

25-5622

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
AUG 21 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Tara Jean McManus — PETITIONER
(Your Name)

Frank Bisignano vs.
Commissioner of Social Security — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Ninth Circuit.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Tara Jean McManus
(Your Name)

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35ter2

QUESTIONS PRESENTED:

At just 3 years old my life was irrevocably altered. What followed has been a 24 year Pursuit for Justice-through investigation, litigation, and relentless advocacy.

Today, I bring this Court a critical question:

Did the Ninth Circuit error in dismissing case: 25-409 (Appendix: A-1) that carries not only personal consequence, but broader implications for procedural fairness and access to justice?

Defendant put in a motion that Plaintiff was late in submitting the case to the Ninth Circuit. The Plaintiff had been accepted into the Ninth Circuit (Appendix: A-3) Court and the explanation accepted (Appendix: D-2). In 2021 the Ninth Circuit found allowing late documents in disability cases (Smith v. Kijkazi no.20-35487) and 2023 Higgins v. Kijkazi.

The Plaintiff brought forth a “document change “in Western Washington District Court (Appendix C-1 and C-2), The Defendant was ordered to withdraw the motion (Appendix C-3). The Plaintiff argues this act to gain advantage of a case in the matter is against 18 U.S.C. 1001. The Plaintiff respectfully contends that the Defendant should be stopped from asserting any argument based on an asserted date, given the prior misconduct in another court. I Respectfully request the court to grant the Writ of Certiorari . The case involves Constitutional violations and has procedural Injustices.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

1. Western Washington District Court.
DOC. 2:23-CV-01248-RSM (2023).
2. Superior Court of Washington; Juvenile
No. 17-7-005124 SEA (2018).
3. The Court of Appeals STATE of Washington.
(2023).

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INDEX TO APPENDICES

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A 2. Denial 25-409; 3/3/25 DKT 9.1 Pg 1 of 1.
A 3. Accepted case 25-409 1/21/25 DKT 2.1 1 of 2.

Judgment Civil Case C 23-1248 RSM DKT 42 9/5/24 ref 1.
APPENDIX C 1. Social Security Document w/ DATE importance.
C 2. Social Security Document w/ DATE Change.
C 3. ORDER of motion to Withdraw ORDER to Dismiss
BASED ON DATE DISCREPACIES.

APPENDIX DA 1. Court of Appeals Notice to wrong Court 1/20/24.
DB filed by Court of Appeals 10-23-24 before error found.

APPENDIX E 1. Letter to 9th Circuit Court why motion late to error.

Appendix 71. Superior Court of Washington Guardianship 1.
72. Superior Court of Washington Guardianship 2.
17-7-00512-4 SEA

Appendix G: Environmental Impact Statement 1991
Scene of Accident causing Disability

Appendix H: Picture of the Accident Vehicle and
position of Plaintiff.

Appendix I: Letter from Son - Impact Statement.

Appendix J: Surface street intersection.

TABLE OF AUTHORITIES CITED

CASES

		PAGE NUMBER
Smith v. KifKazi	2021 (No-20-35-487)	QUESTIONS
Higgins v. KifKazi	2023	PAGE
Keffeler v. STATE of Washington	HANDLING OF FUNDS SSI (2001)	— pg. 5.
Sullivan v. Zeldes (1990)	SSI REGULATIONS	— pg 5.
Spencer v. Krause	NO. 14-35689 (2017)	— pg 5.
	9th circuit	LATE DOCUMENTS
United States v. Aguilar	1995	—
	KNOWINGLY ALLOWED OBSTRUCTION	—

STATUTES AND RULES

RCWA 13.34	THE RIGHT TO ESTABLISH HOME AND PG. 1 RAISE CHILDREN IS THE MOST BASIC OF CIVIL RIGHTS.	— STATEMENT
18 USC 1001	IT IS ILLEGAL TO Falsify MATERIALS, — PG. 3.	
Statute 42 U.S.C. 12102	Mitigating MEASURES NOT ALLOWED	
ADA ACT OF 2008	WITHOUT MITIGATING MEASURES. — PG. 7.	
ADA ACT OF 1990 121.31	— STATEMENT	
	PAGE	
	4	

OTHER

May 2011 WA Supreme Court strikes DSHS rules	—
OF DISCRIMINATION ON CHILDREN W/ DISABILITIES.	
Goldberg v. Kelly, 397 U.S. 254 (1970)	— pg 6.
(Pom 3RS 00203.015) PUBLIC LAW 104-193	
Rocking the Cradle Report, 2012-2008	— pg 7.

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 judgment below.

OPINIONS BELOW

[] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

reported at Ninth Circuit Court; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

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JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 5-29-25.

[] No petition for rehearing was timely filed in my case.

[] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[] For cases from **state courts**:

The date on which the highest state court decided my case was 9-25-24.
A copy of that decision appears at Appendix B.

[] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Constitutional : 14th Amendment (Due Process and Equal Protection).

STATUTORY : Americans with Disabilities Act
(42 U.S.C. §12132), Rehabilitation Act
(21 U.S.C. § 794, Civil Rights Act (42 U.S.C.
§ 1983

The petitioner has been denied meaningful access to judicial remedies. There are statutory protections which prohibit discrimination by public entities and federally funded programs. Relief is sought pursuant to 42 U.S.C. §1983).

The petitioner respectfully requests the court to determine the petitioner's disability status be retroactive to 2001, the original onset supported by medical records. Should it be to 2018 the date of application and recognition of the disability. Currently active is a case in Oregon 2017, parents with law 201. (case study by Goltz + Gordon; parental rights foundation.org). One child has been returned the other still in progress. When I find cases like this, I can't help but wonder - when did justice go wrong here.

1
2 STATEMENT OF THE CASE
3

4 I'm praying the Court hears my case on the Specific Issue, should case 25-409 been
5 dismissed on date issue. If accepted, the Plaintiff hopes the Court will discover the stake
6 of the outcome reaches beyond the single question of the Ninth Circuits decision. This
7 case exposes deeper systemic failures, overlooked rights, and urgent truths that
8 demand attention.

9
10 A young mother, was separated from her children, due to a Disability found to be of
11 Immaturity (8-14-year-old), Cognitive Issues (Migraines-Sleep Problems), Behavior
12 Disorders (anxiety, phobia and PTSD). **The Dichotomy is at age 12, the Plaintiff was**
13 **found to not need SSI benefits any longer.** Due to improved behaviors in middle school.
14 Plaintiff remained on IEP/504 status through the incompletion of High School due to
15 issues with reading, writing, and math comprehension.

16
17 Was it wrong to take the Plaintiff off SSI while under medication when no improvement in
18 Cognitive Issues and Academics? Plaintiff finds this a Violation of the ADA 1990 121.31.
19 Were the Plaintiffs Title 13 rights violated by not providing adaptions to aid
20 Unification with son (Appendix E-1 and E-2)? The Plaintiff wasn't allowed the right to
21 establish home and raise children. This is the most basic of civil rights
22 (RCWA13.3418). Was Child Protective Services wrong in the assessment used by DR
23 Milner to remove custody of the plaintiff's child?

24
25 In research to discover many questions like, how is it possible to be taken off
26 Disability, found again to have the Disability, but not be eligible for Social Security
27 Benefits again?

28
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1
2 The Plaintiff found DSHS faced many Challenges with handling of Social
3 Security Benefits for mothers also receiving Public Assistance at the time (Keffeler v. State
4 of Washinton DSHS 2004 and Sullivan v. Zebley in 1990). Could my case been effected by
5 the findings of this error. Former Superior Court Judge Dubuque of Washington, had a
6 family member this happend to at same time frame.

7
8 Other challenges faced, were the Neuro Psych report form Dr. Milner not allowed 5
9 days late into ALJ hearing with Social Security in 2019-2021 Disability claim. This is
10 against the adaptions of the ADA of 1992 sec 504. Special care and concern is given to
11 parents who've received 504 Benefits. Plaintiff was also told enough Dr. Visits in 2019
12 -2020. This was during covid, one FLAT OUT Wasn't ALLOWED at this time of Pandemic.
13

14 In 2017-2019 Disability claim, the ALJ (Kennedy) listed the following erroneous reasons
15 and declaratory judgement:

16 Plaintiff parent didn't show up at the SSI hearing in 2001, The Plaintiff drives a car (with out
17 license), the claim should have been filed as an adult not adult child.

18 The Plaintiff is malingering. Really, after losing custody of your child? Is this Tolling?

19
20 Today, is not just about resolution, but accountability and Justice. How is it that an 8-14
21 year old should be able to obtain Substantial Gainful Employment, with cognitive and
22 behavioral issues that affect the basic human right of raising children.
23 reports such as Rocking the Cradle 2008 and 2012 addressed to the President are given
24 more substance. This Plaintiffs case story is a classic example of what happens when
25 there is a disconnect between state and federal Governed programs.
26
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2 Reasons to Grant Petition
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5 The Supreme Courts Guidance is needed to settle the matter definitively.
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7

8 Has there been an error in Due Process. When did the error occur and what should be the
9 equitable outcome or restore procedural fairness between Child Protective Services and
10 Social Security.
11
12

13 Has there been Constitutional Violations:
14
15

16 In Substantive Due Process: Evaluating a child's disability while medicated, constitutes
17 A capricious decision. Goldberg v. Kelly, 397 U.S. 254 (1970).
18
19

20 Has there been an error in Due Process:
21
22

23 At the age of 12 the Plaintiff lacked legal capacity and didn't have adequate
24 Representation parentally or professionally. Minors under 18 are presumed to not have
25 the capacity to represent themselves (Parham v. J.R.; 442 U.S. 587 (1979)).
26
27

28 In 2018 was Child Protective Services wrong in using Dr. Milner's Neuro Psych Report
29 finding the Plaintiff Disabled. When Social Security has found erroneous reasons to not
30 Allow this report as current medical data.
31
32

33 In 2019 was it wrong of Kennedy to find 3 erroneous reasons to deny Plaintiff Benefits that
34 Have created issues in other courts.
35
36

37 In 2021 was it wrong for the ALJ to determine Dr. Milner's report is 5 days late and can't be
38 used to determine current eligibility. The Plaintiff has a history of 504 adaptions and
39 Wasn't granted, a potential violation of ADA of 2008.
40
41

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43 6.

1
2 In 2023 was it wrong for the Court Clerks in Western Washington District Court to uphold
3 Ultimately the Plaintiff should have presented at 12 years old to defend themselves.
4 Recently, the Ninth Circuit accepted case 25-409 for review. Then dismissed in favor of the
5 Defendant violating 18 U.S.C. 1001.

6
7 Given the impact this case reveals about systemic social disparities, it is imperative inter-
8 agency communication protocols be reformed. Fragmented systems perpetuate injustice,
9 Coordinated actions is a good step forward.

10
11 This is of Social importance; In 2008 and 2012 Rocking the Cradle;
12 reports to the Presidents petitioning the discrepancy between agencies and people with
13 Disabilities.

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CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Tara Mc Manus

Date: August 18, 2025

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