

No. _____

25-5254

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

MAY 16 2025

OFFICE OF THE CLERK

ON PETITION FOR A WRIT OF CERTARARI TO THE UNITED STATES
SUPREME COURT

CASE 23-1804

PETITION FOR WRIT OF CERTARARI

XENA AMES

10090 EAGLE EYE WAY

INDIANAPOLIS, INDIANA 46234

RECEIVED

JUL 29 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTIONS PRESENTED

- 1.) Whether the denial by the District Court and Appellant Court of compulsory process violated petitioners rights under the Sixth Amendment to the United States Constitution.

LIST OF PARTIES

The Petitioner is Xena Ames and 2 juveniles at the time of this case was 16 & 17 years old. This case has been ongoing since 2013 the dates of the allegations. The children's initials D.A (2) are being provided to protect their identity and the confidentiality of juvenile's. This falls under the Indiana law in the city of Indianapolis, Indiana.

- Companies: FEDEX, COMMONWEALTH, THE DEPARTMENT OF VETERAN AFFAIRS, 718TH BATTALION MILITARY & DISABLED AMERICAN VETERANS
- Individuals: Jocelyn Miller, Tamika Dickerson, Jornette Holmes, David Murtland & Barbara Hutchinson, Mildred Craig and Xenisha Hawkins

RELATED CASES

- Department of Veteran Affairs HIPPA Violation 200J-0583-2012101769 6/12
- U.S EEOC Eric Shinseki v. Xena Ames No. 470-2013-00080X Date 11/12/13

- Rehearing Order: 11/5-6/2013 Location: Richard Rodebush V.A Medical Center 1481 West 10th St. Room C-1051 (first floor C-Wing) Indianapolis, Indiana. (not real case).
- State of Michigan Probate Court Oakland County No: 2017-378, 193 -DE
Petitioning the court to be representative Mildred Craig Attorney Thav, Ryke & Associates LLC.
- State of Michigan Probate Court Oakland County No: 2017-378, 193 -DE
(Inventory Sheet) Jornette Holmes
- State of Michigan Probate Court Oakland County No: 2017-378, 193 -DE
petition to remove personal representative Jornette Holmes- Denied
- State of Indiana 49D11-2106CT-018457 Aaron E. Haith Attorney
- Marion County Superior Court 49D11-2106CT-018457 Default Judgement
- United States District Court Southern District of Indiana 1:21-cv-02652-
MPB-KMB
- Final Judgement states "case is resolved" (error) 1:21-cv-02652-MPB-KMB
- United States District Court Southern District of Indiana 1:19-cv-04282-JRS-
MPB
- Petition for expedited trial 11-09-20 1:19CV-4282-JRS-MPB – Denied
- No evidentiary Hearing was ever offered, could have resolved issues years ago.
- United States Court Of Appeals For The Seventh Circuit 1:21-cv-02652-MPB-
KMB

- United States Court Of Appeals For The Seventh Circuit 1:19-cv-04282-JRS-MPB
- United States District Court Southern of Indiana 05-05-2025 1:25-cv-00869-SEB-MG
- EEOC Charging NO. 470-2025-00145 Commonwealth Filed 10-08-24
Retaliation
- EEOC Charging NO. 470-2025-00145 Commonwealth Filed 07-25-24 Hostile
work environment.
- Indiana Department of Labor Date: 1/6/2025 case no. 24-28293 Wages
- Protective Order on David Murtland and Jocelyn Miller 1:21-cv-02652-JPH-DML- Denied my Attorney did not appear.
- Hendrick County Sheriff Department ORI IN 03200600 Fraudulent charges
- Hendrick County Sheriff Department HP 210002643-001 Nathan
Hibschiman
- Hendrick County Communications Center Call # 172501299
- Hendricks Police Case # HP230002952-001 Burglary
- Hendricks County Mortgage Payments \$29,000 Wells Fargo Bank
- Complaint of Judicial Misconduct or Disability Letter attached Tort Claim

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IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgement below. Xena Ames petitions for a writ of certiorari to the United Supreme Court in this case.

OPINIONS BELOW

Motion for reconsideration, Summary Judgement, or a motion for a new trial. Due to the reveal of new information and significant mistakes made by lower courts all need an interlocutory review. Ineffective Counsel provided inadequate representation. Due to those two reasons, the petitioner is asking for review. Also review the whereabouts of Morgan Stanley, MetLife & USAA. These accounts are missing, and police have been called to help. The letter on company letter head is blackmail to the policies. (proof).

The opinion of the District Court of Southern Indiana was filed on

10-21-19 Case number 1:19-CV-4282-JRS-MPB (No appeal) Denied 10-15-21 Case number 1:21-cv-2652 -MPB-KMB. Denied.

JURISDICTION

The jurisdiction of this court to review the case on petition for Writ of Certiorari rest upon 28 U.S.C Section 1254 (1).

United States Court of Appeals for the Seventh Circuit issued its opinion on the following case:

- 24-1804 12-19-2024 (no representation in a criminal case) Denied

This cases was denied, and an interlocutory review needs to be done, as ineffective counsel play a role as well the courts allowed petitioner to proceed in criminal case alone. Legal Counsel was still assigned to the case, due to time constraints and the request to courts to assign an attorney to petitioner was denied. The docket sheets are attached.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The sixth amendment to the United States Constitution provides in relevant part: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury". The harassed shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law.

Indiana Psychiatric privilege statute:

In Indiana, the psychiatric privilege statute, IC 25-33-1-17 protects the confidentiality of communications between a psychologist and their patients. Police Officers are not allowed to try to have petitioners benefits removed as a form of "retaliation". Records are not to be reviewed unless it has something to do with petitioners case.

STATEMENT OF THE CASE

The Appellant Court and the District Court handling of this unprecedented matter one way or the other will have ramifications far beyond the instant case if this does not get resolved immediately. For the reason detailed below, if this Court declines to intervene, the effect will be to allow the District Court to operate outside of, and in contradiction to, the Federal Rules of Civil Procedure. The petitioner is requesting and petitioning the court to a hearing to get trial testimony of six (6) eyewitnesses to the abuse that the petitioner and her "children" have endured. Review and summary reversal are warranted here, the district erred in both cases presented and did not hold petitioners counsel accountable for withholding the petitioners case.

The petitioner is seeking a writ of certiorari under the All-Writs Act, 28 U.S.C. &1651: (1). The party seeking the writ has no other adequate means, such as a direct appeal, to attain the relief that she desires. (3) The District courts order is clearly erroneous as a matter of law. (4) The District Court order is an oft repeated error or manifests a persistent disregard of the federal rules. (5) The district courts order raise new and important problems, or issues of law of first impression.

Douglas v. U.S Dist. Court, 495 F. 3d 1062, 1065-66 (9th Cir. 2007).

- I. **Argument-** The lower courts stated petitioner did not follow the rules of procedure, so I will highlight the facts the district court manifested a persistent disregard for the federal rules.

This Case involves several different scenarios Effective Death Penalty Act of 1996 (AEDPA) Organized Crime engaging in illegal activities like theft, padding of files, harassment, fraud, Banks, hate crime, baiting, robbery, intimidation, delinquent debtors, cybercrime, child enticement, sex advances to cause permanent injury, bodily injuries to me and my child (burning out my hair & more), employment history, VA Medical Records, "protection" payments, phone & personal privacy. The District Court persistently disregarded the Federal Rules, the petitioner first amendment rights, without the Due Process guaranteed by the fifth and fourth amendment.

The process in which this organized crime is operated, and the affiliates to make it work. High authority officials to get involved there must be 4 main sources before it grows and goes worldwide to other members, in order for the police officer to conduct business he must get an order from leadership. 1,) a family lodge member in a different state, 2,) a fraternal lodge member 3,) the fraternal order of the police, is receiving an order to cause harm to petitioner and child and respondents are being promised "pay". How would the police know petitioner unless informed. 4,) Trainee who is the girlfriend to police officer. Security & Law enforcement employees. Dist., Council 82 v. Carey, 737 F.2nd 187, 205 (2d Cir 1984). It's easy for officers to get away with harassment as they hide behind the employer who takes the lawsuit and penalty. Once harassment begins and petitioners hire attorneys this is when attorneys withdraw, cases get delayed and dismissed by having a counselor-at-law. Matter of Attorneys in violation of judiciary law &469-a, 54 AD3d

9.10. The District Court, under the federal rules, each defendant is required to file a responsive pleading within 21 days of being served.

FED. R. CIV. P Rule 12 (a) (1). Since FedEx holds the liability of this case, they never had the other defendants respond, if no responsive pleading is forthcoming Petitioner may request "Entry of Default" and then file a motion for a Default Judgement. Fed R. Civ P. Rule 55.

The District Court had the authority and indeed the duty to order targeted discovery on the petitioners. "Evidence" in this case prior to the entry of a case management plan, if there is one. The District Court erred when they didn't offer an "evidentiary hearing" even if they didn't like submission from the petitioner, no hearings of any kind was conducted to reduce and relieve stress and resolve these issues. More damages pursued as the cases were denied. The District Court is attempting to defraud the judicial process and is not fair to the petitioner. By falsely contenting that the law authorizes Discovery prior to a scheduling Order, and by deceptively inserting "they have" in place of "it has" into an otherwise legitimate citation from the United States Supreme Court. Such actions show that the District and Appellant Court has no regard for the Federal Rules.

The Minnesota Supreme Court reversed a motion because baiting and subliminal messages arouse anger, cause resentment, inflict injury or intend to incite immediate violence, it makes the petitioner a clear target. Subliminal messages are a non-speech element of communication.

St. Paul, Minn., Legis. Code & 292.02 (1990). The Minnesota Supreme Court granted certiorari because they felt the ordinance compels governmental interest in protecting the community against bias-motivated threats to public safety and order. ibid. We granted certiorari, 501 U.S. 1204 (1991). The petitioner is asking the Supreme Court to grant this Certiorari and allow this case a chance.

1. The District Court erroneously dismissed Petitioners claims with prejudice and stated it was resolved.

The District Judge dismissed claims that involved children and death and stated that the claim was resolved. Causing my child great agony without him being aware of why this is all happening. Training young minds is superior in psychology as it's the best way to manipulate someone to do what you ask, its "Control" for the future. My son has been harassed since middle school and even in his college years, respondents have stalled his education, giving him poor grades or taking away honor roll privileges. The district court is the founding court to make a ruling, and the court never had and will never have the opportunity to learn which, if any of the petitioners claims was meritorious. Due to this erroneous dismissal the District Court and Appellate Court cases were never adjudicated, and because petitioner never had the chance to prosecute, the order of dismissal with prejudice was clearly erroneous and must be modified and heard in the Supreme Court.

As adults we know that children are vulnerable and that their self-esteem can be easily diminished. Children are more in peril to negative influences and outside

pressures including family and peers. Roper, 543 U.S., at 569, 125 S. Ct. 1183.

Respondents revealed that my son was a reproduction of a rape from the petitioners military career, how could you know that unless a family member orchestrated the rape and allegedly confessed there wrongdoing. The Fourth amendment protects not only property interest but certain expectations of privacy as well as it generally qualifies as a search and requires a warrant supported by probable cause. Smith v. Maryland, 442 U.S 735 740, 99 S. Ct. 2577, 61 L.Ed.2d 220.

Respondents continue their harassment through employment because the fraternal lodge member and police work as one, it's easy to manipulate family to intervene. The fraternal order members are then frustrated that the petitioner is still pursuing a lawsuit, so they pass this to another race of members, this is enlarging the scope of the harassment. In this case we confront once again the tension between the Fourth Amendment's guarantee of equal treatment to all citizens, and the use of race-based measures to ameliorate the effects of past discrimination on the opportunities enjoyed by members of lodges and their affiliates. Fullilove v. Klutznick, 448 U.S. 448 (1980) We are at this point the harassment it is getting out of hand and uncontrollable, that everyone they are spreading this information to wants to be a part of the game, of all races. Gaston County v. United States, 395 U.S. 295 (1969). The petitioner has tried to work hard on these jobs to be fired even when protected by the EEOC. Allegedly the DAV representative is involved and is related to the respondents in The Department of Veteran Affairs. Nothing can stop these respondents from outrageous behavior, because they continue to get

away with it, builds their confidence to do more. The respondents have harassed petitioners consecutively for over a decade, with no justice, even when the petitioner provides proof. This approach requires the court to "examine the record of a prior proceeding". This case needs to be viewed with an eye to all circumstances of the proceedings and not just in the jurisdictions in which the fraternal order and police govern the city and cooperate office is in Chicago to manipulate. Sealfori v. United States, 332 U.S 575, 579.

As a rule of federal law, the burden of proof falls on the petitioner to prove their case in a judgement in a criminal case. Throughout my brief petitioner will stick with the facts and provide evidence as a whole. "United States v. Kramer, 289 F. 2d. 909, 913.

The goal is to chip away at your self-esteem making you more susceptible to be controlled, no money, no friends, no job and no benefits. Berne, E. (2011), Games people play: The basic handbook of transactional analysis. Tantor audio. In order to be successful in these different forms of harassment you must be watched 24 hrs. a day, 365 days a year. The respondents even watched the petitioner during shower time as they made fun of the medical deodorant that she used and even caused petitioner to get fired as a taunting tool on her "JOBS". The respondents studying their victims and in the process train new members to learn how the job is done to gain "CONTROL". Attempting to spy, watching people in their homes, intruding

upon cameras and watching in restrooms at work or at home is an invasion of privacy. The privacy act of 1974 (5 U.S.C & 552a).

In my Writ of Certiorari, I will talk about these different scenarios and how they apply to my life and why the petitioner is seeking relief and justice.

II. Ineffective Counsel & Breach of Confidentiality

Every attorney is charged with the duty of knowing the standard of character which he must meet in order to become and remain a member of the bar. Specifically, he can be charged with knowledge of that fact. As guaranteed by the sixth amendment counsel made errors that was so fundamentally wrong that counsel was not functioning as an expert attorney at law. Prejudice requires that there was a probability that counsels unethical errors resulted in the case being prolonged and not pushed through properly and if they were done properly would have resulted in a different outcome. Allowing pertinent data and information to be thrown out, without any rebuttable. [Case number 1:19-CV-4282-JRS-MPB (No appeal)]. Not responding assists the defendants to thrive in their case as the petitioner has to suffer the consequences and continue to be harassed. Padilla v. Kentucky, 559 U.S. 356, 371, 130 S ct. 1473, 176 L.ED.2d.254. Due to the incompetent advice of counsel, petitioners would have had a right to a trial if pursued properly by attorney. In present case counsel withdrew himself as his advice and reluctant & erroneous ability to follow through allowed a case to sit on the docket from 2021 to 2024 being instructed to withdraw by the district judge.

The Supreme Court states that the right to effective counsel plays a crucial role in the adversarial system embodied in the Sixth Amendment, since access to counsels skills and knowledge is necessary to accord petitioners and defendants the ample opportunity to meet the case of the prosecution to which they are entitled.

Strikland v. Washington, 466 U.S 668 (1984). All respondents was sent cease and desist letters, with petitioner even representing herself in a protection order hearing that counsel stated he would not be in attendance of. Counsel again proves that he is ineffective

The petitioner contends that her counsel erroneous advice and lack thereof, resulted in the petitioner to enduring damages, loss of pay, harassment, job loss, relationships, and more. Petitioner argues that her first case should be reinstated as the judge stated everything was resolved.

Based on the unmitigated negligence of petitioners trial counsel in failing to conduct discovery on the opposing side to get the answers needed in regard to the case.

Solutions and resolutions are resolved in deposition; the petitioner was never given this opportunity. The District Court did not address this conduct as witnesses and respondents testimony play a very important part in this case. The petitioner was deprived of ineffective counsel.

During the Discovery process petitioners discovery notes was revealed to the respondents, resulting in more harassment and revealing personal information. The petitioners discovery notes was never turned over to the respondents so that

respondents attorney could ask questions to assist in the case. Moreover, pretrial and interrogatories are not public components of a civil trial, this information is not to be used as a public source of information. Discovery were not open to the public Gannett Co. v. DePasquale, 443 U.S 368, 389 (1979). In general, they are conducted privately as a matter of modern practice. Protective order prevents a party from disseminating information obtained through use of the discovery process. However, the law office shared information to the opposing side, resulting in more harm and endangerment to the petitioner and her family. The petitioner was deprived of ineffective counsel. Herbert v. Lando, 441 U.S. 153. 176-177 (1979).

Council violated petitioners Sixth Amendment rights by conflict of interest; this affected council performance to assist petitioner effectively. With Council working with opposing attorney on personal cases, is a direct conflict of interest adversely affected his representation. Meaning that, favoritism went towards the opposing side verses assisting his client. Cuyler v. Sullivan, 446 U.S 335 (1980). It's a reasonable probability that counsel's unprofessional and egregious behavior are the direct result that the case could have gone differently. Attorneys have an ethical obligation to advise the court of any problems and that his declaration to the court are made under oath. Joint representation of conflicting interest is inherently suspected, as both attorneys was fully aware of the discovery process and did not interview witnesses to get the answers that was needed while at the district court level. Due to this conflict of interest, this actually affected the adequacy of his representation and sealing his lips in critical matters that would have given the

petitioner a better outcome. The sixth amendment protect us against an ineffective attorney, as well as a conflicted one. The petitioner was deprived of ineffective counsel.

Counsel allowed case 49D11-2106-CT-018457 to remain in Marion Circuit/ Superior Court since 11/22/2021. A motion for default judgement was filed on respondents and due to ineffective counsel, the attorney withdrew from this case and there was never a hearing. If this case would have gone to trial, petitioner would have received justice in 2021. Due to ineffective counsel, this resulted in petitioner losing her job and also having to put her house on the market because of financial strain. Overall, it has been long recognized that the right to counsel is the right to effective assistance of counsel. Cuyler v. Sullivan, 446 U.S. at 344. Because the right to counsel is so fundamental to a fair trial, the Constitution cannot tolerate trials in which counsel is unable to assist petitioners to obtain a fair decision on the merits, as a direct result the courts will continue to be full.

III. RIGHT TO PRIVACY and "Fraternal Order " Members

The United States Constitution guarantees the right to a trial by jury. The sixth amendment gives criminal defendants the right to a jury trial. Fed. R. Civ P. # 38. During the time that the petitioner had her trial with the Department of Veteran Affairs, no real trial was conducted and because of that action and HIPPA violation is the reason that this harassment continues today. The respondents are not held accountable for their actions so they feel they can continue to harass with their

interrelation and affiliation with the Fraternal Police. The respondents are not using their resources to the police properly as they have bargaining tools they use to get the information and harassment they want. This is not the first time that the respondent has used these resources to cause damage to others. 38 USC 902 enforcement and arrest authority of department police officers. Veteran Affairs officers assisting respondents to get to Congress to help remove Veterans benefits.

The letter on company letter head is an outpouring for help from 1 of the respondents as Allegedly respondent or her friend has herpes and is trying to find a way to get paid by stating that they received a disease from the petitioner and there blaming this "alleged rape" as the reason they are affected. The respondent job was to make the petitioner seem like a lady of the night so the fraternal officer – who allegedly has a real symptom would have sex with petitioner. The letter on company letter head was supposed to be proof that petitioner had a disease as a way for respondents to get paid as they have no recollection of where their alleged diseases came from. This is violation to the petitioner personal privacy as they culminate and skim to make up lies to defame the petitioner. 28 U.S. Code & 4101. Due to respondents position in the order, this is calculated as abuse of power. 18 U.S Code & 16 -crime of violence. The respondent violated the petitioners email account and began speaking with employees of the petitioners military unit, getting information from Bonita Gaston, whom petitioner was direct supervisor of in the military. Ms. Gaston was dishonorably discharged from the military, due to petitioner being an Army Officer a report of misconduct was submitted, which is

resulting into retaliation. This retaliation and a violation of the petitioners privacy is all part of an organized crime. 18 U.S.C &1513. Many things was in the petitioners personal email account and the respondent took the information and shared the information. 18 U.S.C & 1030 (Computer Fraud and Abuse Act -CFAA). The respondent went as far as contacting my biological daughter to sway her for information and to cause an illegal act, the illegal act is supposed to be used in the future on my child exactly how they tortured me. Fraternal member concerned about my past friendship in Ohio and retailing also concern about pregnancy.

The Due Process of the Fourth Amendment provides that no "State" shall "deprive any person of life, liberty or property, without due process of law." Miller v. Fenton, 474 U.S. 104, 109 (1985). Due process Clause was intended to prevent officials "from abusing their powers or employing it as an instrument of oppression". (Quoting DeShaney v. Winnebago County Dept. of Social Serv, 489 U.S. 189, 196 (1989). in turn quoting Davidson v. Cannon, 474 U.S 344, 348 (1986)).

In 2013 to current petitioner became a member of this lodge investigations was done on petitioner by the "fraternal order of the police". Some officers are aware, and some are not as they all are not affiliated to the lodge. (This is the connection) Petitioners, supervisor of the lodge went as far as requesting information on petitioner that breaks The Supreme Court of Pennsylvania two-pronged analysis of privacy under that states constitution. (1). One is the individual interest in avoiding disclosure of personal matters, and another is the interest in independence

in making certain kinds of important decisions. "Whalen v. Roe 429 U.S. 589, 599-600 (1977 S. Ct. 869, 876-77, 51 L. ED 2d 64 (1977)).

Once the petitioner became affiliated to one lodge then personal attacks became prevalent by repeating information from petitioners personal "email account" and then putting information on a "USB stick" and sending the information as form of harassment. Listening to phone conversations and watching petitioner. That proposition is unexceptionable, and it has been applied in various cases that have found insufficient the asserted state interest in preventing publication of truthful, lawfully obtained information. Florida Star v. B.J. F, 491 U.S. 524 (1989); Smith v. Daily mail; Landmark Communications, Inc v. Virginia, 435 U.S 829 (1978). The purpose of doing this was because of the HIPPA lawsuit at the VA Medical Center. This was retaliation and an attack against petitioner. The lodge supervisor was angry that her and her friends from the V.A got into trouble for illegally accessing the veterans medical records. After lodge supervisor access was revealed to her immediate supervisor she was then terminated from her DFAS government position and was moved to another location within the government. Veterans medical records are on a need-to-know basis for medical professionals. HIPPA provides both civil and criminal penalties for improper disclosures of medical information.

42 U.S.C &&1320d-5, d-6. That's where the medical deodorant plays apart, in the employment harassment.

In determining whether information is entitled to privacy protection, the intimate or personal information is justified by the expectation that it will not be subject to public scrutiny Westinghouse, 638 F. 2d at 577 & N. 5. Medical information is entitled to privacy protection against disclosure. The Freedom of information Act, 5 U.S.C & 552 (B) (6) medical information may be accorded special treatment under various rules and statues in recognition of its confidential character. This has become personal as other lodge members was upset about conflict that happened on the job and reported that information to the lodge supervisor in efforts to gain control or to ostracize petitioner. The lodge supervisor then "launched an attack" on petitioner that resulted in harassment and medical record violations. 18 U.S.C & 241 Civil Rights Conspiracy.

During that time petitioner was in a relationship with a lodge member that ended abruptly and after the relationship ended petitioner had no communication with lodge members until special events. The respondents then went as far as trying to find out if petitioner was pregnant and started asking FedEx employees if they knew the answer, such an intrusion of privacy. Petitioner and ex have sense then communicated and feel that our personal business has nothing to do with the respondents as they continue to intrude upon the petitioners personal information. The respondent was such in dislike of the petitioner that this resulted in petitioners hair being burnt out and causing damages, as we know that women hair is their glory. 18 U.S Code &&2255 civil remedy for personal injuries. The hair injury is also a traumatic situation with my boys as well. Someone in leadership is

responsible for this launched attack on me and my children and burning out my hair and damaging their hair follicles at a young age is a traumatic injury. The respondent actually traumatized the petitioner, as these type of events continue to happen to causing harm to petitioner by taking away her beauty with body dysmorphia (stomach) face (dentist) & hair. At common law defamation tort were never addressed, as petitioner has been trying to get respondent in court for years. Especially after learning about the "torture" my terminally ill mother went through before she died, due to the respondents.

Overall, the very fact that one gives his affirmative acquiescence to the object of a conspiracy may in many cases be doing "something in furtherance of it". Actions that indicate acceptance can legally bind a party to a transaction. A particular person participating in a conspiracy may be proved where his approval of the plan stimulates the activities of others to carry out the conspiracy, even though his participation does not involve and overt act, such as the handing of bribe money to a public official. It is in the province of the jury to determine from the evidence whether a particular respondent had crossed that line. Attorneys and police are no exemption to the rule. Egan v. United States, 137 F. 2d 369, 378. In this current case, there is ample evidence that there is a conspiracy, and each participant agreed to participate in a plot against the petitioner. The petitioner is applying for emotional distress, economic damages- "loss of earnings and attorney fees. Due to "Tort Claims" this also caused personal injury. Those harms were "plainly

derivatives of my emotional distress” and thus “personal injuries to the petitioner and her children.

V. Organized Crime and Fraternal Police Officers

The Fraternal Police Officer is the connection to this case as this case is premediated and falls under Organized crime. In 1970, Congress enacted the RICO to combat “organized crime and its economic roots”. *Russello v. United States*, 464 U.S 16,26 (1983). As RICO’s statutory findings explained, “organized crime in the United States {was} a highly sophisticated, diversified, and widespread problem.

Organized Crime Control Act of 1970, Pub. L. No. 91-452, 84 Stat. 922, 922.

Congress solution was to attach hefty civil and criminal penalties to “racketeering activity” which RICO defines to “encompass dozens of state and federal offenses” including mail and “wire fraud”. RICO specifically prohibits four racketeering-related offenses like receiving any income...from a pattern of racketeering activity or participating... in the conduct of an enterprises affairs through a pattern of racketeering activity.” 18 U.S.C &1962 (a) –(d). Those acts are federal felonies punishable by up to 20 years in prison. RICO also creates a civil cause of action for private plaintiffs to recoup treble damages and attorney’s fees from wrongdoers.

Id &1964. “RICO” standing” it is simply an element of civil RICO claims. Lerner v. Fleet Bank, N.A 318 F. 3d 113, 129-30 (2d Cir. 2003), RICO plaintiffs injury must have been proximately caused “by reason of” the defendants RICO violation. *Id* at 269. The defendants are responsible for causing RICO in which, this resulted in

the loss of income and being unable to pursue employment opportunities, that loss of income was "indirect" or secondary effect of my personal injuries. RICO requires that the plaintiff be "injured in business or property by reason of" the defendants racketeering activity. 18 U.S.C & 1964 . Injury can be wrong, or damage done to another, either in his person, rights, reputation, or property. Personal injuries are the antithesis of injuries to business or property. Under tort law, the typical recovery in a personal injury case includes medical expenses, loss of wages and pain and suffering and emotional distress. Officers from both facilities.

As we learned earlier in the case that there is a "motive", in order for all participants to be a part of this case it must be worthwhile. The goal was to get the company fraternal police officer to gain my trust by telling me information in relations to the respondents that are in the fraternal order. My supervisor/officer informed me that the organizational ladies are the ones harassing me, as well as informed me of the insurance policies left to me that the lodge members was trying to retrieve. Having me fired from my job and baiting me to FEDEX is considered coercion, scheming and plotting that started immediately after my mother died in 2017. 18 USC & 1591 (e) (2). After being informed about the life insurance policies, the petitioner called to check on them to be told they were removed. The supervisor would constantly ask me to split the funds in half and walked over to me and told me that we are going to ok. Shortly thereafter there was 2 letters, and both are a HIPPA violation. HIPPA provides both civil and criminal penalties for improper disclosure of medical information. Alexander, 532 U.S at. 286-87, 121 S.

ct. 1511. This letter was created for "blackmail" to obtain funds and the letter was leverage, so that respondents could steal. A conspiracy to accomplish what an individual is free to do may be a crime. Reg v. Mear, 4 Cox C.C 423; 2 Den. C.C 79; Reg v. Howell, 4 F & F. and even more plainly a person may conspire for the commission of a crime by a third person. Planting evidence and tampering with evidence is an obstruction of justice crime and can be prosecuted as a misdemeanor. Under 21 U.S Code && 841 prohibited Acts A. Petitioner has a scare on her bottom that was created as false evidence that the respondents created as a manipulation tool and form of blackmail, this is considered padding files. The point of putting the scare on my bottom was to make it look like petitioner had herpes. This was done twice as the spot on petitioner bottom is excessively bruised from pictures submitted.

Since Respondents girlfriend was in training, it is my belief that she was an accessory to a crime and assisted in the process. This is classic criminal conspiracy when two or more people come into agreement about a crime, and one of the respondents over act to further the agreement this is criminal conspiracy. 18 U.S.C & 241 Civil Rights Conspiracy.

The 4th Amendment to the United States protects individuals from unreasonable searches and seizures by the government. Fraternal police coming in my home taking documents, using neighbors to put rats in petitioners' home and causing damage and causing panic from homeowner is conspiracy. Stealing funds and giving

others the authority to torture and cause pain to the petitioner for an organized crime and retaliation. When you are part of an organization and you pass communication from one person to another in hopes to cause injury to the petitioner that is criminal conspiracy. 18 U.S.C & 241 Civil Rights Conspiracy.

If a respondent pulls a gun on petitioner in efforts to cause harm or to threaten, this is conspiracy. Petitioner was threatened in the workplace with a gun and that employer is being added as well as the respondents are in collaboration with each other in the effort to cause harm to the petitioner or wanting the petitioner to cause harm to herself as this is a violation that was mentioned previously about medical records violations. Another issue in this case is life insurance policies that have been stolen with evidence showing that the accounts are real respondents have attained the evidence and withholding it from the rightful owner. Keeping evidence as a secret and trying to cover it up to prevent detection and punishment is conspiracy. Kruelewitch v. United States, 336 U.S 440; Lutwak v. United States, 344 U.S. 604. Pp. 353 U.S. 399-402. Being aware of funds and asking for half for either yourself or others is a crime. Under Penal Code 32 PC, it is a crime for a person to harbor or aide a person whom he knows has committed a felony and do so in order to protect him from arrest or conviction.

Respondents abuse of their authority on the job and police presence to plant evidence on petitioner for retaliatory purposes violated the petitioners substantive due process rights. Guitierrez v. Lynch, 826 F 2d. 1534, 1536 (6th Cir. 1987).

Petitioner feels violated as the Fraternal Officer never introduced himself as an officer of the law, before telling this information in regard to this case. In Indiana if a police officer has reasonable suspicion of criminal activity it is good practice to identify themselves during interactions to ensure transparency and accountability. Due to the fact that this Fraternal Officer was "hired" to investigate, it was his job to inform me that he would be intruding upon my privacy and investigating me.

The district court did not take into consideration that the police officer made sexual advances towards the petitioner and that the injuries that was caused was premediated act to get petitioner in bed. The petitioner is making a claim of sexual harassment under 42 U.S.C & 1983. What was the reason for getting the petitioner in bed, and was he instructed to do so? The point of having sex was to cause harm and taunt and tease afterwards. With team leader as a witness that the supervisor/police officer was looking for someone to have a good time with sexually. (TL-Dustin). The petitioner felt uncomfortable in the workplace as the manager/police would play psychological games by standing by the pole and smiling and staring. When the workplace is permeated with discriminatory intimidation, ridicule, and insult that is sufficiently severe or persuasive to alter the conditions of the victim's employment and create an abusive working environment Title VII is violated. When going to the restroom as supervisor had visual in the stalls and knew the color of my panties. By reasons of respondents conduct, plaintiff was deprived of her rights, privileges, and immunities secured by the Fourth Amendment to the Constitution of the United States. (b) subjecting plaintiff to an

illegal search and seizure (c) depriving petitioner of her constitutional protected rights (c) engaging in conduct of abuse of power and authority which shocks the conscience. The respondent gave the petitioner the information that she is privy of, by locating her daily and following her path in the workplace. The company cameras should be able to see this as the petitioner asked for an internal investigation to be done.

In light of these liberal pleading standards, the district court misconstrued petitioner's complaint and is asking the Supreme Court to review complaint and evidentiary documents. The district court or appellant court even with evidence shown made no sufficient factual averments that the claimant may be entitled to some relief the petitioner has been harassed since 2013 to current. Am. Timber & Trading Co. First Nat'l Bank, 690 F.2d 781, (9th Cir. 1982).

The Fourth Amendment provides in relevant part that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. "It is beyond dispute that a vehicle is an "effect" as that term is used in the amendment. United States v. Chadwick, 433 U.S 1. 12, 97 S. Ct. 2476, 53 L.ed.2d 538 (1977). We hold that the Government installation of a GPS device on a targets vehicle, and its use of that device to monitor the vehicles movement, constitute a "search". The petitioners vehicle was brought from Atlanta Georgia (family) to Indianapolis, Indiana, there is or was a device that told respondents of the petitioners location so that they could continue their harassment

outside the home. The petitioner was watched 24/7 365 days out of the years, the police officer was informed to watch petitioner to intimidate and make sure she wasn't getting the money from the Life Insurance Policies.

The appellant Court did not give the petitioner a reason for the denial and when the petitioner called for explanation the receptionist stated that no explanation has to be given. Without a thorough explanation as pro-se, how am I able to fix the deficiencies. Petitioner asked the court to assign an attorney, and it was denied. Petitioner is asking the Supreme Court of the United States to review my petition and grant petitioner a Writ of Certiorari.

VI. Fraternal Family Members & Positions of Power

In *Commonwealth v. Abbott Engr. Inc* 351 Mass, 568, In the Abbott case there was a member that was related by family, and way before the conspiracy could start there had to be agreement from family members to participate in this conspiracy as they hold the motivating factor in this case. *Commonwealth v. Louis Constr. Co Inc.* 343 Mass. 600, in which stockholders was convicted of larceny. In this case we have family members who obtained executorship of an estate to be a part of a conspiracy. The petitioner was the Executor of the Estate, being the youngest girl of 5 my mother put me in charge of the Estate. The older siblings were very upset because they was not considered and didn't like that things wasn't going as fast as they liked. When business was not done to their liking the fraternal family member and fraternal lodge sister made a connection to spy on petitioner. As my mother

was getting sicker she was removed from her home in Michigan and brought to Indiana, and no assistance or visits from family members and or patient advocate. I was in contact with the family member and told her that there was things that needed to be done first before any pay outs to family, bills and etc. have to be paid first. There is a protocol that has to be followed after someone dies and the petitioner followed the directions of the WILL of the Estate.

The lodge members want the petitioner locked up in jail so that she can lose her benefits and get revenge for their friends. FedEx employees had nothing to do with my mother's estate, and they had no right to escalate the situation by reporting and aggravating family members about something they didn't understand. FedEx employees should not have gotten involved. This is also about revenge and getting the petitioner locked up in jail. Now we can accept that the proposition of the substantiated offenses are merged all into one as a conspiracy. This is when death happens to be in control. Stapleton v. Commonwealth, 123 Va. 825, 96, S. E. 801. There are of course instances where a conspiracy charge may not be added to the substantive charge. One is where the agreement of two persons is necessary for the completion of the substantive crime and there is no ingredient in the conspiracy which is not present in the completed crime. United States v. Katz, 271 U.S. 354, 355-356; Gerbardi v. United States, 287 U.S 112, 121-122. It is the power of CONGRESS to separate the two or affix them together and add a penalty that is well established. Clune v. United States, 159 U.S. 590, 594-595. A conviction for the conspiracy may be had through the substantive offense. Heike v. United State,

227 U.S. 131, 144. A conspiracy is a partnership in crime. United States v. Socony-Vacuum Oil Co., 310 U.S.150, 253. It has ingredients as well as implications, distinct from the completion of the unlawful project. United States v. Rabinowich, 238 U.S 78, 88.

The respondents feel that policies that was left to beneficiary should be split in 5 ways, this is the reason for trying to gain control of the estate. However, a beneficiary trumps a "Will" to an "Estate". If the executor could have done it by herself, what would be the need of the Police officer. Another embezzlement situation, the use of an employee United States v. Bucur, 194 F 2d. 297 C.A 7th Cir. 1952).

TRAINING NEW MEMBERS TO CAUSE HARM IN FUTURE

This is premeditation to cause harm to a child in the near future, with him being at least "six years younger" than the respondent and perpetrator, any mind manipulation tactics is illegal. 18 U.S.C &1111 title 18 crimes and criminal procedure. The respondents try to have control over your children and your personal possessions, so they can try to control the petitioner. These activities are distractions to the real issue that involves missing accounts as mentioned above. This is organized crime 18 U.S.C &&1961-1968.

Due to the longevity of the crime, the respondents had no intentions on stopping the crime. 18 U.S Code & 2340 (1) (2) Torture meaning that the respondents went as far as trying to inflict pain on the petitioner as a means of retaliation by contacting

an employee at her last job at Commonwealth. To inflict severe physical or mental pain or suffering to gain "Control" or "Suicide".

Respondents went as far as using discovery notes from the attorney's office and attacking the Petitioner by stating that she was "Raped". There is no chance for resolution in this instance and no relief to appeal. This is a cats out the bag situation, that the respondents have revealed to their Lodge friends, families and more. The purpose of the torture is to cause shame and public awareness to their target, the petitioner. The torture resulted in respondents using Doctors to cause injury to the petitioner due to their power sources.

18 U.S Code & 24- Federal Health Care offense section 2. Torture doesn't stop there; it now affects you monetarily by respondents stealing money and having you fired from your job.

The Respondents are responsible for removing petitioner from her job at Plainfield Correctional Facility in lieu to start this harassment. 18 CFR & 706.210- Coercion. The respondents Baited the Petitioners over to FEDEX so that they could use the 4 high profile white men who work for law enforcement and homeland security. Petitioner would like the court to understand that constant reports was made to the lower courts in regard to intrusions to petitioners' home by watching on camera, Facebook, hacking emails and listening to phone conversations. The electronic Communications Privacy Act (ECPA) specially title I, is often called the Wiretap Act. 18 U.S Code & 1030 5 (a) (b) (c) Fraud and Related activity in connection with

computers. Due to the illegal activities of the respondents this is considered a classic "Employee assembly condemning Hate Crime". EA-R3: _employee_assembly_condemning_hate_crime_and any other form of racism, religious and ethnic bias, Discrimination, incitement to violence and abuse of veteran's medical records. 18 U.S Code & 249-Hate Crime Acts. Respondents used Petitioners medical prescription as a weapon and caused the petitioner to lose another job, using discriminatory tactics at Commonwealth Hotels. This is a new charge but the same discrimination happening over and over again. EEOC Charging NO. 470-2025-00145 Commonwealth Filed 10-08-24 Retaliation. EEOC Charging NO. 470-2025-00145 Commonwealth Filed 07-25-24. While on job at jobs resulted in employees "scanning" "sniffing" the petitioner as a direct insult and condemning manner to cause conflict in the workplace and again using medical information from the respondents. The respondents effecting Petitioners business and causing conflict on internet, which is part of a hate crime. 18 U.S Code Chapter 31 Part 1.

The petitioner is seeking the Writ of certiorari, the argument that the court of appeals should have entertained an action in certiorari, notwithstanding the District Court denial of the motion for certification, might have presented different considerations.

The petitioner is seeking back pay, front pay, compensatory damages, punitive damages as well as injunctive relief, to prevent future damages. This document and evidence will be given to the FBI.

REASONS FOR GRANTING THE PETITION

The petition for writ of certiorari should be granted to clarify the important issues. The decision of the district court and the appellant court erred in there over all decisions in regarding to this case. Many times, these companies are aware that the workers are incapable of hiring an attorney because of the wages. And the EEOC typically hands out letters with the right to sue, knowing that eventually the problem will go away because of lack of funds. Well employees should not have to deal with discrimination "because of sex" as it has evolved through the administrative process and adoption of reasonable person. It is and includes, conduct of employer or supervisory personnel for which the employer is responsible, which implicitly or explicitly communicates that an individual right to continued employment is conditioned upon submission to unwelcomed sexual advances and constant on the job harassment. Scarring petitioner with fake perceived illness to taint their images for later manipulation. When an individual of either gender has to leave her employment to escape unsolicited sexual harassment and watching in the bathroom, verbal assault, she is the victim of employment discrimination based on sex as proscribed by Title VII. The petitioner has severally harassed from 2013 to current and is looking for relief. The lower courts were unable to fulfill their

obligations, so I am throwing mercy on the court to grant my Writ Of Certiorari and hold respondents responsible for their actions.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Xena Ames Pro-Se

March 2025

Signature Xena Ames Date 7-6-25