

No 25-6717

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IN THE  
SUPREME COURT OF THE UNITED STATES

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Alaa Elkhawily  
Petitioner

v.

Kaiser Permanente; Group Health System; David Dempster,  
M.D.; William Cammarano, M.D.; Tony Haftel, M.D.; Dennis DeLeon,  
M.D.; Bennett Bigelow & Leedom, P.S.; Bruce Megard; Erin Seeberger;  
Kimberley Nighswonger; Franciscan Health System; John Doe & Mary  
Doe I-X

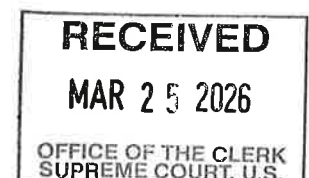
Respondents

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EMERGENCY SWORN MOTION TO STAY MARCH 26, 2026  
CONFERENCE AND HOLD PROCEEDINGS IN ABEYANCE PENDING  
CORRECTION OF THE RECORD; BASED ON CONCLUSIVELY  
ESTABLISHED SYSTEMIC RECORD TAMPERING, FORGERY, AND  
DESTRUCTION BY THE WASHINGTON STATE SUPREME AND APPELLATE  
COURTS TO CONCEAL CHILD TRAFFICKING AND PROPERTY THEFT  
ACROSS STATE AND FEDERAL JURISDICTIONS

(EXPEDITED CONSIDERATION REQUESTED)

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## **I. IDENTITY OF THE MOVING PARTY AND LEGAL BASIS.**

Petitioner Dr. Alaa Elkhawily, appearing *pro se* and *In Forma Pauperis*, respectfully moves this Court, pursuant to Supreme Court Rule 21 and the All Writs Act, 28 U.S.C. § 1651, to stay the conference currently scheduled for March 26, 2026, and to hold all proceedings in abeyance.

## **II. BASIS FOR EMERGENCY INTERVENTION: CONSCIOUSNESS OF GUILT AND ADMINISTRATIVE DEFAULT**

This motion must be considered on an emergency basis because Petitioner has conclusively established a "Structural Default" by the lower courts. Despite formal, high-priority demands for the provision of certified dockets and the restoration of a 290-page forensic block (**Exhibits K-V**) among other records, the Washington State Judiciary and the Ninth Circuit Judicial Council have "taken the fifth" and remained silent. App.a 4-8.

This silence is not merely a delay but an affirmative **Consciousness of Guilt**.

While the Washington State Supreme Court demonstrated it has the technical capability to produce certified dockets as recently as March 5, 2026, it has willfully refused to do so for the 20+ cases identified in the "Unified Urgent Demand". App.a.14. This refusal is a coordinated effort to conceal evidence of 18

U.S.C. § 1591 (Child Trafficking) and the illegal seizure of property by "cleansing" the record of incriminating filings. Because the March 26 conference will proceed based on a record that has been "administratively defaulted" and "electronically forged" to bypass judicial oversight, the Court must stay all proceedings immediately to prevent a permanent fraud upon this Court's jurisdiction

### **III. STATEMENT OF FACTS: SYSTEMIC DESTRUCTION OF THE RECORD**

- 1. Discovery of Felony Acts:** Petitioner has uncovered conclusive evidence of over 150 felonies across multiple jurisdictions, including the mutilation, electronic forgery, and physical destruction of court records within the Washington State Supreme Court and the Court of Appeals (Divisions II and III). App.a. 4-8.
- 1. Cross-Jurisdictional Felony Acts:** Petitioner has discovered that the destruction, forgery, and electronic "cleansing" of court records is not isolated to this case, but spans **more than 20 cases** across the Washington State Supreme Court, the Court of Appeals, and the U.S. District Court for the Eastern District of Washington and the Ninth Circuit Circuit. App.a.15-21
- 2. Concealment of Crimes:** This systemic tampering is the primary tool used by the criminal enterprise to conceal the exposure of its members—many of

whom are the very judicial officers who rendered the decisions in this case. By destroying the forensic record of their own involvement in **child trafficking (18 U.S.C. § 1591)** and property theft, these members have used their judicial power to "launder" their crimes into valid-looking orders, subsequently dismissing Petitioner's cases and labeling him a "vexatious litigant" to block further discovery.

- 3. Nullity of Prior Orders:** Because these orders were procured through the criminal mutilation of the case files and by judges who were under a mandatory duty of disqualification (as named defendants/participants), all such judgments are **void ab initio** and constitute a total breakdown of the judicial machinery.

### **III. THE MANDATORY NECESSITY OF A STAY**

- 1. Jurisdictional Impediment:** The U.S. Supreme Court's appellate jurisdiction is predicated on the review of an authentic and complete record. When the lower courts—including the Ninth Circuit Judicial Council and the State Supreme Court—participate in the destruction of that record, they effectively **strip this Court of its jurisdiction** to conduct a meaningful review.
- 2. Mandatory Abeyance:** In these extraordinary circumstances, where the "mainstream of litigation" has been turned into a vehicle for a criminal

enterprise, a stay is not merely a matter of judicial discretion but a **mandatory requirement** to preserve the integrity of the Federal Judiciary.

This Court must intervene to stop the "Shadow atop the Records" and prevent the use of forged dockets to advance the illegal interests of the enterprise members.

**3. The March 23, 2026 Rejection:** As of March 23, 2026, Washington Supreme Court Justice Stephens and former Chief Justice Gonzalez—acting without authority while named as proposed defendants in Petitioner's federal civil rights action (*9th Cir. No. 25-3405*)—refused Petitioner's request to correct the record.

**4. Manufactured Blindness:** Court personnel, including Commissioner Johnston and Clerk Pendleton, have actively participated in "manufacturing blindness" under the direction and instruction of the Justices and in collaboration with the lower courts. These individuals are proven to have destroyed, forged, and falsified records and dockets to conceal new, conclusive evidence of criminal acts.

**5. The "Enterprise" Connection:** This destruction of records is the primary mechanism used by a criminal enterprise to "launder" illegal acts—including child trafficking (**18 U.S.C. § 1591**), money laundering, asset theft, and record

tampering—into seemingly valid judicial proceedings. This enterprise includes members of the judiciary who appointed a "custodial receiver" (counseled by the law firm of retired Judge Siddoway) to seize Petitioner's assets and silence his exposure of these crimes in both his own and other litigants' cases.

#### **IV. ARGUMENT**

##### **A. THE CRIMINALLY MUTILATED RECORD DIVESTS THIS COURT OF MEANINGFUL JURISDICTION**

**1. Jurisdictional Integrity:** Under Article III of the Constitution, the U.S.

Supreme Court's appellate jurisdiction is predicated on the existence of an authentic "Case or Controversy." When a lower court intentionally destroys, forges, or mutilates the record, there is no "record" for this Court to review. The Court's jurisdiction is effectively "hijacked" by the criminal acts of the lower court personnel.

**2. Mandatory Abeyance:** While a typical stay is discretionary, a stay based on **Structural Fraud** is mandatory. If the "Foundational Record" is a felony-level forgery, the high court cannot exercise its judicial power without becoming an unwitting participant in the lower courts members' crimes and fraud.

3. **The "Fruit of the Poisonous Tree" Doctrine (Civil Application):** Any order originating from the Washington State Supreme Court—which is currently overseen by named defendants who have rejected motions to correct the record—is **void ab initio** (void from the beginning). This forces the U.S. Supreme Court to stop the clock because they cannot affirm or deny a void judgment.

4. **Due Process as a Jurisdictional Bar:** Without a true record, the "Process" is not "Due." Therefore, the Court lacks the constitutional authority to proceed to a conference until the "Medical/Legal Record" (the case file) is restored to its original, unadulterated state.

## **B. STRUCTURAL DUE PROCESS VIOLATIONS**

The existence of a truthful and complete record is a **jurisdictional prerequisite**. This Court cannot exercise its appellate authority over a phantom record created through the criminal mutilation of evidence by the Respondents. Where structural error is conclusively established through evidence of over 150 felonies, including the destruction of court records to conceal child trafficking and property theft, the abatement of proceedings is **mandatory**. To proceed would be to allow the lower court's criminal enterprise to dictate the boundaries of this Court's review, thereby obstructing the administration of justice at the highest level

Petitioner asserts and the attached Appendix conclusively establish that the record currently before this Court for the March 26 conference is undeniably partially destroyed, falsified, concealed and electronically and manually forged (i.e., structurally fraudulent). Adjudicating this case on a mutilated record constitutes a gravely offensive **Structural Error** that violates the Fifth and Fourteenth Amendments.

- **Irreparable Harm:** If the conference proceeds, Petitioner will be denied a fair review based on authentic evidence, resulting in a permanent deprivation of due process.
- **Justice Kagan's Jurisdiction:** As Circuit Justice for the Ninth Circuit, Justice Kagan has the authority to stay these proceedings to prevent a "fraud on the court" and to halt ongoing crimes spanning both state and federal jurisdictions.

## **V. RELIEF REQUESTED**

Petitioner respectfully moves this Court to:

1. **Stay the March 26, 2026, Conference** in *Elkharwily v. Kaiser*, No. 25-6717;
2. **Hold all proceedings in abeyance** until such time as the underlying record is restored to its authentic and unadulterated state; and

3. **Grant leave** for Petitioner to file a Supplemental Brief and/or appropriate Extraordinary Writs once the lower courts have complied with their ministerial duty to provide a certified and truthful record.

## **DECLARATION OF ALAA ELKHARWILY**

I, **Alaa Elkhawily, MD**, declare as follows:

1. I am the Petitioner in the above-entitled action and I am proceeding *pro se* and *In Forma Pauperis*.
2. I have personal knowledge of the facts set forth in the foregoing **Emergency Motion to Stay March 26, 2026, Conference**, and I am competent to testify to the same.
3. The factual allegations regarding the destruction, forgery, and mutilation of records, as well as the administrative and criminal default of the lower courts, are true and correct to the best of my knowledge and belief.
4. The Appendix attached hereto, including the email chains and records identified is a true and correct copy of the communications and records it represents, as maintained in the ordinary course of my investigation and litigation of these matters.
5. CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h) and Rule 21, I certify that:

**5.1 Word Count:** This Emergency Motion contains **1,753** words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

**5.2 Emergency Requirements:** This motion complies with the requirements for emergency applications under **Rules 21, 22, and 23**. Petitioner has clearly stated the reasons for the emergency, specifically the imminent March 26, 2026, conference date and the discovery of structural fraud that divests the lower courts of jurisdiction.

**5.3 Notification:** I notified the parties and the Clerk of the Supreme Court via email on March 23, 2026, regarding the emergency filings and Motion. I additionally left a voicemail for the Supreme Court Clerk.

**5.4 Format:** Pursuant to **Rule 39**, as a Petitioner proceeding *In Forma Pauperis*, I have submitted this motion on 8.5-by-11-inch paper.

**5.5 Service:** I have complied with the service requirements of **Rule 29** by serving all parties via electronic mail and or Priority Overnight mail.

6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 23, 2026, at Spokane, Washington.



S/ Alaa Elkharwily

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## APPENDIX EXHIBIT LIST

### **Appendix A: EXHIBIT 1 — EMAIL CHAIN AND UNIFIED URGENT DEMANDS** (Consisting of 60 pages, referenced as **App.a.1–60**)

- **Formal Notices of Mandatory Recusal, Criminal and Administrative Default, and Obstruction of Justice:** Issued to the Ninth Circuit, the Ninth Circuit Judicial Council, and the Washington State Judiciary.
- **Subject Matter:** The Coordinated Destruction and False Certification of Federal and State Records to Shield a Criminal Seizure of Properties and Child Trafficking Enterprise.
- **Key Evidence:** Targeted destruction of **Forensic Block Exhibits K-V** among other records and the willful refusal of judicial officers (including Stephens, J. and Gonzalez, C.J.) and clerks (Pendleton, Dalton, Spence, and Seymour) to provide certified dockets despite technical capability.
- **Date Range:** Emails and formal legal notices spanning from November 2025 through the "Final Notice of Criminal Violation" and "Supplemental Unified Demand" sent on March 7, 2026.

**APPENDIX A**

**EXHIBIT 1**

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March 23, 2026

**TO THE HONORABLE ELENA KAGAN** Associate Justice of the Supreme Court of the United States and Circuit Justice for the Ninth Circuit 1 First Street, NE Washington, DC 20543

**RE: EMERGENCY APPLICATION FOR STAY AND ABEYANCE Case**

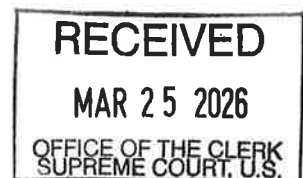
**Name:** *Elkharwily v. Kaiser Permanente, et al.* **Docket No.:** 25-6717 **Relief**

**Sought:** Stay of March 26, 2026, Conference

**To the Honorable Justice Kagan:**

Pursuant to Supreme Court Rules 21, 22, and 23, Petitioner Dr. Alaa Elkharwily respectfully submits the enclosed **Emergency Sworn Motion to Stay the March 26, 2026, Conference and Hold Proceedings in Abeyance.**

This application is brought on an emergency basis to prevent the irreparable harm of an adjudication based upon a record that has been criminally mutilated, forged, and falsified by the lower courts. As established in the attached 60-page sworn **Appendix**, the Washington State Supreme Court and the Ninth Circuit Judicial Council have defaulted on their ministerial duties to provide a certified and authentic record, effectively divesting this Court of meaningful jurisdiction.



Petitioner asserts that these administrative and criminal defaults were orchestrated to conceal high-level felonies, including 18 U.S.C. § 1591 and property theft. Petitioner is proceeding *In Forma Pauperis* and has provided immediate notice of this filing via email and voicemail to the Clerk of the Court and all Respondents.

Because the Conference is scheduled for this **Thursday, March 26**, Petitioner prays for an immediate stay to preserve the structural integrity of these proceedings and the jurisdiction of this Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alaa Elkhawily". The signature is written in a cursive style with a small "11/4" written above the first few letters.

S/ Alaa Elkhawily

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