25-6365

**IN THE SUPREME COURT OF THE UNITED STATES**

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**TIMOTHY ROBERT PROVO,**

Petitioner,

v.

**GEOFFREY W. TENNEY, et al.,**

Respondents.



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**On Petition for a Writ of Certiorari**
to the United States Court of Appeals
for the Eighth Circuit

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# PETITION FOR A WRIT OF CERTIORARI

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**Dated:** October 8, 2025

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## PETITION FOR WRIT OF CERTIORARI

Petitioner, Timothy Robert Provo, respectfully petitions for a writ of certiorari to review the judgment of the United States Court of Appeals for the Eighth Circuit. The case presents recurring constitutional questions concerning judicial recusal, disability rights, and access to appellate review—issues of national importance that reach the core of due process and equal protection.

## QUESTIONS PRESENTED

### 1. Recusal and Void Orders

Whether the Due Process Clause and the Supremacy Clause permit a state judge to continue issuing substantive custody, contempt, and support orders after formal recusal, and whether federal courts may summarily affirm such orders where they

are void *ab initio* yet stripped Petitioner of joint custody and imposed financial obligations based on projected income. Although lower courts purport to follow uniform standards, in practice they apply self-protective and inconsistent interpretations — treating post-recusal acts as valid in direct conflict with this Court's precedent, thereby creating an appearance of division that demands resolution.

**2. ADA Retaliation and Denial of Accommodations**

Whether Title II of the Americans with Disabilities Act (42 U.S.C. § 12132) and the Fourteenth Amendment protect pro se litigants with traumatic-brain-injury disabilities from retaliation and denial of accommodations in state-court proceedings, including transcript obstruction, selective fee enforcement, and exclusion from meaningful participation. Courts nationwide apply inconsistent standards to ADA enforcement in judicial settings, leaving disabled litigants subject to arbitrary access barriers.

**3. Transcript Obstruction and Meaningful Appellate Review**

Whether selective production or suppression of trial transcripts by state courts deprives an appellant of due process and meaningful appellate review under the Fourteenth Amendment. Although jurisdictions purport to follow this Court's decisions in *Griffin v. Illinois*, 351 U.S. 12 (1956); *Draper v. Washington*, 372 U.S. 487 (1963); and *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), they apply those precedents inconsistently or avoid them altogether, creating an appearance of division over

whether transcript access is constitutionally required in civil and family cases involving fundamental parental rights.

## PARTIES TO THE PROCEEDING

Petitioner: **Timothy Robert Provo**, pro se and ADA-protected.

Respondents: **Judge Geoffrey W. Tenney; Cheif Judge Elizabeth Strand; Amanda Engen; Kendra R. Luke; Emily Provo; Chad Wiebe; Jami Goodrum; Georgina Turner; Monica Tschumper; Wright County Court Administration;** and other officials identified in the Eighth Circuit caption.

No corporate parties are involved.

## JURISDICTION

The United States Court of Appeals for the Eighth Circuit entered its judgment on **September 29, 2025**, denying all motions as moot under Rule 47A(a). A timely petition for panel rehearing and rehearing en banc was filed and denied. This petition is filed within 90 days of that judgment, making it timely under Supreme Court Rule 13.

This Court has jurisdiction under **28 U.S.C. § 1254(1)** to review the judgment of a United States Court of Appeals by writ of certiorari.

## STATEMENT OF THE CASE

On **January 21, 2025**, Judge **Geoffrey W. Tenney** formally recused from Petitioner's family-law case (Exhibit A). Under **Minn. Stat. § 542.16** and this Court's precedent in ***State v. Finch***, 865 N.W.2d 696 (Minn. 2015), recusal divests

a judge of jurisdiction. Orders entered thereafter are ***void ab initio***. Yet Tenney and allied state actors continued to issue custody, support, and contempt rulings that reshaped Petitioner's parental rights and finances long after jurisdiction was lost.

**1. Fraudulent Child-Support Orders**

The court-based support not on actual income but on **projected earnings**, contrary to **Minn. Stat. §§ 518A.32 and 518A.34**. This speculative imputation ignored verified disability limits and financial records (Exhibits 14a–14d), creating an inflated obligation that fueled later retaliation and contempt actions. These fabricated numbers became the foundation for every subsequent enforcement act and deprivation of due process.

**2. Eviction Without Hearing**

An ex-parte order expelled Petitioner from his home within 5 days—**no notice, no evidence, no hearing**. The same Judge denied a stay motion filed within two days. Such summary dispossession violates the Fourteenth Amendment's core requirement of notice and opportunity to be heard. *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Fuentes v. Shevin*, 407 U.S. 67 (1972).

### 3. Veteran Counsel's Warning Ignored

Attorney **Tristam O. Hage**, a forty-five-year plus practitioner, told the court the case "**never should have made it past SENE.**" In sworn filings and a January 20, 2022, letter to Tenney, Hage documented missing pleadings, bloated discovery, and over $65,000 in opposing-counsel billing "resembling *The Firm*." His professional warning that the matter lacked jurisdiction and due process was met with silence.

### 4. Harassment Order Without Findings

In 2021, Judge Eskrum heard a harassment-restraining-order petition from **Emily Provo**. Despite no admissible evidence, Tenney—who did **not** preside—signed the order without findings or statutory basis, curtailing Petitioner's contact with his child. Counsel **Amanda Engen** coerced Petitioner, under threat of further litigation, into accepting a one-year order later extended to two without hearing. This order became the template for years of retaliatory restrictions.

### 5. December 2021 Trial: Perjury & Suppressed Abuse Evidence

At trial, Emily Provo twice committed perjury, denying financial records she later admitted withholding and concealing **Chad Wiebe's** presence in the home. Petitioner produced photographs and criminal records proving abuse; Tenney ignored them. The court protected perjury, silenced abuse evidence, and entrenched a false narrative that justified later custody loss.

### *6. Coercion and Retaliation*

After trial, Engen falsely promised that signing the decree would restore parenting time. Relying in good faith and limited by a **traumatic brain injury (TBI)**, Petitioner signed—only to be immediately denied contact. This exploitation of disability violated **Title II of the ADA** and ethical duties of candor. Subsequent sanctions and "conduct fees" punished Petitioner solely for asserting rights, weaponizing the bench against protected activity.

### 7. Custody Loss Under Altered Decree

On **September 13, 2022**, Tenney issued a "Stipulation and Order to Appoint Parenting Consultant" removing joint custody while simultaneously stripping the consultant, **Kathleen Fischer**, of authority to decide child-safety issues unless both parties consented. This contradictory order erased all safeguards for the child and was entered while Petitioner was **unrepresented**—a direct violation of due process and Minn. Stat. § 604A.32. It became the predicate for Petitioner's later recusal motion.

### 8. ADA Obstruction & Transcript Tampering

Throughout, Petitioner—an ADA-protected TBI survivor—was denied accommodations, assessed punitive fees, and provided only **selective transcripts** designed to sustain a false record (Exhibit 13). Requests were rerouted to Tenney himself. the very official accused of bias, ensuring no neutral ADA process existed.

**9. Misstatement of Law and Systemic Collapse**

At the April 3rd, 2025, recusal hearing, Tenney presided over his **own disqualification**, mischaracterizing *Finch* as "a criminal statute" rather than binding precedent. Chief Judge Strand declined to intervene. Later, in federal proceedings, Judge Jerry W. Blackwell dismissed the complaint **without acknowledging or addressing Petitioner's citations to *State v. Finch*, 865 N.W.2d 696 (Minn. 2015), or the ADA claims clearly pled in the record.** Instead, he relied on an **overbroad and legally unfounded application of judicial immunity** that extended protection to officials who acted after recusal and outside any lawful jurisdiction. That ruling disregarded the long-established principle that **immunity does not attach to acts taken in the clear absence of jurisdiction or in furtherance of fraud.** The **Eighth Circuit** then summarily affirmed under Rule 47A, leaving these constitutional violations unreviewed and compounding the breakdown of judicial accountability across state and federal levels.

**10. DHS Fraud and Retaliation Through License Threats**

On January 30, 2025, the Minnesota Department of Human Services ("DHS") **cancelled the medical-support order** without explanation, characterizing the action as *procedural* rather than acknowledging the underlying illegality. In subsequent proceedings, DHS representatives conceded on the record that there was "a lot of information to support Mr. Provo," admitting that Petitioner had long

documented evidence showing the case had been fraudulent from its inception. Despite that acknowledgment, DHS has continued to enforce the remaining child-support order and is now attempting to **suspend Petitioner's driver's license**—retaliation that compounds the due-process violations and underscores the absence of lawful authority. These actions demonstrate ongoing state participation in the fraud rather than correction of it, in direct defiance of due process and the Supremacy Clause.

**11. Federal and Appellate Proceedings**

Petitioner sought relief through every available channel. State appellate courts declared the issues "moot." The federal district court ignored *Finch* and dismissed under judicial immunity. On **September 29, 2025**, the **Eighth Circuit** affirmed without opinion, denying all motions as moot (Rule 47A). That affirmance ratified both the state's post-recusal fraud and the federal judiciary's refusal to apply controlling law.

**Summary**

This case exposes a **constitutional vacuum** where judges act after recusal, state agencies admit fraud yet enforce void orders, and federal courts bless the result by silence. The questions presented—whether post-recusal orders can stand, whether disabled litigants are protected from retaliation, and whether access to a full record

is guaranteed—strike at the foundation of due process and equal protection. Only this Court can restore the rule of law.

## REASONS FOR GRANTING THE WRIT

**This petition presents issues of exceptional national importance.** The unchecked exercise of judicial power after formal recusal, compounded by ADA retaliation and transcript suppression, threatens the integrity of both state and federal courts. Review by this Court is urgently needed to reaffirm the constitutional boundaries that safeguard impartial justice and to ensure that disabled litigants are not denied meaningful access to the judicial process.

The questions presented affect every state and federal courthouse in the Nation. Recusal, ADA compliance, and record transparency are the structural guarantees that preserve public confidence in the judiciary. Their erosion threatens not only individual litigants but the constitutional balance itself.

As detailed in Section X, Petitioner has exhausted every available remedy, leaving this Court as the sole forum capable of enforcing constitutional compliance.

## I. Post-Recusal Orders Are Void Ab Initio and Federal Courts May Not Summarily Affirm Them

This Court has long held that 'no man can be a judge in his own cause.' *In re Murchison*, 349 U.S. 133 (1955); That principle is given structural force through statutes and due-process doctrine requiring that once a judge is disqualified, jurisdiction is fully divested. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009); *Tumey v. Ohio*, 273 U.S. 510 (1927). Once a judge is recused or disqualified, all further acts are jurisdictionally void. *See Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847 (1988); *State v. Finch*, 865 N.W.2d 696 (Minn. 2015). The consistent thread through these decisions is that impartial adjudication is not a courtesy but a constitutional mandate.

Here, Judge Geoffrey Tenney formally recused on January 21, 2025. Despite that divestiture, he and subsequent state judicial officers **knowingly and willfully continued to issue and enforce substantive custody, support, and contempt orders.** Each judicial officer acted with actual written notice of the recusal order and contemporaneous jurisdictional objections filed by Petitioner. These actions were not inadvertent mistakes — they were deliberate exercises of power **after jurisdiction had been surrendered.** The resulting orders are therefore *void ab initio* under both the Due Process Clause and the Supremacy Clause.

By summarily affirming those void acts under Rule 47A(a), the Eighth Circuit effectively sanctioned **intentional violations of constitutional and statutory**

**limits.** That ruling squarely conflicts with *Caperton*, *Murchison*, and *Finch*, all of which hold that judicial neutrality and recusal are not discretionary courtesies but *mandatory* jurisdictional boundaries.

Allowing courts to knowingly act after disqualification converts constitutional guarantees into empty words. It transforms recusal from a structural safeguard into a procedural suggestion, enabling precisely the kind of unchecked power the Due Process Clause was designed to prevent.

The question presented is therefore of exceptional national importance:

**Whether the Due Process and Supremacy Clauses permit state or federal judges, with actual notice of disqualification or recusal, to knowingly continue exercising jurisdiction and whether federal courts may summarily affirm such post-recusal orders as valid.**

This Court's review is essential to reaffirm that recusal immediately divests jurisdiction, that knowing violations of that divestiture constitute fraud upon the court, and that no federal court may affirm such acts consistent with due process or the rule of law.

This case presents the recurring question whether recusal is an enforceable limitation or merely an internal guideline — a question only this Court can resolve definitively.

## II. Retaliation and Denial of Accommodations to ADA-Protected Litigants Undermines Equal Access to Justice

Title II of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12132, provides that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or denied the benefits of the services, programs, or activities of a public entity. Courts are public entities, and their obligation to provide meaningful access to justice is therefore both statutory and constitutional. *See Tennessee v. Lane*, 541 U.S. 509 (2004).

Petitioner is a documented survivor of a traumatic brain injury ("TBI") whose medical records and prior filings placed all judicial actors on **actual notice** of his disability. Beginning in 2024, he submitted repeated written requests for reasonable accommodations—extended response time, simplified scheduling, and transcript access—each invoking Title II and 28 C.F.R. § 35.130(b)(7). Instead of engaging in the required interactive process, court officials and judges **knowingly retaliated** against those requests by misclassifying filings, imposing conduct-based fees, and forcing Petitioner to proceed without the very accommodations necessary for meaningful participation.

This pattern culminated in the September 24, 2025, hearing before Magistrate Judge Simonds, who acknowledged Petitioner's ADA request on the record yet ordered the proceeding to continue without modification, offering only a token "large font" accommodation. Such actions contravene *Tennessee v. Lane*, which recognized that access to judicial proceedings is a fundamental right protected by

both Title II and the Fourteenth Amendment. Denying accommodations while proceeding against a disabled litigant under duress is not a procedural error—it is a **knowing deprivation of equal protection and due process under color of law.**

The Eighth Circuit's summary affirmance under Rule 47A left these violations unreviewed, effectively insulating retaliatory state-court conduct from federal scrutiny. This outcome deepens an emerging conflict among lower courts concerning the scope of Title II in judicial settings and the availability of remedies for disabled pro se litigants facing discrimination within court processes.

The question therefore demands this Court's attention:

**Whether state and federal courts violate Title II of the ADA and the Fourteenth Amendment when, with actual notice of a litigant's disability, they knowingly deny reasonable accommodations, retaliate for asserting ADA rights, and then treat those denials as immune from review.**

Resolution of this question is vital to preserve the constitutional promise of equal access to justice. Without clear guidance from this Court, disabled litigants across the Nation will continue to face retaliation and exclusion in the very institutions charged with protecting their rights.

This issue extends far beyond a single litigant; it affects the administration of justice for millions of disabled Americans who rely on courts for equal access under Title II.

## III. Transcript Obstruction and Selective Record Production Deprive Litigants of Meaningful Appellate Review

The Fourteenth Amendment guarantees not only access to a court but also the right to *meaningful* appellate review. This Court recognized in *Griffin v. Illinois*, 351 U.S. 12 (1956), and *Draper v. Washington*, 372 U.S. 487 (1963), that an indigent or disabled litigant cannot be denied effective review through selective denial of transcripts or manipulation of the record. The same principle applies with special force in family-law and parental-rights proceedings, where this Court has held that access to a complete record is essential to due process and equal protection. *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996). The integrity of appellate review depends upon a complete and accurate record of proceedings.

Here, state-court administrators and judicial officers **knowingly obstructed access to full transcripts** despite Petitioner's repeated written requests and his *in forma pauperis* status. Only selective portions—those favorable to opposing parties—were ever produced, while key hearings reflecting perjury, recusal admissions, and ADA protests were withheld or misclassified. These omissions were not accidental; they occurred **after explicit notice** that the missing materials were

essential to federal review. Such conduct destroys the ability to present constitutional claims and renders appellate oversight illusory.

The district court and the Eighth Circuit compounded the harm by affirming dismissal without ordering record correction under Federal Rule of Appellate Procedure 10(e). In doing so, the lower courts created a direct conflict with *Griffin* and *Draper*, which hold that selective transcript production violates due process and equal protection. A judiciary cannot demand that litigants prove error while simultaneously concealing the evidence of that error.

The question therefore presented is of exceptional importance:

**Whether the Fourteenth Amendment's guarantee of due process and equal protection is violated when state and federal courts knowingly obstruct or selectively produce transcripts, thereby depriving a litigant—especially an indigent or disabled party—of meaningful appellate review.**

This Court's intervention is necessary to reaffirm that transparency and completeness of the record are indispensable to justice itself. Without that assurance, appellate review becomes a formality rather than a safeguard.

## IV. Systemic Protection of Judicial Misconduct by State and Federal Courts Threatens the Rule of Law

Judge Tenney misrepresented controlling precedent (*State v. Finch*, 865 N.W.2d 696 (Minn.

2015)) on the record, calling it a "criminal statute" and ruling on his own recusal. This Court has repeatedly emphasized that even the *appearance* of judicial self-protection undermines public confidence in the rule of law. *See Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

Chief Judge Strand ignored the misrepresentation. In federal court, Judge Blackwell likewise disregarded Finch despite it being squarely cited, instead applying an overbroad view of judicial immunity. The Eighth Circuit then summarily affirmed under Rule 47A.

This systemic refusal to apply binding precedent demonstrates not mere error but institutional protection of judicial misconduct. If left unchecked, courts may immunize judges from recusal rules, ADA accountability, and transcript obligations — undermining public confidence in the judiciary. Only this Court can resolve the constitutional stakes and restore accountability.

## V. Judicial Immunity Does Not Apply to Acts Taken Without Jurisdiction or in Furtherance of Fraud

This Court has consistently held that judicial immunity does not extend to acts taken in the clear absence of jurisdiction. *Stump v. Sparkman*, 435 U.S. 349, 356–57 (1978). Immunity is a shield for good-faith judicial acts, not a sword for those who knowingly exceed their lawful power. *See Bradley v. Fisher*, 80 U.S. (13 Wall.) 335, 351 (1872) (acts done "in the clear absence of all jurisdiction" are not protected).

Likewise, acts that are administrative, retaliatory, or fraudulent are not "judicial" in nature and cannot be cloaked with immunity.

Here, multiple judges acted outside the scope of lawful authority:

- **Judge Geoffrey Tenney** continued to issue substantive custody, contempt, and support orders after his January 21, 2025, recusal. Under Minn. Stat. § 542.16 and *State v. Finch*, 865 N.W.2d 696 (Minn. 2015), Tenney was divested of jurisdiction. His post-recusal orders are void ab initio and not shielded by immunity.
- **Chief Judge Elizabeth Strand** declined to intervene when Tenney presided over his own recusal hearing, despite binding precedent. By ratifying Tenney's misrepresentation of *Finch* as a "criminal statute," Strand joined the fraud rather than performing a judicial act.
- **Magistrate Judge Kirsten Simonds** presided over the September 24, 2025, hearing despite actual notice of Tenney's recusal, active federal appellate jurisdiction, and pending ADA requests. Her declaration on the record that "this hearing is proceeding" was an administrative enforcement act taken in defiance of federal supremacy, not a judicial ruling within lawful authority.
- **Chief Justice Natalie E. Hudson and the Minnesota Supreme Court** denied Petitioner's writ of prohibition/mandamus despite actual notice of Judge Tenney's post recusal orders, ADA retaliation, and transcript

obstruction. By refusing to apply binding precedent (*State v. Finch*) and instead declaring the filings "moot," the state's highest court shielded misconduct rather than adjudicating law. Such conduct is not a judicial act entitled to immunity, but a willful refusal to perform the duties of office in violation of the Supremacy Clause and due process.

- **Judge Jerry W. Blackwell** dismissed Petitioner's §1983 and ADA claims by fraudulently invoking judicial immunity while ignoring *Finch* and the jurisdictional defect. By extending immunity to acts taken without jurisdiction, Blackwell himself acted outside lawful authority.
- **Magistrate Judge Shannon G. Elkins** repeatedly obstructed Petitioner's access to the court by ordering serial amendments, misclassifying ADA filings, and refusing to enforce the statutory accommodations process. These actions were administrative in nature, not judicial, and were used to suppress Petitioner's rights rather than adjudicate claims. Immunity does not apply to acts that are clerical, obstructive, or retaliatory under color of law.
- **The Eighth Circuit** summarily affirmed under Rule 47A, ratifying void post-recusal orders and fraudulent reliance on judicial immunity without analysis. In doing so, the panel entrenched systemic protection of misconduct and expanded immunity far beyond its lawful scope.

Veteran attorney **Tristam Hage**, a practitioner of more than forty-five years, placed his ethical objections on the record, warning that opposing counsel's billing

and procedural tactics resembled "*The Firm*" and that the court's conduct was unlawful. Even a senior member of the bar could not obtain engagement or corrective action from the bench. Immediately after Mr. Hage withdrew as counsel, the retaliation against Petitioner escalated—confirming that no participant, not even an experienced officer of the court, could penetrate the institutional resistance to accountability.

This pattern demonstrates not isolated error but systemic disregard for the limits of judicial immunity. If allowed to stand, it would effectively immunize fraud, retaliation, and jurisdictional violations across the judiciary, erasing the constitutional boundaries that ensure judicial accountability. Review by this Court is necessary to reaffirm that immunity ends where jurisdiction and good faith end.

## VI. Attorney Misconduct Is Not Shielded by Judicial Immunity

This Court has made clear that judicial immunity protects judges, not attorneys. See *Tower v. Glover*, 467 U.S. 914, 920 (1984) ("Public defenders and private attorneys are not immune from liability under § 1983 for intentional misconduct undertaken in concert with state actors"). Attorneys who conspire with state officials to deprive constitutional rights act "under color of law" and remain personally liable under 42 U.S.C. § 1983. *See Polk County v. Dodson*, 454 U.S. 312 (1981).

Here, opposing counsel engaged in egregious misconduct that directly deprived Petitioner of due process and ADA protections:

- **Kendra R. Luke** knowingly filed fraudulent motions, misrepresented facts, and exploited judicial bias to sustain void orders.
- **Amanda Engen** fraudulently coerced Petitioner into signing away rights by falsely promising immediate parenting time, despite knowing of Petitioner's traumatic brain injury and ADA status.

These actions constitute fraud upon the court, retaliation against an ADA-protected litigant, and conspiracy with state actors under color of law. Yet both the district court and the Eighth Circuit ignored this misconduct, effectively extending immunity to attorneys where none exists.

Review is necessary to reaffirm that attorney misconduct cannot be cloaked by judicial immunity and that lawyers who conspire with state actors to deprive litigants of constitutional rights remain accountable under federal law.

## VII. Administrative Officials and Bar Authorities Are Not Entitled to Judicial Immunity

Judicial immunity extends narrowly to judges acting within jurisdiction. It does not protect administrative personnel, court clerks, ADA coordinators, or bar regulators who engage in fraud, retaliation, or record tampering. See *Forrester v. White*, 484 U.S. 219, 228 (1988). Likewise, ministerial and administrative functions that obstruct access to justice fall squarely outside the judicial role. *See Antoine v. Byers & Anderson, Inc.*, 508 U.S. 429 (1993) (court reporters and administrative staff not entitled to absolute immunity).

- **Court Administration (Wright County & Federal Clerks).** Petitioner's filings were repeatedly misclassified, re-labeled, or obstructed. ADA-protected filings were entered as "motions" or "continuances" to avoid judicial review. Wright County Court Administrator and ADA Coordinator Monica Tschumper ignored or delayed accommodation requests and advised Petitioner to refile existing requests, denying meaningful access. At the federal level, clerks misclassified or suppressed Rule 15(d) supplements and ADA filings, preventing a full and fair record from reaching the appellate court in violation of FRAP 10(e). These are administrative acts, not judicial decisions, and cannot be immunized.
- **State Bar Authorities.** The Office of Lawyers Professional Responsibility (OLPR), under Director Susan Humiston, refused to act on documented fraud and misconduct by attorneys, instead dismissing complaints and characterizing them as a "parade of attorneys" problem. This abdication of duty effectively protected fraudulent conduct and denied Petitioner any avenue of accountability. Such conduct is administrative and retaliatory, not judicial.
- **Federal Court Administration.** Beyond docket misclassification, federal administrators also obstructed transcript access, ignored ADA filings, and prevented correction of the appellate record. These deliberate actions deprived Petitioner of meaningful review and access to justice.

Administrative record manipulation is not a judicial act and falls outside immunity.

These administrative actors, no less than the judges and attorneys, conspired under color of law to suppress Petitioner's rights and preserve void orders. Review is necessary to clarify that immunity does not extend to fraud, record tampering, or bad-faith administrative obstruction at either the state or federal level.

## VIII. Oversight Officials and Court Administrators Who Retaliate Against Disabled Litigants Are Not Immune

Judicial immunity does not extend to bar regulators, ADA coordinators, or administrative staff who knowingly participate in retaliation, docket manipulation, or enforcement of void orders. See *Forrester v. White*, 484 U.S. 219, 228 (1988) (distinguishing judicial acts from administrative acts).

- **Susan Humiston, Director of the Office of Lawyers Professional Responsibility (OLPR).** Despite detailed complaints documenting fraud, perjury, and ethical violations by attorneys Luke and Engen, Humiston dismissed Petitioner's grievances, characterizing them as a "parade of attorneys" problem rather than misconduct. This abdication protected fraudulent conduct and denied Petitioner any avenue for attorney accountability. Such acts are administrative and retaliatory, not judicial.
- **Monica Tschumper, ADA Coordinator / Court Administration.** Tschumper repeatedly misclassified and delayed Petitioner's ADA requests

advised him to refile already-filed accommodation requests and failed to engage in the interactive process required under Title II of the ADA. On the eve of the September 24, 2025, hearing, she emailed Petitioner that the hearing would proceed unless the magistrate canceled it — effectively denying accommodations and enabling retaliation under color of law.

- **Wright County Child Support Office / DHS Officials.** Jami Goodrum and Georgina Turner, with actual notice of fraud "since inception," continued to pursue medical and child-support enforcement based on void orders, retaliating against Petitioner for asserting his rights. Such conduct is administrative enforcement of void judgments, not protected judicial action.

These officials are not judges, and their acts are not judicial. They are administrative actors who knowingly facilitated fraud and ADA retaliation. Immunity does not extend to their conduct. Review is necessary to reaffirm that court staff, bar regulators, and child-support officers cannot hide behind judges while punishing disabled litigants under void orders.

## IX. Private Parties Who Conspire with State Actors Are Liable Under § 1983

This Court has recognized that private parties who conspire with state officials to deprive constitutional rights may be sued under 42 U.S.C. § 1983. See *Dennis v. Sparks*, 449 U.S. 24, 28 (1980) ("Private parties jointly engaged with state officials in the challenged action are acting under color of law for purposes of § 1983").

- **Emily Provo** committed perjury, concealed financial records, and initiated fraudulent filings, including a harassment restraining order and support requests based on false representations. She directly benefited from judicial misconduct, attorney fraud, and administrative tampering, and used these mechanisms to deprive Petitioner of housing, parenting time, and due process.
- **Chad Michael Wiebe** brought an extensive abuse history and engaged in acts of domestic violence against the child yet was shielded by the court. Despite evidence and testimony, his misconduct was ignored, and he participated in filings and testimony that sustained the fraudulent record against Petitioner.

Together, Provo and Wiebe acted jointly with attorneys, judges, and court officials under color of state law. Their misconduct was not independent but part of a systemic conspiracy that deprived Petitioner of constitutional rights. Immunity does not extend to them, and § 1983 liability remains.

## X. Exhaustion of Oversight Remedies and the Absence of Any Effective Forum

Petitioner has pursued every available channel of accountability. Formal complaints were submitted to the Minnesota Office of Lawyers Professional Responsibility, the Judicial Conduct Board, the Administrative Office of the United States Courts, and the U.S. Department of Justice's Civil Rights and Inspector General Divisions. Each office acknowledged receipt but declined to act, citing jurisdictional limits or

offering no substantive review. These uniform refusals confirm that no functional remedy exists within the ordinary oversight structure. This Court therefore stands as the only forum capable of addressing the constitutional violations and systemic entrenchment documented herein.

## XI. CONCLUSION

The sheer number of constitutional and statutory *guarantees* disregarded across every level of this case—from state trial court to federal appellate review—underscores the gravity of the constitutional crisis now before this Court and the need for its intervention to restore faith in the United States system of justice.

For the foregoing reasons, the petition for a writ of certiorari should be granted.

**Respectfully submitted,**

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**Dated: 10/08/2025**

**Appendix:**

1. Judgment of the Eighth Circuit (Sept. 29, 2025).