

25-6093

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

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IN THE  
Supreme Court of the United States

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SHARI LYNN OLIVER,

*Petitioner,*

v.

MATTHEW WARREN OLIVER,

*Respondent.*

FILED

SEP 22 2025

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

ORIGINAL

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On Petition for a Writ of Certiorari to the  
Supreme Court of Michigan

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PETITION FOR A WRIT OF CERTIORARI

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## **QUESTIONS PRESENTED**

- I. Whether a state court violates the Due Process Clause of the Fourteenth Amendment by refusing to vacate a facially void judgment that was procured through perjury, fraudulent concealment, fabricated evidence, and denial of the opportunity to be heard.
- II. Whether the doctrine of res judicata can constitutionally bar a collateral attack on a void judgment, contrary to longstanding federal and state precedent that void judgments are legal nullities not subject to preclusion.
- III. Whether systemic financial entanglement between state judiciaries and executive agencies under federal Title IV-D funding creates an unconstitutional structural bias that deprives litigants of due process and a neutral tribunal in child custody and support proceedings.

## **PARTIES TO THE PROCEEDINGS**

All parties are listed in the caption of the case.

## **RULE 29.6 STATEMENT**

Because no petitioner is a corporation, a corporate disclosure statement is not required under Supreme Court Rule 29.6.

## **RELATED CASES**

The following proceedings are directly related to this case within the meaning of Rule 14.1(b)(iii):

### **Michigan Supreme Court**

*Shari Lynn Oliver v. Matthew Warren Oliver*. No. 167821 (appeal from No. 367128).

Order denying application for leave to appeal entered March 28, 2025.

Motion for reconsideration denied June 27, 2025.

### **Michigan Court of Appeals**

*Shari Lynn Oliver v. Matthew Warren Oliver*. No. 359539 (appeal from No. 2020-880855-DM).

Judgment entered June 30, 2022.

*Shari L. Oliver v. Matthew Warren Oliver*. No. 367128 (appeal from No. 2023-001205-CZ).

Judgment entered September 19, 2024.

Motion for reconsideration denied October 28, 2024.

### **Michigan Circuit and District Courts**

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*Matthew Warren Oliver v. Shari Lynn Oliver*. No. 2020-880799-DC.  
Case dismissed June 25, 2020.

*Shari Lynn Oliver v. Matthew Warren Oliver*. No. 2020-880855-DM.  
Judgment of divorce entered November 23, 2021.

*The People of the State of Michigan v. Shari Lynn Oliver*. No. 2023-285719-FH.  
Case dismissed December 21, 2023.

#### **50th District Court, Pontiac (Oakland County)**

*The People of the State of Michigan v. Shari Lynn Oliver*. No. 2022-221185FY.  
Case bound over 6th Circuit Court on July 20, 2023.

**16th Circuit Court, Macomb County**

*Shari Lynn Oliver v. Matthew Warren Oliver.* No. 2023-001205-CZ.  
Judgment entered July 14, 2023.  
Motion for reconsideration denied August 7, 2023

**Utah State Court**

**5th District Court, Iron County**

*State of Utah, Office of Recovery Services, ex. rel. State of Michigan v. Shari Lynn Oliver and Matthew Warren Oliver.* No. 224500414.  
Judgment entered September 5, 2023.

**United States Supreme Court**

*Shari L. Oliver, et al. v. Julie A. McDonald, et al.* No. 24-5665 (appeal from 23-2007).  
Petition for writ of certiorari denied on November 25, 2025.

**United States Court of Appeals for the Sixth Circuit**

*Shari L. Oliver, et al. v. Julie A. McDonald, et al.* No. 23-2007 (appeal from No. 2:22-cv-12665-GAD-EAS).  
Judgment entered July 29, 2024.  
Motion for rehearing denied August 19, 2024.

**United States District Court for the Eastern District of Michigan  
(Southern Division)**

*Shari L. Oliver, et al. v. Julie A. McDonald, et al.* No. 2:22-cv-12665-GAD-EAS.  
Judgment entered September 20, 2023.

*Shari L. Oliver, et al. v. Oakland County Friend of the Court, et al.* No. 2:24-cv-12962-GAD-EAS.  
Judgment entered June 27, 2025.  
Rule 59(e) motion pending.

*Shari L. Oliver v. Julie A. McDonald, et al.* No. 2:25-cv-12854-GAD-DRG.  
Case filed September 9, 2025.

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## **OPINIONS BELOW**

The Michigan Supreme Court denied Petitioner's application for leave to appeal on March 28, 2025, in a summary order. It denied reconsideration on June 27, 2025, in another order without opinion. These orders are unpublished and appear in the appendix at App. 1a–2a.

The Michigan Court of Appeals affirmed the trial court's dismissal of Petitioner's collateral challenge to the underlying judgment on September 19, 2024. That opinion is unpublished and appears in the appendix at App. 3a–10a. It denied reconsideration on October 28, 2024, which appears at App. 11a.

The Macomb County Circuit Court dismissed Petitioner's verified complaint to vacate the judgment as void on July 14, 2023. That order provided no written opinion and incorporated the reasons stated on the record at the July 3, 2023 hearing. The July 14 order appears at App. 12a–13a, and the transcript of the July 3 hearing appears at App. 14a–24a. The court denied reconsideration on August 7, 2023, which appears at App. 25a–27a.

## **JURISDICTION**

The judgment of the Michigan Supreme Court denying reconsideration was entered on June 27, 2025. This petition is timely and submitted for filing within 90 days of that date, pursuant to Rule 13.1 of the Rules of the Supreme Court of the United States.

This Court has jurisdiction under 28 U.S.C. § 1257(a), which authorizes review of final judgments or decrees rendered by the highest court of a state in



which a decision could be had, where the validity of a state court judgment is challenged on the grounds that it violates the Constitution, treaties, or laws of the United States.

Petitioner seeks review of a final state court decision that raises substantial questions under the Constitution, including violations of the First, Second, Fourth, Fifth, Ninth, Thirteenth, and Fourteenth Amendments, as well as issues arising under federally funded child support enforcement provisions of Title IV-D of the Social Security Act.

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### **U.S. Constitution**

U.S. Const. amend. I – Freedom of Speech and Petition for Redress

U.S. Const. amend. II – Right to Keep and Bear Arms

U.S. Const. amend. IV – Protection Against Unreasonable Searches and Seizures

U.S. Const. amend. V – Due Process and Takings Clause

U.S. Const. amend. IX – Unenumerated Rights

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U.S. Const. amend. XIV – Due Process and Equal Protection Clauses

### **Federal Statutes**

42 U.S.C. § 1983 – Civil Action for Deprivation of Rights

18 U.S.C. § 1964(c) – Civil Remedies Under RICO

28 U.S.C. § 1257(a) – State Court Review

26 U.S.C. § 6402 – Treasury Offset Program (IRS Refund Seizure)

28 U.S.C. § 1738B — Full Faith and Credit to Uniform Interstate Family Support Act (UIFSA) Orders

**Title IV-D of the Social Security Act (42 U.S.C. §§ 651–669b) – Child Support Enforcement Funding**

42 U.S.C. § 654(7) – State Plan for Child and Spousal Support (Cooperative Agreements)

42 U.S.C. § 658a – Incentive Payments to States

42 U.S.C. § 666(a)(7) – Credit Reporting for Arrearages

**Michigan State Statutes**

MCL 722.25(1) – Custody Presumption

MCL 722.27a(1), (3) – Parenting Time Provisions

MCL 750.165(1) – Felony Non-Support Statute

**Utah State Statute**

Utah Code Ann. §§ 78B-14-101 et seq. – Utah Uniform Interstate Family Support Act (UIFSA)

UT Code § 78B-14-601 – Registration Order for Enforcement

UT Code § 78B-14-602 – Procedure to Register for Enforcement

UT Code § 78B-14-603 – Effect of Registration for Enforcement

UT Code § 78B-14-606 – Procedure to Contest Validity or Enforcement

UT Code § 78B-14-607 – Contest of Registration or Enforcement

UT Code § 78B-14-608 – Confirmed Order

**INTRODUCTION**

Petitioner, SHARI LYNN OLIVER, respectfully petitions for a writ of certiorari to review the judgment of the Michigan Supreme Court, which denied review and reconsideration of lower court decisions that refused to vacate a facially void

custody and child support judgment. The underlying judgment was procured through perjured testimony, fraudulent concealment of material evidence, libelous Friend of the Court (FOC) reports (the local child support and custody enforcement agency operating under Michigan's Title IV-D program),<sup>1</sup> and systemic violations of Petitioner's substantive and procedural due process rights.

This case presents constitutional questions of exceptional public importance. Petitioner, a domestic violence survivor and fit mother, lost custody of her children to a father against whom she submitted abuse allegations supported by testimony and recordings the court refused to admit, and was ordered to pay \$1,450 per month in child support—an amount derived from imputed incomes for both parties (though both were unemployed), and based on an award of zero overnights. The judgment followed a bench trial tainted by perjured testimony, fraudulent concealment of material evidence, and reliance on false and libelous Friend of the Court reports. Petitioner's efforts to challenge the false narrative—through motions to show cause for perjury and other due process violations—were summarily denied with little or no explanation, depriving her of a meaningful opportunity to contest the judgment. As a pro se litigant and whistleblower exposing systemic fraud and misconduct, Petitioner was repeatedly denied access to a neutral tribunal. Her efforts to collaterally attack the judgment as void were dismissed on res judicata grounds,

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<sup>1</sup> The Friend of the Court (FOC) operates under the Michigan Friend of the Court Act, MCL 552.501 et seq., and is tasked with assisting courts in domestic relations matters including custody, parenting time, and child support, often in coordination with federal Title IV-D enforcement efforts.

contrary to longstanding precedent that void judgments are legal nullities not entitled to preclusive effect.

At every level, Michigan courts refused to acknowledge their nondiscretionary duty to vacate an unconstitutional judgment, culminating in an order without opinion by the Michigan Supreme Court. This refusal implicates not only familial and due process rights but also the financial autonomy of parents targeted by coercive enforcement mechanisms.

Moreover, this case raises critical structural concerns regarding judicial neutrality in Title IV-D child support enforcement. Michigan's judiciary is not a passive recipient of federal funds but an active, contractually obligated enforcement partner with the executive branch. Michigan FOIA-obtained contracts reveal coordination requirements between the Michigan Department of Attorney General and the Michigan Supreme Court, the State Court Administrative Office (SCAO), local FOC offices, and prosecutors—set forth in cooperative agreements that tie funding to enforcement outcomes (see Appendix E, Title IV-D Federal Funding Grant Documents, App. 29a–36a). This executive–judicial entanglement creates an institutional conflict of interest that violates due process, erodes the separation of powers, and deprives litigants of a constitutionally neutral forum for redress.

## **STATEMENT OF THE CASE**

### **A. Overview**

This case arises from a facially void and constitutionally defective custody and child support judgment entered by the Oakland County Circuit Court in

Michigan. Petitioner—a highly educated mother, domestic violence survivor, and former scholar-athlete with a master’s degree in engineering—was stripped of all legal and physical custody of her children and ordered to pay child support to their father, whom she alleges is an abuser. This extreme outcome occurred despite her unblemished record: no criminal history, no substance abuse, no adjudicated findings of unfitness, and a documented history of financial independence and caregiving. In stark contrast, Respondent MATTHEW WARREN OLIVER—who holds only a high school diploma—was granted sole legal and physical custody.

At the time of separation in 2020, Petitioner fled Michigan with her children after years of abuse and relocated to her mother’s home out of state—her only source of family support, as she had no family in Michigan. She was employed, financially stable, and solely supporting the household. She explicitly requested that no child support be ordered, seeking full custody and the continued ability to support her children privately. Instead, the court not only denied her custody but ordered her to pay \$1,450/month in child support—imputing income to both parties without an evidentiary hearing, despite both being unemployed.

The judgment of divorce and accompanying Uniform Child Support Order (UCSO), entered in 2021, were obtained through a series of egregious due process violations. These violations included falsified FOC reports, concealed and fabricated evidence, and materially false testimony. Petitioner was denied access to critical evidence and the opportunity for meaningful hearings.

Petitioner was limited to supervised visitation with no overnights, required to enroll in therapy and a co-parenting class, and ordered to complete at least eight supervised visits in Michigan—a state she had fled for safety—before she could seek any modification. These restrictions were imposed despite credible abuse allegations against Respondent and without any adjudicated finding of unfitness, neglect, or danger as required by due process and Michigan law. No evidentiary hearing was held to assess Petitioner’s fitness, and she was denied any meaningful opportunity to challenge adverse claims—barred from cross-examining witnesses, presenting rebuttal evidence, or responding to false testimony. Instead, the court relied on undisclosed and untestable “evidence,” including a secret off-record interview with the minor children and a one-sided FOC psychological evaluation—both withheld from Petitioner and conducted without procedural safeguards or any corresponding evaluation of the alleged abuser. These materials were accepted alongside hearsay and false testimony from Respondent and opposing counsel, all without adversarial testing.

Though the judgment referenced “reasonable supervised parenting time in the state of Michigan only,” Petitioner—who had fled the state for safety and support prior to any legal proceedings—was denied meaningful contact with her children, enduring approximately 633 consecutive days without in-person visits. All contact has occurred at Respondent’s unilateral discretion, with no facilitation by the court, despite allegations of domestic and child abuse.

This flawed order triggered coercive enforcement actions—including seizure of Petitioner’s federal tax refund, initiation of felony nonpayment charges, forfeiture of her bond, and incarceration—all coordinated by judicial and executive officials. As a collateral consequence of the felony warrant, Petitioner’s concealed carry license was also suspended. These measures were pursued despite Petitioner’s long record of financially supporting her children on her own, and her demonstrated readiness to assume full custody with no involvement from the state or the opposing party.

Shortly after the UCSO was entered, the FOC mailed Petitioner a notice of intent to destroy all FOC records related to the custody and divorce proceedings in Case Nos. 2020-880799-DC and 2020-880855-DM. The FOC then began sending Petitioner threatening enforcement letters by mail, pressuring compliance without judicial oversight.

By May 2022, the FOC had solicited the Utah Office of Recovery Services (ORS) to assist in enforcement efforts.<sup>2</sup> ORS began sending Petitioner additional mailed demands for payment and threats of enforcement—despite no Utah judgment having been entered under the Uniform Interstate Family Support Act (UIFSA) at that time. In fact, a request to domesticate the Michigan child support judgment was not filed in Utah state court until December 2022, and a Utah judgment was not entered until September 2023—months after enforcement actions

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<sup>2</sup> The Office of Recovery Services (ORS) is Utah’s designated Title IV-D agency responsible for child support enforcement under the federal Social Security Act, 42 U.S.C. §§ 651 et seq.

had already begun. These premature actions violated UIFSA's procedural safeguards, which prohibit enforcement until a foreign support order is properly registered and confirmed by a Utah tribunal.<sup>3</sup> Before the order was registered, the court denied Petitioner the opportunity to present evidence of fraud, lack of jurisdiction, or other defenses under UIFSA.

These actions culminated in Petitioner's incarceration for 108 days on felony non-support charges stemming from a judgment entered without jurisdiction or due process. On September 20, 2022—the same day Petitioner's criminal complaints alleging fraud and misconduct by family court officials, FOC personnel, appellate judges, private attorneys, and Respondent were received by mail at the Michigan Department of Attorney General—an Assistant Attorney General authorized a warrant for Petitioner's arrest on felony non-support charges.

At her August 2023 circuit court arraignment, Petitioner appeared remotely, was sworn in, and entered a special appearance to challenge jurisdiction. She was disconnected mid-proceeding, attempted to reconnect but was not readmitted, and was falsely recorded as absent. Notably, although a Special Assistant Attorney General (SAAG) attended the hearing in person, a staff Assistant Attorney General (AAG)—who likely was not present in court, given the office's distance from the

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<sup>3</sup> See 28 U.S.C. § 1738B (requiring full faith and credit only to valid support orders issued or registered in accordance with UIFSA); Utah Code Ann. §§ 78B-14-601 to -608 (foreign support orders must be registered through Utah courts before enforcement; respondent must be given an opportunity to contest validity under enumerated statutory defenses, including fraud, lack of personal jurisdiction, or modification). See also § 78B-14-607(1)(b) (defense where order was “obtained by fraud”).



courthouse—signed an affidavit falsely stating Petitioner had failed to appear. This discrepancy indicates coordination between the judiciary and prosecuting attorneys to misrepresent Petitioner’s attendance and justify her subsequent arrest. Then Petitioner’s bond was seized, and a warrant was issued. When she later traveled from Utah and appeared in person to contest the charges and the underlying judgment, she was arrested in court. None of her motions were heard.

She was ultimately released after her mother paid over \$31,000 to the FOC, securing Petitioner’s release from jail under a coercive and narrowly tailored negotiated resolution: dismissal of the felony case and entry of a stipulated order setting support at \$0. Although Petitioner and her mother also sought to revisit custody, the agreement was limited to enforcement relief.

In April 2023, months before her incarceration, Petitioner filed a verified civil complaint seeking to vacate the custody and support judgment as void due to extrinsic fraud and due process violations. Instead of addressing these constitutional claims, the state courts dismissed the case on res judicata grounds, effectively insulating a facially void judgment from review. The Michigan Court of Appeals affirmed without addressing the constitutional issues, and the Michigan Supreme Court denied leave and reconsideration in orders without opinion.

This denial of relief forms the basis of the instant petition. Petitioner seeks review of the state courts’ refusal to entertain a collateral attack on a void judgment, raising urgent constitutional questions involving judicial neutrality,

access to the courts, and systemic bias in child support enforcement under Title IV-D of the Social Security Act.

In a broader effort to obtain redress, Petitioner filed multiple federal lawsuits exposing systemic misconduct and seeking relief under 42 U.S.C. §§ 1983, 1985, and civil RICO statutes. These include:

- A 2022 civil RICO action against the presiding family court judge, appellate judges, counsel, and FOC officials;
- A November 2024 action under §§ 1983, 1985, and civil RICO, expanding her claims to include Michigan and Utah Assistant Attorneys General, the Utah ORS Director, and a Utah judge allegedly involved in the retaliatory enforcement campaign;
- A September 2025 § 1983 action alleging ongoing violations of due process, equal protection, access to the courts, and jurisdictional overreach by the family court and FOC.

The presiding family court judge—named in multiple federal lawsuits—has refused to recuse herself and continues to oversee the family court proceedings, compounding the due process violations through unchecked judicial bias.

After the 2024 federal suit was filed, retaliation escalated. Despite clear conflicts of interest, she imposed a \$1,500 bond for filing or setting motions for hearing—even though Petitioner previously qualified for an indigency waiver—and permitted clerks to reject additional filings, including notices and objections, beyond what the bond order authorized.

Although a stipulated \$0 UCSO was entered in December 2023, Respondent initiated new proceedings in a closed case. In March 2025, the FOC referee recommended, and the same judge approved, a new UCSO imposing \$1,727/month in child support—again imputing fictional income without regard for Petitioner’s

actual unemployment and financial circumstances. This order violated the prior stipulation and was entered without proper jurisdiction, notice, or service.

Over the course of years, Petitioner has acted as a pro se litigant fighting not only for her parental rights, but also exposing structural financial conflicts stemming from Title IV-D and IV-E of the Social Security Act.<sup>4</sup> These federal funding streams incentivize state courts and agencies to maximize support orders and custody arrangements favorable to child support enforcement—even when the orders are constitutionally defective. Petitioner’s refusal to comply with illegal and degrading conditions—such as participation in supervised visitation programs without cause, and being forced to financially support both her children and her abuser as a domestic violence survivor—has led to further retaliation and deprivation of her rights.

Petitioner has exhausted every formal legal channel: multiple state appeals, federal lawsuits, motions for recusal, and a FOC grievance. She has also filed criminal complaints, judicial misconduct complaints, attorney grievances, and

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<sup>4</sup> Michigan law imposes a duty on custodial parents to protect children from abuse and neglect. Under the “failure to protect” statute, MCL 712A.13a, a parent may lose custody if they fail to protect the child from domestic violence or other harm, potentially triggering foster care placement. Title IV-E of the Social Security Act, 42 U.S.C. §§ 670 et seq., funds foster care maintenance and services, creating financial incentives for state agencies to remove children from homes deemed unsafe. This federal funding mechanism can disproportionately penalize protective parents, such as survivors of domestic violence, by favoring state intervention and foster care placement over family preservation. These Title IV-E incentives intersect with Title IV-D child support enforcement programs, 42 U.S.C. §§ 651 et seq., which prioritize enforcement of support orders. Together, these programs create systemic pressures that can punish protective parents who challenge unlawful custody arrangements and coercive enforcement measures.

reports of civil rights violations submitted to the FBI, DOJ, Inspector General, local sheriffs, county prosecuting attorneys, and the Attorneys General of both Michigan and Utah. All were dismissed or ignored—underscoring the structural refusal to address ongoing constitutional violations.

Petitioner's federal complaints repeatedly requested a federal grand jury investigation into systemic fraud, conspiracy, and civil rights abuses alleged. These detailed submissions, supported by exhibits, have gone unanswered—revealing the failure of traditional mechanisms to address state court misconduct.

As a result, Petitioner has lost custody of her children, suffered reputational and financial ruin, endured false felony charges, and been incarcerated—all while acting as a pro se litigant seeking to protect her parental rights and challenge a void judgment. What began as a family court dispute has escalated into a broader constitutional crisis involving judicial neutrality, structural bias, and the systemic denial of meaningful review in both state and federal courts.

## **B. Initial Judgment and Underlying Constitutional Violations**

In November 2021, the trial court entered a judgment awarding sole legal and physical custody of Petitioner's minor children to the father—despite credible allegations of abuse and misconduct, and in the absence of any clear and convincing evidence that Petitioner was unfit.

That judgment was procured through the following unconstitutional and unlawful means:

- Perjury and subornation of perjury by opposing counsel and witnesses;

- Fabricated and libelous FOC reports;
- Concealment of exculpatory evidence;
- Lack of meaningful opportunity to be heard;
- Denial of parenting time and custodial contact without proper findings under Michigan law (e.g., MCL 722.25(1); 722.27a(1), (3));
- Reliance on documents and statements not presented at evidentiary hearings.

Petitioner was never afforded a fair opportunity to contest the factual underpinnings of the judgment. The court rejected or suppressed evidence favorable to Petitioner and allowed unchallenged defamatory accusations by opposing counsel. The resulting judgment is void for lack of due process and for having been obtained through extrinsic fraud.

### **C. Collateral Challenge and Refusal to Vacate Void Judgment**

Before initiating her collateral challenge in a separate court, Petitioner timely filed a direct motion in the family court to vacate the 2021 custody and child support judgment under Michigan Court Rule 2.612(C)(1)(c) and (d). Subsection (C)(1)(c) permits relief based on intrinsic and extrinsic fraud if brought within one year of judgment, while subsection (C)(1)(d) permits relief from a void judgment at any time.

Petitioner's motion—filed within one year—raised serious claims of fraud upon the court and jurisdictional defects rendering the judgment void on its face. Although a motion hearing was held, the court refused to hold an evidentiary hearing or allow the presentation of witness testimony or supporting evidence. Instead, it summarily denied the motion, stating only that “the relief sought is not

supported by either fact or law” and that Petitioner “fails to provide any support for her motion.” No factual findings or legal conclusions were issued—unsurprising, given the absence of any developed record.

Despite the family court’s refusal to adjudicate the merits of her timely and properly filed motion, Petitioner continued to seek relief through appropriate legal channels. Having been denied a meaningful opportunity to be heard in the court of original jurisdiction, she initiated a collateral attack in a separate civil action.

In April 2023, Petitioner filed a verified civil complaint in the Macomb County Circuit Court, Case No. 2023-001205-CZ, seeking to vacate the Oakland County judgment as void. The complaint challenged the validity of the 2021 custody and child support orders issued in Case No. 2020-880855-DM on grounds that included:

- Fraud upon the court;
- Constitutional violations of due process and equal protection;
- Structural judicial bias stemming from financial incentives under Title IV-D of the Social Security Act;
- Procedural irregularities and deprivation of a meaningful opportunity to be heard.

Respondent filed an Answer that failed to comply with Michigan Court Rule 2.111(C). In all eighty-nine (89) paragraphs, Respondent used identical boilerplate:

“Defendant neither admits nor denies the allegations contained in this paragraph and leaves Plaintiff to her strictest proofs.”

This evasive pleading fell short of the rule’s requirement that a party must admit, deny, or explain the inability to do so. Petitioner promptly moved to compel

an amended Answer and simultaneously served discovery requests, including Requests for Production of Documents.

Before the court addressed the adequacy of Respondent's Answer, Respondent's attorney—who also represented him in the underlying family court matter—entered an appearance in the collateral action and filed a motion for summary disposition. Without permitting discovery or resolving the pending motion to compel, the trial court (Hon. Jennifer M. Faunce) granted summary disposition in Respondent's favor, relying solely on *res judicata*.

The court reasoned that the issues had already been litigated, even though the core claims—fraud on the court, voidness, and constitutional violations—had never been adjudicated on the merits. The trial court's dismissal was with prejudice, yet it occurred without an evidentiary hearing, factual findings, or a reasoned application of law to the specific constitutional claims raised. The court failed to meaningfully engage with the substance of Petitioner's allegations or address the threshold issue of subject-matter jurisdiction over the custody and support judgment.

On July 3, 2023, Petitioner also argued that her claims of fraud—including misstatements by the appellate court in the direct appeal (Case No. 359539)—had not been considered. Judge Faunce declined to address those arguments, stating that such matters could be raised in federal court. Yet despite this deferral, the trial court proceeded to apply *res judicata* to bar claims it declined to adjudicate, further depriving Petitioner of a meaningful opportunity to be heard.

Petitioner appealed. In Court of Appeals Case No. 367128, the appellate panel affirmed in a per curiam opinion, again without addressing Petitioner's constitutional or jurisdictional claims. The opinion relied heavily on factual findings from a prior unpublished decision (Case No. 359539), repeating the narrative that:

“A year after the birth of the couple's second child, Defendant voluntarily terminated his employment so that he could care for their two children while plaintiff maintained full-time employment.” (App. 3a)

This statement contains at least three factual inaccuracies. First, Respondent's employment was not voluntarily terminated; it ended following sexual harassment allegations. Second, following his termination, their children remained in daycare until their daughter started kindergarten, meaning he was not caring full-time for both children at home. Third, the termination occurred nearly two years after the birth of their son—not one year, as the court claimed. The appellate court then mischaracterized the nature of the parties' financial involvement in acquiring the Leonard home, inaccurately suggesting joint contribution where the Petitioner alone bore all financial responsibility.

These errors stemmed from Respondent's uncorroborated testimony at a bench trial with no exhibits and only the parties as witnesses. Despite these serious factual discrepancies, the appellate court adopted the trial court's narrative wholesale, while overlooking material omissions and inaccuracies in the record, and without addressing Petitioner's challenges to its accuracy.

The family court also relied on a secret FOC evaluation of Petitioner—conducted by a limited licensed psychologist handpicked by the judge—while no



evaluation was ever ordered for the alleged abuser. This asymmetrical and nontransparent process further tainted the reliability of the underlying findings.

In response, Petitioner filed multiple motions in the family court challenging the credibility of this narrative, including a motion to show cause for perjury, false statements, and obstruction of justice—supported by 80 exhibits. That motion was denied without explanation. On appeal, although the appellate court acknowledged the filing, it summarily concluded that Petitioner did not “offer support” for her claims, and deferred to the trial court’s credibility determinations without engaging the substance of her arguments or the evidentiary materials.<sup>5</sup>

Also, in the collateral attack appeal (Case No. 367128), the appellate panel referenced Petitioner’s October 2022 motion to vacate in the family court but failed to note that no evidentiary hearing was held, no evidence admitted, and no witnesses were allowed to testify. Thus, while citing the motion’s denial, the appellate opinion omitted the procedural deficiencies that rendered the denial constitutionally infirm.

Petitioner then sought review in the Michigan Supreme Court (Case No. 167821), which denied leave to appeal in an order without opinion, and later denied reconsideration—again without comment.

#### **D. Denial of Review by the Michigan Supreme Court**

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<sup>5</sup> See *Oliver v. Oliver*, No. 359539 (Mich. Ct. App. June 30, 2022) (unpublished), at 11 (App. 28a).

The Michigan Supreme Court denied Petitioner’s application for leave to appeal on March 28, 2025, and subsequently denied reconsideration on June 27, 2025. Both decisions were issued as summary orders without explanation or opinion. Petitioner’s application and motion for reconsideration specifically raised significant constitutional questions, including:

1. Whether the lower courts’ refusal to vacate the judgment constituted a deprivation of due process and equal protection;
2. Whether the state judiciary’s Title IV-D funding created structural bias warranting federal scrutiny;
3. Whether failure to enforce legal protections for fit parents created institutional complicity in systemic rights violations.

The high court’s denial without opinion—despite compelling evidence and extensive briefing—left Petitioner without an effective state remedy, necessitating this Court’s intervention.

While the lower courts relied on res judicata to reject Petitioner’s collateral attack, they failed to confront extensive and unrebutted evidence that Michigan’s family court system is structurally compromised. Through Michigan Freedom of Information Act (FOIA) requests, Petitioner uncovered cooperative agreements and funding contracts showing that both the executive and judicial branches of Michigan government receive significant Title IV-D funds—conditioned on the enforcement of child support orders, irrespective of their constitutional validity.

For example, a contract between the Michigan Department of Health and Human Services (MDHHS) and the Office of the Attorney General requires “agency collaboration” with the Michigan Supreme Court, the State Court Administrative

Office (SCAO), FOC offices, and prosecuting authorities to maximize child support enforcement (App. 34a, ¶ 11). This structure makes the judiciary a financial stakeholder in enforcement—not a neutral arbiter.

This explicit financial and operational entanglement compromises judicial neutrality and undermines the separation of powers. Judges participating in enforcement frameworks funded by Title IV-D cannot impartially adjudicate constitutional challenges to child custody and support orders that generate such funding.

This systemic conflict of interest explains the consistent refusal by Michigan and Utah courts to engage with the merits of Petitioner’s claims, including:

- The family court judge refused to vacate a judgment entered through fraud, perjury, and denial of due process under her supervision;
- The family court relied on undisclosed materials—including a Friend of the Court (FOC) evaluation and children’s preference interview—not in the record or provided to Petitioner; Petitioner raised this issue on appeal, but the Michigan Court of Appeals ignored and omitted these facts while adopting a contested narrative and disregarding evidence of perjury;
- The family court judge declined to disqualify herself—despite being a named defendant in Petitioner’s pending federal civil rights lawsuit—and refused to refer the disqualification motion to a neutral judge;
- A \$1,500 filing bond was imposed against Petitioner, despite her indigency, effectively blocking access to court;
- The trial court refused to consider her collateral attack on a facially void judgment;
- The Michigan Court of Appeals dismissed her collateral attack appeal without meaningful engagement on the core issues presented;
- The Michigan Supreme Court denied review and reconsideration with no reasoning provided;
- Criminal courts refused to hear her jurisdictional or constitutional challenges to the \$1,450/month support order, stating such issues must be

raised civilly—even when civil courts had already denied access or refused jurisdiction;

- A Utah state court, acting under the UIFSA, enforced the allegedly void Michigan support order without reviewing her fraud or jurisdictional claims, and refused to consider whether the underlying custody judgment was constitutionally valid.

These proceedings triggered escalating enforcement actions, all based on the original \$1,450/month support order—entered without valid jurisdiction, custody findings, or a constitutionally adequate hearing. Enforcement included initiation of felony charges, arrest, incarceration, seizure of Petitioner’s bond from the criminal proceedings, interstate demands for payment, seizure of her 2021 federal tax refund through the Treasury Offset Program (TOP), and notice that alleged arrears would be reported to credit bureaus.<sup>6</sup> These actions—undertaken without meaningful judicial review—triggered federal consequences, including suspension of Petitioner’s concealed carry license and the threat of federal enforcement.<sup>7</sup>

Petitioner’s elderly mother was compelled to pay over \$31,000 to secure her release from jail, underscoring the extreme financial hardship imposed. Despite the December 2023 stipulated order reducing support to \$0, in early 2025 Respondent

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<sup>6</sup> The Treasury Offset Program (TOP), administered by the U.S. Department of the Treasury, allows interception of federal tax refunds to collect child support arrears. See 26 U.S.C. § 6402(c); 31 U.S.C. § 3716(h). States must also report arrears to credit agencies under 42 U.S.C. § 666(a)(7).

<sup>7</sup> Petitioner was charged and jailed under MCL 750.165(1), which criminalizes failure to pay court-ordered child support regardless of validity. Her felony charge triggered the suspension of her concealed carry license. She appealed the revocation through the FBI-administered permit review board, but her appeal was denied without substantive review. Related criminal complaints filed with federal agencies also received no follow-up.

initiated new proceedings by filing a motion to modify child support in a closed custody Case No. 2020-880799-DC. Petitioner moved to strike this motion, however without proper notice, service, or jurisdiction, the court issued a new UCSO in March 2025 in the active divorce Case No. 2020-880855-DM, retroactive to February 1, 2025, just days before the motion was filed into the closed Case No. 2020-880799-DC. The new order imputed \$100,000 in annual income to Petitioner—an amount she has never earned—despite her being unemployed and carrying substantial credit card debt. This order raised her support obligation to \$1,727/month—reinstating enforcement measures that had been extinguished under the December 2023 stipulated order setting support at \$0. This 2025 UCSO was later reduced to \$1,408/month in September 2025, again based on unsupported claims and exclusion of Petitioner’s financial disclosures.

The 2021 and 2025 UCSOs rest on multiple defective premises: (1) state interference without the required finding of financial neglect; (2) unwarranted state involvement despite Petitioner’s attempt to support her children independently; (3) that Petitioner was denied custody; and (4) imputation of income without evidence. Each error helped justify enforcement actions that financially benefited the state under Title IV-D. Custody status, wrongly decided, served as the basis for support calculations—and those support orders enabled systemic enforcement through both state and federal mechanisms.

Petitioner was punished with escalating coercive measures, including incarceration and asset seizure, based on an invalid judgment that no court—state

or federal—would meaningfully review. Her attempts to assert constitutional and parental rights were met not with judicial engagement, but with procedural deflection and retaliation.

As former Michigan Supreme Court Justice Elizabeth Weaver has warned, Michigan’s judicial system remains vulnerable to undue influence, secrecy, and political pressure.<sup>8</sup> This case exemplifies those concerns: a textbook example of a state system so structurally biased and procedurally inaccessible that federal oversight is not only appropriate—but constitutionally required—under *Ex parte Young*, 209 U.S. 123 (1908), and *Shelley v. Kraemer*, 334 U.S. 1 (1948).

#### **E. Escalation of Judicial Retaliation, Conflict of Interest, and Denial of Access to Court Following Denials by State and Federal Courts**

Petitioner repeatedly moved to disqualify family court Judge Julie A. McDonald due to bias, misconduct, and her status as a named defendant in Petitioner’s related federal civil rights and RICO actions. In violation of Michigan Court Rules requiring a disqualification referral to a neutral judge, Judge McDonald denied all such motions herself and continued to preside over matters involving her federal accuser and federal co-defendants. She also failed to adjudicate a motion for reconsideration, clarification, and stay, instead mischaracterizing and denying it as a renewed motion for disqualification.

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<sup>8</sup> Justice Elizabeth Ann Weaver served on the Michigan Supreme Court from 1995 to 2010, including a term as Chief Justice (1999–2001). She was a vocal advocate for transparency and accountability in the judiciary. See Elizabeth Ann Weaver & David B. Schock, *Judicial Deceit: Tyranny & Unnecessary Secrecy at the Michigan Supreme Court* (2016). Additional information and related materials are available at <https://judicialdeceit.com>.

Retaliation intensified following the Michigan Supreme Court's June 27, 2025 denial of reconsideration with prejudice—the same day the federal court dismissed Petitioner's constitutional claims in Case No. 2:24-cv-12962—foreclosing all legal channels, both state and federal, for challenging the void judgment and the rights violations it triggered. In response to the federal dismissal, Petitioner promptly filed a Rule 59(e) motion for reconsideration in that case.

In July 2025, Judge McDonald denied a request for out-of-county reassignment (given the chief judge was also a named federal defendant) and simultaneously imposed a \$1,500 filing bond despite Petitioner's approved indigency waiver. This blocked a pending custody motion already delayed by unresolved disqualification issues, a motion to compel discovery, and a motion to strike or adjourn the September 11, 2025 evidentiary hearing on child support. Court clerks then refused to accept critical filings—including objections and notices—due to the unpaid bond, constructively denying Petitioner access to court and preventing any challenge to the void custody judgment or the 2025 UCSO.

On September 9, 2025, while the Rule 59(e) motion remained pending, Petitioner initiated a new federal action (Case No. 2:25-cv-12854) to address ongoing retaliation and constitutional violations.

On September 11, 2025, the family court held a hearing despite Petitioner's jurisdictional objections and issued an order for a revised UCSO of \$1,408/month (reduced from \$1,727). The order was based solely on imputed income and unverified claims of self-employment. Respondent failed to produce tax returns,

submit financial records, or respond to discovery. Petitioner's financial disclosures, timely submitted and unopposed, were excluded at the hearing. Her discovery motion was never addressed. Respondent also filed his pre-hearing brief late, and only after chambers intervened. The record contained no admissible evidence supporting the UCSO of \$1,408.

These actions—breaching a \$0 stipulated UCSO, enforcing an inflated support order, refusing recusal, and rejecting critical filings—underscore a coordinated pattern of retaliation and obstruction following Petitioner's constitutional challenges.

This judicial misconduct—marked by conflict of interest, suppression of evidence, reliance on unsupported financial assumptions, and denial of court access—reflects a collapse of neutrality. Judges under active federal investigation should not retain unchecked authority over litigants pursuing claims against them.

The Michigan Supreme Court's refusal to vacate a facially void judgment has effectively endorsed this misconduct, signaling to lower courts that constitutional violations will be tolerated—enabling continued retaliation and enforcement of legally defective orders.

### **REASONS FOR GRANTING THE WRIT**

Petitioner has been subjected to retaliatory prosecutions, coercive financial extractions, and structural barriers to redress—all in furtherance of a federally incentivized enforcement scheme under Title IV-D. Federal intervention is warranted where state actors weaponize judicial authority to extract compliance,



punish dissent, and suppress constitutional challenges to void state orders—especially where federal funding under Title IV-D incentivizes enforcement of interstate support contracts, as recognized in *United States v. Sage*, 92 F.3d 101 (2d Cir. 1996), and where violations of UIFSA have occurred.

Petitioner collaterally attacked a facially void November 2021 UCSO—entered without jurisdiction, adjudicated unfitness, or a constitutionally adequate hearing—but all Michigan courts, including the Michigan Supreme Court, refused to vacate the judgment. The trial court dismissed the collateral challenge with prejudice, invoking *res judicata*, contrary to longstanding precedent that void judgments are not entitled to preclusive effect. As a result, Michigan provides no forum for litigating fraud upon the court, even when it implicates fundamental rights. Although a stipulated \$0 UCSO was entered in December 2023, enforcement was unlawfully reactivated in 2025—without jurisdiction, without any motion filed in the active divorce case, and without any breach to justify reinstatement—further compounding the deprivation. This renewed enforcement—coordinated by Respondent, his attorney, the FOC, and a family court judge named in ongoing federal litigation—demonstrates a continuing abuse of judicial power and denial of due process that demands this Court’s intervention.

**I. The Michigan Courts’ Refusal to Vacate a Facially Void Judgment Conflicts with Due Process Precedent and Enables Ongoing Constitutional Violations**

This Court has long held that a judgment rendered without due process is void and must be vacated. See Fourteenth Amendment; *United States v.*

*Throckmorton*, 98 U.S. 61 (1878); *Marshall v. Holmes*, 141 U.S. 589 (1891); *Boddie v. Connecticut*, 401 U.S. 371 (1971). Here, Petitioner was stripped of parental rights and subjected to substantial financial obligations without an adjudicated finding that she posed a risk to her children:

- No evidentiary hearing was held on custody or parental fitness;
- Petitioner was denied the opportunity to contest falsified reports, suppressions of exculpatory evidence, and materially false testimony—allegedly suborned by opposing counsel;
- Mandatory procedures under Michigan’s custody and parenting time statutes (MCL 722.25(1), 722.27a) were disregarded.

This judgment, procured through fraud and suppression of evidence, is void—not merely voidable—and thus not shielded by *res judicata*. See *Fritts v. Krugh*, 354 Mich. 97, 123-24 (1958); *Valley View Angus Ranch v. Duke Energy Field Services*, 497 F.3d 1096, 1102 (10th Cir. 2007). By refusing to vacate it, Michigan courts permitted a known constitutional violation to continue unchecked, denying Petitioner her rights under the Fourteenth Amendment.

## **II. Systemic Judicial Bias Created by Title IV-D Funding Undermines Neutrality and Triggers a Constitutional Crisis**

Michigan’s judiciary participates in funding agreements that create a direct financial incentive to uphold child support orders, regardless of validity. These contracts—obtained via Michigan FOIA—reveal (App. 29a–36a):

- Multi-million-dollar grants from the Michigan Department of Health and Human Services (MDHHS) to judicial actors, including FOC and Prosecuting Attorneys;
- A contract awarded by MDHHS to the Michigan Attorney General expressly requires collaboration with judicial and law enforcement actors. It states:

*“Agency Collaboration: Work cooperatively with the MDHHS/OCS, the Michigan Supreme Court, the SCAO, FOCs and the Friend of the Court Association, the PAs and the Prosecuting Attorneys Association of Michigan and appropriate law enforcement agencies.”* (App. 34a, ¶ 11)

- Judicial dependence on enforcement-based performance metrics.

This inter-branch entanglement violates the doctrine of separation of powers and creates an irrebuttable appearance of bias that deprives Petitioner of her right to an impartial tribunal guaranteed by the Due Process Clause and Equal Protection Clause of the Fourteenth Amendment. See *Tumey v. Ohio*, 273 U.S. 510 (1927); *Caperton v. A.T. Massey*, 556 U.S. 868 (2009).

Petitioner’s constitutional challenge to this funding regime was repeatedly dismissed without consideration—despite evidence that it rendered Michigan courts structurally incapable of impartial adjudication.

### **III. Courts Systematically Refused to Adjudicate Fraud and Due Process Claims, Misapplying Abstention and Preclusion Doctrines**

Petitioner pursued every legal avenue to challenge the void judgment:

- A timely motion in the trial court under MCR 2.612(C)(1)(c) and (d) was denied by the same judge who issued the void order.
- A collateral civil suit was dismissed with prejudice on res judicata grounds, despite binding precedent that void judgments lack preclusive effect.
- The same issue was raised in criminal court and in UIFSA proceedings in Utah, yet no court addressed the threshold issue of jurisdiction or fraud.

Petitioner also turned to federal court under 42 U.S.C. §§ 1983, 1985, and 18 U.S.C. § 1964(c). Her constitutional and fraud claims were dismissed based on *Rooker-Feldman*, judicial immunity, and domestic-relations exceptions—all misapplied. These doctrines do not bar federal review of independent constitutional

violations or challenges to void judgments procured by fraud. See *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005); *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944); *Marshall v. Holmes*, 141 U.S. 589 (1891); see also *Chambers v. NASCO, Inc.*, 501 U.S. 32 (1991).

No court has yet addressed the core issues: deprivation of parental rights without due process, structural bias under Title IV-D, or the enforcement of a void judgment.

#### **IV. The Denial of Custody Absent an Adjudicated Finding of Unfitness Conflicts with *Troxel*, *Stanley*, *Santosky*, and Longstanding Constitutional Protections of Parental Rights**

This Court has long recognized that the right to the care, custody, and control of one's children is a fundamental liberty interest protected by the Fourteenth Amendment. *Troxel v. Granville*, 530 U.S. 57 (2000); *Stanley v. Illinois*, 405 U.S. 645 (1972); *Santosky v. Kramer*, 455 U.S. 745, 753 (1982).

The right to family integrity has been recognized as arising from multiple constitutional sources, including the First, Fifth, Ninth, and Fourteenth Amendments. See *Doe v. Irwin*, 441 F. Supp. 1247, 1251 (W.D. Mich. 1977) (observing that parental rights are “fundamental rights protected by the First, Fifth, Ninth, and Fourteenth Amendments”); *Griswold v. Connecticut*, 381 U.S. 479, 484–85 (1965) (discussing the “zone of privacy” protecting family relationships).

Michigan law echoes this principle: under MCL 722.25(1), a fit parent may not be denied custody absent clear and convincing evidence of unfitness.

Petitioner—a domestic violence survivor and mother presumed fit under both

federal and state standards—was nevertheless stripped of custody without any constitutionally valid adjudication of unfitness.

The record is unambiguous in its constitutional deficiencies:

- No evidentiary hearing was held to adjudicate Petitioner’s parental fitness, nor was she afforded an opportunity to cross-examine adverse witnesses, present rebuttal evidence, or meaningfully contest the allegations against her;
- No adjudicated finding of unfitness, neglect, or danger appears anywhere in the record, despite both federal due process and Michigan statutory mandates requiring such findings by clear and convincing evidence;
- A FOC-affiliated psychologist—personally selected by the family court judge—was appointed to evaluate only Petitioner, not the alleged abuser, creating structural bias. The evaluation report was never entered into the record or provided to Petitioner, denying her the opportunity to challenge or rebut its contents;
- The court relied on non-disclosed and non-testable “evidence”, including a secret “children’s preference interview” involving minor children (then ages 5 and 9) conducted off-record and under conditions ripe for coercion or manipulation;
- Exculpatory documentation of abuse was ignored or suppressed, while the alleged abuser was elevated to sole custodial parent without factual or legal justification;
- Falsified documents generated by the FOC were treated as fact over Petitioner’s objections, despite no evidentiary basis;
- Respondent gave materially false testimony on over 34 separate issues, yet no evidentiary hearing was held to assess credibility or permit cross-examination. Petitioner further alleges that opposing counsel knowingly permitted or facilitated this false testimony—potentially rising to subornation of perjury.

This was not a reasoned “best interests” determination. It was a procedurally defective process that prioritized institutional convenience and federal enforcement incentives over constitutional rights. Petitioner—an out-of-state resident, self-represented domestic violence survivor, and primary earner—was effectively denied

the opportunity to defend her rights or even be treated as a parent. She was reduced to a financial instrument, deemed the “breadwinner,” and forced to pay support to her alleged abuser—who was granted full custody without legal justification.

Despite raising these issues through state motions, collateral actions, and federal constitutional litigation under 42 U.S.C. §§ 1983, 1985 and 18 U.S.C. § 1964(c) (RICO), no court has provided her a hearing on the merits. The Michigan judiciary has refused to revisit either the custody determination or the facially void UCSO—a coercive order entered without proper findings, due process, or evidentiary support. The UCSO functions as a civil enforcement mechanism rooted in presumed income and automated penalties, amounting to financial peonage imposed on a fit parent deliberately excluded from custody.

This creates a dangerous and nationally significant precedent:

A fit parent can be stripped of custody without due process—and then forced to fund that deprivation through a constitutionally defective support order. Once such orders are entered, however fraudulent, unadjudicated, or procedurally invalid, they become functionally unreviewable.

## **V. Retaliatory Judicial Conduct and Denial of a Neutral Tribunal Violate Procedural and Substantive Due Process**

Judge Julie A. McDonald—named defendant in Petitioner’s federal civil rights suits—continues to preside over Petitioner’s family court matters involving her own federal co-defendants. Despite mandatory recusal rules, Judge McDonald:

- Denied all motions to disqualify without referral, violating MCR 2.003(D)(3);
- Imposed a \$1,500 filing bond despite an indigency waiver, effectively barring access to court;

- Rejected further filings, including non-motion notices and objections;
- Permitted hostile on-record misrepresentations about Petitioner's federal lawsuits and her character.

At a September 2025 evidentiary hearing on child support—held over Petitioner's continuing jurisdictional objections—Judge McDonald ordered a revised UCSO of \$1,408/month, despite:

- No admissible evidence supporting the order;
- Respondent's failure to produce tax returns or respond to discovery;
- Petitioner's timely financial disclosures, unobjected to by the September 3 deadline, were excluded;
- The court's refusal to hear Petitioner's pending custody and discovery motions.

Judge McDonald also refused a verbal disqualification request at the hearing, insisting they be submitted in writing, and allowed opposing counsel to defame Petitioner on the record.

This pattern of conduct—disregarding jurisdictional challenges, denying discovery, excluding evidence, and retaliating against Petitioner—violates her rights to procedural and substantive due process, as well as the right to an impartial tribunal guaranteed under the Fourteenth Amendment. It also contravenes judicial neutrality principles established in *Caperton v. A.T. Massey*, 556 U.S. 868 (2009), and *Tumey v. Ohio*, 273 U.S. 510 (1927).

Moreover, Petitioner's protected speech and petitioning activities—including filing grievances, complaints, and judicial misconduct reports—are safeguarded by the First Amendment. The retaliatory imposition of a filing bond, denial of court access, and rejection of filings constitute impermissible retaliation against these

constitutional rights, chilling Petitioner’s advocacy and precluding meaningful judicial review.

## **VI. The Questions Presented Are of National Importance Warranting This Court’s Review**

This case presents urgent and recurring constitutional issues of profound national significance at the crossroads of parental rights, due process, judicial neutrality, and federal funding incentives in family law proceedings.

At its core, the Petition challenges the constitutionality of a state-run system that punishes fit parents for protecting their children, while simultaneously enriching itself through federal funding mechanisms that reward custody transfers and child support collections, irrespective of due process or judicial integrity. These questions implicate not only the rights of the parties involved, but the integrity of federally subsidized judicial systems nationwide.

### **A. The Right to Parent Without Unconstitutional State Interference Is Fundamental**

This Court has long recognized the fundamental liberty interest of parents in the care, custody, and control of their children. *Troxel v. Granville*, 530 U.S. 57 (2000); *Stanley v. Illinois*, 405 U.S. 645 (1972). These rights may not be curtailed absent compelling justification, procedural protections, and judicial neutrality.

Here, a fit, primary-earning parent was stripped of both legal and physical custody of her children without adjudicated findings of unfitness, neglect, or abuse. Instead, the system elevated an alleged abuser—who had a documented history of unemployment and misconduct—while simultaneously ordering the mother to pay



him support, enforced through Title IV-D of the Social Security Act, which financially benefits the state judiciary and its enforcement arms.

### **B. Federal Funding Incentives Undermine Judicial Neutrality and Enable Constitutional Violations**

The Title IV-D program, codified at 42 U.S.C. §§ 651 et seq., establishes the federal framework for child support enforcement by incentivizing states through substantial federal funding tied to enforcement performance. Key provisions, including §§ 655 (Payments to States) and 658a (Incentive Payments to States), create financial rewards for states that maximize collections and compliance. The program's implementation is further governed by administrative regulations codified at 45 C.F.R. Part 302, including § 302.32 (collection and disbursement responsibilities) and § 302.34 (mandatory cooperative arrangements with courts and enforcement agencies), which embed state judiciaries and executive actors into performance-based funding schemes. These statutory and regulatory provisions provide the legal basis for the contractual funding arrangements that underpin the systemic conflicts of interest documented in this case.

State family courts operate under federal Title IV-D contracts, receiving millions in annual reimbursements tied to child support enforcement performance. Through Michigan FOIA and Utah GRAMA requests, Petitioner obtained contracts and funding agreements showing that Michigan's judiciary—including judges and FOC offices—receive direct federal funding based on support enforcement outcomes (App. 29a–39a). These agreements reveal a disturbing pattern:

- Judicial officers are contractually obligated to collaborate with enforcement agencies to ensure “cooperation” and maximize collections (App. 34a, ¶ 11);
- Courts must certify compliance with federal and state law as a condition of receiving Title IV-D funding—even when they are actively violating the very statutes they certify compliance with (App. 31a, ¶ 4.39);
- Courts financially benefit from the very enforcement actions they adjudicate, creating systemic conflicts of interest and structural bias.

This Court has never directly addressed the constitutionality of state courts entering into federal contracts that reward specific judicial outcomes. Yet nearly every state participates in Title IV-D under the same model, affecting millions of families nationwide. In such a system, due process protections become subordinate to enforcement metrics, particularly where litigants are pro se, indigent, or alleging abuse. The result is not neutral adjudication—it is revenue-driven dispossession.

### **C. Retaliation and the Enforcement of Void Judgments Reveal a National Breakdown of Judicial Integrity**

Petitioner’s case illustrates how void custody and support judgments, procured through fraud and denied meaningful appellate review, are insulated by state courts motivated to preserve their own funding streams. When Petitioner attempted to challenge these judgments through collateral proceedings, her claims were dismissed without any consideration of the merits—on grounds improperly invoking res judicata and procedural default.

After filing federal civil rights and RICO actions exposing these unconstitutional practices, the state court escalated its retaliation. In 2025, the family court judge—who was a named defendant in Petitioner’s federal suit—

imposed a \$1,500 filing bond to block her from submitting further motions, despite an active indigency waiver. Even non-motion filings, such as notices and objections, were summarily rejected. While stripped of legal access, Petitioner remains bound by a facially void UCSO that functions as an instrument of economic subjugation—a federally subsidized wage garnishment imposed on a parent denied due process.<sup>9</sup>

This raises a constitutional question of urgent national importance:

**Can state courts use federal funds to enforce void judgments, retaliate against civil rights claimants, and deny access to justice—all without meaningful oversight?**

The implications reach beyond family law. They implicate the integrity of Title IV-D, the legitimacy of judicial proceedings under financial conflicts of interest, and the federal government’s responsibility not to subsidize state conduct that violates constitutional rights. This Court’s intervention is not only warranted—it is necessary.

#### **D. The Integrity of the Judiciary and Public Trust Are at Stake**

Former Michigan Supreme Court Justice Elizabeth Weaver, a noted judicial whistleblower, warned of endemic “judicial deceit” and systemic corruption within the state’s judiciary. Petitioner’s case exemplifies the unchecked overreach and lack of accountability Justice Weaver described—where courts collaborate with executive agencies to generate revenue streams through judicial rulings at the expense of vulnerable families’ constitutional rights.

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<sup>9</sup> See 42 U.S.C. § 659, which provides federal consent for garnishment of wages, including federal wages, for child support enforcement under Title IV-D.

This Court's intervention is imperative to reaffirm critical legal principles:

- Void judgments must remain subject to judicial scrutiny;
- Res judicata cannot shield courts from correction of fraud upon the court;
- Federal funding cannot justify state violations of constitutional rights;
- Due process is meaningless if litigants can be silenced by denying access to courts.

This case is not just about one family or one state—it is about ensuring the fundamental fairness and constitutional integrity of family courts nationwide.

### **E. Additional Constitutional Violations Warranting Review**

Petitioner's claims also raise serious constitutional issues across multiple amendments:

- **First Amendment (Freedom of Speech and Petition):** Petitioner's repeated efforts to challenge judicial misconduct and void orders constitute protected speech and petitioning for redress. The state's retaliatory actions, including access restrictions and judicial reprisals, violate these fundamental rights.
- **Second Amendment (Right to Keep and Bear Arms):** Petitioner's concealed carry permit was unlawfully suspended as a collateral consequence of enforcement actions tied to a void judgment—despite no adjudicated threat or unfitness, raising serious constitutional concerns.
- **Fourth Amendment (Protection Against Unreasonable Seizures):** The seizure of Petitioner's assets—including federal tax refund and bond—without a valid judgment, warrant, or due process protections violates the Fourth Amendment's guarantee against unreasonable searches and seizures.
- **Fifth Amendment (Due Process and Takings Clause):** Coerced financial extractions and deprivation of parental rights without due process violate the Fifth Amendment, as applied to the states through the Fourteenth Amendment.

- **Ninth Amendment (Protection of Unenumerated Rights):** The fundamental rights to family integrity and parenting, though not explicitly enumerated, are constitutionally protected under the Ninth Amendment.
- **Thirteenth Amendment (Abolition of Involuntary Servitude):** The enforcement scheme effectively compels labor and coerced financial extraction, imposing peonage-like conditions on a fit parent, contrary to the Thirteenth Amendment's prohibition on involuntary servitude.
- **Fourteenth Amendment (Due Process and Equal Protection):** Central to Petitioner's claims is the denial of due process through the refusal to vacate a facially void judgment obtained by fraud, perjury, and deprivation of a meaningful opportunity to be heard. The unconstitutional application of res judicata to bar collateral attacks on such void judgments further compounds this violation. Moreover, the systemic financial entanglement between state courts and executive agencies under federal Title IV-D funding creates a structural bias that denies litigants a neutral tribunal and equal protection under the law.

This Court's review is essential to vindicate these fundamental constitutional guarantees and to address the broader national implications of federally incentivized judicial misconduct.

## CONCLUSION

Where a state judiciary enforces a void judgment under structurally biased conditions—fueled by federal incentives, retaliatory judicial conduct, and procedural foreclosure—this Court has an obligation to intervene. *Ex parte Young*, 209 U.S. 123 (1908), exists precisely for this purpose: to prevent ongoing constitutional violations when all state and lower federal remedies have failed.

Throughout this litigation, Petitioner has acted in the best interests of her children—seeking custody to protect them from harm and supporting them

financially when able. A survivor of domestic violence, she has been stripped of parental rights without due process, forced to pay her abuser under a constitutionally defective support order, and retaliated against for exposing structural corruption. She stands not only as a pro se litigant facing systemic obstacles, but as a whistleblower whose credibility and rights have been suppressed by those with the most power to harm her.

These proceedings have also brought Petitioner to the brink of financial collapse. After fleeing abuse and leaving her job to protect her children, she has endured years of litigation, unemployment, and mounting debt—burning through savings and now facing financial ruin. Compounding this hardship is the looming threat of felony nonpayment charges, exposing her not only to economic devastation but also criminal penalties. These consequences are not imposed by the judiciary alone: they result from coordinated enforcement actions across state executive agencies, interstate tribunals, and even federal entities—including the IRS, FBI, and credit reporting agencies—acting in tandem to punish noncompliance with constitutionally defective support orders. Her experience is emblematic of how family court can economically destabilize and criminalize protective parents, particularly those who challenge institutional misconduct.

Petitioner asks this Court to reject any framework that treats her solely as a financial instrument rather than as a mother—a mother who has fought to care for her children, who never relinquished her rights, and who continues to seek justice in a system that has denied her even the most basic procedural fairness.

This case raises urgent and nationally significant constitutional issues. Certiorari is necessary to reaffirm that due process, judicial neutrality, and parental rights are not privileges granted at the discretion of state actors—but guarantees owed to every citizen under the Constitution. Among them is a parent's freedom to support her children in a manner consistent with her capacity, dignity, and conscience—not under coercive threat, forced labor, or economic servitude to a state-manufactured formula, especially when that formula compels a protective parent to fund her own dispossession and the empowerment of her abuser—both private and state-sponsored.

Respectfully submitted,



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Date: September 22, 2025

**VERIFICATION PURSUANT TO 28 U.S.C. § 1746(1)**

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 22, 2025.

  
SHARI LYNN OLIVER