

ORIGINAL

No. 25-5752

FILED
SEP 24 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

CLERK, Supreme Court of the
United States, WASHINGTON D.C
IN THE

SUPREME COURT OF THE UNITED STATES
UNITED STATES COURT of
APPEALS for the FEDERAL Circuit
Olivia C. DAVID, ON BEHALF OF
^{wid} ~~Dr~~ HAROLD E. DAVIE — PETITIONER
(Your Name)

vs.
MERIT SYSTEM
PROTECTION BOARD — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Petition for Review of THE Merit System
PROTECTION BOARD in No. SE 0831-18-0327-I-1.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Olivia C. DAVIE
(Your Name) (Widow) of HAROLD D. DAVIE

19264 Pine Way
(Address)

Apple Valley, CA 92308
(City, State, Zip Code)

760-217-0356
(Phone Number)

QUESTION(S) PRESENTED

1. WHY DID DPM CONTINUE TO TAKE OUT MONEY FROM HAROLD E. DAVIE CHECK, WHILE, THE CENTRAL DISTRICT FAMILY LAW at 111 N. HILL STREET, LOS ANGELES CA 90012 COURT CASE # D913226 MINUTES ORDERS ATTACHED SAID " COURT DATE 4/27/2011 " WIFE SHELL RECEIVE \$150.00 PER MONTH UNTIL X-WIFE RE-MARRIED. MS. MARY ELLEN GORDAN MARRIED APRIL 1977. BUT WHY DID DPM NOT OBEY THAT COURT ORDER. TO STOP
2. WHY DID DPM PAY EX-WIFE OVER 35 years, AND NEVER STOPPED, UNTIL EX-WIFE RECEIVE THAT MONEY, UNTIL HAROLD E. DAVIE DIED IN JUNE 2018. ATTACHED LETTER.
3. WHY DID DPM PERSONNEL MANAGEMENT OFFICE NOT OBEY THAT ORDER. + WHY ARE ~~THEY~~^{THEY} AT PRESENT IN CONTEMPT OF COURT FOR NOT OBEYING THAT ORDER?
4. WHY DID DPM CAUSE HAROLD E. DAVIE, PRESENT WIFE, OLIVIA C. DAVIE NOT TO GET HUSBAND RETIREMENT. LETTER ATTACHED.
5. WHY IS THEIR A CASE STILL PENDING IN COURT OF DPM IN CONTEMPT OF COURT.
6. WHAT IS DPM DOING WITH HAROLD E. DAVIE RETIREMENT FUNDS FROM (MONEY) NOW?

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:

HONORABLE MARK C. SCARSI, DISTRICT
JUDGE, UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA,
SITTING BY DESIGNATION.

RELATED CASES

1. OPM PERSONNEL MANAGEMENT OFFICE
"they were the office that received the
CASE # D913226 IN 1977.
↓ MARY ELLEN JORDAN (DAVIC) CASE D913226 ^{10/4/1977}
HAROLD E. DAVIC CASE D913226 10/4/1977
SUPERIOR COURT OF CALIFORNIA COUNTY.
CASE ATTACHED COPY JUDGMENT ENTERED - APRIL 27, 2011

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REASONS FOR GRANTING THE WRIT

CONCLUSION Decided: May 8, 2025, 6/27/2025 (Judgment)
Attached x2 CASE 24-2318 JUDGMENT

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- APPENDIX A S. APPX. 34-35² OPM 5 C.F.R. S. APPX 36-37
S. APPX. 39-43, APPX 12. Id. At 11-21
- APPENDIX B Superior court of CALIFORNIA - 4506(2) Judgment
- APPENDIX C Denying appeal (Federal OPM)
- APPENDIX D State Superior - 10/1977/ APRIL 27, 2011 - Need
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- APPENDIX F

TABLE OF AUTHORITIES CITED

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ON Petition For PANEL Rehearing
DLIVIA C. DAVIE, ON BEHALF OF HAROLD E. DAVIE
V. MERIT SYSTEMS PROTECTION BOARD
Respondent 2024-2318 BOARD IN NO
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CUNNINGHAM, Circuit Judge, AND SCARSI,
District Judge. Page 2

(ATTACHED)
STATUTES AND RULES Page 2 - FINAL Decision
denying as untimely request to elect a survivor
annuity benefit for his wife, Mrs. Davie
S. Appx. ~~34~~³⁵ 34-35² Id. at 35; 5 C.F.R.
1201.22(b)(1) on Dec. 13, 2017. BOARD. S. Appx. 36-37

OTHER DPM, WOULD NEVER ANSWER my questions
IF DPM HAD obeyed the Court Order By Superior
Judge order to STOP sending Ex-Wife money over
30 to 40 years after she had re-married. then none of these
would have happen. SAYING we were LATE & UNTIMELY
In our appeal of putting me present wife on his Retirement
In mean they continue to send x-wife money

5/08/2025

ATTACHED
DOCUMENT 31
page 2

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 34-35² to the petition and is

- reported at denying petition APP 1-9; 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 5 C.F.R. to the petition and is dismiss

- reported at Id. At 1-3; 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.

JURISDICTION

For cases from federal courts:

The date on which the United States Court of Appeals decided my case

was May 8, 2025, June 27, 2025

W.M.D.J.

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: June 27, 2025, and a copy of the order denying rehearing appears at Appendix 5 C.F.R.

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:

Los Angeles Superior Court

The date on which the highest state court decided my case was June 27, 2025

A copy of that decision appears at Appendix 5 C.F.R. Copy Attached

Husband Died June 2018.

A timely petition for rehearing was thereafter denied on the following date:

June 27, 2025, and a copy of the order denying rehearing

appears at Appendix _____. CASE WAS ONLY IN MY HUSBAND

NAME HAROLD E. DAVIE

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) See CASE ATTACHED

BECAUSE (HUSBAND) DIED JUNE 2018, I WAS NOT ABLE TO GO BACK TO COURT ON THIS CASE.

FOR OVER 30+40 YEARS DPM IN ERROR

TOOK MONEY OUT OF HIS CHECK. IT WAS A PROPERTY TO BE PAID, WAS PAID IN FULL, WAS

TO ALSO STOP ONCE HIS EX-WIFE NAMED MARY ELLEN JORDAN RE-MARRIED. THEY NEVER STOPPED

ONLY AFTER HIS DEATH. DPM PAID IN ERROR

Attached from court
5/8/2025 Document 31 page 2

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

CASE 24-2318

831.1704 Qualifying court orders

(a) A former spouse is entitled to a portion of an employee's retirement benefits

But when she remarried, the benefits ~~stop~~ stop. DPM never obeyed the court order in case # D913226 IN 1977, when ex-wife married. DPM continue in error sending ex-wife money up until my husband died in 2018 over 40 years plus.

(b) the court order must state the former spouse's share of annuity. The court judge in the case "judge stated wife is to receive property settlement ~~to~~ ^{over} HALF UNTIL paid in full. Or until she re-married. She remarried in 1977.

(c) DPM will review court orders to determine if former spouse should continue to receive a portion.

(i) orders will be honored is invalid in accordance with 831.1709.

(ii) payment(s) by DPM within the 30-day notice period prescribed in 831.1708, but will not be honored even if the retiree raises only a general objection to payment by DPM within that 30-day notice period.

Husband file case with court, because DPM did not stop taking money from husband's account.

CONTINUE page

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CONSTITUTIONAL AND STATUTORY
PROVISIONS INVOLVED.

(2) WHEN A Timely Response to the
NOTIFICATION is RECEIVED, the ASSOCIATE
DIRECTOR WILL CONSIDER the RESPONSE, the
former SPOUSE'S CLAIM WILL be DENIED.

DPM RECEIVED JUDGE ORDERS &
MINUTE'S ORDERS TO EXPLAIN THE CASE
& THE LAW "WHEN A EX-WIFE REMARRIED
THE ORDER FOR SUPPORT ENDS. DPM PAID
EX-WIFE UP UNTIL MY HUSBAND DIED IN 2018
NEVER EVEN SAID THEY MADE AN MISTAKE,
I HAVE ALMOST LOSS MY HOME DUE TO THEIR
MISTAKE & MY HUSBAND WAS SO ANGRY WHEN
HE DIED HE WAS UNDER THE VA DOCTOR FOR
ANGER & WAS AFFECTING HIS HEART HE WAS
DEPRESSED. HE KNEW HE WAS SICK & WHEN HE DIED,
HE KNEW I WOULD HAVE NO SUPPORT. EVEN IN
DPM DENIED MY CASE, THEY NEVER MENTION
THE COURT CASE. NOW I AM FIGHTING THIS FASTER
WORK IS OK, & THAT YOU TOO, WILL NOT
DANG MY CASE. I HAVE NO CAR FOR GOING AN HOUR
& 45 MINUTES TO MY DOCTOR THE CANCEL HOSPITAL
MY WORKER TAKE ME. OLIVIA C. DAVIE

Letter Attached
(Page 1+2 of 1993)

STATEMENT OF THE CASE

Since 1993 my husband - HAROLD E. DAVIE
Wrote letters to OPM, To obey the Court
ORDER from the Superior Court
of CALIFORNIA, County of Los Angeles
CASE Number D-913226 10/4/1977 +
SAME CASE # D-913226 04/2011 where Judge
ORDER Office of Personnel Management
To STOP TALKING money from check, + sending
It to his Ex-wife, Mary Ellen Jordan.
after she re-marriage IN 1977, OPM
CONTINUE TO send money To Ex-wife until
my husband HAROLD E. DAVIE, In the court case
OPM, WAS IN CONTEMPT of COURT. We widow
OLIVIA C. DAVIE marriage HAROLD E. DAVIE
August 14, 2004 He TRIED TO put me on his
retirement up unto his death IN June 2018.
But OPM, NEVER STOP sending money To Ex-wife.
When the Court Order - said TO STOP ONCE
she re-married. OPM Error CAUSE all of these
problems, I At present could loss my home due
OPM, In the Court Record, they will not say
Anything About this problem, they only SAY we did
not put me on his retirement IN time. But
my husband HAVE BEEN TRYING TO put me on his
retirement since 1977. Court Records Attached
+ the minute order telling OPM, STOP TALKING money out.

ATTACHED IS CASE OF SUPERIOR COURT OF CALIFORNIA
CASE # D 913226, WHERE OPM DID NOT OBEY COURT ORDER
TO STOP SENDING MONEY TO HIS EX-WIFE, AFTER SHE IS
RE-MARRIED IN 1977.

REASONS FOR GRANTING THE PETITION

CASE-# D-913226 CASE IS STILL OPEN, AND
OPM IS IN CONTEMPT OF COURT, FOR NOT OBEYING
that order. My HUSBAND HAVE BEEN UP UNTIL
His death, He HAVE BEEN appealing this. We
married 2006, then I start appealing with
my HUSBAND trying TO ADD me to his Retirement
OPM HAD their own Retirement PLAN WITHIN.
that WAS A PROBLEM, At Present they NOW HAVE
the SOCIAL SECURITY SYSTEM. AFTER my
HUSBAND DEATH, I TOOK OVER the APPEAL, TO ADD ME
TO HIS Retirement, ON CASE# 2024-2318 ON
JUNE 27, 2025, the UNITED STATE COURT OF APPEAL
FOR the FEDERAL CIRCUIT DENYING my APPEAL
TO three judges, FINAL Decision AS NOT timely
TO elect A SURVIVOR ANNUITY benefit for his wife
Olivia Davie. APPX. 34-352. IF OPM HAVE OBEYED
the COURT ORDER, I HAD STOPPED TAKING money
FROM my HUSBAND ACCOUNT, SENDING TO EX-WIFE
THIS WHOLE COURT APPEAL, WOULD HAVE NEVER
HAPPEN. all of my married TO my HUSBAND, we
HAVE BEEN appealing, my HUSBAND died very ANGRY
WITH DIED very ANGRY WITH OPM HAVING HEART ATTACK
I HAD CANCER, UNDER PSYCHIATRIST, Depression,
ANXIETY, STRESS AND PANIC ATTACKS. USE my HUSBAND
INSURANCE FROM OPM, IN 2018, HUSBAND DIED, OPM
CANCEL my INSURANCE. I HAVE ALMOST LOSS my HOME
LOSS OUR family car. At present I may still lose my
HOME. all these years appealing OPM ERRORS.
PLEASE HELP ME SOON. Olivia C. Davie. 760-217-0356

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Olivia C. Davie

Date: September 23, 2025