

ORIGINAL

No. _____
25-6881

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IN THE
SUPREME COURT OF THE UNITED STATES

In Re Ryan P. Givey – PETITIONER

ON PETITION FOR AN
EXTRAORDINARY WRIT OF PROHIBITION

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QUESTION PRESENTED

PETITIONER's ex-wife filed for emergency custody of their children solely based on the fact that Petitioner filed a court case (US Supreme Court, Givey v DOJ, 23-7063) claiming he is an attacked whistleblower and demanding Biden's DOJ to take a criminal complaint, which they refused to do. PETITIONER's ex-wife was immediately denied emergency custody of their children and a trial was set before Judge Sondergaard for a two-hour hearing. Within the next 40 minutes, the case was improperly transferred to Judge Royer and scheduled for a full day hearing on 1/3/24. Then Judge Sondergaard presided over a pre-trial hearing in July 2025 and the case was then improperly transferred back to Judge Royer. After PETITIONER alleged that Judge Royer had a conflict of interest, exceeded her authority and violated PETITIONER's rights, the Court again, improperly switched judges in the case to Judge Cauley, who proceeded to deny PETITIONER a reasonable accommodation under ADA. On appeal PETITIONER's appeal was denied in a Pa Superior Court order that was not verified by the Prothonotary and did not comply with the Pa Supreme Court's rules regarding per curiam orders.

1. Should Chester County Court Judge Clay Cauley Sr. be restrained from presiding as judge in any further judicial proceedings in custody case No. 2015-06444-CU in the Chester County Court of Common Pleas?

RELATED CASES

United States Supreme Court:

Givey v DOJ, 23-7063

Givey v Givey, 25-6035

Chester County Court of Common Pleas:

Ryan P. Givey v Alicia A. Givey, No. 2015- 06444-CU (Jan. 3, 2025)

Ryan P. Givey v Alicia A. Givey, No. 2015- 06444-CU (May 15, 2025)

Superior Court of Pennsylvania:

Ryan P. Givey v Alicia A. Givey, No. 153 EDA 2025 (case remanded, application to strike denied, appellant's petition to appear remotely at oral argument denied) (Apr. 25, 2025)

Ryan P. Givey v Alicia A. Givey, No. 1318 EDA 2025 (appeal quashed, application to strike dismissed) (Jun. 23, 2025)

Supreme Court of Pennsylvania:

R.P.G. v A.A.G., No. 362 MAL 2025 (petition for allowance of appeal denied) (Aug. 19, 2025)

R.P.G. v A.A.G., No. 362 MAL 2025 (request for reconsideration denied) (Sep. 10, 2025)

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Petition for Extraordinary Writ of Prohibition

Petitioner prays this Court issues an extraordinary writ of prohibition.

OPINIONS BELOW**JURISDICTION**

The U.S. Supreme Court has jurisdiction to issue extraordinary writs of prohibition under its original jurisdiction under 28 U.S.C. § 1651 (a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Relevant Constitutional and Statutory provisions involved are reproduced in the Appendix of this Petition (APPENDIX X-1 to X-6).

STATEMENT OF THE CASE

In accordance with this Court's rules under 28 USC § 1651(a), Ryan Givey respectfully requests this Court to grant an extraordinary writ of prohibition restraining Chester County Court of Common Pleas Judge Clay Cauley Sr. from presiding as judge in any further judicial proceedings in custody case No. 2015-06444-CU in the Chester County Court of Common Pleas.

This petition presents evidence, that the Chester County Court of Common Pleas is repeatedly switching judges to influence the outcome of trials and not randomly assigning judges under Chester County Local Civil Rule 200 A, which requires a blind rotation of judges, in violation of PETITIONER'S Constitutional Right to Due Process under the Fourteenth Amendment and Judge Cauley has also denied PETITIONER a reasonable accommodation under ADA and that should disqualify Judge Cauley from presiding as judge in the current custody case No.

2015-06444-CU in the Chester County Court of Common Pleas. PETITIONER has a reasonable fear that he will not receive a fair hearing before Judge Cauley because Judge Cauley was improperly assigned to this custody case in violation of PETITIONER'S Right to Due Process under the Fourteenth Amendment and Judge Cauley has denied PETITIONER a reasonable accommodation under ADA.

To justify the granting of any such writ, the petition must show that the writ be in aid of the Court's appellate jurisdiction, that exceptional circumstances warrant the exercise of the Court's discretionary powers and that adequate relief cannot be obtained in any other form or from any other court. PETITIONER believes these conditions are met for reasons advanced below.

INTRODUCTION

Chester County Court Local Rules of Civil Procedure 200 A requires "when the case is commenced it shall be assigned for trial and pre-trial proceedings to a designated judge. The designated judge shall be responsible for the matter from the time of the initial filing until final disposition... The assignment of the case shall be made by the prothonotary in accordance with regulations promulgated by the president judge. The assignment regulations shall create a blind rotation system". The Chester County Prothonotary's office has stated that, by law, judge assignments are random and assigned by computer.

PETITIONER presents evidence that the judge assignments in his custody case are not being randomly assigned by computer, as required by law and Chester County Local Civil Rule 200 A, and Chester County Court has repeatedly switched

judges in his custody case violating Chester County Local Civil Rule 200 A, that requires that "when the case is commenced it shall be assigned for trial and pre-trial proceedings to a designated judge. The designated judge shall be responsible for the matter from the time of the initial filing until final disposition".

Therefore, since Judge Cauley was improperly assigned to Chester County custody case No. 2015-06444-CU in violation PETITIONER'S Constitutional Right to Due Process under the Fourteenth Amendment and because Judge Cauley denied PETITIONER an accommodation under ADA, Judge Cauley should be prohibited from presiding as judge in any judicial proceedings in the matter.

HISTORY OF THIS CUSTODY CASE

Custody Case was Improperly Transferred to Judge Royer

After Trump won the presidential election in November 2024 PETITIONER stated he will be refiling his federal lawsuit demanding the DOJ take a criminal complaint once Trump takes office. Then on December 11, 2024 PETITIONER'S EX-WIFE filed an emergency petition requesting custody of their children.

PETITIONER'S EX-WIFE was denied emergency custody at that time and requested a two-hour emergency hearing that was scheduled on Jan. 28, 2025, before Judge Analisa Sondergaard (APPENDIX A). According to the time stamp, this occurred at 3:50 pm.

Between 3:50 pm and 4:30 pm, on Dec. 11, 2024 the Court improperly transferred the case to Judge Royer and rescheduled the case on Jan. 3, 2025 at 9:30 am for a full day hearing (APPENDIX B) in violation of PETITIONER'S

Constitutional Right to Due Process under the Fourteenth Amendment. A scheduling conflict would not change the judge or change a two-hour hearing to a full day hearing, where PETITIONER'S EX-WIFE testified all morning and PETITIONER testified and was cross-examined in the afternoon. A typical emergency custody hearing lasts about 30-60 minutes. To change a request from a 2-hour hearing to a full day hearing requires a formal request that would have to be filed with the court, requesting the change, and this was not done.

If the judges were switched in the case to alter the conditions of the hearing (such as to change the hearing from a 2-hour hearing to a full day hearing) or to influence the outcome of a hearing, by specifically choosing a judge with a conflict of interest, it would be a federal crime, but federal law enforcement illegally refuse to speak to PETITIONER, review evidence or take a criminal complaint.

So, on Dec. 11, 2024 PETITIONER'S EX-WIFE filed an emergency custody petition that was denied, court staff then improperly transferred judges on the case, changed it from a 2-hour hearing to a full day hearing and rescheduled the hearing from January 28, 2025 to January 3, 2025, before Trump took office.

PETITIONER was advised by the Court that it would be unethical and illegal for a litigant to choose their judge or switch a judge that they do not like. The Pa Judicial Conduct Board initially agreed to investigate, including if the judges in this case were illegally switched, then refused to speak with PETITIONER and dismissed his complaint.

In July 2025 Judge Analisa Sondergaard was assigned to preside over the pre-trial conference, but then again, the judge assignment on the case was transferred back to Judge Royer, in violation PETITIONER's due process Rights under the Fourteenth Amendment of the United States Constitution and Chester County Local Civil Rule 200 A.

After PETITIONER filed numerous appeals in state court and before the United States Supreme Court alleging Judge Royer was improperly assigned, had a conflict of interest, lacked jurisdiction, exceeded her authority and that Judge Royer violated PETITIONER's rights, the case was then improperly transferred to Judge Cauley in December 2025 to preside over a pre-trial conference on Feb. 2, 2026 and the full hearing March 9-10, 2026, in violation PETITIONER's due process Rights under the Fourteenth Amendment of the United States Constitution and Chester County Local Civil Rule 200 A. While PETITIONER's case is on appeal before the United States Supreme Court the Chester County Court is rushing to get Judge Cauley, who is an expert in mental health litigation, involved with this case.

A common accusation by Trump supporters is that filing staff at court houses are illegally, selectively choosing judges to rule against the President's agenda, including his 2020 election lawsuits in Pennsylvania. PETITIONER believes there is evidence that court staff at the Pa Superior Court also improperly, selectively assigned his case to specific judges that would rule against him. PETITIONER also believes there is evidence that his other cases before the Pennsylvania

Commonwealth Court and Federal Courts have also been selectively assigned by court staff to specific judges to rule against him.

Judge Royer's Conflict of Interest

PETITIONER was threatened before the hearing on Jan. 3, 2025 that if he did not commit perjury and testify that he is mentally ill and no longer believes in the criminal allegations then he would never see his children again. Then when he refused, his children were unlawfully removed from his custody.

Tom Hogan was Chester County District Attorney from 2012-2020. Tom Hogan as Chester County District Attorney is Judge Royer's political ally and endorsed her campaign for Chester County judge (APPENDIX C).

Judge Royer stated that she read PETITIONER's response to PETITIONER'S EX-WIFE's Petition for Special relief, including his allegations of misconduct against Tom Hogan's District Attorney's office (Jan. 3, 2025, Transcripts p. 3).

During the hearing on January 3, 2025, Judge Royer overruled PETITIONER's objections and ordered him to testify about the details of his criminal complaints. It is worth noting that if PETITIONER is compelled to testify about his criminal complaints or reveal that information during a psychological evaluation that is made public, the information could endanger more witnesses and lead to more evidence being destroyed.

PETITIONER has filed state and federal lawsuits claiming to be an attacked whistleblower who local, county, state and federal law enforcement has refused to

take a criminal complaint from for over a decade and demanding a criminal investigation. The Chester County District Attorney's office refused to take a criminal complaint from PETITIONER from around 2010-2014. Tom Hogan was the Chester County District Attorney from 2012-2020, years in which the District Attorney's office refused to take a criminal complaint from PETITIONER. During the full day emergency hearing on Jan. 3, 2025, PETITIONER'S EX-WIFE's lawyer had PETITIONER'S EX-WIFE read out loud PETITIONER's allegations of misconduct against Tom Hogan's office during direct testimony (Transcripts, Jan. 3, 2025, p. 26-27). With no allegations of abuse or mistreatment as required by statute, Respondent simply testified, "If he keeps filing these cases, that makes me very wary that he is going to have another psychotic break.", falsely claiming that Petitioner had a psychotic break 11 years ago, while Petitioner maintains that he was illegally drugged that night and wants a criminal investigation into the events that occurred.

Judge Royer's relationship with Tom Hogan would have led her to have a preconceived opinion about Tom Hogan and his District Attorney's office, which creates a clear bias concerning PETITIONER's allegations of misconduct against Tom Hogan's office. Judge Royer failed to disclose her relationship with Tom Hogan at the emergency hearing, which presents a clear conflict of interest.

Despite the evidence presented to the contrary, Judge Royer dismissed PETITIONER's allegations of misconduct against Tom Hogan's District Attorney's office and called his allegations "delusions" and a "conspiracy theory", suspended his

custody rights to his children and ordered PETITIONER to undergo a psychological evaluation (APPENDIX D). Judge Royer specifically ordered PETITIONER, in her May 15, 2025 order (APPENDIX E), to provide Dr. Gransee, a doctor chosen by PETITIONER'S EX-WIFE to perform a psychological evaluation, with copies of Exhibits M-3 and M-4, which is his lawsuit (US Supreme Court, Givey v DOJ, 23-7063) to have Dr. Gransee assess PETITIONER's allegations, including allegations of misconduct concerning Tom Hogan's office. Judge Royer wishes to make Dr. Gransee's report public stating an "independent medical examiner will not be subject to the confidentiality requirements of 42 Pa C.S. § 5944 because he will have no treatment relationship with Father." (153 EDA 2025, Opinion Sur Rule 1925 (a), p.51).

With no history or allegations of violence against PETITIONER, Judge Royer was presented with two doctor notes stating PETITIONER was not a danger to himself or others and able to care for his children but Judge Royer responded, "we did consider them; we simply found that they did not answer the question as to whether either provider was aware of Father's conspiracy theories." (Opinion Sur Rule 1925 (a), p.52). So, in an emergency hearing that requires proof of abuse or mistreatment of the children for the Court to have emergency jurisdiction, according to her own words, the main concern of Judge Royer was ordering a psychological evaluation to have a doctor chosen by REPONDENT evaluate PETITIONER's conspiracy theories or rather his allegations of misconduct against

her political ally, Tom Hogan's District Attorney's Office, and potentially have him diagnose PETITIONER and then make that report public.

Judge Royer's relationship with Tom Hogan presented a clear conflict of interest in this case that deprived PETITIONER of an impartial tribunal.

Evidence of Misconduct at the District Attorney's Office

PETITIONER presented evidence to Judge Royer in his Response to PETITIONER'S EX-WIFE's Petition for Special Relief to support his allegations of misconduct, including allegations of misconduct against Tom Hogan's District Attorney's office.

For about 5 years PETITIONER had no issues with his rental properties, then on or about 2010 through 2012 PETITIONER received around a dozen violation letters and multiple citations for alleged trash violations (APPENDIX F, APPENDIX G), allegedly committed by PETITIONER's tenants, that did not comply with Pennsylvania's nuisance laws and none of the violations or citations were substantiated in Court. The officer falsely alleged sending a violation letter. A landlord cannot legally be charged with a crime committed by their tenants but the Borough was using these violations to add points to a landlord's rental license that can be used to revoke the building's rental license.

The code enforcement officer was even opening PETITIONER's tenants' trash cans and inspecting the garbage inside the trash bags to look for violations.

PETITIONER followed a code enforcement officer on several occasions during her morning enforcement schedule to discover she was targeting specific properties with

enforcement actions while ignoring the same conditions at other properties and even appeared to have a list of properties she was targeting.

A code enforcement officer then alleged PETITIONER's property violated fire code regulations (APPENDIX H) (which could result immediate revocation of a rental license and possible incarceration for non-compliance) and demanded PETITIONER install an alarm system, hard-wired and interconnected through the walls, requiring each alarm to also be hard-wired to an electrical outlet and in retaliation for PETITIONER appealing to the Mayor, Borough Manger and his Supervisor over the illegal enforcement actions taken against him, the officer sent additional fraudulent claims of code violations, demanding PETITIONER submit an NFPA test that requires the alarm system to be connected and monitored by an alarm company 24 hours a day (APPENDIX I) and cited a section of the International Fire Code pertaining to new construction not existing 100 year-old single family homes.

PETITIONER was clearly being targeted since the home had been a rental property for years and always previously passed rental inspections. The Borough code and International Fire Code pertain to all properties in the Borough, not just rental properties and the Borough did not provide notices to every home owner in the Borough demanding they install a similar fire alarm system.

PETITIONER did have a Fire Alarm company service his two apartment buildings and the owner of the company argued with the Borough on

PETITIONER's behalf and after a lengthy argument over several days the Borough withdrew all of the fire code requirements stated in their violation letters.

The owner of the fire alarm company told PETITIONER that the Borough then threatened his business if he ever helped PETITIONER again and he deleted his email account, where he had argued back and forth with the Borough.

PETITIONER owned two multi-unit apartment buildings and heard of two occasions where the Borough revoked a multi-family property's rental license and then rezoned the building as a single-family dwelling (greatly diminishing the value of the property). In another instance PETITIONER heard of, the Borough levied \$70,000 in fines against a property owner and the government officials appeared in court with a friend who agreed to pay the fine in exchange for the title of property being transferred into his name. PETITIONER had evidence that a Borough Code Enforcement officer presented false and misleading testimony during his trial and the Borough had the court reporter change the court transcripts of a trial.

PETITIONER reported the Borough officials to the Pa Department of Labor and Industry who licenses fire inspectors with the State, since enforcement officers cannot enforce fire codes in the state without a license. After being told by the intake officer that if this conduct was substantiated it would result in the revocation of their state licenses, then The Pa Department of Labor and Industry refused to investigate (APPENDIX J).

The local police, county district attorney and State Attorney General repeatedly refused to take a criminal complaint from PETITIONER. On October 31,

2012 Tom Hogan's Chief of Staff intervened when a Chester County detective requested a detective to be assigned to PETITIONER's case to investigate potential crimes and refused to assign a detective claiming no criminal laws were violated (APPENDIX K). The bar association would hang up on PETITIONER refusing to refer a lawyer and the law firms he contacted were not interested in supporting a lawsuit because they were all making money defending against these citations.

Petitioner's Ex-Wife's Father

PETITIONER'S EX-WIFE's father was one of the most powerful federal law enforcement officers in the country during President Obama and Biden's presidential administrations, who to PETITIONER's understanding worked closely with the FBI and DOJ and was sent around the country to reorganize several federal field offices. Her father could have helped PETITIONER make a criminal complaint and refused to help him when he had the opportunity.

Ruling Contrary to Title 23 Pa Code § 5424

The Court only has emergency jurisdiction under Title 23 Pa Code § 5424 to issue a custody order in the event of an emergency necessitated by abuse or mistreatment of the children and that danger must be imminent for the Court to have emergency jurisdiction. A court needs proof, such as police, Child Protective Services or hospital reports that children have been harmed to have emergency jurisdiction. The potential that the children could possibly be harmed is not enough to grant the court emergency jurisdiction. The potential for psychological harm to the children is not enough for the court to have emergency jurisdiction.

The trial Court stated "There have been no reports or evidence of any violence or assaultive behavior by either of these parties towards each other or the Children." (153 EDA 2025, Opinion Sur rule 1925 (a), p.56).

On January 3, 2025, PETITIONER's attorney asked "so basically you have filed this emergency petition based on solely what you read in the petition that he filed"?, PETITIONER'S EX-WIFE answered, "Correct.", (153 EDA 2025, Transcript p.37 Line 13-18) referring to a petition PETITIONER filed before the United States Supreme Court in May 2024 (Givey v DOJ, Case No. 23-7063) and entered into evidence by PETITIONER'S EX-WIFE.

While PETITIONER had an active court case before the Pa Supreme Court PETITIONER'S EX-WIFE files an emergency petition, with no allegations of mistreatment or abuse and testified, "That's what causes me concern. If he keeps filing these cases, that makes me very wary that he is going to have another psychotic break." (153 EDA 2025, Transcripts p. 40, Line 1-3), falsely alleging that PETITIONER had a psychotic break 11 years ago.

PETITIONER's attorney asked "Ma'am, you said one of the last things you said during your direct testimony is that you had concerns about Mr. Givey's health because of what happened last time?", PETITIONER'S EX-WIFE answered "Yes". (1/3/25, Transcripts p. 34, Line 20-25, p.35)

"And that last time you are referring to was in 2014?", PETITIONER'S EX-WIFE answered "Yes", with PETITIONER'S EX-WIFE admitting there had not been a single incident concerning the children in the last eleven years.

PETITIONER's attorney asked, "You didn't file anything to change the custody schedule based on, if you petition anything that the children said; right?", PETITIONER'S EX-WIFE answered "Correct". (1/3/25, Transcript p. 38 Line 7-10).

Judge Royer was presented with two doctors' notes stating that PETITIONER was not a danger to himself or others and was able to care for his children.

The trial court itself even stated that the court may not render advisory opinions on hypothetical events that might occur in the future. Philadelphia Entertainment and Development Partners, L.P v. City of Philadelphia, 937 A.2d 385 (Pa. 2007)(courts should not give answers to academic questions or render advisory opinions or make decisions based on assertions as to hypothetical events that might occur in the future). (153 EDA 2025, Opinion Sur Rule 1925a p.5).

Gates, citing Lerner v Lerner, 954 A.2d 1229, 1235 (Pa.Super 2008) ("It is specifically, DENIED that Father has the right to file a Petition for Modification simply to secure privileged information concerning Mother's medical condition when he has no evidence that Mother's medical condition has harmed the minor child." Gates v Gates, 967 A.2d 1024 (Pa. Super. 2009)).

"Unless it can be shown that a parent's conduct has had harmful effects on a child, it should have little weight in making a custody decision." (quoting Commonwealth ex rel. Pierce v. Pierce, 493 Pa. 292, 426 A.2d 555, 558 (1981)).

With no allegations of abuse or mistreatment of the children, as required by Title 23 Pa Code § 5424, on Jan. 3, 2025, Judge Royer suspended PETITIONER's custody rights and ordered him undergo a psychological evaluation.

PETITIONER'S EX-WIFE's sole claim on Jan. 3, 2025 was that PETITIONER could have a psychotic break and harm the children, falsely claiming that PETITIONER had a psychotic break eleven years ago, while PETITIONER maintains that he was illegally drugged that night and demands a criminal investigation. By May 15, 2025 PETITIONER had not had a psychotic break therefore proving that there was no imminent danger to the children and despite this fact, on May 15, 2025 Judge Royer continued to claim that she still has emergency jurisdiction and amended her Jan. 3, 2025 order still ordering PETITIONER to undergo a psychological evaluation. Judge Royer's orders simply do not comply with the law, there was no imminent threat of physical harm to the children on Jan. 3, 2025, there was no imminent threat of physical harm to the children on May 15, 2025. There is imminent threat of harm to the children today. Judge Royer exceeded her authority because she lacked jurisdiction to issue an emergency custody order.

Ruling Contrary to 42 Pa.C.S. § 5944

During the emergency custody trial on January 3, 2025 Judge Royer repeatedly ordered PETITIONER to testify about privileged communications between his licensed psychologist and psychiatrist related to more details about his criminal complaints, overruling every objection by PETITIONER.

The trial court then later admitted it erred in overruling PETITIONER's claim of the psychologist/ psychiatrist privilege at the emergency custody hearing and concluded the information requested is protected and privileged information "What

Father shares or does not share with his treatment providers is none of our business.”, stating 42 Pa.C.S. § 5944 is akin to the attorney client privilege. (153 EDA 2025, Opinion Sur Rule 1925 (a), p.51).

Then the trial court argues that PETITIONER can be ordered to undergo a psychological evaluation and ordered to divulge the very same protected communications, which then can be conveyed to the trial court and made public since an “independent medical examiner will not be subject to the confidentiality requirements of 42 Pa C.S. § 5944 because he will have no treatment relationship with Father.” (153 EDA 2025, Opinion Sur Rule 1925 (a), p.51).

Judge Royer had approved a three-day hearing, one day for PETITIONER testify, one day for PETITIONER’S EX-WIFE to testify and one day for PETITIONER’s psychiatrist and psychologist to testify, which clearly violates 42 Pa.C.S. § 5944, which states:

“No psychiatrist or person who has been licensed under the act of March 23, 1972 (P.L.136, No.52), to practice psychology shall be, without the written consent of his client, examined in any civil or criminal matter as to any information acquired in the course of his professional services in behalf of such client. The confidential relations and communications between a psychologist or psychiatrist and his client shall be on the same basis as those provided or prescribed by law between an attorney and client.”

Judge Royer’s order to undergo a psychological evaluation with the stated purpose of compelling PETITIONER to share privileged communications with a non-treating doctor that she wishes to make public and Judge Royer approving a day for PETITIONER’s psychiatrist and psychologist to testify clearly violates 42 Pa.C.S. § 5944.

Judge Royer's order to have PETITIONER undergo a psychological evaluation without stating the "manner, conditions and scope of the examination" as required by statute also violates 42 Pa.C.S. § 5944.

Judge Royer exceeded her authority by ordering a three-day trial, to have a day for PETITIONER's psychologist and psychiatrist testify and ordering PETITIONER to divulge privileged communications to an independent medical examiner that she wishes to make public.

Ruling Contrary to Pa.R.C.P. 1915.8

Pa.R.C.P. 1915.8 states "The order shall specify the place, manner, conditions and scope of the examination." The trial court's order does not specify the "manner, conditions and scope of the examination" as required by statute.

Judge Royer exceeded her authority by ordering a psychological evaluation that does not comply with Pa.R.C.P. 1915.8.

Ruling Contrary to the Fourteenth Amendment of the United States Constitution and Legal Precedent

The 14th Amendment of the United States Constitution protects citizens from unwarranted and forced mental health evaluations.

PETITIONER has been forced through his custody agreement to meet regularly with a psychologist and psychiatrist. Both doctors wrote notes that were presented to Judge Royer stating that PETITIONER is not a danger to himself or others and is capable of caring for his children. Ordering PETITIONER to undergo a psychological evaluation in addition to meeting regularly with a psychologist and

psychiatrist is clearly a violation of the 14th Amendment's protections against forced and unwarranted psychological evaluations.

Judge Royer dismissed the doctors' notes stating, "we did consider them; we simply found that they did not answer the question as to whether either provider was aware of Father's conspiracy theories." (153 EDA 2025, Opinion Sur Rule 1925 (a), p.52).

Judge Royer argues that PETITIONER can be ordered to undergo a forced psychological evaluation which then can then be conveyed to the trial court and made public.

So, the doctors' notes answered the only important questions in an emergency hearing, that PETITIONER was not a danger to himself or others and capable of caring for his children but Judge Royer dismissed the notes because she wanted more detailed information about PETITIONER's "conspiracy theories", including details of PETITIONER's complaint of misconduct about her political ally Tom Hogan's Chester County District Attorney's office and she wanted to make those details public according to her own statements.

PETITIONER had informed Judge Royer that witnesses have been threatened, evidence has been destroyed and presented substantial evidence that his diagnosis 11 years ago was provably fraudulent and the abuse psychiatry was being utilized to discredit whistleblowers. Publicly providing more details about PETITIONER's criminal complaints could endanger more witnesses and lead to more evidence being destroyed.

The legal precedent set in [*Gates v Gates*, 967 A.2d 1024 (Pa. Super. 2009)] even stated “The trial court's first claim of waiver mischaracterizes its authority to direct parties to submit to physical and mental evaluations pursuant to Pa.R.C.P. 1915.8.”

“The right to protect one's beliefs and thoughts from intrusion by others is, to paraphrase Mr. Justice Brandeis, one of the most comprehensive rights known to civilized men. The Supreme court of California has stated: “If there is a quintessential zone of human privacy, it is the mind. Our ability to exclude others from our mental process is intrinsic to the human personality. ” *Long Beach Employees Assoc. v. City of Long Beach*, 41 Cal.3d 937, 719 P.2d 660, 663 (Cal 1986) (striking as unconstitutional legislation requiring certain public employees to undergo polygraph examinations).” ... “We conclude, as we did in *In Re B*, that there is no governmental interest sufficient to negate the mother's assertion of her right of privacy.”) *In re T.R.*, 557 Pa. 99, 731 A.2d 1276 (1999) (A case in which the Mother was accused of abusing her children, the Court holding that the parent had a right to privacy and cannot be compelled to undergo a psychological evaluation in a custody matter. Also, finding that the Court would need a compelling state interest to order a psychological evaluation.)

Rule 1915.18 may authorize courts to order a psychological evaluation in custody matters but according to *In re T.R.* and *Gates* the court would still need a compelling state interest to do so. In the current custody case where the children

have not been harmed or threatened with abuse or mistreatment the court would not have a compelling state interest to order a psychological evaluation.

Gates, citing **Lerner v Lerner**, 954 A.2d 1229, 1235 (Pa.Super 2008) ("It is specifically, DENIED that PETITIONER has the right to file a Petition for Modification simply to secure privileged information concerning Mother's medical condition when he has no evidence that Mother's medical condition has harmed the minor child.")

It is crystal clear from the legal precedent set in **Gates** that a trial court cannot order a parent to undergo a psychological evaluation unless there is evidence that the minor children have been harmed and unless the government has a compelling state interest (**In Re T.R.**). There was no evidence presented at the emergency hearing and no allegations made that would indicate the children have been harmed or that the government has a compelling state interest in ordering a psychological evaluation.

Judge Royer argued that her order to undergo a psychological evaluation is not appealable citing **Miller v. Steinbach**, 681 A2d 775 (Pa. Super. 1996). The Superior Court's rationale in **Miller** was that the order to undergo a psychological evaluation was not appealable only because "he has not disobeyed the lower court's order directing him to pay for the psychological evaluations, he has not been sanctioned in any manner by the lower court, and, more importantly, he has not been denied partial custody of his daughter."

The Superior Court did not find the order appealable because "he has not been denied partial custody of his daughter" and had suffered no consequences for his refusal to comply, therefore no harm would come to him if he waits for the full hearing and then appeals at that time.

As detailed in US Supreme Court case 25-6035, the order to undergo a psychological examination does not comply with Rule 1915.18 (a) requiring the conditions and scope of the exam to be articulated by the Court, the trial Court noted it wished to utilize a psychological evaluation to circumvent and violate the protections afforded by psychologist/ psychiatrist patient privilege, PETITIONER's custody rights have been suspended in an order that will set the stage for any future hearings, on May 21, 2025 PETITIONER was informed that if he does not comply with the order to undergo a psychological evaluation a negative inference will be made against him at the full hearing and PETITIONER has been threatened with contempt charges, making this order immediately appealable and the rights appealed are "too important to be denied review and the question[s] presented is such that if review is postponed until final judgment in the case, the claim will be irreparably lost." *G.B. v. M.M.B.*, 670 A.2d 714 (Pa. Super. 1996). Pa.R.A.P. 313(b). The Court's rationale in *Miller* supports PETITIONER's claim that this appeal must be heard as a right. The Pa Superior Court in 1318 EDA 2025 also mischaracterized *Miller* when citing the precedent to dismiss PETITIONER's appeal.

Judge Royer's order clearly violates the 14th Amendment protections from forced and unwarranted psychological evaluations and clearly violates the precedent set in **Gates** as it pertains to the authority of trial courts to order parents to undergo a psychological evaluation, and violates the requirement in **In re T.R.** that requires the government to have a compelling state interest to order a psychological evaluation and an order to undergo a psychological evaluation is appealable.

January 9, 2025

On January 9, 2025 PETITIONER entered the Chester County Courthouse and was detained by court security on false allegations and while PETITIONER stood there calm and speechless security screamed into his walkie "Calm down sir! I'm asking you to calm down!" A corporal from the sheriff's department came and claimed that there was a complaint from the court reporter's office in PETITIONER's name and that PETITIONER had created a disturbance and was demanding transcripts at the court reporter's office.

After PETITIONER was released he emailed Rachel Rodkey, the secretary from the court reporter's office, who replied that she spoke with the corporal and stated PETITIONER was polite and respectful and told him that she is unaware of any complaint originating from the court reporter's office (APPENDIX L). She said the corporal then claimed that the complaint originated from somewhere else. The following day PETITIONER had to return to the courthouse and spoke to the corporal who then claimed it was a misunderstanding and that PETITIONER should not have been detained.

PA Superior Court Orders 1318 EDA 2025 & 153 EDA 2025

Judge Sullivan who authored the Superior Court opinion (153 EDA 2025, APPENDIX M), contrary to the cited precedent, denied PETITIONER's appeal and his motion to strike false statements, worked for the Chester County District Attorney's office from 2002-2012 and from the Pennsylvania Attorney General's office from 2017-2021, years during which PETITIONER was illegally blocked from making a criminal complaint, which presents a conflict of interest. The Pa Superior Court erred by not considering whether the trial court had emergency jurisdiction and whether the trial court exceeded its authority and violated 42 Pa. C.S. § 5944 and Pa.R.C.P. 1915.8 and violated PETITIONER's Rights under the First and Fourteenth Amendment of the United States Constitution.

According to the Pennsylvania Supreme Court's Rules governing per curiam decisions "5. A per curiam order shall indicate if a Justice did not participate in the consideration or decision of the matter."¹ After Judge Royer made the claim that her orders are unappealable, contrary to all legal precedent cited, the Superior Court Order 1318 EDA 2025 (APPENDIX N) also claimed that Judge Royer's orders are not appealable in a Sua Sponte, anonymous, per curiam ruling, that violated the Pa Supreme Court's rules governing per curiam rulings by not identifying the judges who did not participate in the decision and the order was also not signed or attested to by the prothonotary, which is required for a valid court order.

¹ <https://www.pacourts.us/Storage/media/pdfs/20221215/200130-supremeiopupdate1222.pdf>

The Pa Superior Court erred by not considering whether the trial court had emergency jurisdiction and whether the trial court exceeded its authority and violated 42 Pa. C.S. § 5944 and Pa.R.C.P. 1915.8 and violated PETITIONER's Rights under the First and Fourteenth Amendment of the United States Constitution.

Pa Supreme Court Case 362 MAL 2025

The Pa Supreme Court case 362 MAL 2025 (APPENDIX O) was issued as a per curiam order that did not comply with the Pa Supreme Court's rules regarding per curiam orders because it did not indicate which judges did not participate in the decision. The Pa Supreme erred by not considering whether the trial court had emergency jurisdiction and whether the trial court exceeded its authority and violated 42 Pa. C.S. § 5944 and Pa.R.C.P. 1915.8 and violated PETITIONER's Rights under the First and Fourteenth Amendment of the United States Constitution.

ASSIGNMENT OF JUDGE CAULEY

On December 15, 2025 Judge Royer received a Writ of Prohibition that PETITIONER filed with the United States Supreme Court alleging that Judge Royer had a conflict in interest, was improperly assigned this custody case, that Judge Royer lacked jurisdiction to issue an emergency custody order, that Judge Royer exceeded her authority and that Judge Royer violated PETITIONER's rights. The Writ of Prohibition was rejected by the US Supreme Court based on a defect in the filing on Dec. 30, 2025.

On December 30, 2025 PETITIONER received an email from the secretary of a Lawyer who no longer represents PETITIONER informing him of a scheduled hearing on Feb. 2, 2026 (APPENDIX P) before Judge Cauley and PETITIONER was told that Judge Cauley would be presiding over a newly scheduled full custody hearing on March 9-10, 2026, while PETITIONER's Petition for Writ of Certiorari was still before the United States Supreme Court. The letter was dated December 12, 2025, three days before Judge Royer received PETITIONER's Writ of Prohibition and did not explain why the Chester County Court, once again, improperly switched the judges in this custody case, in violation of PETITIONER'S Constitutional Right to Due Process under the Fourteenth Amendment

Switching the judge to Judge Cauley without explanation violated Chester County Court Local Rules of Civil Procedure 200 A, that requires "when the case is commenced it shall be assigned for trial and pre-trial proceedings to a designated judge. The designated judge shall be responsible for the matter from the time of the initial filing until final disposition." The lawfully assigned Judge Analisa Sondergaard, who presided over the pre-trial hearing should preside over the case "for the matter from the time of the initial filing until final disposition".

According to Judge Cauley's information online he is an expert in mental health litigation. Judge assignments in Chester County Court are required by law to be random assignments and according to the Prothonotary's office judge assignments are randomly assigned by computer.

So, the facts are that Judge Royer received PETITIONER's Writ of Prohibition on December 15, 2025, alleging Judge Royer had a conflict of interest, was improperly assigned this custody case, that Judge Royer lacked jurisdiction to issue an emergency custody order, that Judge Royer exceeded her authority and that Judge Royer violated PETITIONER's rights, which if true, would create an enormous legal liability and potential criminal liability for the Chester County Court system. The Writ of Prohibition was rejected by the US Supreme Court on Dec. 30, 2025.

Then, on December 30, 2025 PETITIONER receives a letter claiming to be dated December 12, 2025, again improperly switching Judge Assignments to Judge Cauley, who is an expert in mental health litigation, and informing PETITIONER of a pre-trial hearing scheduled on Feb. 2, 2026, while his case on Appeal before the US Supreme Court. The custody case was only supposed to have one pre-trial hearing that already took place in the summer and was presided over by Judge Sondergaard. PETITIONER could not resubmit his Writ of Prohibition, concerning Judge Royer, to the US Supreme Court with the corrections made because the judge was switched and Judge Royer is no longer presiding over the case.

PETITIONER believes the more likely scenario is that after receiving the Writ of Prohibition on Dec. 15, 2025, the Chester County Court realized the legal liability and potential criminal liability of this case. In response to the Writ of Prohibition the Chester County Court decided to again improperly switch the judges in violation of PETITIONER'S Constitutional Right to Due Process under the Fourteenth

Amendment and Chester County Court Local Rules of Civil Procedure 200 A, to specifically select their judge, who is an expert in mental health litigation, to get involved with this case. Then they backdated a letter to Dec. 12, 2025 in an effort to make it appear the switching of judges was unrelated to the Writ of Prohibition served on Judge Royer, which would explain the reason that PETITIONER was not made aware of the letter until Dec. 30, 2025.

JUDGE CAULEY'S RULING ON REMOTE APPEARANCE

After January 9, 2025 when PETITIONER was detained by court security under false criminal allegations and criminally investigated by the Sheriff's department, PETITIONER has not entered into an area of the courthouse that is not recorded on video, such as a courtroom, as he has a credible fear he will be arrested on false charges. On Jan. 9, 2025 PETITIONER was not only detained and criminally investigated on false charges but Court security were screaming into their walkies, which created false evidence that PETITIONER was causing a disturbance.

PETITIONER denies he is delusional as Judge Royer alleges, but PETITIONER admits that the events surrounding this custody case, including the event that occurred on Jan. 9, 2025 has caused PETITIONER to experience extreme stress and anxiety to which he is being treated by a psychologist, making PETITIONER a qualified person under ADA. Recognizing their obligations under federal law, Judge Royer granted PETITIONER's request to appear remotely for a hearing on April 7, 2025 and hearing officer Keith Bogess granted PETITIONER's request to appear remotely for a hearing on May 21, 2025.

It is worth noting that a court reporter in Chester County Court previously had significantly changed the transcripts of a trial PETITIONER was involved with and that on May 21, 2025 PETITIONER's EX-WIFE's attorney accused him of illegally recording the hearing. Hearing officer Keith Bogess said that if PETITIONER was recording the hearing he would have PETITIONER investigated and arrested by the Sheriff's department. So, while the Chester County Court has repeatedly switched judges in this case, has in the past changed the transcripts of a trial and attempted to arrest PETITIONER on false charges, her stated concern with PETITIONER appearing remotely is that PEITTIONER could have a recording of the hearing. Without any evidence to support her accusations, PETITIONER's EX-WIFE's attorneys repeatedly claim to the court that PETITIONER is mentally ill and dangerous as her reason to continue to remove his custody rights but repeatedly demands PETITIONER appear in person in court.

PETITIONER presented Judge Cauley with a doctor's note requesting a reasonable accommodation (that had previously been granted twice before) to appear remotely on March 9-10, 2026 due to the traumatic events that occurred on Jan. 9, 2025 and the extreme stress and anxiety he has experienced as a result of the events that occurred with this custody case.

On Jan. 20, 2026 Judge Cauley denied PETITIONER's request to appear remotely for the scheduled hearing on March 9-10, 2026 in violation of federal law and the Chester County Court's own guidelines as it pertains to Americans with Disabilities Act. Judge Cauley's order denying PETITIONER a remote appearance

was then lost in the courthouse for two days and then entered incorrectly into the Court docket, stating that the order was granted, even though the order clearly stated that it was denied, which are things that could prevent PETITIONER from appealing Judge Cauley's decision to the Pa Superior Court. PETITIONER's Notices of Appeal that was mailed on 1/29/26 via USPS certified mail (Tracking numbers: 9589 0710 5270 1889 0312 12 & 9589 0710 5270 1889 0311 99) that were mailed from the West Chester, Pa Post Office to be delivered to Judge Cauley and opposing party several blocks away, were not delivered until 2/10/26 when PETITIONER hired a process to deliver the Notices of Appeal.

Despite the docket stating that the Notice of Appeal was filed pro se the Pa Superior Court erroneously recorded an attorney as representing him in his appeal 347 EDA 2026 with Court staff telling PETITIONER that his attorney had to file a notice of withdrawal as his attorney to be removed. PETITIONER insisted on speaking with a supervisor at the Pa Superior Court prothonotary's office who stated that PETITIONER could continue to have his attorney to represent him in his custody case in Chester County Court while handling his appeal pro se in Pa Superior Court. This error has locked PETITIONER out of the Court's PacFile, electronic filing system and with his post office mail being interfered with, has had a tremendous impact on representing himself in this appeal. The Pa Superior Court received PETITIONER'S Notice of Appeal on 2/5/26 and on 2/12/26 issued another Sua Sponte, anonymous, per curiam order that was not signed by the prothonotary as a valid order of the court and again misstated the cited precedent (APPENDIX

Q), requesting PETITIONER to cite case law as to why the appeal should not be quashed. This is twice now that Pa Superior Court has issued Sua Sponte, anonymous, per curiam rulings contrary to the cited precedent, that were not signed by the prothonotary as a valid order of the court.

INTERFERENCE WITH PETITIONER OBTAINING LEGAL COUNCIL

On January 13, 2025, Judge Royer's Law Clerk emailed PETITIONER's attorney stating "Your client, Mr. Givey filed the attached pro se Notice of Appeal last Thursday, 1/9/25. Would you please advise the Court as to whether you will be prosecuting this appeal for him. I don't see that he has filed a notice of self-representation." (APPENDIX R) This prompted PETITIONER's attorney, who had represented him for ten years, to demand that he sign a pro se agreement and submit it to the Chester County Court. PETITIONER then hired another attorney and paid her over seven thousand dollars and then she demanded he sign a pro se agreement. When he refused to sign the pro se agreement she filed a Notice to Withdrawal as his attorney, while running up an enormous legal bill. Signing the pro se agreement would leave PETITIONER without legal representation in his Chester County custody case.

Sidney Powell is a lawyer who is admitted to practice at the US Supreme Court and wrote a book exposing corruption at the Department of Justice. When PETITIONER calls her phone number listed on her law firm's website and the Texas State Bar website it says that her number is disconnected and PETITIONER has a video to prove this. An error appears when PETITIONER attempts to complete the

form on her website to request services. Since PETITIONER's mail has not been delivered in the past, PETITIONER hired a process server to deliver his petition and request for services.

The process server claimed that Sidney Powell does not have an office located at the address listed on her law firm's website or on the Texas State Bar website but said that Sidney Powell has a mailbox there that she checks about once a month. The process server left the request for services with the mail clerk at the mail room. The following day PETITIONER received a fraudulent email from a proton mail account from someone claiming to be Sidney Powell's executive assistant and declining services (APPENDIX S). Sidney Powell's law firm uses the @federalappeals.com domain for emails and not a proton mail domain. This email was clearly fake. If someone is interfering with potential clients contacting Sidney Powell, it is a matter of great concern for the Court and for Sidney Powell.

AID OF APPELLATE COURT'S JURISDICTION

To aid in the appellate Court's jurisdiction means taking actions that help a higher court's powers to review lower court's decisions, ensuring the appeals process functions correctly. In case Chester County Custody case No. 2015-06444-CU, the lower court's orders on 1/3/25 and 5/15/25 were an error of discretion and law that was unsupported by any precedent in any court. Two judges have also been improperly assigned to this case in violation of local rules concerning the assignment of judges and in violation of PETITIONER'S Constitutional Right to Due Process under the Fourteenth Amendment.

In Pa Superior Court Case 153 EDA 2025, the court erred in not considering the jurisdictional question, namely, whether the trial court had emergency jurisdiction under Title 23 Pa Code § 5424 to issue an emergency custody order without any allegations or history of abuse or mistreatment the children and whether the trial court's orders violated 42 Pa. C.S. § 5944 and Pa.R.C.P. 1915.8 and violated PETITIONER's Rights under the First and Fourteenth Amendment of the United States Constitution.

In Pa Superior Court case No. 1318 EDA 2025, the Court issued a Su Sponte order to show cause and dismissed his appeal contrary to cited precedent, without considering whether the trial court had emergency jurisdiction under Title 23 Pa Code § 5424 and whether the trial court's orders violated 42 Pa. C.S. § 5944 and Pa.R.C.P. 1915.8 and violated PETITIONER's Rights under the First and Fourteenth Amendment of the United States Constitution. This order from the Superior Court was not signed or attested to by the Prothonotary as a valid order from the Court and was an anonymous, per curiam order that did not comply with the PA Supreme Court's rules pertaining to per curiam orders because it did not specify which judge did not participate in the decision.

The Pa Supreme Court order No. 362 MAL 2025 was also an anonymous, per curiam order that did not comply with the PA Supreme Court's rules pertaining to per curiam orders.

The appellate courts in Pennsylvania are not functioning properly to provide checks and balances to properly restrain the trial court when the trial court exceeds its jurisdiction and authority.

EXCEPTIONAL CIRCUMSTANCES

This case presents exceptional circumstances. PETITIONER's ex-wife was denied emergency custody on December 11, 2025 then the judge was improperly switched, to a judge with a conflict of interest, who ruled against him in an order that violated Pennsylvania Law and the United States Constitution and was unsupported by any precedent in any court. The case was then again assigned to Judge Sondergaard who presided over the pre-trial hearing and then again improperly transferred to Judge Royer. The case was then again improperly transferred, this time to Judge Cauley and not assigned to Judge Sondergaard who was legally assigned to this custody case and according to the law should have presided over the case "for the matter from the time of the initial filing until final disposition".

Contrary to cited precedent the Pa Superior Court dismissed PETITIONER's appeal in a Su Sponte, per curiam order, that did not comply with the Pa Supreme Court's rules on per curiam orders and was not signed or attested to by the Prothonotary as being a valid order of the court.

The Pa Supreme Court's order also did not comply with the Pa Supreme Court's rules on per curiam orders.

These circumstances are extraordinary, PETITIONER has lost custody of his children for over a year and the appellate courts have failed to provide checks and balances restraining the trial court when the trial court has exceeded its jurisdiction and authority.

**ADEQUATE RELIEF CANNOT BE OBTAINED
IN ANY FORM OR FROM ANY OTHER COURT**

PETITIONER has detailed how three times the judges were improperly switched in this custody case in local court, PETITIONER believes to influence the outcome of the hearings, how the trial court exceeded its jurisdiction and authority and the appellate courts issued orders contrary to the law, and issued two illegal, unverified orders and failed to properly restrain the trial court.

In federal district court EDPA, PETITIONER filed a case in 2022 that was dismissed by an Obama-appointed judge calling his claims a "bizarre conspiracy theory". Never before in the history of this country has it been in dispute that citizens have a Constitutional Right to make a criminal complaint and the only time it has happened was to cover up large scale illegal conduct. In 2025 PETITIONER filed another case in federal district court EDPA, claiming to be an attacked whistleblower who attempted to report fraud, waste or abuse of Department of Education federal title I funds and the case was once again assigned to the same Obama-appointed judge. There are 37 judges in the district court EDPA with a 0.073% chance that the case was randomly assigned to the same judge twice in a row, which PETITIONER believes is evidence that court staff in federal court are

also selectively assigning his court cases to specific judges to rule against him. The Obama-appointed judge was made aware of the events in this custody case and again dismissed PETITIONER's petition on 12/30/25 calling his claims a "bizarre conspiracy theory".

In that federal case and his appeals before the Third Circuit, PETITIONER's federal cases are being opposed by the same Assistant US Attorney who was involved in his case from 2022, still blocking PETITIONER from making a criminal complaint contrary to the stated agenda of President Trump, Bondi and Patel who have made it a priority to identify waste, fraud or abuse of federal funds and discontinue funding for the Department of Education, while also filing motions in court stating the DOJ does not want to investigate his own conduct from 2022.

PETITIONER sent, via certified United States Postal Service mail, copies of his federal lawsuit to Pamela Bondi and Kash Patel, who are the Respondents in the case and the mail delivery was interfered with and not delivered to the FBI office or the DOJ office but was collected at the post office at 5:28 am (APPENDIX T) and 5:29 am (APPENDIX U). The post office opens for business at 9:00 am.

Bondi and Patel's mail that was intercepted at the post office and not delivered ended up in the hands of the same Assistant US Attorney who has been blocking PETITIONER from making a criminal complaint for years, filing motions stating that he does not want his own conduct from 2022 to be investigated and filing motions contrary to the stated agenda of President Trump, Patel and Bondi. If someone is interfering with Bondi's and Patel's USPS mail delivery it would be a

serious National Security risk and federal crime. When PETITIONER attempted to contact Alina Habba, he was unable to call her law firm, email her and his certified post office mail was returned and not delivered. If someone is interfering with Alina Habba's phone calls, email and post office mail, considering she is a senior advisor at the DOJ it is a serious National Security risk and federal crime.

Sharyl Attkisson², an investigative journalist who reported on Obama's Fast and Furious operation, sued the United States Post Office and the DOJ when she claimed her mail and phone were being tampered with in the same way described by PETITIONER. PETITIONER has found his phone hacked, tampering with his internet search results, phone calls, emails, texts, post office mail and he cannot post on social media. So, PETITIONER has been blocked from making criminal complaint for years, his lawsuits in state and federal courts have been illegally dismissed, his legal representation has been interfered with, he has been repeatedly drugged to threaten him, which leaves no observable evidence, and then he is blocked from posting on social media, so no one can find out about it.

PETITIONER filed a 4-page motion to disqualify the Assistant US Attorney from the case citing specific conflicts of interest and ethical violations. According to the Justice Manual policies when an Assistant United States Attorney becomes aware of an issue that "could require recusal... as a result of an actual or apparent conflict of interest, they must contact [the DOJ Office of General Council]" see U.S. Dep't of Just., Just. Manual § 3-1.140. The Justice Manual states that the

² https://en.wikipedia.org/wiki/Sharyl_Attkisson

requirement for recusal arises “where a conflict of interest exists or there is an appearance of a loss of impartiality.” There is no evidence the motion to disqualify was referred to the DOJ Office of General Council as per DOJ policy and the judge allowed the Assistant US Attorney to submit his own response (APPENDIX V) in opposition to the motion to disqualify. Then the judge refused to rule on the motion to disqualify and instead, days later, dismissed the case calling PETITIONER’s claims a “bizarre conspiracy theory”. PETITIONER believes that the Assistant US Attorney is concealing his lawsuit from Pamela Bondi, Kash Patel and his superiors appointed by Donald Trump at the DOJ. Donald Trump, Bondi and Patel have all stated that there are agents at the FBI and DOJ undermining President Trump’s agenda as their reason for firing many of these agents.

In 2023 PETITIONER had an appeal before the Third Circuit court of appeals. During this appeal PETITIONER was illegally drugged resulting in an emergency room visit and PETITIONER tested positive for buprenorphine and he was threatened to abandon his appeal, which he refused to do. (See US Supreme Court Case no. 23-7063).

The Third Circuit Court of Appeals denied PETITIONER’s appeal and wrote an opinion that misstated, mischaracterized and misconstrued PETITIONER’s claims either intentionally or with a complete lack of understanding. This outrageous opinion has been quoted as evidence used against PETITIONER repeatedly in his custody case and appeals and his federal case. Third Circuit’s outrageous opinion in PETITIONER’s case, slandering him, in an opinion published

all over the internet, which has been repeatedly used to discredit him in local, state and federal courts. So, the Third Circuit has written an opinion blocking a whistleblower from making a criminal complaint, denying him witness protection and attacking him legally, while at the same time disqualifying Alina Habba, Trump's appointed U.S. Attorney for N.J. that was an honest prosecutor.

PETITIONER currently has two appeals before the Third Circuit related to his 2025 federal lawsuit in District Court EDPA, that is being handled by the same case manager. PETITIONER has made requests for emergency injunctions, requesting immediate relief, in those cases and an emergency injunction is usually brought before an emergency judge, on call, to make an immediate decision within a few hours to a few days. There is no evidence that PETITIONER's emergency injunctions have been presented to an emergency judge on call, for an immediate decision, allowing PETITIONER to be repeatedly drugged and threatened and allowing the Chester County Court to repeatedly tamper with a judicial proceeding, in his custody matter, by improperly switching the judges, PETITIONER believes to influence the outcome of the hearings, removing the custody of his children and violating PETITIONER's rights.

PETITIONER's 2024 case before the Pa Commonwealth Court was also illegally dismissed in an anonymous, per curiam ruling that was not signed by the prothonotary as a valid order of the court (APPENDIX W).

Adequate relief cannot be sought in literally any other local, state or federal court. This leaves the US Supreme Court PETITIONER's last opportunity to avert manifest injustice in this case.

PETITIONER HAS SUFFERED IRREPARABLE HARM

At a hearing on May 21, 2025 PETITIONER'S EX-WIFE's lawyer threatened PETITIONER with contempt for not complying with Judge Royer's order to undergo a psychological evaluation. For many months PETITIONER has been living under the threat of contempt, which could result in losing custody of his children forever or even potentially incarceration for non-compliance. The danger of unjustly being found in contempt is imminent, PETITIONER's ex-wife has not been able to file contempt charges against PETITIONER because the case had been on appeal but as soon as the Court decides case no. 25-6035, contempt charges are imminent.

PETITIONER unjustly has had his custody rights suspended since Jan. 3, 2025 constituting an irreparable harm.

"The loss of First Amendment freedoms" for *one* day is an irreparable injury. *Roman Cath. Diocese of Brooklyn*, 592 U.S. at 19 (quotation omitted). PETITIONER has a Constitutional Right under the First Amendment of the United States Constitution to the freedom of speech, to file a lawsuit to petition the government for redress of grievances and to raise his children without undue interference from the government. Judge Royer's order to suspend PETITIONER's custody rights to his children and to order PETITIONER to undergo a psychological evaluation for exercising his Right to free speech and his Right to petition the government for

redress of grievances is a violation of the First Amendment's protections of privacy, to a parent's right to raise their children without undue interference from the government, his right to free speech and his right to lawful petitioning activity.

When PETITIONER's ex-wife filed her petition, PETITIONER had a petition before the Pa Supreme Court that he did not appeal. So, Judge Royer's order has already had a chilling effect on PETITIONER exercising his First Amendment Right to free speech and to petition the government for redress of grievances.

REASON WHY THE WRIT SHOULD ISSUE AND RELIEF SOUGHT

PETITIONER prays this Court will grant an extraordinary writ of prohibition restraining Judge Cauley from presiding as judge in any further judicial proceedings in custody case No. 2015-06444-CU in the Chester County Court of Common Pleas because Judge Cauley was improperly assigned to the case in violation of PETITIONER'S Constitutional Right to Due Process under the Fourteenth Amendment and Chester County Local Civil Rule 200 A, and Judge Cauley denied PETITIONER an accommodation under ADA and in order for PETITIONER to obtain a fair trial before an impartial judge. This case is of national importance because judicial tampering of this magnitude in local, state and federal courts has never before been reported in the United States and it supports President Trump's claims that courts have rigged court cases against him.

CONCLUSION

PETITIONER prays the court will grant an extraordinary writ of prohibition.


Ryan P. Givey

Date: 2/19/26
