

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

NAQUEA ELAINE JOHNSON,  
*Petitioner,*

v.

NEW JERSEY, ET AL.,  
*Respondents.*

Case No. 25-6617

**MOTION FOR RECONSIDERATION OF ORDER DENYING  
LEAVE TO PROCEED IN FORMA PAUPERIS**

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## I. INTRODUCTION

On March 23, 2026, the Monday following this Court's March 20 conference, consistent with this Court's standard orders cycle, this Court denied Petitioner's motion for leave to proceed in forma pauperis and directed payment of docketing fees pursuant to Rule 38(a) by April 13, 2026. (See Exhibit A.) Petitioner respectfully moves this Court to reconsider that denial pursuant to Supreme Court Rule 44.1 on the ground that the order does not reflect the individualized analysis this Court's own precedent requires before IFP may be denied in a parental rights case. Petitioner's affidavit in compliance with Federal Rules of Appellate Procedure Form 4 and 28 U.S.C. § 1746 was filed with the original IFP application and docketed January 20, 2026. That financial documentation, including mandatory court-ordered deductions of \$276.92 bi-weekly and the federal bankruptcy discharge of July 2024, was before the Court for sixty days before the March 23 denial issued.

The March 23 order list uses the word "petitioners," plural. The order contains no findings. It applies no standard. It identifies no authority. It is the direct output of the March 20 conference, which means this Court had Petitioner's sworn financial documentation before it for sixty days and produced an order that reflects none of it. *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), requires more than that in a parental rights case. This motion asks this Court to apply controlling authority precedent requires. Further, a future predicate the Court was unaware of is that printing costs did not exist prior to March 23 because the paid docket obligation did not exist before March 23. Lastly, upholding the denial would produce a result so unjust that reconsideration is compelled. A mandatory hearing on appeal that was ordered and never held is manifest injustice.

## II. THE CONTROLLING STANDARD - *M.L.B. v. S.L.J.* – LOWER COURT APPLIED

### DILLARD INSTEAD OF *M.L.B.*

In *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), this Court held that financial barriers to court access in parental rights cases implicate both the Due Process and Equal Protection Clauses of the Fourteenth Amendment. The Court stated:

"Choices about marriage, family life, and the upbringing of children are among associational rights this Court has ranked as 'of basic importance in our society,' *Boddie*, 401 U. S., at 376, rights sheltered by the Fourteenth Amendment against the State's unwarranted usurpation, disregard, or disrespect."

*Id.* at 116. The Court further held that parental rights cases are categorically distinct from "run-of-the-mill civil litigation" for purposes of fee requirements. *Id.* at 128. *M.L.B.* requires an individualized inquiry into the specific financial circumstances of the specific parent before IFP may be denied in a parental rights case. *Id.* at 123–24.

This Court's precedent in *Boddie v. Connecticut*, 401 U.S. 371 (1971), established that the State cannot condition access to the only available forum on payment when a fundamental right is at stake. The Court held that "given the basic position of the marriage relationship in this society's hierarchy of values and the concomitant state monopolization of the means for legally dissolving this relationship," due process "prohibit[s] a State from denying, solely because of inability to pay, access to its courts to individuals who seek judicial dissolution of their marriages." *Id.*, at 374. This Court's precedent in *Troxel v. Granville*, 530 U.S. 57, 65 (2000), recognized that:

"The liberty interest at issue in this case, the interest of parents in the care, custody, and control of their children, is perhaps the oldest of the fundamental liberty interests recognized by this Court."

This Court's precedent in *Stanley v. Illinois*, 405 U.S. 645, 651 (1972), established that the Due Process Clause requires procedural protections before the State may deprive a parent of the custody of their child. This Court's precedent in *Kalb v. Feuerstein*, 308 U.S. 433, 438–39 (1940), established that void orders, orders issued without proper jurisdiction, may be challenged at any time. Every one of those precedents is directly implicated by the IFP denial. Not one of them appears in the March 23 order. The constitutional requirement to perform an individualized inquiry before denying IFP in a parental rights case arises not from 28 U.S.C. § 1915(a)(1), which gives this Court discretionary authority to authorize IFP, but from *M.L.B.* itself and the Due Process and Equal Protection Clauses of the Fourteenth Amendment. A form order addressing multiple petitioners simultaneously, containing no findings, and applying no standard cannot satisfy that constitutional requirement. It is categorically insufficient under *M.L.B.* The courts below did not apply *M.L.B.* They applied *Dillard v. Liberty Loan Corp.*, 626 F.2d 363, 367 (4th Cir. 1980), a commercial debt collection framework, to an IFP determination in a parental rights case. (See Exhibit B.) That substitution is documented, unrebutted, and constitutionally indefensible. The March 23 order of this Court did not correct it. "There can be no equal justice where the kind of trial a man gets depends on the amount of money he has." *Griffin v. Illinois*, 351 U.S. 12, 19 (1956). That was 1956. This is 2026. The principle has not changed. The method has. Four certified court transcripts were originally classified as criminal proceedings, because they were. A New Jersey judge told a litigant that if she did not turn over her son, she may face arrest. A Norfolk Family Court detective appears in those

transcripts. Police arrived at Petitioner's door with a New Jersey order with a gold seal and a stamp that read: “**POLICE TO ASSIST IN ENFORCING THIS ORDER.**” Custody interference was named in the order itself. Those transcripts were then corrected, not to fix an error, but to remove the criminal classification that would have required mandatory federal protections Petitioner was never afforded. The correction was not transparent. It was concealing. And when the full scope of that concealment was on the verge of exposure, a convicted Newark Watershed Corruption political kickback felon and named defendant, threatened to fraudulently report Petitioner to authorities for a threat that was never made. (See Exhibit F.) The documented communications evidencing that threat was submitted to Norfolk Circuit Court but have since disappeared from the file. Discovery would expose all of it. But discovery requires access to the courts. Access to the courts requires IFP. And IFP was denied, without findings, without authority, and without the individualized analysis *M.L.B.* demands. That denial does not merely foreclose review. It perpetuates it. Void orders continue to extract mandatory deductions from Petitioner's income, the very income that cannot meet the financial barrier this Court imposed, ensuring that the ongoing harm from those void orders simultaneously prevents the ability to pay for the access that would end them. The price of equal justice in 1956 was a transcript. The price in 2026 is a filing fee, a booklet, and a form order addressed to plural petitioners. *Griffin* called the first unconstitutional. *M.L.B.* called the second unconstitutional. This Court issued the form order anyway. The integrity concerns surrounding state representation are further underscored by an unresolved conflict of interest. Jay Jones was sworn in as Virginia Attorney General on January 17, 2026. His mother, a Virginia judicial officer, is a named defendant in Petitioner's underlying federal civil rights action. Despite this facial conflict, no recusal, disclosure, or substitution of counsel has been entered on the record. This Court has recognized that judicial

proceedings require not merely the absence of actual bias, but the avoidance of any appearance of partiality. *See Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009). The absence of any recorded recusal or clarification regarding representation underscores the broader procedural irregularities surrounding Petitioner's access to judicial review.

This Court is currently weighing whether the Fourteenth Amendment protects children born on American soil to non-citizen parents, a question this Court has answered the same way for 157 years. That principle cannot mean more for a child born to a non-citizen than it means for a Virginia-born child removed from his home state without the jurisdictional hearing federal law required. Petitioner's son was born in Virginia. To an American citizen. On American soil. Virginia was his home state at the time of removal from Virginia soil. Under the Parental Kidnapping Prevention Act, 28 U.S.C. § 1738A, jurisdiction over his custody could only be exercised by Virginia, the state where he lived with a parent for at least six consecutive months immediately prior to any proceeding, or established paternity. New Jersey invoked emergency jurisdiction on an ex parte basis, a temporary measure that required subsequent compliance with the PKPA's mandatory four-prong analysis before permanent jurisdiction could be established. That analysis was never conducted. New Jersey never weighed home state jurisdiction, significant connection, or whether Virginia had declined to exercise its authority. The IFP denial ensures that failure is never examined.

Jurisdiction cannot be conferred by coercion. Petitioner did not initiate these proceedings, she was ordered by a New Jersey judge to surrender her infant or face arrest. The IFP denial ensures that foundation is never honestly tested. The only documented contact between New Jersey and Virginia made available to the petitioner was not a jurisdictional notification as the PKPA requires, it was a transcript reflecting how a Norfolk Family Court detective instructed the

Superior Court of New Jersey that a mention of custody interference was required to 'make her turn him over.' That is not a jurisdictional transfer. That is coordination to compel compliance through coercion. When Petitioner sought to file in Virginia, she was denied access to the courts and instructed to 'fight it up there' by a Virginia judicial officer who is a named defendant in this action. No reasons were given. No records exist of any interstate judicial communication conducted through proper legal channels. Emergency jurisdiction invoked through coordination with the home state to force a mother's surrender cannot ripen into permanent lawful jurisdiction. That assumption was void from the moment it became permanent. The IFP denial ensures it is never examined. **That is not emergency jurisdiction. That is coordination.** Yet the dirty hands doctrine was applied not to the state that assumed jurisdiction without authority, but to the mother who resisted, ensuring the party who committed the fraud was shielded by it and the party harmed by it was made to answer for it. Not by New Jersey. Not by Virginia. Not by the Fourth Circuit. And not by this Court's March 23 order. The IFP denial adds one more layer to that shield and allows for perpetual ongoing harm.

An order fraudulently obtained to compel a mother's compliance, invoked on an emergency ex parte basis without the jurisdictional foundation the PKPA requires, filed not to protect a child but to remove one from the only state with lawful authority over him, cannot be the foundation of valid jurisdiction. The concealment that followed is not incidental. It is the confirmation. Sealed files with no sealing order that can be produced. DCPD records concealed from every Guardian ad Litem appointed to represent this child. Transcripts criminally altered and dismissed as typographical errors after the appeal. A mandatory home state hearing ordered by an appellate court and never held. An IFP denial with no findings, no standard, and no authority. **Each layer of concealment exists because each layer of fraud cannot survive**

**transparency.** A government that removes a child without lawful jurisdiction, then seals the record, conceals the evidence, and denies the mother access to the only court that can examine it, is not protecting a child. It is protecting the fraud upon the court, by the court. The IFP denial does not stand apart from that fraud. It is the latest instrument of it, financially lock on the only door that leads to honest examination.

The Fourteenth Amendment cannot mean more for a child born to a non-citizen than it means for a mother born here, fighting here, petitioning here. If the Constitution prohibits the creation of a permanent underclass of children without legal protection, it equally prohibits the creation of a permanent underclass of parents, those who cannot pay the financial barrier this Court erected without findings, without authority, and without the individualized analysis *M.L.B. v. S.L.J.* demands. A commercial debt has monetary value. A child does not.

The *Dillard* standard belongs to one. The Fourteenth Amendment belongs to the other. This Court applied the wrong one. If an American citizen residing in Virginia happened to give birth in another state, no reasonable interpretation of law would grant that state indefinite jurisdiction over her child. The accident of birthplace does not override the constitutional framework the PKPA was written to enforce. What happened here is no different in principle, and everyone in every courtroom where this case has been heard knows it. What is different is that Petitioner documented it. She reported it. She named it. She filed it. She refuses to disappear. And in a system where public corruption depends on silence, a parent who will not be silent becomes the threat and is then accused of making one. “Inappropriate comments.” “Threats to the judiciary.” The language of retaliation against whistleblowers dressed as the language of concern.

**Whistleblowers who report public corruption face consequences. In this case, the consequences are three: First, pay \$600 per month from a \$3,792 monthly income, extracted**

under void orders, to a man not listed on the child's birth certificate who by documented court record earns approximately \$18,935 per month, while Petitioner simultaneously supports another child in her home full-time, and watch the records that would expose the injustice of that order remain sealed, concealed, and inaccessible, reviewable only in camera by the judges whose conduct those records implicate. **Second**, have your reputation as a litigant systematically dismantled. Labeled a liar, mentally unstable, not credible, irrational, and difficult. Accused of threats never made. Painted as the problem in proceedings designed to ensure you could never prove otherwise. The facts that would clear that record are in the concealed files. **Third**, constructive termination of parental rights. Not the formal kind where a judge signs an order. The kind that happens through accumulated obstruction such as concealed records, sealed files, criminal proceedings reclassified as civil ones after appeal, visitation that cannot safely be exercised without the very documents being concealed, and a financial structure that ensures every attempt to challenge any of it costs more than the parent can pay. It is termination without the honesty of calling it that. Visitation without safety is not a relationship. It is a liability. A parent who cannot safely exercise visitation because DCPD records remain concealed and require "in-camera review," and sealing orders cannot be produced is not a parent with rights. She is a parent with paperwork. The IFP denial ensures all three consequences continue. It is not a procedural outcome. It is the enforcement mechanism of a coordinated scheme.

Additionally, Sup. Ct. R. 39.8 gives this Court permissive authority to deny IFP when a petition is "frivolous or malicious." The March 23 order, attached as Exhibit A, invokes that authority nowhere. It makes no frivolous finding. It cites no authority. What is absent from that order is as significant as what it contains. One question the March 23 order leaves unanswered is the most telling of all: if this petition did not warrant consideration, why was cert not denied?

This Court had that option. A denial of certiorari would have ended this matter entirely. Instead, the Court denied IFP, leaving the petition alive while erecting a financial barrier to it. That is not a decision that the case lacks merit. That is a decision that this petitioner must pay before the Court will say so. Under *M.L.B.* and *Boddie*, a financial barrier erected without findings, without authority, and without individualized analysis in a parental rights case is not a procedural outcome. It is a constitutional violation. If the volume of IFP determinations makes individualized review administratively impractical, that concern amplifies, not dissolves, the constitutional obligation to ensure *M.L.B.* is applied with precision by every lower court that touches a parental rights case. When a commercial debt collection standard is substituted for a constitutional one without correction, without comment, and without consequence, the message sent downward through the federal judiciary is that *M.L.B.* is optional. **It is not optional. It is controlling.** The willful failure to apply *M.L.B.* to an IFP determination in a parental rights case is not procedural error. It is an independent constitutional violation, one that compounds every violation that came before it by ensuring those violations will never reach honest examination. Chief Justice Roberts warned that personally directed hostility toward judges is dangerous. The failure to apply controlling constitutional law to a mother petitioning for access to her child is dangerous, too. The difference is that one threatens the institution. The other destroys the family. This Court has the authority to end that danger. The question is whether it will.

### **III. CONSTITUTIONAL ERROR - THE MARCH 23 ORDER CONTAINS NO INDIVIDUALIZED ANALYSIS**

*M.L.B.* requires an individualized inquiry. 519 U.S. at 123–24. That means one parent, one financial record, one analysis. The March 23 order contains none of that. Three features of

the order confirm that *M.L.B.*'s individualized standard was not applied. **First**, the order list uses the word "petitioners," plural. Petitioner is one individual with one case. An order list addressing multiple petitioners simultaneously cannot constitute the individualized financial analysis *M.L.B.* requires as a matter of constitutional law. **Second**, the order contains no factual findings. It makes no reference to Petitioner's income, her mandatory \$276.92 bi-weekly court-ordered deductions extracted under void orders, her July 2024 federal bankruptcy discharge, or the combined cost of proceeding on the paid docket. (See Exhibits C, D.) That sworn financial documentation was before this Court for sixty days. None of it appears in the order. **Third**, the order cites no legal standard. It does not cite *M.L.B.*, 519 U.S. 102. It does not cite *Boddie v. Connecticut*, 401 U.S. 371 (1971). It does not cite 28 U.S.C. § 1915 or Sup. Ct. R. 39. It directs payment and sets a deadline. That is not constitutionally sufficient IFP determination in a parental rights case. Four specific factors *M.L.B.* requires were not examined. **First - Parental Rights Implications.** Petitioner seeks court access to challenge void orders that have separated her from J.A.O. in violation of the PKPA, 28 U.S.C. § 1738A. J.A.O.'s home state was Virginia. The mandatory home state determination hearing ordered by the New Jersey Appellate Division in *Orr v. Johnson*, May 2020, was never held. (See Exhibit E.) Petitioner is the only parent listed on J.A.O.'s birth certificate who has not seen her son in-person for almost three years. The parental liberty interest at stake is precisely what *M.L.B.*, 519 U.S. at 116, and *Troxel v. Granville*, 530 U.S. 57, 65 (2000), place in the highest constitutional category. It was not considered. **Second - Void Order Challenge.** Petitioners' underlying civil rights case does not challenge a custody determination on the merits. It challenges jurisdictionally void orders under *Kalb v. Feuerstein*, 308 U.S. 433, 438–39 (1940), and 42 U.S.C. § 1983. No court conducted the mandatory home state determination hearing federal law required before J.A.O.

could be removed from Virginia. New Jersey voluntarily dismissed proceedings rather than comply with its own appellate court's directive in *Orr v. Johnson*. Virginia accepted jurisdiction without independently conducting the required analysis. Every order built on that foundation is void. The IFP denial blocks that void order challenge entirely and permanently. This was not considered. **Third - Mandatory Deductions Are Not Discretionary Income.** Petitioner is subject to mandatory bi-weekly child support deductions of \$276.92 extracted under the void orders her civil rights case seeks to challenge. (See Exhibit C.) Money extracted from income by court order is not discretionary income available for filing fees. The \$300 filing fee alone is a hardship. The Rule 33.1 booklet requirement is an added expense, incurred in hope, not in guarantee. The violations exist undisputably no matter what their presentation. The IFP determination did not distinguish between discretionary income and court-mandated extractions. That distinction is the difference between financial hardship and financial impossibility. **Fourth, Bankruptcy as Objective Court-Verified Hardship Evidence.** Petitioner's Chapter 7 bankruptcy was discharged July 2024 following complete judicial examination of her financial circumstances. (See Exhibit D.) A federal court's own determination of financial insolvency is the most objective court-verified hardship evidence available. The March 23 order does not engage with it. Any individualized *M.L.B.* analysis must.

#### **IV. MANIFEST INJUSTICE - WHAT THE ABSENCE OF INDIVIDUALIZED ANALYSIS PERMANENTLY FORECLOSES**

The IFP denial does not just foreclose a legal filing. It forecloses the only available path to full discovery of documented harm, harm that includes void jurisdictional orders, a mandatory home state hearing ordered and never held, New Jersey DCPD records concealed from every Guardian

ad Litem report filed, and a Chief Judge's dismissal order containing a false statement disproved within his own three pages. On January 28, 2026, the Chief Judge of the United States District Court for the Eastern District of Virginia (Norfolk) issued a dismissal order stating that Petitioner had filed no motion to stay the mandate, a statement directly contradicted by the Fourth Circuit docket (See Exhibit B-1) and by the Chief Judge's own citation to that motion within the same three-page order. (See Exhibit B-2.) A federal judge issuing a written order containing a false statement of fact disproved by that same order raises constitutional questions under 28 U.S.C. §§ 144 and 455 that the IFP denial permanently forecloses. J.A.O. turns nine on April 20, 2026, one week after this Court's deadline, another year without his mother. That separation was not produced by honest judicial proceedings. It was produced by the absence of the one hearing that was ordered and never held, a mandatory home state determination hearing that would have exposed the void foundation of every subsequent order. The IFP denial ensures that foundation is never honestly examined. Denying IFP without applying *M.L.B.*'s individualized standard tells judges nationwide that interstate child removals accomplished without jurisdiction will never reach transparent examination, because the financial barrier ensures the record stays buried. It tells those who weaponize the judicial process that their conduct is consequence-free, because the financial barrier ensures it never reaches discovery. That is not what *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), *Boddie v. Connecticut*, 401 U.S. 371 (1971), and the Fourteenth Amendment were written to permit. **Chief Justice Roberts warned the nation that 'personally directed hostility is dangerous and it's got to stop.'** But when the hostility flows from the bench, when it arrives as a Superior Court of New Jersey Judge ordering a Virginia citizen to surrender her infant or face arrest, with a Norfolk Family Court detective instructing that court to weaponize custody interference as the mechanism to 'make her turn him over,' as multiple certified court

transcripts criminally altered and later dismissed as mere typographical errors after appeal, as New Jersey DCPD involvement concealed from every Guardian ad Litem report while Virginia CPS holds no record of this child, as case files sealed in Norfolk's own juvenile and domestic relations court with no sealing order that can be produced, as a convicted Newark Watershed Corruption political kickback felon, a named defendant, one who threatened to fraudulently report a fighting mother to authorities and notify the presiding custody judge of conduct that never occurred, as a Fourth Circuit that substituted a commercial debt collection standard for the constitutional framework this Court established in *M.L.B. v. S.L.J.*, as a form order with no findings and no authority, as a voluntary dismissal filed the moment a hearing would have exposed the truth, as a false footnote in a sitting federal judge's own three-page order, as void orders extracted from a mother's income for years under jurisdiction that was never lawfully established, and as a Virginia Attorney General who publicly stated that people only move on policy 'when they feel pain personally' in response to a message about hoping a political opponent's children would die, who was elected on that record, whose mother is a named defendant and presiding judge in this very action, and who has yet to recuse himself, who warns the nation then? Pay the fee. Print the booklet. Follow every rule they wrote. And when the booklet arrives - perfectly bound, Rule 33.1 compliant, every page in order, understand that none of it guarantees a finding, a standard, or an authority cited in response. The form order already exists. It has a blank where your name goes. That is not process. That is the appearance of process. And there is a difference. When lower courts apply a commercial debt collection standard to fundamental parental rights, children become collateral, their value measured not by constitutional protection but by a parent's ability to pay. The stakes in a commercial dispute are financial. The stakes here are a child. The predetermined outcome is not justice wearing a robe.

It is the Constitution being used against the people it was written to protect. **Your constitutional rights are negotiable. Our decisions are not. That is what the lower courts said. And on March 23, 2026, this Court said it too.**

## V. CONCLUSION

The March 23 order did not apply the standard this Court established in *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996). It examined no financial facts. It weighed no constitutional factors. It produced no findings. It applied no authority. In a parental rights case involving void jurisdictional orders, a mandatory hearing that was ordered and never held, and a mother who has not seen her son in almost three years, that is insufficient. *M.L.B.* exists because this Court recognized that financial barriers cannot protect constitutional violations in parental rights cases from meaningful judicial review. *Boddie* exists because this Court recognized that the state's monopoly over conflict resolution cannot be conditioned on payment when fundamental rights are at stake. *Kalb* exists because this Court recognized that void orders can be challenged at any time regardless of the barriers erected to prevent that challenge. For J.A.O. For the mandatory hearing ordered in *Orr v. Johnson* that was never held. For the only parent listed on J.A.O.'s birth certificate who has not seen her son in almost three years. Petitioner respectfully requests that this Court grant the following relief: **Primary Relief:** Grant reconsideration, vacate the March 23, 2026, IFP denial, and direct the Clerk to enter IFP status for Petitioner pursuant to 28 U.S.C. § 1915(a)(1) and Sup. Ct. R. 39. **Alternative Relief:** If this Court finds that *M.L.B. v. S.L.J.* does not govern this IFP determination, Petitioner respectfully requests that this Court do two things. **First**, assign the monetary value of a parent's fundamental right to their child. Not in the language of the Constitution. In dollars. Because that is what the March 23 order required of this Petitioner. If *Dillard v. Liberty Loan Corp.* governs here, then the parent-child relationship, which this

Court has called the oldest fundamental liberty interest it has ever recognized, has a price. This Court should say what it is. **Second**, state the reason *M.L.B.* does not apply here with findings, with authority, and with full transparency this Court demands of every court beneath it. Not in a form order addressed to plural petitioners. Not in silence. In writing, a parent, a child, and history can read. If there is a legal reason *M.L.B.* does not apply here, write it. Every litigant who comes after this one deserves to know what it is. If the reason cannot be written, if it cannot survive the same transparency this Court requires of others, then this motion has already answered the question it came here to ask. **Grant** reconsideration based on the extraordinary circumstances to include controlling legal authority overlooked or misapplied; factual predicate of the Court was unaware of; constitutional error of the first order where the denial itself implicates constitutional rights; and manifest injustice where a mandatory hearing was ordered and never held.

**Apply *M.L.B.* Assign a dollar value to a child.** Orr, **explain on the record** why none of those options are available. Those are the only responses that honor the institution this Court is sworn to protect. In April 2018, New Jersey conducted the interstate child removal of J.A.O., an eleven-month-old infant residing in Norfolk, VA. What followed was not a custody proceeding. It was a scheme executed with zero UCCJEA compliance, no notice, no established paternity, no ICPC procedures, no registration of New Jersey orders in Virginia, and no legal consequences for any of it. The criminal classification and DCPD involvement were concealed under the guise of custody proceedings. The reason and evidence for DCPD's involvement remains withheld. J.A.O. is now almost nine. It is April 2026. The IFP denial ensures it continues.

Respectfully submitted,



Naquea Elaine Johnson

*Pro Se Petitioner*

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## CERTIFICATE OF GOOD FAITH

I, Naquea Elaine Johnson, Pro Se Petitioner, hereby certify pursuant to Supreme Court Rule 44 that this Motion for Reconsideration is presented in good faith and not for the purpose of delay. The grounds stated herein are stated briefly and distinctly as required by Rule 44.1 and constitute substantial grounds not previously presented, specifically, the failure to apply the individualized constitutional standard established in *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996) to Petitioner's documented financial circumstances in a parental rights case, new evidence that was not available before, manifest injustice in a case where the mandatory hearing was ordered and never held.



Naquea Elaine Johnson

*Pro Se Petitioner*

Date: 4/4/2024

**CERTIFICATE OF SERVICE**

I, Naquea Elaine Johnson, hereby certify that on April 4, 2026, I served a copy of the foregoing Motion for Reconsideration, together with all exhibits, upon the following parties by FedEx:

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202 North Ninth Street  
Richmond, VA 23219

**Solicitor General of the United States**

United States Department of Justice  
Officer of the Solicitor General  
950 Pennsylvania Avenue, NW, Room 5614  
Washington, DC 20530-0001

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



Naquea Elaine Johnson

*Pro Se Petitioner*

Date: 4/4/2026

## APPENDIX | INDEX OF EXHIBITS

<b>Exhibit</b>	<b>Document</b>	<b>Relevance</b>
A A1 – A11	March 23, 2026, Order List and Order Denying IFP	The order list for the order under reconsideration, plural "petitioners," no findings, no standard, no authority cited.
B-1 (1) – (5)	Fourth Circuit Docket Entry #13 Motion to Stay Mandate (Oct. 22, 2025)	Directly refutes the Chief Judge's false statement that no motion to stay the mandate was filed.
B-2 (1) – (4)	ECF No. 24 Chief Judge's Dismissal Order (Jan. 28, 2026)	Contains the self-proving false statement: cites the motion to stay in the body while denying its existence in a footnote, within the same three-page order.
C C1 – C10	Child Support Order and Bi-Weekly Deduction Records (\$276.92)	Documents mandatory court-ordered extraction under void orders, not discretionary income available for filing fees under any honest M.L.B. analysis.
D D1 – D5	Chapter 7 Bankruptcy Discharge Order (July 2024)	Federal court's own determination of financial insolvency, the most objective court-verified hardship evidence available and a required M.L.B. factor the March 23 order did not examine.
E E1 – E19	Orr v. Johnson, New Jersey Appellate Division Opinion (May 2020)	The appellate order directing the mandatory home state hearing that was never held, voiding every subsequent custody order under <i>Kalb v. Feuerstein</i> .
F F1 – F6	Direct Message Communications - Instagram (Dianthe Martinez-Brooks a/k/a Dawn Orr)	Documented threat to fraudulently report Petitioner to authorities for a threat that was never made and to notify the presiding custody judge of Petitioner's behavior. Authenticated by Petitioner's declaration under 28 U.S.C. § 1746. The corresponding communications have since disappeared from Norfolk Circuit Court.

Exhibits are tabbed A through F in the order listed above. All exhibit letters correspond to citations in the body of this motion.

Case No. 25-6617  
*Johnson v. New Jersey, et al.*  
Supreme Court of the United States

## **EXHIBIT A**

### **March 23, 2026, Order List and Order Denying Leave to Proceed In Forma Pauperis**

**RELEVANCE TO MOTION:**

The order list for the order under reconsideration. Uses the word "petitioners," plural. Contains no findings, applies no standard, and cites no authority. Was issued following the March 20 conference despite Petitioner's sworn financial documentation having been before the Court for sixty days. Does not invoke Rule 39.8. Does not deny certiorari. Does not engage with *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), or any controlling precedent. Its absence of findings is as significant as what it contains.

MONDAY, MARCH 23, 2026

**CERTIORARI -- SUMMARY DISPOSITION**

25-640 WILLIAMS, RANDALL, ET AL. V. CHARLESTON CTY. SHERIFF, ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Galette v. New Jersey Transit Corp.*, 607 U. S. \_\_\_\_ (2026).

**ORDERS IN PENDING CASES**

24-889 HIKMA PHARMACEUTICALS, ET AL. V. AMARIN PHARMA, INC., ET AL.

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

25-459 SALAZAR, MICHAEL V. PARAMOUNT GLOBAL

The motion of petitioner to dispense with printing the joint appendix is granted.

25-6605 BATES, JULIAN F. V. GENERAL MOTORS, LLC

25-6617 JOHNSON, NAQUEA E. V. NEW JERSEY, ET AL.

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until April 13, 2026, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI DENIED**

24-805 MALDONADO-MAGNO, WALTER, ET AL. V. BONDI, ATT'Y GEN.

24-992 MO HIGHER ED. LOAN AUTH. V. GOOD, JEFFREY, ET AL.  
 25-313 CHINOOK INDIAN NATION, ET AL. V. BURGUM, SEC. OF INTERIOR, ET AL.  
 25-361 ASANTE, ET AL. V. KENNEDY, SEC. OF H&HS, ET AL.  
 25-412 WILLIAMSON, ROLANDO A. V. UNITED STATES  
 25-447 SCHENA, MARK V. UNITED STATES  
 25-588 SUMMERS, DONNA E. V. MONTANA  
 25-594 ) CROCKETT, ELIZABETH, ET AL. V. KRUEGER, JOHN, ET AL.  
 )  
 25-604 ) CRAIG, DREW, ET AL. V. KRUEGER, JOHN, ET AL.  
 25-625 TAKEDA PHARMACEUTICAL, ET AL. V. PAINTERS & ALLIED TRADES, ET AL.  
 25-660 KLUM, NICOLE, ET AL. V. DAVENPORT, IA, ET AL.  
 25-661 BLECHER, ERIK, ET AL. V. THE HOLY SEE  
 25-667 CoSTAR GROUP, INC., ET AL. V. COMMERCIAL REAL ESTATE EXCH.  
 25-704 FULTON COUNTY, PA, ET AL. V. DOMINION VOTING SYSTEMS, ET AL.  
 25-712 HERNDEN, SANDRA V. CHIPPEWA SCH. DIST., ET AL.  
 25-784 CUNNINGHAM, KIYA V. WELLS FARGO BANK, N.A., ET AL.  
 25-810 FINK, JOHN W. V. STANZIONE, KAYDON A., ET AL.  
 25-813 BOGARDUS, KIM V. YAKIMA, WA  
 25-815 KODE, SIDDHARTH V. PARGIN, JOSEPH, ET AL.  
 25-823 MOSS, WILLIAM K. V. SACHEM CENT. BD. OF ED., ET AL.  
 25-824 MOODY, TONY V. OH DEPT. OF MENTAL HEALTH  
 25-826 POMPY, LESLY V. MOORE, MARC, ET AL.  
 25-827 McCLORY, JOSEPH L. V. HOBBS, SCOTT  
 25-830 KANUSZEWSKI, ADAM, ET AL. V. SHAH, SANDIP, ET AL.  
 25-832 SMITH, BONNIE M. V. SMITH, SHIRLEY  
 25-834 ERIE INDEM. CO. V. STEPHENSON, TROY, ET AL.  
 25-835 RIGOLLET, JEAN-FRANCOIS V. LE MACARON DEV., LLC  
 25-836 ROCKLAND COUNTY, NY, ET AL. V. NEW YORK, ET AL.  
 25-838 HEID, JOSEPH V. RUTKOSKI, MARK, ET AL.

25-850 CA CRANE SCH., INC. V. GOOGLE LLC, ET AL.  
 25-852 EDELSTEIN, KIMBERLY V. EDELSTEIN, ELIOTT  
 25-854 HOLLEY, ADAM V. LEPAK, BENJAMIN M., ET AL.  
 25-857 YARBROUGH, JOSHUA, ET AL. V. SLASHSUPPORT, INC., ET AL.  
 25-858 CHEMUTI, CHARLOTTE V. NORTH CAROLINA  
 25-859 EASTEP, CHELESY V. CARRICK, STEVEN, ET AL.  
 25-860 THERMOLIFE INT'L LLC, ET AL. V. BPI SPORTS, LLC  
 25-864 OTU, DANIEL V. WHYTE-OTU, ANITA  
 25-866 WRIGHT, CHARLES V. WRIGHT, MONICA M.  
 25-873 CATTELL, THOMAS B. V. DEEKS, VICTORIA, ET AL.  
 25-875 FORT BEND SCH. DIST. V. PAXTON, ATT'Y GEN. OF TX  
 25-894 BRATHWAITE, ABIEL V. GEORGIADES, ANTHONY, ET AL.  
 25-896 HOUSE, MICHAEL J. V. GENERAL ELECTRIC CO., ET AL.  
 25-900 GLOBAL MARINE EXPLORATION, INC. V. REPUBLIC OF FRANCE, ET AL.  
 25-907 MATTHEWS, GERARD P. V. BONDI, ATT'Y GEN.  
 25-926 KEELY, ALEXANDER V. PA BOARD OF LAW EXAMINERS  
 25-931 BAS, LLC V. LAND, TOMMY  
 25-951 BANKS, MORGAN, ET AL. V. HOFFMAN, DAVID H., ET AL.  
 25-968 KAVURU, KISHORE K. V. UNITED STATES  
 25-969 ) ZOTTOLA, ANTHONY V. UNITED STATES  
 )  
 25-6812 ) ROSS, HIMEN V. UNITED STATES  
 25-978 KONDILIS, ADRIANNA, ET AL. V. CHICAGO, IL  
 25-984 McCALEB, DAN V. LONG, MICHELLE  
 25-990 NATIONWIDE BIWEEKLY ADM., INC. V. CFPB  
 25-997 SINNISSIPPI ROD & GUN, ET AL. V. RAOUL, ATT'Y GEN. OF IL, ET AL.  
 25-5309 DAVIDO, TEDOR V. HARRY, SEC., PA DOC, ET AL.  
 25-5948 KIMBRELL, JODY D. V. USDC CD CA  
 25-6063 LeBLANC, TIMOTHY V. UNITED STATES

25-6097 GLYNN, SHANNA M. V. MARQUETTE POLICE DEPT., ET AL.  
25-6105 ISAACSON, BRITTANY L. V. UNITED STATES  
25-6127 DAVIS, BRODRICK E. V. UNITED STATES  
25-6158 NOCK, JOHN V. UNITED STATES  
25-6171 DiBELARDINO, ALDO V. MIYARES, ATT'Y GEN., VA, ET AL.  
25-6208 PECKHAM, MATTHEW V. RHODE ISLAND  
25-6315 RUSHING, JASPER P. V. ARIZONA  
25-6316 CAMPBELL, KYLE R. V. UNITED STATES  
25-6444 ABDULLAH, RASHID M. V. PLANT CITY, FL, ET AL.  
25-6476 BLUNTSON, DEMOND D. V. TEXAS  
25-6531 JORGE, RAFAEL V. ADLER, MARIE  
25-6537 EVERETT, DAVID T. V. THARRETT, SARAH E.  
25-6543 PHILLIPS, STEPHEN D. V. SIEG, AMY, ET AL.  
25-6545 MONTGOMERY, GREGORY V. GUERRERO, DIR., TX DCJ  
25-6547 WILTZ, CASSANDRA V. MILLER, CHAD M., ET AL.  
25-6554 SONNIER, JUSTIN G. V. TEXAS  
25-6558 HUYNH, PHILONG V. SUPERIOR COURT OF CA, ET AL.  
25-6575 PEREZ PADILLA, LOURDES C. V. DEPT. OF SOCIAL SERV., ET AL.  
25-6578 NORTHRUP, DAVID J. V. FLORIDA  
25-6586 M. G. J. V. OR DEPT. HUMAN SERVICES, ET AL.  
25-6588 SKELLCHOCK, DEREK V. DEAN, JUDGE, ET AL.  
25-6591 MAPLE, LATEEF V. MARYLAND  
25-6592 GIPBSIN, CLARENCE A. V. UNITED STATES, ET AL.  
25-6596 KETCHAM, JAMIE B. V. DEPT. OF DEFENSE  
25-6603 MARTIN, DAVID V. RAOUL, ATT'Y GEN. OF IL, ET AL.  
25-6608 CHRISTENSEN, DENNIS V. DIXON, SEC., FL DOC, ET AL.  
25-6609 BRADY, ROGER H. V. WILLIAMS, WARDEN, ET AL.  
25-6613 MATTHEWS, DUSTIN V. TEMPE, AZ, ET AL.

25-6615 ADDISON, WESLEY K. V. GUERRERO, DIR., TX DCJ  
25-6618 RAMOS, JONATHAN F. V. G. H., KAREN  
25-6620 LUMSDEN, RAYMOND E. V. GUERRERO, DIR., TX DCJ  
25-6621 REESE, LAMAR V. OHIO  
25-6625 SERPIK, ROMAN V. V. WEEDON, FORMER JUDGE, ET AL.  
25-6626 CAREW, TERRANCE V. MORTON, SUPT., DOWNSTATE  
25-6628 SQUARE, ELHADJ A. M. V. OH COURT OF COMMON PLEAS, ET AL.  
25-6631 SANCHEZ, JUAN J. Z. V. TEXAS  
25-6632 RIVERA, ALVETO V. GRAY, MARK  
25-6635 SANCHEZ-JIMENEZ, JOSE A. V. UNITED STATES, ET AL.  
25-6645 CLARK, LA'SHAUN V. NY CITY HOUSING AUTH., ET AL.  
25-6646 HEALY, NOAH P. V. SQUIRES, JOHN A.  
25-6655 SILVERS, KERRY E. V. INDIANA  
25-6656 SHERRILL, ALLEN M. V. MICHIGAN  
25-6657 GREEN, DALE B. V. DIXON, SEC., FL DOC  
25-6658 KELLER, JEFFREY V. ILLINOIS  
25-6672 CHILDS, DOMINIQUE A. V. VIRGINIA  
25-6673 CAPUTO, JAMES R. V. TUBIOLO, RICHARD S., ET AL.  
25-6686 NELLONS, RICARDO V. GEE, SUPT., CAYUGA  
25-6705 WOLF, CHAD B. V. UNITED STATES  
25-6711 ENGLAND, MATTHEW H. V. UNITED STATES  
25-6718 RAMIREZ, OTTO M. V. UNITED STATES  
25-6719 SANCHES-RAUDALES, ROLANDO H. V. UNITED STATES  
25-6723 DEMA, VICTOR V. TOTH, JENNIFER  
25-6725 POWELL, SHAWN D. V. GUZMAN, WARDEN  
25-6729 HEAGGEANS, ANTWAUN O. V. UNITED STATES  
25-6747 McLENNAN, BRAD V. UNITED STATES  
25-6748 CORN, JOHN E. V. UNITED STATES

25-6757 HARDIN, JWAN L. V. INDIANA  
25-6758 WASHINGTON, QUINTIN V. TANNER, WARDEN  
25-6759 GRANDA, CARLOS V. UNITED STATES  
25-6761 ALEXIS, KENNAN V. UNITED STATES  
25-6765 HARDY, WILLIE M. V. UNITED STATES  
25-6771 REED, KIONNATAYA S. V. UNITED STATES  
25-6775 McCOWAN, MICHAEL T. V. UNITED STATES  
25-6780 SMITH, HENRY L. V. SCHIEBNER, WARDEN  
25-6783 BOYAJIAN, RONALD G. V. USCA 9  
25-6785 WOOZENCROFT, NICHOLAS C. V. UNITED STATES  
25-6786 CLISBY, CORNELL V. UNITED STATES  
25-6789 BRUNDIGE, RICHARD V. UNITED STATES  
25-6790 CASTILLO-PEDRAZA, DIEGO V. UNITED STATES  
25-6791 SANO-PEREZ, DAVID V. UNITED STATES  
25-6799 GLENN, SALENA N. V. MALDONADO, WARDEN  
25-6810 MANNING, TERENCE E. V. IOWA  
25-6813 SIMPSON, DEIMON N. V. UNITED STATES  
25-6814 LE, TONY M. V. UNITED STATES  
25-6816 FIGUEROA, CARLOS J. V. UNITED STATES  
25-6817 TAYLOR, GERALD K. V. UNITED STATES  
25-6819 PRAWL, BRANDON V. UNITED STATES  
25-6821 ALMEIDA-PONCE, HUGO V. UNITED STATES  
25-6823 RAMDEO, SONNY A. V. TYLER, D.  
25-6824 DiPIETRO, RONALD V. UNITED STATES  
25-6827 COSTON, TITUS V. UNITED STATES  
25-6829 JOHNSON, ALONZO L. V. UNITED STATES  
25-6830 WILEY, HAKEEM A. V. UNITED STATES  
25-6831 ELLIOTT, SAMUEL V. UNITED STATES

25-6833 ROMERO, ISRAEL V. CHARTER COMMUNICATIONS, ET AL.  
25-6835 SESSUM, LAURENCE V. UNITED STATES  
25-6839 NJI, ERIC F., ET AL. V. UNITED STATES  
25-6843 KUNTZ, RON D. V. UNITED STATES  
25-6845 HENDERSON, MICHAEL V. UNITED STATES  
25-6847 RAWLS, ANDRE L. V. UNITED STATES  
25-6848 CARRANZA-CLAVEL, DENNIS L. V. UNITED STATES  
25-6851 LACAYO, JOSE D. P. V. UNITED STATES  
25-6856 MAES; JOSE O. V. UNITED STATES  
25-6858 GOMEZ, ADAM V. UNITED STATES  
25-6867 KAYIAN, RICHARD H. V. UNITED STATES  
25-6868 FINNEY, RONALD S. V. UNITED STATES  
25-6869 FERNANDEZ-FUENTES, JUAN V. UNITED STATES  
25-6870 CHEATHAM, MARCELLUS M. V. UNITED STATES  
25-6871 PALMER, GREGORY M. V. UNITED STATES  
25-6872 TANG, MIN V. KENNEDY, SEC. OF H&HS  
25-6874 STRICKER, BRANDON F. V. UNITED STATES  
25-6879 BELIN, KING V. UNITED STATES  
25-6880 JONES, SHARIFF A. V. JPMORGAN CHASE & CO., ET AL.  
25-6883 ACEBO, FRANCIS J. V. UNITED STATES  
25-6884 ALI, ABDULLAHI S. V. PORTLAND, OR  
25-6886 WADSWORTH, JUSTIN A. V. UNITED STATES  
25-6888 ARNOLD, DARYL S. V. UNITED STATES  
25-6889 JOSHI, ASHU V. UNITED STATES  
25-6890 BROWN, TIFFANY V. UNITED STATES  
25-6891 MARSHALL, JUANITO V. FREDERICK, WARDEN  
25-6892 THOMPSON, BRAUN V. UNITED STATES  
25-6893 GASPARYAN, EDUARD V. UNITED STATES

25-6894 ESQUIVEL, RICARDO V. UNITED STATES  
25-6895 DUFFY, MIKE V. UNITED STATES  
25-6896 PETTYJOHN, DYLAN J. V. UNITED STATES  
25-6897 PEREZ, JESSE F. V. UNITED STATES  
25-6901 BALOGA, MICHAEL V. JACISIN, BRIAN, ET AL.  
25-6916 CASTILLO, JESSE V. ILLINOIS

The petitions for writs of certiorari are denied.

25-798 SIEGEL, RICK V. SALAZAR, JUDE

The motion of Professor Kevin Jerome Greene for leave to file a brief as *amicus curiae* is denied. The petition for a writ of certiorari is denied.

25-908 GLYNN ENVIRONMENTAL INC., ET AL. V. SEA ISLAND ACQUISITION, LLC

The petition for a writ of certiorari is denied. Justice Gorsuch took no part in the consideration or decision of this petition.

25-5812 BARRETO, MICHAEL V. UNITED STATES

The motion for leave to file a reply brief under seal with redacted copies for the public record is granted. The petition for a writ of certiorari is denied.

25-6273 COLEMAN, RONNIE V. CHEVRON PHILLIPS CHEM. CO., L.P.

The petition for a writ of certiorari is denied. Justice Alito took no part in the consideration or decision of this petition.

25-6515 SMITH, SAMUEL L. V. BACH ARMAS, JUDGE, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

25-6536 HOLMES, C. V. GRANUAILE, LLC, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

25-6576 NORFLEET, MARC V. BALDWIN, JOHN R., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

25-6580 CHHIM, JOSEPH V. HOUSTON HUMAN RESOURCES, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

25-6659 ALLEN, ANTHONY V. WALKER, JUSTICE, ET AL.

25-6695 BELL, ANDREW W. V. RAFFENSPERGER, BRAD, ET AL.

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari

are dismissed. See Rule 39.8.

**MANDAMUS DENIED**

25-880 IN RE ROY DIXON, ET UX.

25-6604 IN RE ANGELIINA L. LAWSON

25-6629 IN RE DEBORA DONATHAN

The petitions for writs of mandamus are denied.

25-6639 IN RE DEON D. COLVIN

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of mandamus is dismissed. See Rule 39.8.

**REHEARINGS DENIED**

25-252 FLUELLEN, JALINA V. KRASN, DAVID, ET AL.

25-542 RANDLEMAN, TONYA L. V. FIRELANDS HABITAT FOR HUMANITY

25-545 ROBINSON, JULIA M. V. FEDEX INC., ET AL.

25-546 ROBINSON, JULIA M. V. UNITED STATES, ET AL.

25-592 MILLER, TERESA V. HELMS, OFFICER, ET AL.

25-5466 HOERIG, CLAUDIA C. V. OLDS, WARDEN

25-5546 NEAL EL, MOURICE V. SHOWMAN, MICHAEL

25-5617 SAWIRES, MAGDOULEN A. V. ELIZABETH BD. OF ED., ET AL.

25-6013 KESSLER, KIMBERLY L. V. FLORIDA

25-6016 WHITE, TODD V. ACELL, INC.

25-6154 KELLEY, KARYN M. V. FEENEY, MARY, ET AL.

25-6190 BRADLEY, STEVEN D. V. IOWA

25-6238 WEBB, GREGORY V. TENNESSEE

The petitions for rehearing are denied.

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**Scott S. Harris**  
Clerk of the Court  
(202) 479-3011

March 23, 2026

Ms. Naquea Johnson  
PO Box 3011  
Norfolk, VA 23514

Re: Naquea Elaine Johnson  
v. New Jersey, et al.  
No. 25-6617

Dear Ms. Johnson:

The Court today entered the following order in the above-entitled case:

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until April 13, 2026, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

Sincerely,



**Scott S. Harris, Clerk**

**All**

Case No. 25-6617  
*Johnson v. New Jersey, et al.*  
Supreme Court of the United States

## **EXHIBIT B-1**

### **Fourth Circuit Docket Entry #13 | Motion to Stay Mandate**

*Filed October 22, 2025*

#### **RELEVANCE TO MOTION:**

Directly and irrefutably refutes the Chief Judge's statement in ECF No. 24 that Petitioner filed no motion to stay the mandate. This docket entry confirms the motion was filed on October 22, 2025, and is cited in the Chief Judge's own dismissal order while simultaneously being denied in a footnote of that same three-page order.

JN/JC

Naquea Elaine Johnson  
819 Colonial Ave, Apt. 2  
Norfolk, VA 23507  
973-397-0909  
jkmonroe@gmail.com

RECEIVED

2025 OCT 22 A 9:54

U.S. COURT OF APPEALS  
FOURTH CIRCUIT

October 21, 2025

Clerk of Court  
United States Court of Appeals for the Fourth Circuit  
1100 East Main Street, Suite 501  
Richmond, VA 23219

**Re: Motion to Continue Stay of Mandate Pending Rehearing Determination**  
**Case No. 25-1661 Originating Case No. 2:25-cv-00186-MSD-DEM**

Dear Clerk of Court,

Please find enclosed for filing Petitioner's Motion to Continue Stay of Mandate Pending Rehearing Determination pursuant to Federal Rule of Appellate Procedure 41(d)(1). This motion is submitted in response to the Court's October 14, 2025, notice of temporary stay, and seeks to preserve the status quo while the pending petition for panel rehearing and rehearing en banc is under consideration.

I am filing this motion pro se and have included a certificate of service reflecting service on all relevant parties. Please do not hesitate to contact me if further information is required.

Thank you for your attention to this matter.

Respectfully,



Naquea Elaine Johnson  
Petitioner, pro se

B-1 (1)

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT**

**Naquea Elaine Johnson,  
Petitioner-Appellant,**

**v.**

**State of New Jersey, et al.,  
Respondents-Appellees.**

**No. 25-1661 Originating Case No. 2:25-cv-00186-MSD-DEM**

**MOTION TO CONTINUE STAY OF MANDATE PENDING REHEARING  
DETERMINATION**

Petitioner respectfully moves this Court to continue the stay of mandate pursuant to Federal Rule of Appellate Procedure 41(d)(1), pending resolution of the petition for panel rehearing and rehearing en banc. The rehearing petition raises unresolved constitutional questions of exceptional importance, and premature issuance of the mandate would irreparably prejudice Petitioner's ability to obtain discovery and review of the underlying proceedings.

Petitioner's rehearing petition identifies multiple cert-worthy issues, including:

- Whether poverty determinations under 28 U.S.C. § 1915 must consider mandatory deductions such as child support, taxes, and retirement contributions, consistent with other federal poverty standards.
- Whether *M.L.B. v. S.L.J.*'s principle barring wealth-based denial of fundamental rights adjudication applies beyond parental termination to custody, visitation, and civil contempt.
- Whether intra-circuit contradictions: panel-en banc reversals, contradictory IFP rulings, and a 93% unpublished opinion rate, violate due process requirements for consistent, reasoned decision-making.

Petitioner's denial of in forma pauperis status obstructed access to discovery and appellate review of an interstate child removal carried out under the guise of custody proceedings. This removal implicates fundamental liberty interests recognized in *Troxel v. Granville*, *Santosky v. Kramer*, and *Stanley v. Illinois*. Issuing the mandate while rehearing remains pending would foreclose review of these constitutional violations and undermine the integrity of the appellate process.

Petitioner respectfully requests that the Court continue the stay of mandate pending resolution of the rehearing petition. The issues presented are substantial, the harm irreparable, and the need for judicial review urgent.

Respectfully submitted,



Naquea Elaine Johnson

Petitioner, pro se

819 Colonial Ave, Apt. 2

Norfolk, VA 23507

973-397-0909

jkmonroe@gmail.com

Date: October 21, 2025

**Certificate of Service**

I certify that on October 21, 2025, I served a copy of this Motion to Continue Stay of Mandate on the following parties via FedEx:

New Jersey Attorney General  
Division of Law  
25 Market Street  
Trenton, New Jersey 08625

Virginia Attorney General  
202 North Nineth Street  
Richmond, VA 23219

Georgia Attorney General  
40 Capital Square SW  
Atlanta, GA 30334

District of Columbia Attorney General  
400 6th Street, NW  
Washington, DC 20001

**Naqea Elaine Johnson**   
**Petitioner, pro se**

# EXPRESS

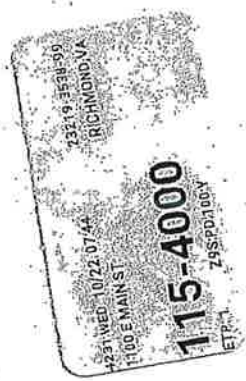
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THU - 23 OCT 5:00P  
\*\* 2DAY \*\*

23219  
VA-US RIC



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 NAQUEA JOHNSON  
 819 COLONIAL AVE APT 2  
 NORFOLK, VA 23507  
 UNITED STATES US

SHIP DATE: 21OCT25  
 ACT WT: 0.09 LB  
 CAD: 6894717755FE2621

BILL CREDIT CARD

TO  
 CLERK OF COURT  
 US COURT OF APPEALS FOURTH CIRCUIT  
 1100 EAST MAIN ST  
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Case No. 25-6617  
*Johnson v. New Jersey, et al.*  
Supreme Court of the United States

## **EXHIBIT B-2**

### **ECF No. 24 | Chief Judge's Dismissal Order**

*United States District Court, Eastern District of Virginia (Norfolk), January 28, 2026*

#### **RELEVANCE TO MOTION:**

Contains a demonstrably false statement of fact: the order states Petitioner filed no motion to stay the mandate while simultaneously citing that motion, ECF No. 16, in the body of the same three-page order. The self-contradiction is contained within the Chief Judge's own document. This false statement contributed to the procedural posture in which this case arrived before this Court and raises specific constitutional questions under 28 U.S.C. §§ 144 and 455 that the IFP denial permanently forecloses.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

NAQUEA ELAINE JOHNSON,  
Plaintiff,

v.

STATE OF NEW JERSEY, *et al.*,  
Defendants.

ACTION NO. 2:25cv186

DISMISSAL ORDER

Plaintiff Naquea Elaine Johnson ("Plaintiff"), appearing *pro se*, initiated this action by filing an application to proceed *in forma pauperis*, i.e., without paying the requisite filing fees ("IFP Application"), along with a proposed Complaint. IFP Appl., ECF No. 1. In an Order entered on June 6, 2025, the Court determined that Plaintiff did not qualify for *in forma pauperis* status. Order at 1-2, ECF No. 2 (stating that the monthly income identified in Plaintiff's IFP Application appeared to be sufficient to allow Plaintiff to pay the requisite filing fees and still provide for the "necessities of life"). Accordingly, the Court denied Plaintiff's IFP Application and ordered Plaintiff to remit the \$350.00 filing fee and \$55.00 administrative fee within 30 days. *Id.* at 2.

On June 9, 2025, Plaintiff appealed the Court's June 6, 2025 Order to the United States Court of Appeals for the Fourth Circuit. Notice Appeal, ECF No. 3. The Fourth Circuit reviewed the record and affirmed the Court's June 6, 2025 Order. Op. at 1, ECF No. 13. Plaintiff filed a petition for rehearing with the Fourth Circuit, along with several other motions. Temp. Stay Mandate at 2, ECF No. 16; *see* Order at 2, ECF No. 20. In an Order entered on December 23, 2025, the Fourth Circuit denied Plaintiff's petition for rehearing and other motions. Order at 2, ECF No. 20. The Fourth Circuit issued its mandate on December 31, 2025. Mandate, ECF No. 21.

On January 5, 2026, this Court entered an Order in which it (i) summarized the procedural issues discussed above; (ii) acknowledged that Plaintiff's deadline to pay the filing fees in this action expired during the pendency of her appeal; and (iii) extended Plaintiff's deadline to pay the filing fees. Order at 1–2, ECF No. 22. The Court specifically stated:

If Plaintiff would like to proceed with this action, Plaintiff is **ORDERED** to remit the \$350.00 filing fee and \$55.00 administrative fee within 21 days of the date of entry of this Order. If Plaintiff fails to do so, the Court will dismiss this action without prejudice. *See* Fed. R. Civ. P. 41(b) (explaining that the Court may dismiss an action when a plaintiff fails to prosecute the action or fails to comply with an Order of the Court).

*Id.* at 2.

More than 21 days have passed, and Plaintiff has not paid the requisite fees, as ordered. Accordingly, this action is **DISMISSED without prejudice** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.<sup>1</sup>

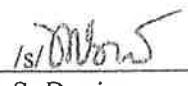
Plaintiff may appeal this Dismissal Order by forwarding a written notice of appeal to the Clerk of the United States District Court, Norfolk Division, 600 Granby Street, Norfolk, Virginia 23510. The written notice must be received by the Clerk within 60 days of the date of entry of this Dismissal Order.

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<sup>1</sup> The Court notes that Plaintiff filed a petition for a writ of certiorari with the United States Supreme Court on January 8, 2026. Appeal Remark, ECF No. 23. However, the filing of a petition for a writ of certiorari with the United States Supreme Court “does not divest the court of appeals or [the] district court of jurisdiction.” *Crisdon v. N.J. Dep’t of Educ.*, No. 10-2911, 2011 U.S. Dist. LEXIS 129795, at \*3 (D.N.J. Nov. 9, 2011); *see Tatum v. Lucas*, No. 11-C-1131, 2021 U.S. Dist. LEXIS 40561, at \*2 (E.D. Wis. Mar. 4, 2021) (noting that “the filing of a petition for a writ of certiorari does not divest a district court of jurisdiction over . . . the case to which the petition relates”); *Dassault Systemes, S.A. v. Childress*, No. 09-10534, 2012 U.S. Dist. LEXIS 106619, at \*5–6 (E.D. Mich. July 31, 2012) (noting that “[t]he mere filing of a petition for certiorari with the Supreme Court neither stops the mandate from issuing nor stops the case from proceeding in the district court” (quoting *United States v. Sears*, 411 F.3d 1240, 1242 (11th Cir. 2005))). Rule 41(d)(2) of the Federal Rules of Appellate Procedure provides that “[a] party may move to stay the mandate pending the filing of a petition for a writ of certiorari in the Supreme Court”; however, Plaintiff has filed no such motion. *See* Fed. R. App. P. 41(d)(2).

The Clerk is **DIRECTED** to send a copy of this Dismissal Order to Plaintiff.

**IT IS SO ORDERED.**



---

Mark S. Davis  
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia  
January 28, 2026

**U.S. District Court**  
**Eastern District of Virginia -**

**Notice of Electronic Filing**

The following transaction was entered on 1/28/2026 at 12:20 PM EST and filed on 1/28/2026

**Case Name:** Johnson v. State of New Jersey et al

**Case Number:** 2:25-cv-00186-MSD-DEM

**Filer:**

**WARNING: CASE CLOSED on 01/28/2026**

**Document Number:** 24

**Docket Text:**

**DISMISSAL ORDER: This action is DISMISSED without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. A copy of this Dismissal Order sent to Plaintiff as DIRECTED on 1.28.26. Signed by District Judge Mark S Davis and filed on 1/28/26. (epri, )**

**2:25-cv-00186-MSD-DEM Notice has been electronically mailed to:**

**2:25-cv-00186-MSD-DEM Notice has been delivered by other means to:**

Naquea Elaine Johnson  
819 Colonial Avenue  
Apt. 2  
Norfolk, VA 23507

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1091796605 [Date=1/28/2026] [FileNumber=13051323-0] [a154bd56f66b9acf87e206f0a1887d2ce629d992a18f8ccb0317a87c53b3e6b4ce08da0dc8186bc8df656a6cc66394e0833b34322573649dfc01e531aeccc63f]]

Case No. 25-6617  
*Johnson v. New Jersey, et al.*  
Supreme Court of the United States

## **EXHIBIT C**

### **Child Support Order and Bi-Weekly Deduction Records**

*Mandatory Court-Ordered Deductions of \$276.92 Bi-Weekly*

#### **RELEVANCE TO MOTION:**

Documents mandatory court-ordered child support extractions under void orders, the very orders Petitioner's civil rights case seeks to challenge. Money extracted from income by court order is not discretionary income available for filing fees. This exhibit demonstrates that the IFP determination did not distinguish between discretionary income and court-mandated extractions, a distinction *M.L.B. v. S.L.J.* requires and that is the difference between financial hardship and financial impossibility.

# Child Support Guideline Worksheet

Style: Orr v. Johnson  
Worksheet of: Arison Orr

Case #: JA137593-01-00  
Date: 12/09/2022

## A. Gross Income of Parties

**RETALIATION**

KMW\*

1. Monthly Gross Income of Each Party:	Mother	Father
	\$ 3,792.00	\$ 18,935.00
2. Spousal Support Payable between Parties:	\$ 0.00	\$ 0.00
3. Adjustment for Support of "Other" Children:	\$ -617.00	\$ 0.00
4. Adjustment of Self-Employment Tax:	\$ 0.00	\$ 0.00
5. Statutory Gross Income for Support:	\$ 3,175.00	\$ 18,935.00
6. Combined Income:	\$ 22,110.00	
7. Combined Proposed Income Deviations:	Income Shares	
	14.4%	85.6%
8. Number of Children:	1	
	Ages	

Spousal Support:  
0.00  
Spousal Support Payor:  
Father

Child Support  
Father is Custodian  
Child Support Payor is:  
Mother

## B. Child Support

1. Scheduled Amount for Basic Child Support:		\$ 1,678.00
2. Work-related Child Care Costs:		\$ 1,701.00
3. Medical Insurance for Child/Children:	Mother	Father
	\$ 0.00	\$ 0.00
4. Total Child Support Need (Sum: 1+2+3+4):		
5. Child Support Obligation of Each Party: (Total Support Need x Income Share)	\$ 485.00	\$ 2,894.00
6. Direct Payment of Medical Insurance:	\$ 0.00	\$ 0.00
7. Each Party's Presumptive Guideline Share:	\$ 485.00	\$ 2,894.00

\* From Support Table

Child Support Need

\$ 3,379.00

Guideline Child Support

\$ 485.00

## C. Proposed Deviations from Guideline Support

	Presumptive Guideline Support Payable by:	Guideline Support
	Mother	\$ 485.00
1.		\$
	Proposed Child Support, After Deviations:	\$ 485.00
	Number of Persons in Mother's household:	
The Poverty Guideline threshold income for this number of household members is:	Annual income:	Monthly income:
	\$ 0.00	\$ 0.00

ACCOUNT STATEMENT NUMBER	DATE	TRANSACTION	CREDIT	AMOUNT	SUBACCOUNT	TYPE	SUBACCOUNT	ADJUST
0002362952	03/13/2025	POST		276.92	WAGE			
0002362952	02/27/2025	POST		276.92	WAGE			
0002362952	02/13/2025	POST		276.92	WAGE			
0002362952	01/30/2025	POST		276.92	WAGE			
0002362952	01/16/2025	POST		276.92	WAGE			
0002362952	01/02/2025	POST		276.92	WAGE			
0002362952	12/19/2024	POST		276.92	WAGE			
0002362952	12/05/2024	POST		276.92	WAGE			
0002362952	11/21/2024	POST		276.92	WAGE			
0002362952	11/07/2024	POST		276.92	WAGE			
0002362952	10/24/2024	POST		276.92	WAGE			
0002362952	10/10/2024	POST		276.92	WAGE			
0002362952	09/26/2024	POST		276.92	WAGE			
0002362952	09/12/2024	POST		276.92	WAGE			
0002362952	08/29/2024	POST		276.92	WAGE			
0002362952	08/15/2024	POST		276.92	WAGE			
0002362952	08/01/2024	POST		276.92	WAGE			
0002362952	07/18/2024	POST		276.92	WAGE			
0002362952	07/03/2024	POST		276.92	WAGE			
0002362952	06/20/2024	POST		276.92	WAGE			
0002362952	06/06/2024	POST		276.92	WAGE			
0002362952	05/23/2024	POST		276.92	WAGE			
0002362952	05/09/2024	POST		276.92	WAGE			
0002362952	04/25/2024	POST		276.92	WAGE			
0002362952	04/11/2024	POST		276.92	WAGE			
0002362952	03/28/2024	POST		276.92	WAGE			
0002362952	03/14/2024	POST		276.92	WAGE			
0002362952	02/29/2024	POST		276.92	WAGE			
0002362952	02/15/2024	POST		276.92	WAGE			
0002362952	02/01/2024	POST		276.92	WAGE			
0002362952	01/18/2024	POST		276.92	WAGE			
0002362952	01/04/2024	POST		276.92	WAGE			
0002362952	12/21/2023	POST		276.92	WAGE			
0002362952	12/07/2023	POST		276.92	WAGE			
0002362952	11/22/2023	POST		276.92	WAGE			
0002362952	11/09/2023	POST		276.92	WAGE			
0002362952	10/26/2023	POST		276.92	WAGE			
0002362952	10/12/2023	POST		276.92	WAGE			
0002362952	09/28/2023	POST		276.92	WAGE			
0002362952	09/14/2023	POST		276.92	WAGE			
0002362952	08/31/2023	POST		276.92	WAGE			
0002362952	08/17/2023	POST		276.92	WAGE			

*Deductions  
 Continue on the  
 very void orders  
 they are directed.*

*-NSJ*

0002362952	08/03/2023	POST	276.92	WAGE
0002362952	07/20/2023	POST	276.92	WAGE
0002362952	07/06/2023	POST	276.92	WAGE
0002362952	06/22/2023	POST	276.92	WAGE
0002362952	06/13/2023	POST	300.00	WAGE
0002362952	06/08/2023	POST	276.92	WAGE
0002362952	05/26/2023	POST	212.08	WAGE
0002362952	05/11/2023	POST	300.00	WAGE
0002362952	04/26/2023	POST	300.00	WAGE
0002362952	04/17/2023	POST	200.00	CHEK
0002362952	04/11/2023	POST	300.00	WAGE
0002362952	03/29/2023	POST	300.00	WAGE
0002362952	03/14/2023	POST	300.00	WAGE
0002362952	03/02/2023	POST	150.00	CHEK
0002362952	02/24/2023	POST	300.00	WAGE
0002362952	02/13/2023	POST	300.00	WAGE
0002362952	02/03/2023	POST	370.00	CHEK
0002362952	02/02/2023	POST	100.00	CHEK
0002362952	01/04/2023	POST	600.00	CHEK

17,047.32

ORDER OF SUPPORT (CIVIL)

Commonwealth of Virginia

[ ] TEMPORARY ORDER [X] FINAL ORDER

NORFOLK JDR - ADULT [X] Juvenile and Domestic Relations District Court [ ] Circuit Court

150 ST. PAUL'S BLVD., NORFOLK, VA 23510

STREET ADDRESS OF COURT

Petitioner: ORR, ANSON B

[ ] Identifying information not provided for good cause shown

Residential Address:

8 TEMPESTA TERRACE, WEST CALDWELL, NJ, 07006

Residential Telephone No.: (973) 296-5855

Mailing Address if Different:

Social Security No. (last 4 digits only): XXX-XX-4486

Driver's Lic. No. & State:

XX

Date of Birth:

09/06/1960

Employer: NETWAVE SAFETY CONSULTING, LLC

123 WILLIAM STREET, 9TH FLOOR, NEW

Address: YORK, NY, 10038

Telephone No.:

This Court's Case No. JAJ37593-01-00

DCSE ID No.

v. Respondent: JOHNSON, NAQUEA E

[ ] Identifying information not provided for good cause shown

Residential Address:

521 BOISSEVAIN AVENUE, APT 17A, NORFOLK, VA, 23507

Residential Telephone No.: (757) 348-3366

Mailing Address if Different:

617 6378979

Social Security No. (last 4 digits only): XXX-XX-0456

Driver's Lic./Doc. No. & State:

Date of Birth:

04/11/1979

Employer:

Address:

Telephone No.:

[ ] This case is DISMISSED without prejudice because the Respondent could not be located for service of process.

[ ] Upon hearing the evidence, the Court finds for the Respondent and ORDERS that the case be DISMISSED.

PRESENT: [ ] Petitioner [X] Attorney/ Guardian Ad Litem for Petitioner [ ] DCSE Representative [ ] Attorney for DCSE

[X] Respondent [ ] Attorney/ Guardian Ad Litem for Respondent [ ] Guardian Ad Litem for child(ren) [ ] Other

[ ] Upon hearing the evidence, the Court finds that [ ] this (these) dependents [ ] a parent of the Respondent in necessitous circumstances:

NAME	SOC. SEC. # (last 4 digits only)	SEX	DATE OF BIRTH	RELATIONSHIP TO RESPONDENT
JAO	XXX-XX-2843	M	04/20/2017	C

is (are) entitled to support from the Respondent, and that the Respondent is chargeable with support as alleged in the petition.

Therefore, the Court ORDERS the Respondent to pay:

[X] \$ 456.00 per month CURRENT CHILD SUPPORT effective 08/26/2022 for all children listed above; OR

[ ] \$ per month CURRENT CHILD SUPPORT effective divided among the above-listed children as follows:

\$ for \$ for

[ ] \$ per month CURRENT SPOUSAL SUPPORT effective

[ ] \$ per month COMBINED CHILD-SPOUSAL (UNITARY) SUPPORT effective

[ ] \$ per month SUPPORT FOR A PARENT effective

[X] \$ 144.00 per month PAYMENT TOWARDS ARREARAGES OF \$ 1,912.20

TOTAL \$ 600.00 per month payable, first payment due on the 1st day of JAN, 2023, and each subsequent payment is due on the 1st day of each month thereafter. Payments may be made in intervals of per beginning

on DATE PAYMENT AMOUNT INTERVAL

All support paid shall be credited to current support first and the remainder shall be credited to arrearages.

Child support shall terminate on a child's eighteenth birthday; however, support shall continue for any child who is over the age of eighteen and (i) a full-time high school student, (ii) not self-supporting and (iii) living in the home of the parent receiving child support, until the child reaches the age of nineteen or graduates from high school, whichever occurs first; and if any arrearages for child support, including interest or fees, exist at the time the youngest child emancipates, payments shall continue in the total amount due until all arrearages are paid. If the above current child support is not divided per child, the ordered amount cannot be changed except by a court.

[ ] Support for a child whom the court has determined (i) is severely and permanently mentally or physically

disabled, and such disability existed prior to the child reaching the age of 18, or the age of 19 if the child was a full-time high school student, not self-supporting and living in the home of the parent seeking or receiving child support; (ii) is unable to live independently and support himself and (iii) residing in the home of the parent seeking support.



ARREARAGES:

- No arrearages exist as of .....
- \$ ..... 1,912.20 child support arrearage owed by Respondent.
- \$ ..... spousal support arrearage owed by Respondent.
- \$ ..... unitary (child/spousal) support arrearage owed by Respondent.
- \$ ..... 1,912.20 total SUPPORT arrears owed by Respondent  with interest included  without interest included
- arrears include an assessment from the effective date of this order to the first payment due date.
- This total includes TANF debt or other public funds paid prior to the effective date of this order of \$ ..... for ..... months.

These arrearages are calculated as of the date of this Order including support owed for the current month. This amount does not include payments made after 12/13/2022, and respondent shall be credited for any payments made thereafter. Interest shall continue to accrue on unpaid arrearages at the judgment rate unless the petitioner, in a writing submitted to the court, waives the collection of interest.

PAYMENT: Payment shall be made payable to:

- Petitioner at the address shown in the beginning of the Order.  
The parties shall give the court at least 30 days written notice, in advance, of any proposed change of residential and, if different, mailing address and of any change of telephone number within 30 days of the change. Respondent is required to keep the court informed of the name, address, and telephone number of his/her current employer, and must inform the court in writing of any change in employment status or if Respondent has filed a claim for or is receiving benefits under Title 60.2 (unemployment compensation) within 30 days of the change or filing.
- Treasurer of Virginia and sent to Virginia Department of Social Services, Division of Child Support Enforcement, P.O. Box 570, Richmond, Virginia 23218-0570 unless otherwise instructed by that agency or this Court and shall contain the following:
  1. Check or money order made payable to the Treasurer of Virginia.
  2. Print on the check or money order:
    - Your name and social security number
    - Petitioner's name as shown on the first page of this order
    - The DCSE ID No. shown on the first page of this order. If no such number is shown, use this Court's name and case number as shown on the front page of this order until that number is sent to you; then start using the DCSE ID No.

The parties shall give the Virginia Department of Social Services and the court, at least 30 days written notice, in advance, of any proposed change of residential and, if different, mailing address and of any change of telephone number within 30 days of the change. Respondent is required to keep the Virginia Department of Social Services and the court informed of the name, address and telephone number of his/her current employer, and must inform the Virginia Department of Social Services in writing of any change in employment status or if Respondent has filed a claim for or is receiving benefits under Title 60.2 (unemployment compensation) within 30 days of the change or filing.
- The parties shall also give each other at least 30 days written notice, in advance of any change of residential and, if different, mailing address and of any change in telephone number within 30 days after the change.

**WARNING:** Failure to pay in accordance with this order is a violation of this order and may be punished by a jail sentence or a fine or both. In addition, you may not receive credit for payments made contrary to the payment instructions provided in this order. Whenever income withholding is authorized, it is your responsibility to make the payment to DCSE until the income withholding becomes effective. You are responsible for keeping records of payments you make.

HEALTH CARE PROVISIONS:

- Respondent  Petitioner shall provide health care coverage for the  child(ren)  spouse and shall deliver the document necessary for the use of such coverage by the dependents
  - Respondent  Petitioner shall provide dental care coverage for the  child(ren)  spouse and shall deliver the document necessary for the use of such coverage by the dependents
  - Respondent  Petitioner shall provide vision care coverage for the child(ren) and shall deliver the document necessary for the use of such coverage by the dependents.
  - Respondent  Petitioner presently has health care coverage and is ordered to maintain it  or comparable coverage  as long as eligible.  
Health Insurance Provider ..... Policy name .....
  - Name of Policy Holder ..... Policy number .....
- In the event of any change in health insurance, the responsible party is required to notify the opposing party of the change. The responsible party shall inform the Virginia Department of Social Services, if support payments are ordered to be paid through the Virginia Department of Social Services, or the opposing party, if support payments are ordered to be paid directly to the opposing party, of any changes in the availability of the health care coverage for the minor child or children.
- The Court finds that "health care coverage" as defined by the statute is not available at "reasonable cost" as defined by statute, and therefore, the Court does not order either the Respondent or the Petitioner to provide health care coverage.
  - Any reasonable and necessary unreimbursed medical and dental expenses for each child covered by this order shall be paid in the following manner: ..... 13.5 % Respondent ..... 86.5 % Petitioner.

ORDER  
COMMONWEALTH OF VIRGINIA  
NORFOLK JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

CASE NO: JA133513-01-00

NAQUEA E. JOHNSON

re/v ANSON ORR

PRESENT  NOT PRESENT

PRESENT  NOT PRESENT

SUPPORT

2. Attorney(s) of Record:

NCP: WAIVED  RETAINED  COURT APPOINTED  Anders  PRESENT  NOT PRESENT  
CP: WAIVED  RETAINED  COURT APPOINTED  Jackson  PRESENT  NOT PRESENT

3. PLEA:

4. FINDINGS OF THE COURT:

COURT ORDERS DNA TESTING  ORDERED TO PAY PATERNITY TEST FEES   
COURT FINDS PATERNITY BASED ON THE FOLLOWING:  
DNA TEST RESULTS  CLEAR & CONVINCING EVIDENCE UNDER 20-49.4SC STANDARDS

5. Disposition: ARREARAGE FIXED AT \$ \_\_\_\_\_ PLUS INTEREST AS OF \_\_\_\_\_

ORDERED TO PAY \$ \_\_\_\_\_ PER \_\_\_\_\_ IN CURRENT SUPPORT

EFFECTIVE \_\_\_\_\_ THE 1ST PAYMENT IS DUE ON \_\_\_\_\_  
(date of filing) (1st day of month following hearing date)

AND ON THE FIRST DAY OF EACH MONTH THEREAFTER.

ALSO ORDERED TO PAY \$ \_\_\_\_\_ PER \_\_\_\_\_ ON ARREARS EFFECTIVE \_\_\_\_\_

PAYABLE THROUGH TREASURER OF VIRGINIA/DCSE  DIRECT PAY

WAGE WITHOLDING  YES  NO

HEALTH INSURANCE  YES  NO  BOTH  NOT AVAILABLE  IF & WHEN AVAILABLE  
 CP  NCP

ANY REASONABLE & NECESSARY UNREIMBURSED MEDICAL & DENTAL EXPENSES FOR EACH CHILD COVERED BY THIS ORDER SHALL BE PAID IN THE FOLLOWING MANNER: \_\_\_\_\_% RESPONDENT \_\_\_\_\_% PETITIONER

PURGE CLAUSE: \$ \_\_\_\_\_

BONDS: APPEARANCE \$ \_\_\_\_\_ APPEAL \$ \_\_\_\_\_ PROSPECTIVE \$ \_\_\_\_\_

*cc set  
city*

*Court'd over objection of (P)*

ISSUE SC/RULE  FTA/SUB \_\_\_\_\_  FTC  
SUMMONS  COMPLAINANT  RESPONDENT DISMISSED WITHOUT PREJUDICE

CONTINUE TO: 12/15/21 AT 9:30 FOR hearing

November 5, 2021  
DATE

Lyn M. Simmons  
JUDGE

*A.G.'s  
Mother*

Copies In Court  Copies Mailed  Income Withholding & Support Order (Central Registry)  Income Withholding Employer

**REFUSED to RECUSE  
HERSELF**

**CORRUPT**

# ***JAYJONES***

**FOR VIRGINIA**



**Endorsed by Senator Cory Booker**

CERTIFICATE OF VITAL RECORD

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

8785224

COMMONWEALTH OF VIRGINIA

DEPARTMENT OF HEALTH - DIVISION OF VITAL RECORDS

CERTIFICATE OF LIVE BIRTH

STATE FILE NUMBER: 145-17-027319

NAME OF REGISTRANT: J

DATE OF BIRTH: APRIL 20, 2017 SEX: MALE

PLACE OF BIRTH: NORFOLK, VIRGINIA

MAIDEN NAME OF MOTHER: NAQUEA ELAINE JOHNSON

AGE OF MOTHER: 38

MOTHER'S PLACE OF BIRTH: MINNESOTA

DATE RECORD FILED: MAY 2, 2017



This is to certify that this is a true and correct reproduction or abstract of the official record filed with the Virginia Department Of Health, Richmond, Virginia

DATE ISSUED May 26, 2020

Janet M. Rainey  
Janet M. Rainey, State Registrar

Do not accept unless on security paper with the seal of Virginia Department of Health, Vital Statistics in the lower left hand corner, Section 32.1-272, Code of Virginia, as amended.

VS 15B

VOID WITHOUT WATERMARK OR IF ALTERED OR CHANGED

10933795

COMMONWEALTH OF VIRGINIA

DEPARTMENT OF HEALTH - OFFICE OF VITAL RECORDS

CERTIFICATE OF LIVE BIRTH

STATE FILE NUMBER: 145-17-027319

NAME OF REGISTRANT: J

DATE OF BIRTH: APRIL 20, 2017 SEX: MALE

PLACE OF BIRTH: NORFOLK, VIRGINIA

MAIDEN NAME OF MOTHER: NAQUEA ELAINE JOHNSON

AGE OF MOTHER: 38

MOTHER'S PLACE OF BIRTH: MINNESOTA

NAME OF FATHER: NOT STATED

AGE OF FATHER: NOT STATED

FATHER'S PLACE OF BIRTH: NOT STATED

DATE RECORD FILED: MAY 2, 2017



This is to certify that this is a true and correct reproduction or abstract of the official record filed with the Virginia Department Of Health, Richmond, Virginia

DATE ISSUED January 2, 2025

*Seth Austin*

Seth Austin, Director and State Registrar

Do not accept unless on security paper with the seal of Virginia Department of Health, Vital Statistics in the lower left hand corner. Section 32.1-272, Code of Virginia, as amended.

VS 15B

VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED

Case No. 25-6617  
*Johnson v. New Jersey, et al.*  
Supreme Court of the United States

## **EXHIBIT D**

### **Chapter 7 Bankruptcy Discharge Order**

*July 2024*

**RELEVANCE TO MOTION:**

A federal court's own determination of Petitioner's financial insolvency following complete judicial examination of her financial circumstances. This is the most objective, court-verified hardship evidence available, a prior federal court's documented finding that Petitioner lacked the financial means to satisfy her debts. The March 23 order does not reference it. Any individualized M.L.B. v. S.L.J. analysis must.

<b>Information to identify the case:</b>			
Debtor 1	<u>Naquea Elaine Johnson</u>	Social Security number or ITIN	xxx-xx-0456
	First Name Middle Name Last Name	EIN	-----
Debtor 2 (Spouse, if filing)	First Name Middle Name Last Name	Social Security number or ITIN	-----
		EIN	-----
United States Bankruptcy Court Eastern District of Virginia			
Case number:	24-70776-FJS		

## Discharge of Debtor

12/15

**IT IS ORDERED:** A discharge under 11 U.S.C. § 727 is granted to:

Naquea Elaine Johnson

July 22, 2024

For the court:

William C. Redden  
Clerk

### Explanation of Bankruptcy Discharge in a Chapter 7 Case

This order does not close or dismiss the case, and it does not determine how much money, if any, the trustee will pay creditors.

#### Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily or from paying reaffirmed debts according to the reaffirmation agreement. 11 U.S.C. § 524(c), (f).

#### Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts owed before the debtors' bankruptcy case was filed.

Also, if this case began under a different chapter of the Bankruptcy Code and was later converted to chapter 7, debts owed before the conversion are discharged.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

For more information, see page 2 >

**Some debts are not discharged**

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for most taxes;
- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- ◆ some debts which the debtors did not properly list;
- ◆ debts for certain types of loans owed to pension, profit sharing, stock bonus, or retirement plans; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

Also, debts covered by a valid reaffirmation agreement are not discharged.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

**This information is only a general summary of the bankruptcy discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.**

In re:  
 Naquea Elaine Johnson  
 Debtor

Case No. 24-70776-FJS  
 Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0422-8  
 Date Rcvd: Jul 23, 2024

User: admin  
 Form ID: 318

Page 1 of 3  
 Total Noticed: 52

The following symbols are used throughout this certificate:

- Symbol Definition
- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
  - ^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 25, 2024:

Recip ID	Recipient Name and Address
db	+ Naquea Elaine Johnson, 819 Colonial Ave #2, Norfolk, VA 23507-1829
16394141	+ Chesapeake Bay ENT, P O Box 632, Cheriton, VA 23316-0632
16394142	+ Childrens Hospital King's Daug, 601 Children's Lane, Norfolk, VA 23507-1971
16394153	+ EVMS Academic Phys & Surgeons, c/o Levy Law Firm, PO BOX 182423, Columbus, OH 43218-2423
16394152	+ Emergency Coverage Corp, PO Box 5406, Cincinnati, OH 45273-0001
16394161	+ HSBC Bank, PO BOX 3448, Buffalo, NY 14240-3448
16394163	Konikoff Family Dentistry, 7400 Granby Street, Suite D, Norfolk, VA 23505-3436
16394165	+ Landis Services PLLC, 355 Crawford St STE 333, Portsmouth, VA 23704-2819
16394166	+ Law Offices of Kevin Orr, 33 Washington Street, Ste. 101, Newark, NJ 07102-3125
16394173	+ Old Dominion University, Office of Finance, 2003 A Alfred B. Rollins Jr. H, Norfolk, VA 23529-0001
16394175	+ Pelham Place Apartments, 521 Boissevain Ave, Norfolk, VA 23507-2102
16394176	+ Phillips & Peters LLC, 109 E Main St #600, Norfolk, VA 23510-1613
16394178	Receivables Outsourcing LLC, P. O. Box 198392, Atlanta, GA 30384-8392
16394181	+ Tavss Fletcher, 555 Main Street, 14th Floor, Norfolk, VA 23510-2262
16394183	+ The Foleck Center, 201 College Place, Suite 111, Norfolk, VA 23510-1272
16394184	+ The Williams School, 419 Colonial Ave, Norfolk, VA 23507-2297
16394186	+ Todd, Bremer & Lawson, Inc, PO BOX 36788, Rock Hill, SC 29732-0512
16394189	US Asset Management Inc., P.O. Box 981002, Boston, MA 02298-1002

TOTAL: 18

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
16394138	EDI: ATTWIREBK.COM	Jul 24 2024 04:32:00	AT&T, PO BOX 5074, Carol Stream, IL 60197-5074
16394139	Email/Text: paymentprocessing@avanteusa.com	Jul 24 2024 00:49:00	AvanteUSA, 3600 S Gessner Rd, Houston, TX 77063-0000
16394148	Email/Text: bankruptcy@credcontrol.com	Jul 24 2024 00:49:00	Credit Control Corp, 11821 Rock Landing Drive, Newport News, VA 23606-4225
16394149	Email/Text: bankruptcy@credcontrol.com	Jul 24 2024 00:49:00	Credit Control Corporation, Attn: Bankruptcy, Po Box 120570, Newport News, VA 23612-0000
16394140	+ EDI: CAPITALONE.COM	Jul 24 2024 04:32:00	Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
16394143	EDI: WFNNB.COM	Jul 24 2024 04:32:00	Comenity Bank- All BK Notices, PO BOX 182125, Columbus, OH 43218-2125
16394144	+ EDI: PHINGENESIS	Jul 24 2024 04:32:00	Concora Credit, PO BOX 23013, Columbus, GA 31902-3013
16394145	+ EDI: CONVERGENT.COM	Jul 24 2024 04:32:00	Convergent Outsourcing, 800 SW 39th Street, Renton, WA 98057-4927
16394146	+ Email/Text: CCICollectionsGlobalForms@cox.com	Jul 24 2024 00:51:56	Cox Communications, PO BOX 9001087, Louisville, KY 40290-1087

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District/off: 0422-8

User: admin

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Date Rcvd: Jul 23, 2024

Form ID: 318

Total Noticed: 52

16394147	+ EDI: CCS.COM	Jul 24 2024 04:32:00	Credit Collection Services, 725 Canton St, Norwood, MA 02062-2679
16394150	+ Email/PDF: creditonebknotifications@resurgent.com	Jul 24 2024 00:55:54	Credit One Bank, Attn: Bankruptcy, P. O. Box 98873, Las Vegas, NV 89193-8873
16394151	+ EDI: PHINGENESIS	Jul 24 2024 04:32:00	Destiny MasterCard, c/o Genesis FS Card Services, P. O. Box 4477, Beaverton, OR 97076-4401
16394154	+ Email/Text: lusterny@evms.edu	Jul 24 2024 00:50:00	EVMS Medical Group, PO BOX 936, Norfolk, VA 23501-0936
16394158	Email/Text: BNSFN@capitalsvcs.com	Jul 24 2024 00:50:00	First National Bank, 500 E. 60th Street N., Sioux Falls, SD 57104-0000
16394157	Email/Text: BNSFN@capitalsvcs.com	Jul 24 2024 00:50:00	First National Bank, Attn: Bankruptcy, Po Box 5097, Sioux Falls, SD 57117-0000
16394182	Email/Text: BNSTAZ@capitalsvcs.com	Jul 24 2024 00:50:00	Taz Visa, P. O. Box 2876, Omaha, NE 68103-0000
16394155	+ Email/Text: bankruptcy@fco.com	Jul 24 2024 00:50:00	Fair Collections & Outsourcing, 12304 Baltimore Ave, Ste E, Beltsville, MD 20705-1314
16394156	+ Email/Text: data_processing@fin-rec.com	Jul 24 2024 00:50:00	Financial Recovery Services, PO BOX 385908, Minneapolis, MN 55438-5908
16394159	Email/Text: argbsref@geico.com	Jul 24 2024 00:50:00	GEICO, One GEICO Plaza, Bethesda, MD 20810-0001
16394160	+ EDI: PHINGENESIS	Jul 24 2024 04:32:00	Genesis FS Card Services, Attn: Bankruptcy, Po Box 4477, Beaverton, OR 97076-4401
16394162	EDI: LCICSYSTEM	Jul 24 2024 04:32:00	IC System Inc., PO Box 64378, Saint Paul, MN 55164-0378
16394164	^ MEBN	Jul 24 2024 00:44:22	LabCorp, 531 South Spring Street, Burlington, NC 27215-5866
16394167	+ Email/PDF: resurgentbknotifications@resurgent.com	Jul 24 2024 00:55:54	Lynv Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497, Greenville, SC 29603-0497
16394170	Email/Text: BBN@Mohela.com	Jul 24 2024 00:50:00	MOHELA, Attn: Bankruptcy, 633 Spirit Dr, Chesterfield, MO 63005-0000
16394168	+ Email/Text: bankruptcydpt@mcmcg.com	Jul 24 2024 00:51:00	Midland Credit Management, Attn BK Dept Consumer Svcs, 320 E Big Beaver Rd Ste 300, Troy, MI 48083-1271
16394169	+ Email/Text: bankruptcydpt@mcmcg.com	Jul 24 2024 00:51:00	Midland Credit Mgmt, Attn: Bankruptcy, Po Box 939069, San Diego, CA 92193-9069
16394171	+ EDI: NFCU.COM	Jul 24 2024 04:32:00	Navy FCU, Attn: Bankruptcy, Po Box 3000, Merrifield, VA 22119-3000
16394177	EDI: PRA.COM	Jul 24 2024 04:32:00	Portfolio Recovery Associates, LLC, Attn: Bankruptcy, 120 Corporate Boulevard, Norfolk, VA 23502-0000
16394174	^ MEBN	Jul 24 2024 00:43:54	Pathology Sciences Medical Gro, PO BOX 79671, Baltimore, MD 21279-0671
16394180	EDI: AISSPRINT	Jul 24 2024 04:32:00	Sprint, 6391 Sprint Parkway, Overland Park, KS 66251-4300
16394179	+ Email/Text: BCCCSUBANKRUPTCYEMAIL@sentara.com	Jul 24 2024 00:50:00	Sentara, PO BOX 2090, Morrisville, NC 27560-2090
16394185	+ Email/Text: ecf@tiffanylawfirm.com	Jul 24 2024 00:50:00	Tiffany & Brown PLLC, 770 Independence Cir, Suite 200, Virginia Beach, VA 23455-6452
16394188	+ Email/Text: bankruptcydepartment@tsico.com	Jul 24 2024 00:51:00	Transworld Systems Inc, P.o. Box 15055, Wilmington, DE 19850-5055

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District/off: 0422-8

User: admin

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Date Rcvd: Jul 23, 2024

Form ID: 318

Total Noticed: 52

16394187 + Email/Text: bankruptcydepartment@tsico.com

Jul 24 2024 00:51:00

Transworld Systems Inc, Attn: Bankruptcy, Po Box 15130, Wilmington, DE 19850-5130

TOTAL: 34

### BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
16394172	*+	Navy FCU, Attn: Bankruptcy, Po Box 3000, Merrifield, VA 22119-3000

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

### NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 25, 2024

Signature: /s/Gustava Winters

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 22, 2024 at the address(es) listed below:

Name	Email Address
Gerard R. Vetter	ustpregion04.no.ecf@usdoj.gov
Neil K. Winchester	on behalf of Debtor Naquea Elaine Johnson Winchester@HarbourLaw.us winchesternr78838@notify.bestcase.com;sabrina@harbourlaw.us;Janina@harbourlaw.us;reception@harbourlaw.us
Thomas B. Dickenson	trusteenotice@dickenson.us va52@ecfcbis.com

TOTAL: 3

DS

Case No. 25-6617  
*Johnson v. New Jersey, et al.*  
Supreme Court of the United States

## **EXHIBIT E**

### ***Orr v. Johnson***

*New Jersey Appellate Division May 2020*

#### **RELEVANCE TO MOTION:**

The New Jersey Appellate Division opinion ordering a mandatory home state determination hearing that was never held. This order, issued by New Jersey's own appellate court, directed that the hearing required by the PKPA and UCCJEA be conducted before jurisdiction could be established. New Jersey voluntarily dismissed proceedings rather than comply. Virginia never independently conducted the required analysis. Every custody order built on that foundation is void under *Kalb v. Feuerstein*, 308 U.S. 433 (1940). The IFP denial ensures that void foundation is never honestly examined.

**NOT FOR PUBLICATION WITHOUT THE  
APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-4212-18T4

ANSON B. ORR,

Plaintiff-Respondent,

v.

NAQUEA JOHNSON,

Defendant-Appellant.

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Argued telephonically March 19, 2020 –  
Decided May 14, 2020

Before Judges Nugent, Suter and DeAlmeida.

On appeal from the Superior Court of New Jersey,  
Chancery Division, Family Part, Essex County, Docket  
No. FD-07-2874-18.

Kevin C. Orr argued the cause for appellant.

Robert C. Pierce argued the cause for respondent.

PER CURIAM

Defendant, Naquea Johnson, a resident of Virginia, appeals the Family  
Part order dated May 29, 2019, that denied her motion for reconsideration of

custody orders involving her child with plaintiff, Anson B. Orr, a resident of New Jersey. We reverse the order for reconsideration because it was based on the parties' purported agreement that New Jersey should have jurisdiction. We remand the case to the Family Part to determine whether New Jersey had jurisdiction under the "significant connection" and "substantial evidence" tests of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), N.J.S.A. 2A:34-53 to -95.

I.

Plaintiff and defendant are the parents of J.O. (Jimmy), born on April 20, 2017. They have never been married to each other and reside in different states. Jimmy was born in Virginia. He has half-siblings in New Jersey and Virginia. Plaintiff's name was not on Jimmy's birth certificate.

In February 2018, plaintiff and defendant signed a Custody and Parenting Time Agreement (the Agreement). Under the Agreement, they share joint legal custody of Jimmy. Plaintiff is designated as physical custodian and is the parent of primary residence. Defendant is the parent of alternate residence, New Jersey is Jimmy's domicile and New Jersey law governs the execution and enforcement of the Agreement. The Agreement provides "jurisdiction shall lie in the State

of New Jersey." Defendant's parenting time is to be "arranged and agreed upon by both parties."

On April 11, 2018, plaintiff filed an order to show cause and verified petition in the Family Part in Essex County, New Jersey, claiming defendant would not return Jimmy to him eleven days after her parenting time in Virginia ended. He requested enforcement of the Agreement, and Jimmy's return to New Jersey. At the hearing—where it was acknowledged defendant was not notified—there was concern defendant might drop off the child somewhere plaintiff "may not know where he is." Defendant allegedly had a "very unstable living situation," another child "was in a gang," she "could not handle an infant with her work schedule," and at some point, she advised plaintiff to keep the child and not to return him.

The court granted emergent relief based on the Agreement, defendant's refusal to return the child to New Jersey and her "willingness to make it difficult for [plaintiff] to retrieve the child." The April 11, 2018 order provided plaintiff had primary residential custody of Jimmy, ordering defendant to turn him over to plaintiff immediately.

Plaintiff gave defendant a copy of the order on April 15, 2018, along with a letter from his attorney informing her about the return date on April 18, 2018. Defendant claimed she was not served with any of the supporting papers.

Defendant wrote to the Family Part judge on April 16, 2018, asking for a thirty to sixty-day adjournment and explaining Jimmy was not "in a harmful situation." She claimed Jimmy's "home state" was Virginia where he was born, received his immunizations, was enrolled in day care and resided with his siblings. She argued paternity was not established, she was the "sole legal guardian" and Virginia had jurisdiction. Defendant explained the Agreement was signed so that plaintiff could cancel a year-long day care contract that was being debited monthly from his bank account.

The adjournment request was denied. Defendant participated by telephone on April 18, 2018 when the trial judge called her. Defendant made the same arguments to the judge she had made in her letter about jurisdiction and the purpose of the Agreement. She advised the court plaintiff "refused to legally . . . acknowledge paternity of [Jimmy]" and questioned whether the court could determine custody without first establishing paternity.

Plaintiff acknowledged he was Jimmy's father. He cited to emails from defendant that he claimed supported the Agreement's custody arrangement.

The court's April 18, 2018 order required paternity testing, found personal jurisdiction over defendant because she responded to the order to show cause and determined that New Jersey had jurisdiction. The court awarded plaintiff "temporary sole, legal and residential custody" of the child with the next proceeding scheduled for May 30, 2018. Defendant was ordered to turn the child over to plaintiff.

Defendant filed a motion requesting modification of the April 18, 2018 order, to return the child to her custody and to declare Virginia had jurisdiction. She filed an order to show cause for an emergent return of custody to her and a declaration that Virginia had jurisdiction. In it, defendant claimed she was coerced into signing the Agreement. She asserted that as of April 19, 2018, Jimmy had spent 100 nights in New Jersey and 263 in Virginia. Defendant also submitted a form of motion entitled "stay pending appeal" that was addressed to plaintiff's attorney.<sup>1</sup> In it, she claimed that for six months prior to April 19, 2018, Jimmy spent only sixty-four nights in New Jersey. She detailed how she had been coerced into signing the Agreement and that plaintiff was emotionally abusive. Defendant also filed an application in Virginia for Jimmy's custody,

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<sup>1</sup> Defendant's notice of motion is not stamped "filed" although the trial court indicated it had received it.

but it was not accepted, because New Jersey already had asserted jurisdiction. See Va. Code Ann. § 20-146.17 (2020).

Defendant appeared before the Family Part on May 2, 2018, regarding her order to show cause, but the court did not sign it, finding there was nothing emergent before May 30, 2018.

At the May 30, 2018 hearing—before a different Family Part judge—the court entered a paternity order because testing confirmed plaintiff was Jimmy's father. It ordered parenting time for defendant. This court assumed the Agreement was the basis upon which the prior Family Part judge established jurisdiction in New Jersey, rather than in Virginia. The court clarified that when defendant signed the Agreement "whether you felt you had a jurisdictional dispute or not, you submitted voluntarily to the jurisdiction of this [c]ourt." The court noted under the UCCJEA the state that enters the initial custody order has "continuing and exclusive jurisdiction" until it relinquishes it. Apparently considering the April 18, 2018 order to be a final order, the court noted there were "two ways to go" for defendant: file a motion for reconsideration, where the issues could be briefed, or file an appeal.

A visitation rights hearing was heard on September 5, 2018, before a third Family Part judge. Plaintiff insisted the only issue remaining was defendant's

parenting time. Defendant argued custody needed to be resolved because the prior custody order was temporary. The court ordered the parties to attend mediation, and if not successful, to appear in court on October 15, 2018. In the interim, they were to exchange the child on a monthly basis. The court asked the parties to submit their positions in writing about the issues they claimed were unresolved. Mediation was not successful.

On October 30, 2018, defendant filed a motion seeking modification of the April 11 and 18, 2018 orders, to change custody and to relocate the child to Virginia. She argued the Agreement was not determinative of the court's subject matter jurisdiction and New Jersey should relinquish jurisdiction. Plaintiff opposed the motion and requested enforcement of the Agreement and prior orders.

The motions were returnable on January 3, 2019. The Family Part judge<sup>2</sup> found New Jersey had jurisdiction based on the significant amount of time the child spent in New Jersey and the Agreement indicating New Jersey was the home state. The court understood that the first Family Part judge made a decision on custody based on the Agreement and then no one appealed or asked for relief from the order.

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<sup>2</sup> This judge entered the May 30, 2018 order.

The court heard testimony from plaintiff and defendant. It determined there was no reason to modify the Agreement's provision for joint legal custody. The parties were having some difficulty agreeing, but there was no reason they could not co-parent. Both were willing to accept custody. The child should have a relationship with all his siblings. There was no evidence of a history of domestic violence and neither parent posed a threat to the safety of the child. The court found neither home was unstable and both parents could meet the needs of the child appropriately. Geographic proximity was a problem. Each parent spent a substantial amount of time with the child.

The court's January 3, 2019 order provided the parties would exercise joint legal and residential custody, alternating parenting time month to month. It was amended on January 11, 2019, to conform with the record: the Agreement was enforced and plaintiff was designated the "primary residential custodian of the child."

Defendant filed a pro se objection to the order. She asserted Virginia was the child's "[h]ome [s]tate," citing the UCCJEA. Defendant's counsel filed a motion for reconsideration of all the orders, arguing lack of personal and subject matter jurisdiction and that there were due process violations. Plaintiff filed

opposition in support of a cross-application. The motions were denied on May 29, 2019.

The court's written opinion concluded defendant did not satisfy the standard to reconsider the January 11, 2019 order. The parents' custodial arrangement was set forth in the Agreement. They were presumed to act in the child's best interest. The court found the Agreement was an integrated final document and was not ambiguous. The court concluded that "the credible evidence support[ed] a valid, voluntarily entered, written integrated contract whose terms are enforceable." Defendant's assertions about fraud and coercion were found not to be credible.

The court found the central issue was jurisdiction. Under N.J.S.A. 2A:34-65(c), personal jurisdiction was not necessary to make a child custody determination. However, defendant subjected herself to jurisdiction by raising an issue about paternity. Given the clear language of the Agreement, the court noted she should not have been surprised that a court action would be instituted in New Jersey.

Under the UCCJEA, the court found the child had not lived with either parent for a consecutive six months before the custody action was initiated nor could it be established the times the child spent with the other parent were

temporary absences. The court found that text messages between the parties "reflect[ed] an ongoing discussion about the unsettled nature of the child's living situation" and that the child "lived in both places according to the needs and desires of the parents." The court found "the parties engaged in a shared parenting relationship where each parent had the child for substantial periods of time, without durational limits, and dependent upon the parties', particularly [defendant's], circumstances at any given time." The court concluded that either of the two states could qualify as the child's home state but neither could assert priority over the other. Then, looking to the Agreement as to the parties' intent, the court concluded New Jersey had home state jurisdiction under N.J.S.A. 2A:34-65(a)(1), and denied the motion for reconsideration.

On appeal, defendant argues the orders entered on April 11 and 18, 2018, violated defendant's procedural due process rights and were entered without personal or subject matter jurisdiction, requiring them to be set aside. Defendant argues all the other orders entered by the trial court are invalid because of these due process violations, insufficient and defective process and lack of personal and subject matter jurisdiction.

## II.

We accord "great deference to discretionary decisions of Family Part judges," Milne v. Goldenberg, 428 N.J. Super. 184, 197 (App. Div. 2012) (citations omitted), in recognition of the "family courts' special jurisdiction and expertise in family matters[.]" N.J. Div. of Youth & Family Servs. v. M.C. III, 201 N.J. 328, 343 (2010) (quoting Cesare v. Cesare, 154 N.J. 394, 413 (1998)). However, "[a] trial court's interpretation of the law and the legal consequences that flow from established facts are not entitled to any special deference." Hitesman v. Bridgeway, Inc., 218 N.J. 8, 26 (2014) (quoting Manalapan Realty, L.P. v. Twp. Comm. of Manalapan, 140 N.J. 366, 378 (1995)).

Defendant appeals from an order denying her motion for reconsideration. We review the denial of a motion for reconsideration for abuse of discretion. Cummings v. Bahr, 295 N.J. Super. 374, 389 (App. Div. 1996). Our review is limited. State v. Puryear, 441 N.J. Super. 280, 294 (App. Div. 2015). Reconsideration is not appropriate merely because a litigant is dissatisfied with a decision. D'Atria v. D'Atria, 242 N.J. Super. 392, 401 (Ch. Div. 1990). Reconsideration is appropriate only where "1) the [c]ourt has expressed its decision based upon a palpably incorrect or irrational basis, or 2) it is obvious

that the [c]ourt either did not consider, or failed to appreciate the significance of probative, competent evidence." Ibid.

The UCCJEA "governs the determination of subject matter jurisdiction in interstate, as well as international, custody disputes." Sajjad v. Cheema, 428 N.J. Super. 160, 170 (App. Div. 2012). It serves to "ensure that custody determinations are made in the state that can best decide the case." Griffith v. Tressel, 394 N.J. Super. 128, 138 (App. Div. 2007). The UCCJEA was enacted "to avoid jurisdictional competition and conflict' between jurisdictions in favor of 'cooperation with courts of other states.'" Sajjad, 428 N.J. Super. at 170-71 (quoting Griffith, 394 N.J. Super. at 138). To address a multi-state child custody issue, courts in the Family Part are to follow the procedures in the UCCJEA. Ibid. (citing Poluhovich v. Pellarano, 373 N.J. Super. 319, 357 (App. Div. 2004)).

A state that has made the initial custody determination has exclusive, continuing jurisdiction over later disputes. N.J.S.A. 2A:34-66(a). A state has jurisdiction to make an initial child custody determination where it is the child's "home state." N.J.S.A. 2A:34-65(a)(1). "Home state" means "the state in which a child lived with a parent or a person acting as a parent for at least six consecutive months immediately before the commencement of a child custody

proceeding . . . [including a] period of temporary absence[.]" Sajjad, 428 N.J. Super. at 172 (alterations in original) (citing N.J.S.A. 2A:34-54).

A New Jersey court has initial child custody jurisdiction if it was the child's "home state" when the proceeding commenced, "or was the home state of the child within six months before the" proceeding commenced "and the child is absent from this State but a parent or person acting as a parent continues to live in this State."

[P.H. v. L.W., 456 N.J. Super. 630, 637 (App. Div. 2018) (quoting N.J.S.A. 2A:34-65(a)(1)).]

Temporary absences will not affect this, but whether the absence is temporary requires consideration and weighing of various factors. Sajjad, 428 N.J. Super. at 173.

If no other state is the home state or the home state has declined to exercise jurisdiction, New Jersey may exercise jurisdiction in certain instances. See N.J.S.A. 2A:34-65(a)(2). Finally, "personal jurisdiction is not required when a court is exercising jurisdiction solely over custody matters, provided that the party is given reasonable notice and opportunity to be heard." Schuyler v. Ashcraft, 293 N.J. Super. 261, 290 (App. Div. 1996) (citing Genoe v. Genoe, 205 N.J. Super. 6, 15 (App. Div. 1985)); see also N.J.S.A. 2A:34-60 and -69.

The order denying reconsideration was based on the conclusion that either state could have home state jurisdiction—even though the child had not resided

continuously in either state for six months—and because of that the Agreement was used to determine the intent of the parties. However, it does not appear the child lived continuously for six months in either state. He was present in both states for significant periods of time, but his situation was unsettled. The court noted both parents considered the child's absences from their state as temporary. There was evidence to support the court's finding the child "lived in both places according to the needs and desires of the parents."

"We recognize that the lack of home-state status does not necessarily divest a state of jurisdiction." P.H., 456 N.J. Super. at 638. A New Jersey court may exercise jurisdiction if no court of another state has home-state jurisdiction, or a court with home-state jurisdiction declines to exercise it, and two other factors are present:

(a) the child and the child's parents, or the child and at least one parent or a person acting as a parent have a significant connection with this State other than mere physical presence; and

(b) substantial evidence is available in this State concerning the child's care, protection, training and personal relationships;

[Ibid. (citing N.J.S.A. 2A:34-65(a)(2)).]

Thus, in this case, "the court . . . could have grounded New Jersey jurisdiction on the basis of the 'significant connection' and 'substantial evidence' tests." Ibid.

Here, however, the Family Part judge anchored its decision to the Agreement, finding it reflected the parties' intent about custody.

It was an error to rely on the Agreement to determine custody. An "agreement of the parties as to which state should assume jurisdiction" is a factor for a court to consider if declining jurisdiction because it is an inconvenient forum, but it is not dispositive of jurisdiction. See Griffith, 394 N.J. Super. at 137 (providing that subject matter jurisdiction was not determined by the parties' agreement to designate New Jersey as the child's home state); B.G. v. L.H., 450 N.J. Super. 438, 457 (Ch. Div. 2017) (providing an agreement cannot "bind" the courts but should be given weight if supported by "valuable consideration").

We reverse and remand for a hearing on whether there was "significant connection" with this State or Virginia and whether there is "substantial evidence" in this State or Virginia concerning the child's care, protection, training and personal relationships as of the period from his birth to prior to April 11, 2018, when the Family Part issued the first order. Where there is no home state under the UCCJEA, the Family Part should have looked to these factors to determine whether New Jersey had jurisdiction to issue a custody order. See P.H., 456 N.J. Super. at 638.

The Family Part considered the Agreement, but there was no consideration of the nature and quality of connections to each state. The parties were focused on counting the days the child was present in one state or the other. Although the Agreement might warrant some consideration on remand, it is not entitled to substantial weight unless it was supported by "valuable consideration." B.G., 450 N.J. Super. at 457-58. There was no discussion of the consideration received by defendant for her agreement.

The decision to reverse the May 29, 2019 order and to remand for a hearing obviates our need to address other issues raised by defendant, so we add these brief comments.

Defendant argues the Family Part did not have personal jurisdiction for the orders that were entered. The UCCJEA expressly provides, however, that "[p]hysical presence of, or personal jurisdiction over, a party or a child is neither necessary nor sufficient to make a child custody determination." N.J.S.A. 2A:34-65(c). We note Virginia's version of the uniform law contains the same provision. See Va. Code Ann. § 20-146.12(C)(2020) (providing "[p]hysical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination").

Furthermore, the UCCJEA "governs the determination of subject matter jurisdiction in interstate, as well as international, custody disputes." Sajjad, 428 N.J. Super. at 170. The same is true for Virginia. See Va. Code Ann. §§20-146.1 to 20-146.38 (2020).

Defendant argues N.J.S.A. 2A:34-65(c) is unconstitutional. This argument was not raised in the Family Part proceedings. Generally, we will not consider issues, even constitutional ones, which were not raised below. Nieder v. Royal Indemn. Ins. Co., 62 N.J. 229, 234 (1973). Both Virginia and New Jersey have similar laws. Were the provision to be held unconstitutional, it would undermine the purpose of the UCCJEA "to avoid jurisdictional competition and conflict' between jurisdictions in favor of 'cooperation with courts of other states.'" Sajjad, 428 N.J. Super. at 170-71 (quoting Griffith, 394 N.J. Super. at 138). We decline to address this issue in this appeal.

Defendant alleges she was not accorded adequate notice in April 2018. Plaintiff commenced this case by order to show cause. See R. 4:52-1(a). "The rule permits judicial review absent compulsory notice 'if it appears from specific facts shown by affidavit or verified complaint that immediate and irreparable damage will probably result to the plaintiff before notice can be served or informally given and a hearing had thereon.'" In re Adoption of Child ex rel.

M.E.B., 444 N.J. Super. 83, 89-90 (App. Div. 2016) (quoting R. 4:52-1(a)); see R. 5:1-1. (stating that "[c]ivil family actions shall also be governed by the rules in Part IV insofar as applicable and except as otherwise provided by the rules in Part V"). Although defendant alleged she was not served with all the supporting papers, the court's order identified the issues, and she addressed them in her written submission to the court on April 16 and in oral argument on April 18, 2018. She had all submissions well before the January 2019 hearing.

Plaintiff argues defendant is precluded from relief because she did not appeal or ask for reconsideration from the April 2018 orders. We discern no procedural impediment. The April 18, 2018 order awarded plaintiff "temporary sole legal and residential custody." The May 2018 order addressed paternity and parenting time. The January 2019 order continued the custody arrangement. Defendant's motion for reconsideration was decided in May 2019 and defendant appealed that order.

Reversed and remanded for a hearing on the child's "significant connection" with this State or Virginia and whether there was "substantial evidence" in this State or Virginia concerning the child's care, protection, training and personal relationships contacts from his birth to April 11, 2018. We do not retain jurisdiction.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.



CLERK OF THE APPELLATE DIVISION

**G&L TRANSCRIPTION OF NJ**

**Omnitrans, Inc.**

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[www.gltranscriptsny.com](http://www.gltranscriptsny.com)

Mr. [REDACTED]

No. [REDACTED] 3507

Re: [REDACTED]  
FD-07-2874-18

Dear Ms. [REDACTED]

This letter is in response to you contacting our office to advise that some transcripts done in the above matter identified the court as the Law Division, Criminal Part. A review of the transcripts typed by [REDACTED] on the dates 4/11/18, 4/18/18, 5/30/18 and 9/5/18 had a typographical error in the top right portion of the cover page. I have corrected it to Chancery Division, Family Part and have provided you with the corrected transcripts via email. We should have caught it before sending the transcripts out and made the correction at that time.

I can certify to you that we received the transcript order and sound files directly from the Essex County Family transcript unit at 212 Washington St., Newark, NJ. This case has no relationship to any criminal case, nor did the order come from the Criminal Division transcript unit which is at a different address (50 West Market St.).

I apologize for the error and thank you again for bringing this to our attention.

Thank you for your anticipated cooperation.

Very truly yours,

*Scott F. Cohen*

Scott F. Cohen, Esq.  
Agency Director  
President, G&L Transcription of NJ



*What is the truth?*

E19

Case No. 25-6617  
*Johnson v. New Jersey, et al.*  
Supreme Court of the United States

## **EXHIBIT F**

### **Direct Message Communications | Instagram**

*Dianthe Martinez-Brooks a/k/a Dawn Orr*    *Named Defendant*

#### **RELEVANCE TO MOTION:**

Documented direct message communications in which Dianthe Martinez-Brooks a/k/a Dawn Orr , a convicted political kickback felon and named defendant in this action, threatened to fraudulently report Petitioner to authorities for a threat that was never made, and to notify the presiding custody judge of Petitioner's purported behavior. Authenticated by Petitioner's declaration under 28 U.S.C. § 1746. The corresponding communications have since disappeared from Norfolk Circuit Court, their absence from the record as telling as their original existence.

10:17



October 4, 2022



9:53



<  Dianthe Dawn Marti...  




**Dianthe Dawn Martinez Brooks**

[View profile](#)

I have questions for you and Antionette, call me. You have my number.

In case you want to act like you don't know who I am, it's FD-07-002874-18

 Don't know who this is but feel free to reach out. 9734773998

You know who this is, NAQUEA

F1

10:17



October 4, 2022



9:53



< Dianthe Dawn Marti...

You know who this is, NAQUEA  
...ring a bell?

You have a lot to say behind the scenes, call me and say what you need to say. Or, you can message what you need to say, your choice.  
  
If I've reached you at a time your ankle monitor does not allow you to communicate, provide a time more appropriate.

No, Naquea your name doesnt ring a bell. I have no idea who you are and why all the negatively. So I'm going to tell you God Bless.

You are so crooked and fraudulent, it's disgusting.

Ask Sharifa who I am...she has a lot of time to think about these

F2

10:17



October 4, 2022



9:53



< Dianthe Dawn Marti...

Ask Sharifa who I am... she has a lot of time to think about these days... although I am certain that her early "retirement" 🤖 will ensure she never forgets 🤖🤖🤖

Glad you were able to break from house arrest duties to reply.



This message is for your eyes only. It is not to be shared with anyone else. If you have received this message in error, please delete it and do not forward it.

For more information, please contact your service provider. If you are having trouble, please contact your service provider. If you are having trouble, please contact your service provider.

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Ring a bell?...

Oh, wait....ring a monitor - perhaps an ankle monitor?

Child please get a life.

F3

10:17



October 4, 2022



9:53



< Dianthe Dawn Marti...

Child please get a life.

I'm not the child. Family member #1 is the child...YOUR child who remained unnamed in the corruption scandal. When are you going to stop with your crooked ways, Dawn? Are you intentionally trying to get Tiff disbarred? Think about your grand babies...your reason for fighting to be with family during COVID.

Unlike you, I'm not looking people up, harrasing, etc. You aren't important enough to talk about or on my radar.

No need to look anyone up to harass. Your mugshot is plastered everywhere

You are a FRAUD, and how dare you speak the name of GOD out of your mouth when your ways are everything EXCEPT godly.

Night-night

F4

10:18



October 4, 2022



9:53



Dianthe Dawn Marti...



Night-night

By the way I don't know who Sharifa is but I will be sure to share your threat with authorities and send the judge overseeing your custody case a copy as well with a note about your behavior as well.



Fuck your fraud ass you ignorant bitch! Hours ago you allegedly didn't know who I was. You think I'm moved by your meritless THREAT?! Go back to school instead of continuing to defraud the public. I made NO THREATS, just stated FACTS!!

You aren't fooling those who "know", get a real life

You realized I'm in a custody battle overnight? You are scum.

The UGLA representing someone

F5

10:18



October 4, 2022



9:53



< Dianthe Dawn Marti...

did send the judge overseeing your custody case a copy as well with a note about your behavior as well.

Fuck your fraud ass you ignorant bitch! Hours ago you allegedly didn't know who I was. You think I'm moved by your meritless THREAT? Go back to school Instead of continuing to defraud the public. I made NO THREATS, just stated FACTS!!

You aren't fooling those who "know", get a real life

You realized I'm in a custody battle overnight? You are scum.

The UCLA representing someone like you? Not a good 100k... EMBARRASSMENT at its best.

I'll be sure they get a copy of EVERYTHING! Erroneous transcripts and informed of missing records.

FL6

IN THE SUPREME COURT OF THE UNITED STATES

NAQUEA ELAINE JOHNSON,  
*Petitioner,*

v.

NEW JERSEY, ET AL.,  
*Respondents.*

Case No. 25-6617

**EXHIBIT F**  
**DECLARATION OF NAQUEA ELAINE JOHNSON**  
**IN SUPPORT OF AUTHENTICATION OF DIRECT MESSAGE COMMUNICATIONS**

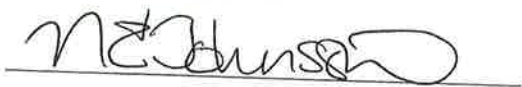
I, Naquea Elaine Johnson, being over the age of eighteen and competent to testify, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am the Petitioner in the above-captioned matter. I make this declaration based on my personal knowledge.
2. **Attached** to this declaration are true and accurate screenshots of direct message communications I received via Instagram from an account associated with Dianthe Martinez-Brooks a/k/a Dawn Orr, a named defendant in Petitioner's underlying federal civil rights action.
3. **In** those communications, Dianthe Martinez-Brooks a/k/a Dawn Orr threatened to report Petitioner to authorities for making a threat against a third party identified as "Sharifa." No such threat was ever made by Petitioner. The report threatened by Dianthe Martinez-Brooks a/k/a Dawn Orr would have been FALSE and FRAUDULENT.

4. **Dianthe** Martinez-Brooks a/k/a Dawn Orr further threatened to notify the judge presiding over Petitioner's custody matter of Petitioner's purported behavior. As no threat was ever made, any such notification would have been false.
5. **The** screenshots attached hereto are true and accurate copies of the direct message communications as they appeared on Petitioner's Instagram account at the time they were received. They have not been altered, edited, or modified in any way.
6. **Petitioner** subsequently learned that communications related to this matter that had been filed or submitted in connection with Norfolk Circuit Court proceedings have since disappeared from the Norfolk Circuit Court record. The disappearance of those communications from the court record is noted in Petitioner's Motion for Reconsideration.
7. **Dianthe** Martinez-Brooks a/k/a Dawn Orr is a convicted felon whose conviction arose from the Newark Watershed Corruption scandal. She is a named defendant in Petitioner's underlying federal civil rights action, Case No. 25-6617.

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

Executed on April 4, 2026.



Naeque Elaine Johnson

*Pro Se Petitioner*

PO Box 3011

Norfolk, VA 23514

[jkcmonroe@gmail.com](mailto:jkcmonroe@gmail.com)

973-397-0909

4/4, 2026