever seeing a "gun" yet claims Anthony is "Crazy" and "Drove off like a crazy person." [Exb. D/ 1000] Galvez tells Police that she was "holding Back Stephens" and "Pushing Shawn" and later denies this in court [Exb. H]. Galvez applies for and obtains

an automatic restraining order on Aug 8<sup>th</sup>, 2022. There is no notice to Anthony, no opportunity to present evidence, no ability for Anthony to rebut the allegations, and a domestic violence restraining order is instantly granted, [Exb. 1001D(2)] restraining Anthony from his minor children, his property, his office, his house, his vehicles. Police wait for an unreasonable and extraordinary time at Anthony's property from 3PM until his arrival at 8PM, Anthony is then swatted by police upon return to his property on Aug 8<sup>th</sup>, 2022 while in his driveway, in plain sight, in a convertible with the top down, visibly unarmed, unthreatening with his 79 year-old mother, and two minor children. Anthony is greeted at his property at gunpoint, aggressively arrested, charged with four felonies, rendered unconscious, hospitalized, stacked bail of \$210,000 [Exb. G] to which all charges are dropped [Exb. I]. Years later, after insurmountable efforts of motions to compel compliance, on July 30<sup>th</sup>, 2024, Anthony finally obtains discovery in the form of police BWC videos, [Exb. D/ 1000, F, L] - from officers involved on Aug 5<sup>th</sup>, 2022 complaint from Galvez, whereas all three officers taking the complaint from Galvez, agree by stating: "Looks like a civil matter....The DA will kick this back...Yea...Alright...Cool" [Exb. D/ 1000]. On Aug 8<sup>th</sup>, 2022 Deputy Michael Proffitt tampers with

witnesses, telling the minor children that their version of events, based on their first-hand personal knowledge are incorrect. Deputy Michael Proffitt and Brendan Cook also refers to the PSA on several occasions, misstating its terms and conditions as evidenced within the BWC videos.

On Aug 6<sup>th</sup>, 2022, Police aided and abetted in the destruction of Anthony's Ring Home Security System. On Aug 8<sup>th</sup>, 2022, Police seized Anthony's iPhone [Exb. J] when arresting him and deleted saved files that captured their participation in the destruction of Anthony's home security system and Galvez and Stephens pushing each other. Anthony's iPhone is then reported lost and misplaced by the San Diego Sheriff's Department and thereby unavailable to be produced as evidence. Anthony is faced with a Hobson's choice, as hearings are scheduled 12-months out, and his due process rights are being infringed. The California trial courts proceed with a DV hearing and allow Galvez to move over 100 miles with the children, without any full adversarial hearing, and the court does not call the minors back to San Diego County contrary to the legislative police. The order (DVTRO) and subsequent "move-away" order allowing Galvez to relocate the parties' minor children to Los Angeles County. The

proceedings were tainted by state actors' misconduct, including a warrantless arrest of Petitioner on his own property without probable cause, evidence destruction, witness tampering, and fabrication of charges to disrupt a non-modifiable property settlement agreement (PSA) governing custody and property.

On September 2, 2022, Respondent Galvez and Stephens engaged in Perjury that infringed upon Anthony's federal civil rights, by denying their physical contact, which they deliberately conspired by collusion and racketeering to jointly falsely allege that Anthony threatened and "pushed" Galvez – failing to meet the specific particularly test, with two vastly inconsistent and sperate description of the "push" itself. Respondent fabricated allegations to police of threats, leading to Petitioner's arrest on August 8, 2022, despite police admissions on body-worn camera (BWC) that the matter was "civil" and "the da will kick this back" (Exh. D/ 1000).

State agents tampered with minor child witnesses, destroyed security footage ("cut the wires," [Exh. E], and suppressed exculpatory evidence, including Petitioner's iPhone. This enabled an ex parte DVTRO granting respondent sole

custody and allowing the children's relocation before any hearing, contrary to California law (*Andrew v. V. Superior Court*, 234 cal. App. 4th 103 (2015)) requiring children remain in the county pending adjudication.

The trial court retroactively approved the move-away. The California court of appeal affirmed on September 5, 2025, and the California supreme court denied review on November 12, 2025 by Justice Guerro, well known for her pro bono advocacy of illegal aliens within California.

These actions form a pattern of state conspiracy akin to RICO racketeering: fraud (fabricated charges), obstruction (evidence destruction), and witness tampering, all under color of law to violate petitioner's federal rights.

### **REASONS FOR GRANTING THE WRIT**

This court grants Certiorari to resolve important federal questions, ensure uniformity, and correct grave injustices (Sup. Ct. R. 10). This case presents compelling reasons:

I. The Case Involves A Significant Federal Question Regarding Fifth Amendment Violations In State Arrests Used To Terminate Parental Rights

California's warrantless arrest without grand jury indictment or probable cause violates the Fifth Amendment (*Hurtado v. California*, 110 U.S. 516 (1884), as limited by *Timbs v. Indiana*, 586 U.S. 146 (2019)). Police admitted no cause, yet used the arrest to terminate parental rights without a hearing (*Stanley v. Illinois*, 405 U.S. 645 (1972); *Santosky v. Kramer*, 455 U.S. 745 (1982)). Certiorari is warranted to clarify incorporation against states (*McDonald v. Chicago*, 561 U.S. 742 (2010)).

II. State Interference In Private Contracts Violates Article I, Section 10

The arrest impaired the PSA's obligations, redistributing custody and property (*Fletcher v. Peck*, 10 U.S. 87 (1810); *United States Trust Co. V. New Jersey*, 431 U.S. 1 (1977)). This raises a novel question of state overreach in family contracts.

III. The State's Conspiracy Constitutes RICO-Like Racketeering Violating Fourteenth Amendment Rights

State actors' pattern of fraud, tampering, and obstruction (18 U.S.C. § 1961) abridged parental rights (*Troxel v. Granville*, 530 U.S. 57 (2000); *Lehr v. Robertson*, 463 U.S. 248 (1983)). This implicates 42 U.S.C. § 1983 conspiracy claims, meriting review for uniformity (*Saenz v. Roe*, 526 U.S. 489 (1999)).

#### IV. Retroactive Move-Away Orders Violate Due Process

Approving relocation post-facto without recalling children denies fair hearings (*M.L.B. v. S.L.J.*, 519 U.S. 102 (1996)). This conflicts with federal due process standards and warrants clarification.

The case's extraordinary evidence of misconduct underscores the need for review to prevent state abuses.

### CONCLUSION

The state of California's actions chill the Petitioner's civil rights. From the very first improper acknowledgement by state officers: "This is a civil matter...The DA will kick this back...Yea...Alright...Cool" sufficiently summarizes the state's willingness to violate fundamental civil rights of citizens for profit over justice. Moreover, the stale-dating of

non-crimes, then waiting for 5-hours beforehand, on Petitioner's property without warrant defy intent of the Declaration of Independence that opposes this specific type of tyranny. Arresting Petitioner Anthony within his own property boundaries [*Lange v. California*. 141 S. Ct. 2011 (2021)] without exigency, without warrant, and without a grand jury indictment, despite admitting a clear lack of probable cause, and using that arrest to interfere in a civil matter, the PSA and remove his children—violate the Fifth amendment, Fourteenth Amendment, and Article I, Section 10 of the United States Constitution.

These violations were amplified by state misconduct coupled with perjury and fraud through willful concealment of material facts in the lower trial court (as detailed above), these elements underpinned the improper retroactive move-away procedure conducted in willful and knowing reverse order, bright-line rules contrary to *Andrew V. v. Superior Court* (2015) 234 Cal.App.4th 103 and state legislative policy. The court of appeal's affirmance of these actions creates disuniformity, reveals cronyism in the upholding of violating constitutional protections and permits state laws to

supersede the constitution, contrary to the Supremacy Clause (*Mcculloch v. Maryland* (1819) 17 U.S. 316).

The petition for a Writ of Certiorari should be granted.

Respectfully Submitted,

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*Petitioner*