

25-5461

Case no.

In the
United States Supreme Court

Gary Eugene. Maddox II
Plaintiff.

V

The UNITED STATES OF AMERICA
Supreme Court clerk's,
Lisa Nesbitt, Scott Harris, Danny Bickel
Defendant.

On petition for writ of certiorari
To the United States court of Appeals for the federal Circuit

PETITION FOR WRIT OF CERTIORARI

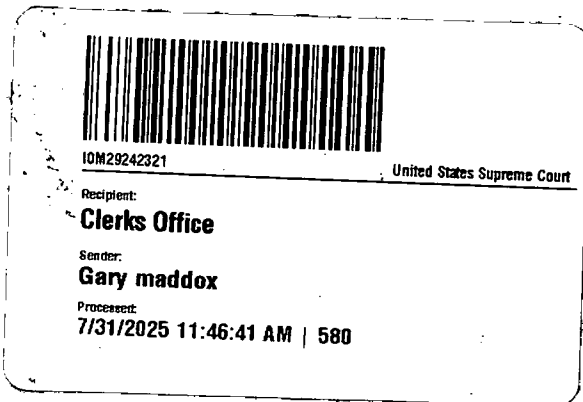
Certiorari/Appendix

ORIGINAL

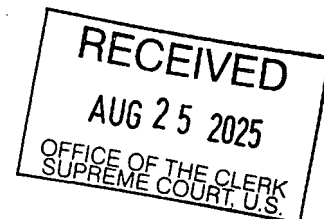
FILED

JUL 31 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.



Gary Eugene Maddox II
PO Box 1136 Washington DC 20013
Telephone. 401-301-3919
Cinemaddoxstudios@icloud.com
Pro Se, Sui Juris



Questions presented

1. Did National Supreme Court clerk Danny Bickel violate Maddox's right to petition the Government when he committed clerk obstruction, and fraud upon the court in the Supreme Court clerk's office by misappropriating a document on May 14th 2024 in Maddox's case, no. 23-759. By removing the substance and sworn declaration and then entering the evidence of the Extrinsic fraud onto the Supreme Court Docket ?
2. Can a federal judge disregard the Constitution ?
3. Maddox entered A motion to vacate void judgment due to Fraud upon court and invoked Rule 60 (b)(1-5) Did The Lower Court, Default in Application of Law by abuse of Discretion. after it chose to affirm the jurisdictional judgment of the lower tribunal, while knowing that the motion rule 60 (b) FRP gave the court full jurisdiction to correct the matter?
4. Can a federal three judge panel disregard request for Remand to S.C.O.T.U.S, while affirming the lower courts decision for lack of the subject matter jurisdiction ? if the United State court of appeals for the federal circuit did not have jurisdiction and a request was made to the court for remand the court must remand to the proper jurisdictional court ?
5. Can a federal judge disregard request for ad hoc inquiry ?
6. Did the lower courts apply jurisdiction correctly ?

Cases for review

United States court of claims 25-1257 November 22, 2024
United States court of appeals for the federal circuit 25-1257 decided July 16,
2025 before LOURIE Dyk, and CUNNINGHAM, *circuit judges*.

Related proceedings

In The Supreme Court of the United States case no. 23–759

Table of contents

Questions presented I
Cases for review II
Related proceedings II
Table of contents II
Table Of appendices III
Opinions below IV
Table of authorities And statutory provisions IV
Jurisdiction page. 6
Statement of the case pages 6-10
Reasons for granting the writ page 10
Conclusion page 10
Relief Saught page 10
Sworn affidavit page 11
Appendix- misappropriated/Altered motion, and original motion 1a-9a

Table of appendices

1a-9a Altered and Unaltered Supreme Court Motion

Table of authorities And statutory provisions

FIRST AMENDMENT pages 6-10

FOURTEENTH AMENDMENT pages 6-10

FIFTH AMENDMENT page 6-10

ORDER TO VACATE VOID All JUDGMENT, DUE TO FRAUD ON THE COURT, UNDER FEDERAL RULES OF CIVIL PROCEDURE 60(b)(1-5) STRUCTURAL AND CONSTITUTIONAL VIOLATIONS BY OFFICERS OF THE COURT. Pages 6-10

Throckmorton v USA (98 U.S. 61). pages 6-8

Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403

U.S. 388 (1971) page 8

MARBURY V. MADISON, REQUEST FOR JUDICIAL REVIEW page 8

MAXIMS OF LAW pages 6-10

18 USC 1951

18 USC 3571, 18 USC 1038,

18 USC 1001, 18 USC 912,

18 USC 242, 18 USC 241,

18 USC 3571

TREASON

Opinions below

order from the United States court of federal claims procured upon fraud of the court decided by Elaine D Kaplan July 16, 2025 case no. 24-742

Order from the United States court of appeals for the federal circuit Built upon fraud of the court case no. 25-1257

judgment of the supreme Court of the United States May 16th 2024 case no. 23-759 built upon Fraud of the court

IV

Statement of the basis for jurisdiction

The Supreme Court of the United States possess Original Jurisdiction, and Appellate Jurisdiction, over the matter for the **reasons that**; This matter of extrinsic fraud originated in the Supreme Court clerk's office, on May 14th 2024. Before the conclusion of the S.C.O.T.U.S case number 23-759. **Rendering The Supreme Courts, judgment on May 16, 2024, void ab initio.** This petition seeks review of the judgment entered July 16, 2025 by Lourie Dyk, and Cunningham, *circuit judges*. United States Court of Appeals for the federal circuit case no. 2025-1257 and the final order and judgment of the Elaine D Kaplan case no 24-742 in the United States Court of federal claims. November 22, 2024

Statement of Fact

Comes now, plaintiff not in plea But in protest to expose a judgment built not upon facts, but upon fraud. The order to vacate all judgments within this writ for certiorari is not subject to typical timelines or discretion, **This Order addresses fraud, directed at the judicial machinery itself, Rendering all judgments void ab initio.** Plaintiff Gary Eugene Maddox II moves this United States Supreme Court pursuant to federal rules of procedure 60(b) (1-5) for an order vacating the judgment in case no. 23-759 in The Supreme Court of the United States. also the judgment entered by Elaine D Kaplan on November 22, 2024, in the United States court of federal claims. And also the judgment entered in the United States Court of Appeals for the federal circuit Before Lourie, DYK, and Cunningham circuit judges. ***Out of fraud no action arises. He who does not repel a wrong when he can, induces it.***

On May 14th, 2024, Maddox filed a motion with the Supreme Court , the motion was received by Supreme Court clerk Danny Bickel, who Removed three pages from the Motion. Pages 1,2 and 3 were taken out, then Danny Bickel placed the misappropriated motion onto the Supreme Court docket, committing **Clerk obstruction, and fraud on the court; (Extrinsic fraud)**, Before the Supreme Court completed its decision on May 16th, 2024. ***United States v Throckmorton*** **Rendering that judgment void ab initio.** See Appendix a1-a9 (Altered motion and

Original motion). The irrefutable evidence of Extrinsic fraud, can also be viewed on the Supreme Court docket entry For May 14, 2024.

Please know that Maddox numbered the tops of the pages in the motion, the pages that were removed, were not entered on to the docket, leaving only the Roman numeral page (i) and page 4 of the document, on the docket. see Supreme Court Docket. Docket entry May 14, 2024, case No. 23-759. On July 3, 2024, the United States court of claims then received a First Amendment Constitutional claim coupled with incontrovertible evidence Entered by Maddox, of Clerk Obstruction, Fraud, Violation Of Due Process And Maddox's Right To Petition The Government, and other ethical and constitutional violations of Maddox's rights. ***A forestalled is in oppressor of the poor, and a public enemy to the whole community and the country***

On November 22, 2024, Elaine D Kaplan entered a final judgment and ruling, to dismiss Maddox's complaint for lack of subject matter jurisdiction, while fully disregarding the Constitutions first amendment, The Federal Tort Claims Act, violating jurisdiction, And Disregarding Maddox's request for remand to S.C.O.T.U.S, and then, ultimately dismissed Maddox's order for default judgment. The dismissal of the complaint for lack of subject matter jurisdiction, And order of default, were procured through **fraud upon the court, Rendering all judgments void Ab initio, warranting the vacate of judgment** from Elaine D Kaplan in case No. 24-742.

He who does not deny admits [a well known rule of pleading]

Each omission of defense, by each Supreme Court clerk mentioned, in the original complaint I.e, Scott S Harris, Lisa Nesbitt, and with each falsified record Produced as evidence onto the Supreme Court docket By Supreme Court clerk Danny Bickel. Forms the architecture of fraud. The actions of the National Supreme Court Clerks Involved, are not errors. They are acts of fraud, ***Malum in se***. Violating Maddox's ***fifth amendment, of Ensured right of due process***. Rendering all judgments void ab initio. See **Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)**. The decisions of the United States court of

appeals for the federal circuit, and the United States court of federal claims, were procured upon fraud of the court. **Rendering all judgments void ab initio. They who consent to act, And they who do it, shall be visited with equal punishment.**

Maddox is Moving this Supreme Court to Review the decisions of the lower courts for **vacate of all judgments due to fraud upon the court ab initio**, and also Reopen Supreme Court case no. 23-759. On grounds to vacate void judgment, due to fraud on the court. Under federal rules of civil procedure 60(b) (1-5). **Structural and constitutional violations by officers of the court.** Also citing *United States v Throckmorton*. Evidence of **Extrinsic Fraud** will be presented within this filing, and to include violations of Rule 8.3 duty to report seriousness conduct by Peer or officer of the court. Maddox's Constitutional right of due process has been violated in all three, of the above-named **Article 3 Federal courts**, including the Supreme Court of the United States. Maddox is also respectfully, **Requesting judicial review, Marbury v Madison** and also **Special Appearance**. To divulge all information, and evidence pertaining to the fraud committed upon the court, and the criminal/civil Rico of case number 23-759. Due to extreme, and ongoing activity of fraud within this case. Maddox will also be divulging audio recording of Maddox, Danny Bickell and Lisa Nesbitt. The recording is from May 13, 2024. The day before the misappropriation occurred. This recording will be entered, with other evidence of extrinsic fraud after this writ for Certiorari has been docketed. Maddox is invoking federal rules of procedure 1002. The Best Evidence Rule. For the entry of the recorded evidence it will be labeled Exhibit A, A motion to vacate all judgments void ab initio, in accordance with rule 60 (d) was entered into the United States Court of Appeals for the Federal Circuit, giving that court full jurisdiction to correct the matter, and was denied. Maddox's legal and lawful requests, Including request for remand to the Supreme Court of the United States, and order for default judgment, along with Maddox's constitutional rights, and every single, question presented in the brief of appeal, for the United States Court of Appeals for the federal circuit, Was fully disregarded. See, opinions and orders. Viciously Violating Maddox's 1st

Amendment Right To Petition The Government, Fifth Amendment Right of Ensured Due Process Of Law, And 14th Amendment Right Of Due Process And Equal Protection Under The Law. While Assisting The Procurement Of Fraud upon The Court, in a Draconian Manner. **Rendering All Judgments Void Ab-Initio.**

Reasons for granting the writ

If ever the law of God and man are at variance, the former are to be obeyed in derogation of the later. [Acts 5:29] The Law of God and the law of the land are all one, and both favor and preserve the common good of the land. An argument drawn from authority [scripture] is the strongest in law.

Conclusion

For the aforementioned reasons, Gary Eugene Maddox II Respectfully orders this Supreme Court to vacate all judgments reviewed in related, due to **fraud upon the court. Pursuing to Rule 60 (b) 1-5 Structural and Constitutional Violations of Officers of the Court.** Grant the writ for certiorari, And judicial review.

Relief Sought

DENIED PROVISIONS IN THE CONSTITUTION \$250,000. 18 USC 3571. DEFENSE DENIED EVIDENCE (RECORDS) \$250,000. RICO RACKETEERING CIVIL 250,000. FALSE INFORMATION AND HOAXES, FINED AND FIVE YEARS TO LIFE IN PRISON, 18 USC 1038. FALSIFY DOCUMENTS, \$10,000, 18 USC 1001. FRAUD STATEMENT OF ENTRIES GENERALLY, \$10,000, 18 USC 1001. OFFICERS OR EMPLOYEES OF THE UNITED STATES, FINED AND IMPRISONED NOT MORE THAN TWO YEARS, 18 USC 912. DEPRIVATION OF RIGHTS UNDER THE COLOR OF LAW \$1000, 18 USC 242. CONSPIRACY AGAINST RIGHTS \$10,000. 18 USC 241. VIOLATION OF OATH OF OFFICE, \$250,000, 18 USC 3571. OBSTRUCTING AND DELAYING COMMERCE AND UNLAWFULLY TAKING AND OBTAINING PERSONAL PROPERTY UNDER FEAR OF

THREAT, 10 YEARS IN PRISON MINIMUM, 18 USC 1951. TREASON (COMBINED ACTIONS ABOVE) AND ALLOWING UNELECTED UNACCOUNTABLE AGENCIES AND AGENTS TO DICTATE AND SHAPE POLICIES THAT VIOLATE DUE PROCESS RIGHTS \$250,000.18 USC 3571. THE RE-OPENING OF CASE NUMBER 23-759 AND AD HOC INVESTIGATION. And most importantly, that law be implemented in every facet of its understanding for the restoration and preservation of the Public's trust. Tabulated relief sought 1,281,000

Sworn Affidavit of Truth

Verily, the most truthful of speech is the speech of God, and verily the best of guidance is the guidance of the last messenger, and then God's messengers who came before him. I Bear witness that None has the right to be worshipped, or invoked in truth, except God Alone, who has no partners, and that Muhammad is God's Messenger; and that Jesus is God's Messenger. and His Word; was that which He bestowed on Mary and a Spirit created by Him. And that The Torah, & the Bible's Books, and the Qur'an; in their natural God-given form, are true, Paradise is true, and Hell is true.. All men know God. Truth, by whom ever pronounced. is from God. we can do nothing against truth, for truth is the mother of Justice. The truth that is not sufficiently defended is frequently overpowered, and he who does not disapprove approves. and no man is ignorant of his eternal welfare. For that which is against divine law is repugnant to society and is void. With the permission of God. let justice be done, though the heavens should fall. to swear, is to call God to witness and is an act of religion. Words are to be taken most strongly against him who uses them. With the understanding that there is no might, nor movement, except by God's will. I Gary E. Maddox jr Hereby stand in solidarity of the public's trust, and for the public's interest at large, and Hereby Swear under the penalty of God's wrath, and his penalty of perjury, that everything stated Ab Initio Hitherto, is actionable and factual TRUTH.



Signature _____
All Rights Reserved.

Humbly submitted.
Gary Eugene. Maddox Jr
Cinemaddox Productions
PO Box 1136 Washington DC 20013
Telephone:401-301-3919
Cinemaddoxstudios@iCloud.com
Pro Se Sui Juri

CERTIFICATE OF WORD COUNT FOR INFORMAL BRIEF

Case No.

Case Name: Gary Eugene Maddox v The United States of America

Title: petition for Certiorari /Appendix

I Hereby Certify that the accompanying writ of certiorari /Appendix which was prepared using century schoolbook 12-point typeface, contains 2183 words, excluding, the parts of the document that are exempted by Federal Rules of Appellate Procedure, Rule 32. and that this certificate was prepared in reliance on the word-count function of the word-processing system (Microsoft Word Mobile,) used to prepare this document.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 30th day of July 2025.

Gary Eugene. Maddox Jr
Cinemaddox Productions
PO Box 1136 Washington DC 20013
Telephone. 401-301-3919
Cinemaddoxstudios@icloud.com
Pro Se Sui Juris
/s/