

25-6071

ORIGINAL

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
SEP 18 2025  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

ANNA JOY ELTGROTH – PETITIONER

Vs.

EDWARD AARON PIERSON – RESPONDANT

ON PETITION FOR A WRIT OF CERTIORARI TO  
APPEAL THE ORDER OF THE SUPREME COURT OF PENNSYLVANIA 13 MM 2025 of JUNE 26 2025

PETITION FOR A WRIT OF CERTIORARI



ANNA JOY ELTGROTH

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RECEIVED  
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SUPREME COURT, U.S.

## QUESTIONS PRESENTED

- 1) Does the only modernly developed 1994 PA Protection from Abuse Act constitute a serious enough civil matter to warrant a consideration of specific extensions of 6<sup>th</sup> and 14<sup>th</sup> amendment rights?
- 2) Do victims of false accusations of abuse, and in particular, false protection from Abuse Orders, have the right to an adequate defense in the form of a lawyer if one cannot be afforded (or if such funds cannot be timely acquired by a defendant financially dependent upon the plaintiff, without breaking the terms of the temporary immediate PFA, and so risking false imprisonment)
- 3) Do individuals with disabilities, and in particular those with high functioning autism, have the right to appropriate accommodations (listed below), if they are forced to represent themselves in the court of law?

**LIST OF PARTIES**

(x) All Parties appear in the caption of the case on the cover sheet

**RELATED CASES**

EDWARD A PIERSON VS. ANNA JOY ELTGROTH,  
(IN THE SCHUYLKILL COUNTY COURT OF COMMONS PLEAS)

No. S-786-24

(Divorce proceeding filed immediately following the PFA order)

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APPENDIX B- ORDER OF THE PENNSYLVANIA SUPERIOR COURT of PA

\*[APPENDIX C- REPRODUCED RECORD/ ORIGIONAL TRANSCRIPT OF THE APPELLANT *Rejected*  
*Filed under seal*]

APPENDIX D- PHYSICIAN OF APPELLANT'S LETTER/REPORT

APPENDIX E - LETTER FROM RESPONDANT

### VOL II. UNDER SEAL (SUPPLEMENTAL)

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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.

**OPINIONS BELOW**

**For Cases from State Courts:**

The opinion of the highest state court to review the merits appears as Appendix A to the petition and is reported by the PENNSYLVANIA SUPREME COURT 13 MM 2025 published on public record.

The opinion of the PENNSYLVANIA SUPERIOR COURT 618 MDA 2024 appears as appendix B to the petition and is reported on public record.

The opinion of the Schuylkill County Court of Common Pleas appears as appendix C to the petition and is unpublished.

## **JURISTCTION**

### **For Cases from State Courts:**

The date on which the highest state court decided my case was JUNE 26 2025. A copy of that decision appears as appendix A

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

### Amendment VI of the U.S Constitution

In all criminal prosecutions, the accused 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, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

### Amendment 14 of the U.S Constitution, Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**STATEMENT OF THE CASE:**

Edward Pierson requested an emergency temporary PFA order on April 22 2024 (see exhibit c) He did not wish to have any of the normal provision included, but ONLY that the Court order that he not be allowed to be alone with the defendant while at the same time continue to reside with the defendant in their jointly owned residence.

Anna Eltgroth, while still undergoing outpatient hospital treatment for PTSD, was served with the Temporary PFA Order by the Lehigh County Sheriff on the 28<sup>th</sup> of April. Anna was instructed by the Sheriff to avoid her residence and all contact, including 3<sup>rd</sup> party contact, to be sure not to break the temporary PFA order.

Anna was financially dependent upon the plaintiff and was unable to contact him regarding funds to acquire a private lawyer (which is the only option for a defendant in a PFA in Pennsylvania). Anna was unable to find support through victims of domestic abuse due to the fact that the manner in which she was being abused (by false accusation of abuse) rendered her ineligible for any help due to the fact that she was documented as an "abuser" on paper.

Despite having many individuals helping her search for legal options, no options were found for an individual who was the defendant in a PFA Case in PA except for a non-legal "Advocate" who could stand next to her, but say nothing.

Anna had never set foot in a court before and had an entirely clean record, without even a speeding or parking ticket. She not been made aware of her options either by the court or by the opposing Plaintiffs Lawyer. She was not aware she had the right to a continuance, nor even knew what one was.

She had been offered no other options by the plaintiff's Lawyer but to accept a settlement of a one year PFA where she would continue to reside in the same house as the plaintiff but "not be allowed to be alone together".

She thought she had adequate evidence and was not aware that if she represented herself she ran the risk of having critical witnesses and evidence dismissed.

She was also not aware that if she attempted to defend herself and failed that the "PFA found credible" charge would remain on her PERMANENT PUBLIC RECORD with NO OPTION FOR FUTURE EXPUNGEMENT, EVER. Nor was she aware of just how difficult it would be to defend herself against the plaintiff armed with a private lawyer. This lawyer would refuse to represent her client in the appeal and he would therefore proceed pro se.

Anna was never made aware that within 2 weeks she had the right to request a rehearing so as to present the missing evidence with the help of a lawyer she only then had available.

She was not aware of how difficult it would be to appeal a case in which adequate evidence was not allowed to be presented at the trial level and therefore not allowed to be added in the appeal process.

This led to a confusion and inadequate information on which not only was the PFA awarded on May 3 2024 for a period of 3 months, but led to a later denial of appeal by the superior court (found in Appendix B) was publicly published and is the first item found on the internet when the defendants name is searched (effecting future employment opportunities). Much greater further Distress was imposed upon the defendant as a result of this flawed public ruling.

Anna was not made aware by her later secured counsel on appeal of the need to proceed within

30 days after the superior courts ruling, nor was able to meet with him (due to his heavy court duties as Master of Divorce for the Schuylkill county court) until after the 30 days had passed. (see exhibit A)

It took a significant period of time for Anna to research and prepare the appeal to the Supreme Court of PA, as her lawyer would not represent her until such time as the case were to be remanded back to the local court.

In addition to having to borrow funds to cover a lawyer to appeal, she also was forced to pay out of pocket for a divorce lawyer that otherwise would have been provided for free through the office of resources for victims of domestic abuse, but as a individual listed as the defendant of a PFA, she was automatically made ineligible.

Anna Prepared a letter from her doctor (see exhibit D) in preparation for hearing by the PA Supreme Court.

Anna's Appeal was denied hearing on June 26<sup>th</sup>, 2025 (see exhibit A)

## REASONS FOR GRANTING THE PETITION

In Gideon vs. Wainwright, Gideon was denied the assistance of a lawyer in defense of a felony charge. At the time the state of Florida only guaranteed representation in capital matters. Upon being granted this right by judgement of the Supreme Court of the United States, Gideon was retried with the assistance of a lawyer, and remitted off all charges.

The Sixth Amendment of the Constitution guarantees citizens:

"A compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense"

It can be argued that since it is stated that this pertains to criminal matters that it thereby excludes the PFA Act as it is of civil jurisdiction and no lawyer or compulsory process from obtaining witnesses is required to be guaranteed. However several important facts can suggest otherwise.

If the provision of a lawyer can be expanded from solely capital offense to include felonies, why can't an only recently developed civil matter, which in many ways is more serious than a criminal matter not also be included?

The PFA, not introduced until 1994, long after the founding fathers had chance to consider it for specific inclusion, is a uniquely serious civil matter warrant of exception. It carries the ability to permanently scar an otherwise blank permanent record and unlike felonies and other criminal matters, has no option for future expungement from their record. It can place an individual at great legal and financial disadvantage in later divorce and child custody proceedings, automatically barring the individual from eligibility for spousal support or alimony as well as

eliminating all free resources of legal representation by domestic Abuse support organizations.

It can permanently affect a persons reputation and employability especially in fields such as child care, victims of abuse support, and education in which the appellant specializes and hopes to return to working in some day.

It can force an individual to become homeless and isolated from their primary, or other financial support.

Other damages can also occur such as in this case, the application for autism wavier in Schuylkill county was interrupted and eventually lost due to loss of residency.

No one should face such possible consequences with no option for legal representation. No one who is a victim of a false accusation of abuse should have to face their accuser and counsel alone in a courtroom uninformed, and under severe mental distress. It is not realistically possible for such individuals to be expected to remain as perfectly calm as they will be expected to, in order to not be judged unreliable, unclear, and uncredible.

No one should be able to unnecessarily crowd the courts docket with frivolous and false accusations that harm not only those falsely accused, but steal attention and resources away from the very individuals the PFA ACT was design to Assure Protection.

The 14<sup>th</sup> amendment guarantees that liberty and property will not be taken without due process. These rights were infringed upon when the Court without making the defendant fully aware of her options, took away her liberty of action for 3 months, placing her in fear of being without an alibi or witness at every moment and having to avoid travel for fear of accidentally running into the plaintiff and placing herself in danger of false Imprisonment. These rights were

also infringed upon when she was forced by the court to leave the residence she relied upon and on which her name appeared on the deed, without due process.

The granting of this petition would result in an important president, allowing representation for those falsely accused of PFA and prevent further individuals from undue distress, and later expense of ineffective appeals. It will also serve to lighten the heavy load on the courts docket that is filled with PFA requests, many of which should have greater incentive never to be filed, or clearer consequences associated with false accusations.

This issue is wider than just Protection from Abuse order. It also sets president for the nationwide problem of the misuse of the justice system by the making of false accusations of abuse in settings within government, education, civil services and the wider society. Victims of Abuse must be given special protection, but there still must be as in the 14<sup>th</sup> amendment, "equal protection under the law". Those who are FALSELY Accused should not victimized further or have their records unjustly scarred without consequence.

Finally and most importantly this writ should be granted to establish president for individuals with disabilities, and in particular, high functioning Autism, to be assured adequate and appropriate accommodation to live as freely and individually as possible in society ( Olmstead v. LC (1999), PGA Tour, Inc V. Martin (2001).

That appropriate accommodation is suggested as follows (ADA 1990)

When an individual with a disability is served as the defendant in a PFA order, a copy of the following must be included...

-A clear list of options available to them for legal representation if they cannot afford it.

- A clear list of option for action within the court, explanations of each, clear timelines for filing and forms included. For example: what a continuance is, and how to file one. What a rehearing is, and how to apply for one, what is an appeal and how and when to apply. Etc.
- a clear warning of the dangers of appearing pro se and a list of specific possible consequences (for example, possible loss of employment, housing, loss of alimony/spousal support, loss of child custody, barring of ability to present critical witnesses and evidence. Severe financial losses.
- a clear instruction for how to place on the record/ assure the presentation of witnesses and critical evidence

Finally, granting this Petition will serve as the only possible way to either dismiss the matter, or remand it back to the lower court who otherwise may likely not reconsider it. It will give the appellant ONE well deserved fair chance to present all of her evidence with  counsel. This is her right both as an American Citizen and a Person with documented high functioning Autism. It is the only way to clear a false accusation from the Appellants record for life.

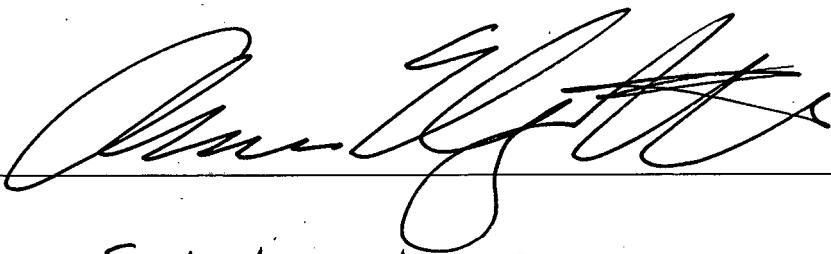
This is especially important considering her desire to reduce her reliance on government assistance and work in the future doing traveling therapeutic arts workshops in schools and community organizations. Such work will constantly place her in the predicament of having to explain why a Protection from abuse order appears on her background check/ permanent record required to be presented for each workshop.

It will afford her and other like her to be guaranteed the right to effectively present their case to the lower court with the help of legal counsel and the guarantee of critical witness and evidence included.

**CONCLUSION**

The Petition for a writ of certiorari should be granted.

Respectfully submitted,



DATE: September 17 2025

**CERTIFICATE OF COMPLIANCE**

No. \_\_\_\_\_

ANNA JOY ELTGROTH PETITIONER

VS.

EDWARD AARON PIERSON RESPONDANT

As required by Supreme Court Rule 33.1(h), I certify that the petition for a writ of certiorari contains 2464 words. Excluding parts of the petition that are exempted by Supreme Court Rule 33.1(d).

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

Executed on Sept 17, 2025

A handwritten signature in black ink, appearing to read "Anna Joy Eltgroth", is written over a horizontal line.