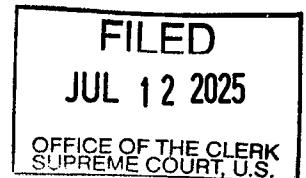


ORIGINAL

25-6011



IN THE
SUPREME COURT OF THE UNITED STATES

JOHN DE LIGHT,
Petitioner,

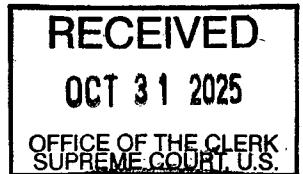
v.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE;
CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES;

LAURA DE LIGHT,
Respondents.

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

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Petitioner, pro se



I- QUESTIONS PRESENTED

1. Automatic Preemptive Rulings and Judicial Overreach

Whether a state court violates basic principles of due process by issuing preemptive rulings—such as transferring jurisdiction or resolving key issues—*before* an appeal has concluded and before the litigant has had a full opportunity to present evidence and argument, thereby denying a meaningful hearing “at a meaningful time and in a meaningful manner.” *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

2. Mooting of Appellate Review Through Automatic Preemptive Transfer Orders

Whether an appellate court may issue an automatic preemptive transfer of jurisdiction—triggered by issuance of the remittitur—while key disputed issues such as the case transfer itself, move-away, custody, , and children’s exposure to harmful religious practices are still under appeal, thereby mooting those claims and depriving the appellant of the right to a full and fair appellate review under the Fourteenth Amendment.

3. Loss of Remand Authority and Foreclosure of Remedies

Whether due process is violated where, because of an automatic preemptive jurisdictional transfer to another state, the originating state court loses the authority to remand or enforce any appellate decision—even if the appellant prevails on appeal—thus rendering the appeal an empty formality.

4. Equal Protection and Discriminatory Fee Enforcement

Whether a state court violates the Equal Protection Clause by dismissing a father’s appeal for non-payment of court fees while allowing the mother to proceed based on a fee waiver obtained through fraud, creating an arbitrary and discriminatory access barrier to appellate justice.

5. Gender-Based Discrimination in Family Law Proceedings

Whether systemic practices in state family courts—such as disparate treatment of mothers and fathers in custody, credibility, and access determinations—violate the Equal Protection Clause when fathers are routinely penalized, dismissed, or denied relief due to implicit gender bias.

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II-PARTIES TO THE PROCEEDING

Petitioner:

John De Light, Respondent-Appellant in the courts below.

Respondents:

Superior Court of California, County of Riverside, Respondent below.

California Department of Child Support Services, Respondent below.

Laura De Light, Real Party in Interest and Respondent below.

III-RELATED PROCEEDINGS

- **California Supreme Court**

De Light v. De Light, Case No. S290110 – Petition for review denied on April 16, 2025.

- **California Court of Appeal, Fourth Appellate District, Division Two**

De Light v. De Light, Case No. E079226 – Petition for writ of mandate to vacate transfer order to Iowa. Petition denied with automatic transfer to Iowa, regardless of appeal outcome

De Light v. De Light, Case Nos. E079240 & E082476 – Pending consolidated appeals arising from custody, support, and transfer orders.

De Light v. De Light, Case No. E084235 – Appeal from post-judgment orders after second trial; dismissed for failure to pay filing fee.

De Light v. De Light, Case No. E066256 (Cal. Ct. App. 2018).) Appeal from first trial; judgment reversed due to judicial errors.

- **California Superior Court, County of Riverside**

De Light v. De Light, Case No. RID1302119 – Underlying family law matter; includes second trial and post-judgment proceedings.

IV- OPINIONS BELOW

The order of the California Supreme Court denying the petition for review and application for stay was entered on April 16, 2025. A copy of that order is reproduced in **Appendix A**.

The unpublished opinion of the California Court of Appeal, Fourth Appellate District, Division Two, in consolidated appeals **E079240** and **E082476**, granting a fee waiver based on fraudulent misrepresentations, is reproduced in **Appendix B**.

The unpublished opinion of the California Court of Appeal, Fourth Appellate District, Division Two, in the same consolidated appeals, denying a motion to vacate its order granting a fee waiver based on fraudulent misrepresentations, is reproduced in **Appendix C**.

The unpublished opinion of the California Court of Appeal, Fourth Appellate District, Division Two, in the same consolidated appeals, denying a motion for reconsideration to vacate its order granting a fee waiver based on fraudulent misrepresentations, is reproduced in **Appendix D**.

The unpublished opinion of the California Court of Appeal, Fourth Appellate District, Division Two, in writ proceeding Case No. E079226, lies at the heart of this petition. In that ruling, the appellate court not only affirmed a trial court order that lacked the mandatory jurisdictional findings required under the UCCJEA, but also took the extraordinary step of preemptively ordering the automatic transfer of the case to Iowa upon issuance of the remittitur in the still-pending appeal, Case No. E079240. This unprecedented maneuver effectively mooted the appeal, denied Petitioner meaningful appellate review, and violated fundamental constitutional guarantees of due process and equal protection. A copy of this constitutionally defective order is reproduced in **Appendix E**.

The unpublished ruling of the Riverside County Superior Court in Case No. RID1302119, ordering the transfer of the case to Iowa based on a generalized finding of “good cause,” rather than the mandatory jurisdictional findings required under the UCCJEA, is reproduced in **Appendix F**.

The unpublished order of the California Court of Appeal, Fourth Appellate District, Division Two, in **Appeal No. E084235**, dismissing Petitioner’s appeal for failure to pay filing fees, is reproduced in **Appendix G**.

The sua sponte motion issued by the Riverside County Superior Court in Case No. RID1302119, initiating proceedings to transfer jurisdiction to Iowa—**without identifying any legal basis or making the mandatory jurisdictional findings required under the UCCJEA**—is reproduced in **Appendix H**.

V- JURISDICTION

This Court has jurisdiction under **28 U.S.C. § 1257(a)**, which authorizes review of final judgments or decrees entered by the highest court of a state in which a decision could be had. The California Supreme Court denied Petitioner’s petition for review and application for stay on **April 16, 2025 (APPENDIX A)**.

Pursuant to **Supreme Court Rule 13.1**, this petition is timely filed within **90 days** of that denial, with a deadline of **July 15, 2025**. No petition for rehearing was filed in the California Supreme Court. The judgment is therefore final for purposes of this Court’s jurisdiction.

VI- CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- U.S. Const. amend. I – Free Exercise Clause**

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof....”

- U.S. Const. amend. XIV, § 1 – Due Process and Equal Protection Clauses**

“No state shall... deprive any person of life, liberty, or property, without due process of law; nor deny to any person... the equal protection of the laws.”

- **28 U.S.C. § 1257(a)**
“Final judgments or decrees rendered by the highest court of a State... may be reviewed by the Supreme Court by writ of certiorari....”
- **California Family Code § 3427**
Requires a California court to make express findings before declining jurisdiction in child custody matters under the UCCJEA.
- **California Government Code § 68636(b)**
Mandates an evidentiary hearing where there is reason to believe that a fee waiver application contains fraudulent information.
- **California Code of Civil Procedure § 473(d)**
Authorizes courts to set aside any void judgment or order, either on the court’s own motion or upon request by a party.
- **California Penal Code § 118(a)**
Defines perjury as knowingly making false statements under oath in any judicial proceeding.
- **California Penal Code § 134**
Criminalizes the act of preparing or offering forged, fraudulent, or false evidence in any legal proceeding.
- **California Family Code § 2107(c)**
Governs sanctions for failure to provide truthful and complete disclosures in divorce or child custody proceedings.
- **California Family Code § 3040(c)**
Prohibits judicial preference in custody determinations based on a parent’s sex, gender identity, gender expression, or sexual orientation.
- **California Family Code § 3020(d)**
Declares California’s public policy against discrimination in custody matters based on sex, gender identity, or sexual orientation, reinforcing § 3040(c).

VII- INTRODUCTION

This case lies at the intersection of parental due process rights, equal access to appellate justice, and the constitutional limits on preemptive jurisdictional transfers in interstate child custody litigation.

Petitioner John De Light, a California father, has been litigating custody of his two minor daughters under California law for over a decade. Without conducting the evidentiary hearing required by the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), and without making the statutorily mandated findings, the Riverside County Superior Court ordered the transfer of the case to Iowa (APPENDIX F). While Petitioner’s appeal of that transfer was still pending, the California Court of Appeal entered a conditional writ of mandate directing that jurisdiction automatically shift to Iowa upon issuance of the remittitur (APPENDIX E)—effectively mooting the pending appeal before it could be decided.

That maneuver raises constitutional concerns of national importance. It deprives Petitioner of meaningful appellate review in violation of the Fourteenth Amendment and establishes a procedural precedent that threatens the integrity of appellate review in family law cases involving interstate jurisdiction. The preemptive transfer order not only nullifies the central legal issues on appeal—such as the legitimacy of the move-away order and the jurisdictional transfer itself—but also forecloses California’s ability to remand the case back to its own courts, even if Petitioner prevails on appeal.

Worse still, Petitioner’s prior appeal was dismissed for failure to pay filing fees (APPENDIX G), while the children’s mother was permitted to litigate without payment under a fee waiver obtained through material misrepresentations of her California residency (APPENDIX B). This asymmetry in access to justice—father pays or is dismissed, mother lies and litigates for free—raises stark Equal Protection concerns and illustrates a broader pattern of systemic gender bias against fathers in United States family courts.

This petition raises urgent constitutional questions of national importance, including:

- (1) Whether appellate courts may lawfully authorize the transfer of child custody jurisdiction to another state **before appeals are resolved**, effectively mooting the appellate process and denying due process;
- (2) Whether such preemptive transfers **deprive litigants of meaningful appellate review**, including issues like custody, move-away orders, and religious exposure, that would otherwise be subject to appellate adjudication;
- (3) Whether the **loss of remand authority** resulting from such transfers violates the Fourteenth Amendment by foreclosing judicial remedies even if the appeal is successful;
- (4) Whether **unequal enforcement of filing fees**, particularly where one party’s fee waiver was granted through fraud, violates the Equal Protection Clause; and
- (5) Whether **systemic gender bias** in custody proceedings—such as discriminatory financial burdens, suppression of a father’s testimony, and disregard of religious objections—violates the Constitution’s guarantees of equal protection, due process, and free exercise of religion.

This Court’s intervention is necessary to prevent these serious constitutional violations from evading review.

VIII- STATEMENT OF THE CASE

Petitioner John De Light is a California father of two minor daughters who has spent over a decade litigating custody, visitation, and support issues in California courts. In 2013, Petitioner's former spouse, Laura De Light, clandestinely relocated the children to Iowa and initiated divorce proceedings in Riverside County, California. Petitioner promptly sought emergency relief to return the children to California, but his request was denied. At trial in 2016, the family court refused to hear evidence on custody, move-away, or visitation. On appeal, the California Court of Appeal reversed the trial court's judgment and ordered a new trial. (See *De Light v. De Light*, No. E066256 (Cal. Ct. App. 2018).)

In 2021—nearly a year before the new trial, the trial court, *sua sponte*, filed a motion to transfer the case to Iowa (APPENDIX H), without identifying any legal basis for the motion. This motion was repeatedly trailed and not substantively addressed until June 2, 2022, when the trial court also issued a **nunc pro tunc** order granting the transfer to Iowa (APPENDIX F)—without holding the evidentiary hearing required under the UCCJEA (Cal. Fam. Code § 3427) and without making the statutory findings necessary to relinquish jurisdiction and with no litigants being at court.

Petitioner filed a petition for a writ of mandate (Case No. E079226) to halt the immediate transfer of the case to Iowa. In parallel, Petitioner filed an appeal (Case No. E079240) challenging the underlying judgment on multiple constitutional grounds, including the denial of his right to present a case-in-chief, the improper grant of a move-away order, the transfer of the case without statutory findings, custody and visitation orders issued without an evidentiary hearing, suppression of testimony, and reliance on an outdated custody evaluation.

The California Court of Appeal denied the writ of mandate (Case No. E079226) but issued a temporary stay of the transfer. However, it took the extraordinary step of declaring that the stay would automatically lift upon issuance of the remittitur in Appeal No. E079240 (APPENDIX E)—**thereby preemptively mooted all issues raised in the pending appeal**, including the legality of the transfer itself.

Beginning in July 2022, Respondent Laura De Light (Respondent RPII) initiated a pattern of fraud upon the California Court of Appeal by filing a fee waiver application that falsely asserted California residency. Specifically, on July 11, 2022, Respondent declared under penalty of perjury that she was receiving Medi-Cal benefits, which are only available to residents of California. However, Respondent has continuously resided and been employed in Iowa since April 25, 2013. Her claim of Medi-Cal eligibility was categorically false and disqualified under California law. This misrepresentation induced the Court of Appeal to improperly grant her a fee waiver (APPENDIX B), enabling her to participate in appellate proceedings without paying the required filing fees and thereby rendering her appearance procedurally void.

On July 12, 2022, the Court of Appeal granted the fee waiver based solely on Respondent's false assertion of Medi-Cal eligibility. This waiver directly enabled her to file briefs and participate in Case No. E079226 without the payment of fees, and without verification of eligibility.

On July 22, 2022, relying in part on those improperly submitted filings, the Court of Appeal denied Petitioner's writ of mandate challenging the trial court's transfer of jurisdiction to Iowa. (APPENDIX E), In doing so, the court issued a conditional order mandating that jurisdiction be automatically transferred to

Iowa upon issuance of the remittitur in Petitioner’s still-pending appeal in Case No. E079240—despite unresolved jurisdictional and constitutional claims.

Upon discovering concrete evidence of Respondent’s false statements and ineligibility, Petitioner filed a motion on January 23, 2025, requesting that the appellate court vacate its order granting the fee waiver and its subsequent jurisdictional transfer order. The Court of Appeal denied the motion on February 19, 2025, (APPENDIX C), erroneously asserting that it lacked authority to grant relief and that the request was untimely—even though California law recognizes that courts retain inherent and statutory power under Code of Civil Procedure § 473(d) to vacate orders obtained by extrinsic fraud.

On March 3, 2025, Petitioner moved for reconsideration, citing controlling precedent including *Evry v. Tremble* (1957) 154 Cal.App.2d 444 and statutory authority under CCP § 473(d). Nonetheless, the Court of Appeal summarily denied reconsideration on March 20, 2025, (APPENDIX D) without substantive review of the fraud claims or acknowledgment of the controlling authority. This repeated denial of relief perpetuated the fraud, impaired Petitioner’s appellate rights, and cemented a procedural injustice that deprived Petitioner of due process and equal protection under law.

Petitioner then sought review in the California Supreme Court, which denied his petition on April 16, 2025, without opinion (APPENDIX A). The result is a deprivation of due process and meaningful appellate review: once the remittitur issues, California courts will no longer have jurisdiction to rehear, remand, or enforce any ruling in Petitioner’s favor—even if he prevails on appeal.

Further compounding the injustice, the appellate court previously dismissed one of Petitioner’s appeals (Case No. E084235, APPENDIX G) for failure to pay a filing fee, while simultaneously granting a fee waiver to Ms. De Light based on false declarations of California residency (APPENDIX B). Petitioner presented evidence that Ms. De Light had not resided in California for years, but the appellate court refused to vacate the waiver (APPENDIX C) and even a motion for reconsideration (APPENDIX D), despite statutory requirements to investigate fraud (Cal. Gov. Code § 68636(b)).

Finally, Petitioner was barred from introducing evidence that his daughters were being exposed to deceptive religious practices under the guise of Christianity, despite objections rooted in his sincerely held beliefs. The family court denied his request for a hearing on this issue, raising concerns under the Free Exercise Clause.

This petition follows the California Supreme Court’s denial of review and seeks to restore constitutional protections stripped away by the combination of premature jurisdictional transfer, denial of access to the appellate process, and unequal treatment of litigants based on gender and economic status.

IX- REASONS FOR GRANTING THE WRIT

This case presents urgent constitutional questions about the erosion of due process, equal protection, and parental rights through the use of preemptive jurisdictional transfers in child custody cases. Review is warranted for the following five reasons:

I. Preemptive Rulings That Moot Pending Appeals Violate Due Process and Undermine the Integrity of Appellate Review

This case raises a critical constitutional question: **Can a state court transfer jurisdiction in a child custody proceeding while the legality of that very transfer remains under active appeal—thus extinguishing appellate review before it concludes?** Petitioner respectfully submits that the answer must be no.

The appellate court's order—authorizing transfer of jurisdiction to Iowa regardless of the outcome of the pending appeal in Case No. E079240—is not merely premature; it nullifies the appellate process itself. The effect is a **constructive denial of due process**, where the opportunity to be heard on appeal is retained in name only.

Once the case is transferred out of California, no California court will retain jurisdiction to rehear the matter or implement a remand, even if the Court of Appeal ultimately finds that the trial court erred or violated Petitioner's rights. This **loss of remedial authority** pre-decides the appeal in Respondent's favor and ensures that even a successful appeal will have no practical effect.

As this Court has long held:

“An opportunity to be heard must be granted at a meaningful time and in a meaningful manner.”

— *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)

“Access to meaningful appellate review is a fundamental aspect of due process when fundamental rights—such as custody and parental relationships—are at stake.”

— *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996)

“A parent must be afforded a full and fair opportunity to be heard before a change in custody can be ordered. This includes the right to present witnesses and evidence.”

— *Andrew V. v. Superior Court* (2015) 234 Cal.App.4th 103, 107

Here, the California Court of Appeal preserved an appeal in form while **rendering it unenforceable in substance**. The result is a **procedural bait-and-switch**: the Petitioner is permitted to appeal, but only so long as the outcome cannot affect the now-transferred case.

This undermines the fundamental purpose of appellate review and creates multiple constitutional harms:

- The move-away dispute is insulated from any judicial scrutiny;
- The pending appeal is rendered moot by the remittitur-triggered transfer;

- The appellate court, in effect, **resolves the controversy** against Petitioner without hearing his arguments;
- And Petitioner’s right to an effective legal remedy is extinguished before this Court or any other tribunal can act.

Moreover, this approach directly contravenes California Family Code § 3427, which requires judicial findings before declining jurisdiction—a safeguard never followed here.

In short, this case presents the Court with a **ripe opportunity to reaffirm the principle** that appellate review must be **more than an illusion**. It must be meaningful, enforceable, and protective of constitutional rights. The *status quo* adopted by California’s courts endangers due process, frustrates federal review, and creates a blueprint for future abuse in custody cases nationwide.

Moreover, The California Court of Appeal’s order authorizing an automatic jurisdictional transfer to Iowa—regardless of the outcome in Petitioner’s pending appeal—denied Petitioner a meaningful opportunity for appellate review. This decision violates the core constitutional principle that “**an opportunity to be heard must be granted at a meaningful time and in a meaningful manner.**” (*Loudermill v. Cleveland Bd. of Ed.*, 470 U.S. 532, 547 (1985)).

Once California relinquishes jurisdiction, no state court will retain authority to **remand, enforce, or reverse** the underlying orders, rendering the pending appeal in Case No. E079240 moot. As this Court has held, when a state offers appellate review in matters implicating fundamental rights—such as child custody—it must do so in a way that **ensures the appellate process remains effective**. (*Evitts v. Lucey*, 469 U.S. 387, 396–97 (1985)).

This is not merely a procedural defect. It is a **structural denial of due process**, as the state courts gave the illusion of appellate review while simultaneously stripping that process of enforceability. The Court of Appeal’s action also violates *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950), which prohibits final deprivations of liberty or property without a full and fair hearing.

Further, this case conflicts with *Griffin v. Illinois*, 351 U.S. 12 (1956), where the Court held that states cannot create appellate systems that functionally exclude litigants based on procedural barriers. Here, a procedural shortcut—transfer before resolution—deprived Petitioner of any realistic relief.

This Court’s intervention is urgently needed to reaffirm that **state courts cannot undermine appellate review by preemptively disposing of jurisdiction**, particularly in custody matters that implicate core family integrity, religious freedom, and equal protection rights.

II. The Preemptive Transfer Moots Live Constitutional Claims and Insulates Violations from Review

The order authorizing the transfer of jurisdiction to Iowa did not merely preempt appellate authority; it effectively **nullified Petitioner's live constitutional claims**.

Those claims include:

- **The right to oppose an unlawful transfer order;**
- **The right to oppose an unlawful move-away order;**
- **The right to present his case-in-chief at trial**, which was denied when the trial court abruptly closed his side of the case;
- **The right to due process in custody determinations**, including a meaningful evidentiary hearing under the UCCJEA;
- **The right to protect his children from harmful religious practices** to which they were covertly exposed without his knowledge or consent.

Each of these issues was raised in Petitioner's appeal. But by ordering an automatic jurisdictional transfer tied to issuance of the remittitur, **the Court of Appeal ensured those issues would never be reviewed or remedied**.

As the Supreme Court held in *Mullane*:

“An opportunity to be heard must be granted at a meaningful time and in a meaningful manner.”
— *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)

This opportunity was extinguished. California relinquished jurisdiction not after resolution of the constitutional claims, but **while they are still pending on appeal**. Once the case is transferred to Iowa, Petitioner loses any ability to:

- Raise California-specific legal arguments;
- Seek remand to California courts;
- Compel the production or evaluation of critical evidence;
- Or seek enforcement of any rights California law affords.

In effect, the appellate court insulated its own rulings from correction by a higher court, thereby **mooting federal constitutional issues** that would otherwise be subject to this Court's review.

The result is not just procedural unfairness—it is a **denial of substantive justice**, where parental rights are curtailed, but **no forum remains** to correct or review the violation. This undermines the entire principle of federal review under 28 U.S.C. § 1257(a).

Because these constitutional questions were live, preserved, and central to the litigation, **this Court’s intervention is necessary to preserve both federal oversight and the integrity of appellate review nationwide.**

III. The Transfer Order Renders Appellate Review Hollow by Foreclosing Any Remedy: California Courts Will Lose Remand Authority Forever

The Court of Appeal’s conditional transfer order ensures that, once the remittitur issues, **California courts will lose all jurisdiction over this custody matter.** This is not a theoretical concern—it is a known and certain legal consequence. As a result, **even if the appellate court reverses on the merits**, it will have no power to remand or supervise any further proceedings in California.

This makes the appeal effectively moot, and the appellate process itself a **charade**.

An appeal that cannot result in a remedy is not an appeal at all. The appellate court’s preauthorization of a transfer it cannot later undo constitutes a **constructive denial of review**, cloaked as procedural progress.

This undermines:

- **Remand authority** under *28 U.S.C. § 1257(a)*, which contemplates federal review of final judgments capable of enforcement;
- **California Family Code § 3427**, which requires judicial findings before relinquishing jurisdiction—none of which occurred here;
- And the principle of **meaningful appellate review**, a core requirement of due process.

The result is a legal **dead end**: the transfer order assumes the correctness of the underlying rulings, and by severing jurisdiction, the court ensures that **even if wrong, the rulings cannot be undone**.

This Court’s review is urgently required to **reaffirm the principle that appeals must retain their remedial power**. State courts cannot render appellate review meaningless by authorizing jurisdictional transfers that foreclose the very possibility of remand.

IV. The Decision Below Violates the Equal Protection Clause

The appellate court’s refusal to investigate or correct a fraudulent fee waiver granted to the children’s mother—while dismissing Petitioner’s appeal for inability to pay—created a two-tiered system of justice. Petitioner provided evidence that the mother falsely claimed California residency in violation of Government Code § 68636(b), yet the court declined to act.

This treatment violates the Equal Protection Clause of the Fourteenth Amendment: “No state shall... deny to any person within its jurisdiction the equal protection of the laws.” U.S. Const. amend. XIV, § 1.

V. Gender Bias in Family Law Warrants This Court’s Review

California Family Code §§ 3020(d) and 3040(c) prohibit discrimination based on sex in custody proceedings. Yet Petitioner, a fit and active father, was denied equal opportunity to assert his parental rights. The record reflects systemic deference to the mother’s claims—even those grounded in fraud—while the father faced sanctions, denial of hearings, and procedural roadblocks.

This unequal treatment of male parents, particularly in move-away disputes, implicates serious equal protection concerns that this Court has not recently addressed. The combination of procedural dismissal, jurisdictional transfer, and enforcement asymmetry warrants this Court’s intervention to restore fairness in the family law system.

VI. Irreparable and Compounding Prejudice Absent This Court’s Intervention

This case presents a rare and troubling instance where the combination of procedural shortcuts and jurisdictional manipulation deprives a parent of the opportunity for full adjudication. The California Court of Appeal’s preemptive remittitur order, which transfers child-custody jurisdiction to Iowa regardless of the outcome in the pending appeal (Case No. E079240), ensures that no meaningful federal or state review of the constitutional issues will ever occur.

If allowed to stand, the transfer will inflict the following concrete and irreparable harms:

Specifically, Petitioner will suffer the following prejudices:

1. Loss of Appellate Review of the Transfer Order

If the premature transfer order—issued through a writ of mandate rather than a properly noticed hearing—is allowed to stand, then the jurisdictional transfer can no longer be meaningfully litigated in the pending appeal (Case No. E079240). This outcome directly **undermines Petitioner’s constitutional right to appellate review** under the Fourteenth Amendment.

2. Loss of the Move-Away Dispute on the Merits

The transfer order inherently grants the contested “move-away” relief, making it **functionally impossible to adjudicate that issue** in the pending appeal. There would be no point in litigating the move-away dispute if the case itself is ultimately transferred to Iowa, rendering the issue moot by default.

3. Judicial Endorsement of Preemptive Rulings

If this Court allows such a ruling to stand, it will effectively **sanction the dangerous doctrine of preemptive adjudication**—where lower courts make final determinations before litigants are allowed to present their arguments, evidence, and witnesses. This case exemplifies the antithesis of due process: final orders issued without a full and fair hearing. Such conduct **offends the**

foundational principles of justice and contradicts well-established procedural norms in both state and federal systems.

4. Loss of Meaningful Appellate Review

The pending appeal will be effectively mooted because the case has already been transferred, depriving Petitioner of his right to appellate review and foreclosing all judicial scrutiny of the constitutional errors challenged in that appeal.

5. Permanent Loss of California Jurisdiction

California—where the case has been litigated for over a decade—will no longer have authority to revisit or remedy the orders issued. Judicial familiarity, factual context, and a decade-long evidentiary record will be lost to an out-of-state tribunal with no connection to the underlying history.

6. Inability to Present Evidence or Testify

Petitioner was prevented from presenting his case-in-chief during trial. If jurisdiction is transferred, no opportunity will remain for this suppressed evidence to be heard, and Petitioner’s voice in his children’s custody adjudication will be permanently silenced.

7. Application of a Foreign Legal Standard

Following transfer, Iowa—not California—law will govern future proceedings. This switch not only alters Petitioner’s substantive rights but also nullifies remedies and procedural protections available under California statutes.

8. Shielding of Fraud and Perjury

Respondent submitted fraudulent documentation to obtain a fee waiver and supported custody claims with perjured declarations. Once jurisdiction shifts, California courts lose authority to investigate or address those violations, allowing them to evade accountability entirely.

9. Violation of Religious Liberty and Parental Rights

Petitioner’s Free Exercise rights under the First and Fourteenth Amendments were implicated when the court declined to hold an evidentiary hearing regarding Respondent’s covert exposure of the children to harmful religious practices. The transfer extinguishes Petitioner’s ability to seek redress under California law.

10. Entrenchment of Systemic Gender Bias

The procedural path of this case reflects longstanding and systemic discrimination against Petitioner as a father. California Family Code §§ 3020(d) and 3040(c) explicitly prohibit sex-based discrimination, yet Petitioner has faced financial sanctions, unequal procedural treatment, and custody suppression—all without remedy. The jurisdictional transfer will cement those inequities and deny equal protection.

This transfer order is not merely a procedural misstep. It represents a substantive denial of due process, equal protection, and parental rights. The constitutional harms will be complete and irreversible once the

remititur issues. This Court's review is the only remedy capable of preventing those injustices and preserving federal rights in an area of law too often shielded from constitutional scrutiny.

This is not merely a family law dispute—it is a **constitutional crisis in miniature**, implicating due process, appellate rights, and the integrity of judicial decision-making. Without this Court's review, a dangerous precedent will be set, one that could reverberate across jurisdictions and embolden lower courts to finalize disputed matters **before full litigation is permitted**.

X- CONCLUSION

This case presents a clear and urgent need for this Court's review. The California courts have authorized a jurisdictional transfer that strips Petitioner of any meaningful appellate remedy while depriving him of the opportunity to present critical evidence on custody, constitutional violations, and religious harm. The Court of Appeal's decision to proceed with a preemptive transfer—regardless of the outcome of a still-pending appeal—not only moots the very issues under review, but cements a profound deprivation of due process and equal protection.

No parent should lose access to appellate justice because a court has effectively "jumped the gun." No litigant should be denied an opportunity to present evidence or be silenced by procedural maneuvering that forecloses their rights. And no family law system should permit gender bias, religious violations, and fraudulent fee waivers to go unexamined because jurisdiction has been artificially extinguished.

This Court's intervention is the only path remaining to vindicate Petitioner's constitutional rights, restore integrity to the appellate process, and provide urgently needed guidance on the limits of interstate jurisdictional transfers in custody disputes.

Accordingly, the petition for a writ of certiorari should be granted.

Respectfully submitted,



Dated: July 12, 2025

John De Light
Petitioner, in propria persona

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.2(b), I hereby certify that this petition for writ of certiorari contains 6007 words, fewer than 9,000 words, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).

The petition was prepared in proportionally spaced 12-point type, using Microsoft Word for formatting and word count.

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

Dated: July 10, 2025

Respectfully submitted,



John De Light

Petitioner, in propria persona