No. 25-7046

IN THE

SUPREME COURT OF THE UNITED STATES

SIMONA TANASESCU — PETITIONER

VS.

UNITED STATES OF AMERICA

DOJ - UNITED STATES DEPARTMENT OF JUSTICE

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

JUDICIAL COUNCIL OF THE UNITED STATES COURTS

CORMAC J. CARNEY

DAVID O. CARTER

ZACHARY N. SOMERS

UNKNOWN PARTY — RESPONDENTS

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

SIMONA TANASESCU, PRO PER
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QUESTION(S) PRESENTED

1) Whether the Ninth Circuit refrained from acting upon its statutory duty to review Petitioner's appeal as a right, by using Circuit Rule 3-6(a) without any clarification or opinion on the facts of the case, to avoid deciding Petitioner's allegations in the 62-page brief with exhibits, that named federal officers acted in violation of their oath codified in 28 U.S. Code § 453 to deny hearing and adjudicating RICO claims related to fraud upon the United States in the procurement of naturalization and allegations of fraud upon the California Superior Court for the rubber-stamping of dissolution judgements, in zero-day sham cross-marriages obtained and maintained by force for the sole purpose of circumventing immigration laws, that decided questions of immigration law without authority.

2) Whether the Ninth Circuit Rule 3.6(a) and judge-made rule from *United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) violate a litigant's First and Fourteenth Amendment rights when used for summary disposition on a plain finding of "insubstantiality of the appeal" (id at 858) without presenting in support any opinion or clarification derived from the facts and laws briefed and the district court record.

3) Whether federal judicial officers act unconstitutionally, illegally and "in the clear absence of all jurisdiction"—when they violate federal law and their oath to "administer justice without respect to persons" and to "faithfully and impartially discharge and perform all the duties" "under the Constitution and laws of the United States" (28 U.S. Code § 453), thereby forfeiting judicial immunity from adjudication in federal tort claim actions.

4) Whether federal judicial officers and other court members who violate federal law and their respective oath of office thereby act in breach of the implied contract with a litigant who comes before their courts of law and pay the court fees in reliance on the government's promise to be heard and be afforded due process and impartial fact-finding adjudication.

5) Whether "sanctuary" policies in a state expand as to also influence or corrupt federal judicial officers into acting unlawfully and in violation of their oath such that they even deny an indigent child (while a minor) who is being harmed since birth from RICO acts, related to procurement of naturalization unlawfully as codified in 18 USC §1425, the right to be heard and to be afforded due process in civil action under FRCP Rule 17(c)(2) for the court to

issue appropriate order to protect the minor with at least requesting a minor's counsel pursuant to 28 U.S.C. §1915(e)(1).

6) Whether the Superior Court of California's rubber-stamped dissolution judgments in the zero-day, sham and fraudulent cross-marriages —issued beyond its authority to decide questions of immigration law and due to fraud upon the court—are void under state civil and family laws and the policy of the law as well as pursuant to the supremacy of federal immigration laws, thus should be replaced with appropriate nullification judgments.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

RELATED CASES

Superior Court of California:

1. Riverside County Family Law court Case RID 220164, filed by Simona Tanasescu on May 14, 2007

2. San Diego County Family Law court Case ED71196, filed by Dorin Tanasescu, aka Dorin Coroian on June 19, 2007

3. Los Angeles County Family Law court Case MD033805, filed by Mirela Tanasescu, aka Mirela Coroian on July 2, 2007

4. *Simona Tanasescu v. Bors Jr. et al.*
Orange County court Case No. 30-2009-00310563-CU-FR-CJC (Fraud Action)

5. *Simona Tanasescu v. Bors Jr. et al.*,
Orange County Small Claims Court Case No. 30-2010-00380508-SC-SC-HJC (consolidated in Case No. 30-2009-00310563-CU-FR-CJC)

United States Courts in California and Washington DC:

6. *Simona Tanasescu v. The State Bar of California, et al.*, SACV 11-700 CJC (MANx) ("the 2011 Action");

7. *Simona Tanasescu v. The State Bar of California, et al.*, Ninth Circuit Case No. 12-55947 ("Appeal of the 2011 Action");

8. *Bors III's Chapter 7 Bankruptcy* Case No. 2:10-BK-55089-PC in the United States Bankruptcy Court for the Central District of California;

9. *Simona Tanasescu Adversary Action* for Revocation of Debtor Bors III Discharge Case No. 2:12-AP-01130-PC ("2012 BK Adversary Action")

10. *Simona Tanasescu v. E. Daniel Bors III*, Ninth Circuit Case No. 13-60018 ("Bors Bankruptcy Appeal");

11. *Simona Tanasescu v. Matthew W. Kremer, et al.*, SACV 17-01513 DOC (JDEx) in the United States District Court for the Central District of California (the "2017 RICO Action");

12. *Simona Tanasescu v. Matthew W. Kremer, et al.*, Ninth Circuit Case No. 19-56350 ("Appeal of the 2017 Action");

13. *Simona Tanasescu v. United States*, United States Court of Federal Claims Case No. 1:21-cv-01289-ZNS ("2021 COFC Action"); and

14. *Simona Tanasescu v. United States*, United States Court of Appeals for the Federal Circuit Case No. 2021-2117 ("Appeal of the 2021 Action")

15. *Simona Tanasescu v. United States et al*, in the United States District Court for the Central District of California Case No. 2:24-CV-01378 PA ("underlying 2024 Civil Action")

16. *Simona Tanasescu v. United States et al*, United States Court of Appeals for the Ninth Circuit Case No. 24-5813 ("underlying Appeal from the 2024 Civil Action")

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IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

The opinion of the United States Court of Appeals for the Ninth Circuit appears at Appendix A and is unpublished.

The opinion of the United States District Court for the Central District of California appears at Appendix B and is unpublished.

JURISDICTION

The date on which the United States Court of Appeals decided my case was on May 1, 2025.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: November 4, 2025

The order denying rehearing appears at Appendix A-2.

The February 11, 2026 letter for resubmittal with correction of listed parties appears at Appendix A-1

The jurisdiction of this Court is invoked under 28 U. S. C. §1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. The First Amendment to the US Constitution guarantees freedom concerning expression and the right to petition the government for redress of grievances.

2. The Thirteenth Amendment to the US Constitution: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

3. The Fourteenth Amendment to the US Constitution including Due Process and Equal Protection clauses: "...No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. "

4. Article III of the US Constitution: The U.S. Courts were created under Article III of the Constitution to administer justice fairly and impartially, within the jurisdiction established by the Constitution and Congress.

5. 28 U.S. Code § 453 - Oaths of justices and judges:

> "Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: 'I, ___ ___, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ___ under the Constitution and laws of the United States. So help me God.'"

6. In *Reno v. Flores*, 507 U.S. 292, 301-302 (1993) this Court explained that a court will apply strict scrutiny when the challenged government action infringes on a fundamental right, finding at a minimum the "Fourteenth Amendments' guarantee of 'due process of law' to include a substantive component, which forbids the government to infringe certain 'fundamental' liberty interests at all, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interest".

7. In *Washington v. Glucksberg*, 521 U.S. 702, 720-21 (1997) the Supreme Court stated as follows:

> "Our established method of substantive-due-process analysis has two primary features: First, we have regularly observed that the Due Process Clause specially protects those fundamental rights and liberties which are, objectively, 'deeply rooted in this Nation's history and tradition,' ..., and 'implicit in the concept of ordered liberty,' such that 'neither liberty nor justice would exist if they were sacrificed,' Palko v. Connecticut, 302 U. S. 319, 325, 326 (1937). Second, we have required in substantive-due-process cases a 'careful description' of the asserted fundamental liberty interest."

8. The Supreme Court has played a crucial role in affirming federal authority over immigration through landmark cases:

   a. *Fong Yue Ting v. United States* (1893): The Court underscored that immigration control was firmly within the federal orbit.

   b. In *Trump v. Anderson* (2024): While not directly an immigration case, this ruling reinforces the principle that federal authority supersedes state initiatives attempting to override national policies.

   These rulings consistently recognize and reinforce federal supremacy in immigration matters. They affirm that any attempt by individual states to regulate immigration runs contrary to the Constitution.

   The Constitution positions immigration control within federal jurisdiction, a necessity for maintaining coherent foreign relations and managing the country's global standing. States must align their laws with this federal framework, ensuring that immigration policy remains consistent and uniformly enforced across the nation.

9. *In re Marriage of Garcia*, 13 Cal.App.5th 1334, 1346 (Cal. Ct. App. 2017)

   "In contrast, a judgment of nullity of marriage determines that that, for reasons *existing at the time of the alleged creation of the marriage* , 'no valid marriage ever existed.' (*Millar v. Millar* (1917) 175 Cal. 797, 807, 167 P. 394 (*Millar*); *In re Marriage of Seaton* (2011) 200 Cal.App.4th 800, 807, 133 Cal.Rptr.3d 50 (*Seaton*).) Whereas a proceeding to dissolve a marriage 'is concerned with *marital status* as such,' a proceeding to nullify a marriage 'is concerned with *whether a contract was validly entered into at all.* ' (*In re Marriage of Goldberg* (1994) 22 Cal.App.4th 265, 268, 27 Cal.Rptr.2d 298 (*Goldberg*).) '[T]he legal reality is that a successful action for nullity of marriage results in a judicial determination that there never was a contract and hence there never was a marriage.' (*Ibid.*)

   Even where a marriage complies with the basic statutory formalization procedures (e.g., § 306 [license, solemnization, authentication]), the marriage may be found invalid on the basis that it is *void* (e.g., §§ 2200 [incest], 2201 [bigamy, polygamy]) or *voidable* (e.g., § 2210, subds. (a) [party under the age of consent], (b) [prior existing marriage], (c) [unsound mind], (d) [consent obtained by fraud], (e) [consent obtained by force], (f) [party physically incapable of entering into marriage]). A *void* marriage is invalid from the onset regardless whether a judgment of nullity is obtained, because no marriage ever existed. (*Seaton* , *supra* , 200 Cal.App.4th at pp. 806–807, 133 Cal.Rptr.3d 50.) "

STATEMENT OF THE CASE

I. Introduction

Since 2011, Petitioner, and at times with her child (a minor at all the relevant times), seeks redress in the federal judicial system from grievances stemming from RICO predicate acts related to: obstruction of justice under 18 U.S.C. § 1503; the tampering with a witness, victim, or an informant under 18 U.S.C. § 1512; and the racketeering activity relating to procurement of citizenship or naturalization unlawfully under 18 U.S.C. § 1425 , all which keep her family of three into forced and involuntary servitude.

The RICO claims encompass the predicate acts by a RICO enterprise, formed of private parties and six private attorneys from both sides in two family law cases in San Diego and Los Angeles county courts who defrauded the Superior Court of California for the rubber-stamping of dissolution judgements, in the sham cross-marriages between the two in-laws-families which never existed in real life. Petitioner's family of three firmly sought nullification judgement pursuant to civil and family laws to correct their falsehoods in their public records with the truth about Petitioner's dignity as a wife and mother and the legitimacy of her child born in fact within her continued 1985 marriage with the father.

The sham and fraudulent cross-marriages of zero-days were obtained and maintained through emotional extortion and manipulation, abuse, duress, undue influence, menace and fraud upon Petitioner and her husband Danut for the sole purpose of circumventing immigration laws to benefit Petitioner's sister's family of

four who entered the United States on non-immigrant tourist visas with no intention of going back.

Petitioner's sister's family of four needed, and subsequently used, the rubber-stamped dissolution judgements in defrauding the United States for procuring naturalizations thus causing Petitioner's family of three automatic partaking, further confining and oppressing Petitioner's family of three in forced servitude.

Court records show a pattern of actions by respective federal judicial officers and other court members taken in violation of their oath that silenced and deprived Petitioner's family of three of their constitutional rights under the First, Fourth, Thirteenth and Fourteenth Amendments to the United States Constitution.

Court records show that judicial officers violated their sacred oath, to uphold the United States Constitution and "administer justice without respect to persons" (28 U.S. Code § 453) , for avoiding to hear and adjudicate Petitioner's, at times with her minor child, claims that expose racketeering activity relating to procurement of naturalization unlawfully under 18 U.S.C. § 1425 and allegations of fraud upon the Superior Court of California in the rubber-stamping of judgements that decided questions of immigration law without authority. Named judicial officers denied Petitioner and her minor child due process and equal protection of clear laws and precedents. Petitioner's family of three was denied justice and are therefore further oppressed and confined into the involuntary servitude upon the rubber-stamping of the dissolution judgements, contrary to their unwavering pursuit for proper nullification judgement, which perpetuate the public record falsehoods and with the

unlawfully added partaking in Petitioner's sister's family of four's fraud to procure their naturalization.

The underlying 2024 Action pleaded claims under the Federal Tort Claims Act with prayers for monetary and injunctive relief to end the involuntary servitude and correct the defamatory falsehoods in public records. The district court dismissed the action on Defendants' allegations of judicial immunity.

The Ninth Circuit granted Defendants' Motion for Summary Affirmance citing the precedent in *United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) but without providing any opinion in support based on the facts of the matter, and subsequently denied Petitioner's request for panel rehearing and rehearing enbanc.

The most relevant facts of the case, and supporting case records are summarized hereon.

II. The February 2000 and November 2001 sham and fraudulent cross-marriages were obtained and maintained through emotional extortion and manipulation on Petitioner and her real-life husband always, Danut.

The saga in this matter began in 1998 when Simona Tanasescu (hereon Petitioner or Simona) with her husband Danut Tanasescu (Petitioner's real husband since 1985), collectively the Tanasescus, from Riverside California, received the visit of their in-laws Mirela Coroian (Petitioner's sister) with husband Dorin Coroian and their two teenage sons (Cristian Coroian and Adrian Coroian), collectively referred to as the Petitioner's sister' family-of-four, who entered the United States on six-month non-immigrant visas to visit the American in-laws.

By 1999 Petitioner's sister' family-of-four were overstaying their visas thus living under illegal alien status in Petitioner's home and feeling entitled to use emotional extortion and manipulation, threats, blackmail, duress, menace, undue influence and fraud on the Tanasescus for causing them to cave into aiding their gaming of immigration laws, which award immigration benefits to alien spouses, and their alien dependents, *in bona fide marriages to U.S. citizens*, for the benefit of the Coroian family-of-four to gain residency (green cards) and avoid deportation.

Mirela and Dorin obtained social security numbers with ease, and the local law enforcement were not getting involved in immigration matters.

In June 1999, the Coroians, and subsequently the Tanasescus, filed for false divorces while their families remained in their respective longtime marriages from 1982 and 1985 respectively.

By November 1999, Mirela Coroian and Dorin Coroian (while sharing a bedroom in the Tanasescus' house) obtained from the Riverside County family court a false dissolution judgment through the default of Dorin and with a false child support agreement for their two sons, as they maintained their family unit in real life.

Forcefully the Tanasescus eventually cave into finalizing their false divorce by January 2000 under false pretenses of irreconcilable differences while continuing their 1985 longtime marriage in the reality of life.

In February 2000, Mirela Coroian signed the fake and non-bona fide cross-marriage[1] with Danut Tanasescu for his American citizenship to get green cards

[1] According to the Board of Immigration Appeals (BIA): "A marriage that is entered into for the primary purpose of circumventing the immigration laws, referred to as a fraudulent or

with her two teenage sons. Mirela changed her last name to Tanasescu only to further deceive the authorities while despising Danut even as Petitioner's husband.

The Coroian family-of-four further oppressed, extorted and blackmailed the Tanasescus for coercing Simona into signing for the sham and fraudulent November 2001 zero-day cross-marriage to benefit Mirela's husband, Dorin, who was under illegal status since June 1999. Dorin also changed his last name to Tanasescu as an element of deceit from his non-bona fide cross-marriage.

Because the cross-marriages of the in-laws were fake and both family units continued in their original longtime marriages of 1982 (Mirela and Dorin Coroian) and 1985 (Simona and Danut Tanasescu) their real families are identified by the original last names hereon[2] .

By 2002 the Coroian family-of-four was moved out of the Tanasescus' house but continued to oppress and confine the Tanasescus into maintaining the fraudulent cross-marriages at the basis of their fraud to gain green cards.

When Petitioner revolted by refusing to sign at least one document on Dorin's green card application, the Coroians forged her signature and proceeded ahead

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sham marriage, has not been recognized as enabling an alien spouse to obtain immigration benefits." Quoted from BIA's published decision in Matter of McKee, 17 I&N Dec. 332, 333 (BIA 1980).

[2]After obtaining the rubber-stamped dissolution judgment, Dorin proceeded to reinstate his last name to Coroian in a separate June 2008 name change proceeding for cutting the paper trail to the rubber-stamped May 12, 2008 dissolution judgment on his petition showing "zero day" cross-marriage.
Upon obtaining the dissolution judgment by April 2009, Mirela changed her last name back to her maiden name while continuing her cohabitation with Dorin in their actual 1982 marriage.

in her name.

In 2004 Petitioner and Danut had their child, identified as ST in the court documents, who was born to the distressed and oppressed parents. Petitioner suffers from deep depression and PTSD for two decades now, and she was incapable of feeling and caring for her child as she was helpless in the confining sham cross-marriages that consumed her family of three on all levels.

By April 2006, the Coroian family of four received green cards and immediately abandoned the single-family house, purchased on Petitioner's credit as quasi-common asset of the fraudulent cross-marriage.

Upon locating the Coroian family of four living in Palmdale, on June 9, 2007 Petitioner executed substitute service on Dorin's two sons with her petition for nullification of the sham and fraudulent zero-day cross-marriage she filed on May 14, 2007 in the Riverside County family court in case no. RID 220164 (**APPENDIX H**). The adult sons returned the mailed petition with noting in false on the envelope that their father was not living at that address.

III. Petitioner's in-laws family of four formed the RICO enterprise for defrauding the Superior Court of California into rubber-stamping dissolution judgements in the zero-day fraudulent cross-marriages contrary to Petitioner's family of three seeking appropriate nullification judgements to correct the defamatory public records and free from the involuntary servitude.

Petitioner and her family of three sought to properly nullify the cross-marriages pursuant to civil and family laws and the policy of the law and by notifying the family law courts that the zero-day cross-marriages were shams and fraudulent as

they did not exist in the reality of life nor as marital relations pursuant to California Family Code. Petitioner's family of three was seeking to free from the servitude, oppression and confinement under the falsehoods of the sham cross-marriages for correcting the public records into reflecting the reality of their family continued marriage since 1985 and the legitimacy of the child born in fact within the parents' marriage.

In opposition, the Coroian family of four sought to have the sham and fraudulent cross-marriages to the American in-laws ended through dissolution judgements by the state courts which had no authority to decide the questions of immigration law at the base of the sham cross-marriages they obtained and maintained forcefully for the sole purpose of gaming the federal laws that afford marriage-based immigration benefits to the foreign spouses of an American citizen in a bona-fide marriage.

Upon receiving Petitioner's filing for nullification of the sham cross-marriage that benefited Dorin Coroian, the Coroian family of four formed the RICO enterprise for silencing Petitioner's family of three and defraud the Superior Court of California into rubber-stamping dissolution judgements as a documenting validation of the fraudulent and non-bona-fide cross-marriages on the end goal to submit them for defrauding the United States in procuring their naturalizations.

The Coroian family of four aided by their relative Mrs. Suciu from La Mesa, San Diego County, connected with attorney Matthew M. Kremer who became the ringleader of the RICO enterprise[3] to aid the family in obtaining dissolution

[3] The State Bar of California opened an Inquiry on Petitioner's June 4, 2011 letter to attorney Mathew M. Kremer and rushed to provide its July 7, 2011 letter (**APPENDIX M**)

judgements in the sham zero-day cross-marriages, contrary to the Tanasescus seeking proper nullifications, as they needed, and subsequently used, for defrauding the United States in procuring their naturalizations.

Attorney Robert K. Johnson, of Los Angeles County, and the Tanasescus' own attorneys E. Daniel Bors Jr., E. Daniel Bors III, Jeffrey Novack and Jeffrey H. Sherter (becoming sellouts of their clients) joined in the RICO enterprise as they became authorized to act in the matters. These attorneys knew the Coroians needed the dissolution judgments for defrauding the authorities in procuring naturalization, and so they willfully and knowingly refrained from notifying the family law courts that the cross-marriages were fraudulent and never existed in real life, that the Coroians continued to live as family of four at all times, that there was common quasi property home where they lived, and that there was the existence of Petitioner's child. The corrupt family law attorneys knew and conspired to hide the existence of Petitioner's child from the family courts to hinder the family law proceedings that protect a minor child's rights and interests thus avoid such proceedings that would have prompted the court about the cross-marriages been shams. The RICO enterprise defrauded the Superior Court of California for the rubber-stamping of dissolution judgements without the authority to decide the questions of immigration law about the sham and fraudulent cross-

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with the superficial and uninformed conclusion that "in the absence of a prior court finding that Mr. Kremer engaged in fraudulent conduct" the State Bar could not meet the burden of proving an ethical violation.

marriages "not been recognized as enabling the alien spouse to obtain immigration benefits" according to the BIA in 1980.

With Petitioner's May 14, 2007 in the Riverside County family court in case no. RID 220164 (**APPENDIX H**) left at Dorin's residence in Los Angels county on June 9, 2007, attorney Kremer masterminded the scheme to use the address of Suciu family from San Diego County for Dorin to file on June 19, 2007 his petition in case ED 71196 for a dissolution judgement of the "zero-day" cross-marriage without showing common asset the single-family where his family lived before abandoning it in April 2006 (**APPENDIX I**), to avoid proceeding on Petitioner's petition for nullification and away from the Los Angeles County court where on July 2, 2007 attorney Robert K. Johnson filed Mirela's petition in case no. MD033805, for dissolution of her fraudulent zero-day cross-marriage.

The Tanasescus did not include their child in any of their petitions/answers for keeping their child out of the fraudulent cross-marriages since was born in fact within their continuous 1985 marriage, but they were to notify the courts during proceedings if not for the RICO enterprise silencing them.

The San Diego County Case

As Petitioner was served twice with Dorin's June 19, 2007 petition, she retained attorney Bors Jr. and his son attorney Bors III who soon thereafter colluded with attorney Kremer in the scheme to silence Petitioner from been heard as she was to expose that she was never a wife to the petitioner and that he was cohabitating at all times with her sister within their continuous 1982 marriage. In his letter dated

July 27, 2008, but faxed on October 1, 2007 (**APPENDIX F**) attorney Kremer showed the need for a dissolution judgement.

The attorney conspired the illegal scheme to cause Simona's Default to be entered on September 4, 2007, and then file Petitioner's Answer which the court accepted and filed on September 14, 2007 as the Default document was held by the corrupted clerk Martha A. Thomas so was not to show entered or "on the logs" on September 14, 2007 when Petitioner's answer was accepted and filed. Subsequently, corrupted inside court clerk Martha A. Thomas manually altered the initial stamp date of September 4, 2007 for the mailing of the Default to show September 21, 2007 (**APPENDIX K**), and she also did not strike Petitioner's Answer but instead left it to stand alongside the Default. The court scheduled a "default hearing" for October 15, 2007.

Petitioner relied upon her attorneys, but they did not complete the motion to set aside the default as they promised and billed in invoices, also while telling her that her September 14, 2007 Answer was valid as filed. On the opposite side, attorney Kremer did not proceed to request judgment on the default pursuant to CRC Rule 3.110(h) but instead he colluded with Petitioner's attorney to continue the "default hearing" on four occasions for a total of 210-days until May 12, 2008, thus run out the 180-day statute for setting aside a default.

Petitioner went to the May 12, 2008 hearing against attorney Bors Jr.'s insistence not to attend the hearing.

At that hearing the court moved to strike Petitioner's September 14, 2007 Answer to enter dissolution judgement due to her Default and failure to set aside the default. Petitioner was not allowed to address the court and attorney Bors Jr. kept silent about the court's false jurisdiction by use of Mrs. Suciu address, the "common asset" not declared by Dorin, the existence of her minor child and that the zero-day cross-marriage was a sham, fraudulent and void which would have prompted the court to enter a proper nullification judgment pursuant to civil and family laws and the policy of the law.

Petitioner retained attorney Jeffery Novack to set aside the default and default judgement, but he too corruptly refrained from properly pleading the extrinsic fraud in the attorneys' scheme to silence Petitioner, and the assigned temporary judge followed the attorney's scheme not set aside the default to hear Petitioner and protect her minor child's rights as notified of the child's existence.

The Los Angeles County case

Danut also retained attorneys Bors unaware also about these attorneys selling out his family's interests and rights.

Attorney Johnson knowingly aided Petitioner's sister, Mirela, on her need to cover up the sham and invalid cross-marriage with a dissolution judgement for the subsequent defrauding of the United States into awarding her and two sons naturalization, and so he used intimidation, threats and trickery to prevent Danut from notifying the court of the facts supporting his request for nullification pursuant to civil and family laws.

On March 25, 2008 attorney Johnson filed Summons (Joinder) to go after Danut's 401 (k) pension plan just to intimidate him as he never served on Danut's employer where Simona was known as Danut's wife and were employed together.

In his April 9, 2008 letter (**APPENDIX G**) attorney Johnson intimidated and threatened Danut and Petitioner for coercing them into agreeing to a dissolution judgement for the effect of "validating" the sham cross-marriage for Mirela to use in procuring naturalization for herself and two sons.

Attorney Johnson further tormented and intimidated Danut at the June 2008 deposition to coerce him to give up the rights of his family of three to a proper detachment from the Coroian family of four by nullification to correct and end the falsehoods and defamation.

On September 8, 2008, before the September 9, 2008 court hearing, attorneys Bors abandoned Danut by filing the substitution of attorney they misled Danut to sign under false pretenses at a prior date.

On February 4, 2009 attorney Johnson filed and served on Danut, Mirela's Motion for Summary Judgment with the wrong hearing date of March 26, 2009 and not the correct date of March 18, 2009 intended to cause him to miss that hearing.

Danut retained attorney Jeffrey H. Sherter on limited scope representation, but he too joined the RICO enterprise. Attorney Sherter ill-advised the Tanasescus how

to proceed on that motion knowing that the notice for that motion was served upon Danut in violation of Cal. Code Civ. Proc. §473c(a)(2)[4].

Instead of rejecting the motion for violation of law, attorney Sherter prepared Danut's response and went to the court hearing to meet with attorney Johnson.

At the March 26, 2009 trial, presided by temporary judge Juhas, attorneys Sherter and Johnson conducted a sham trial, as they conspired together to conceal the facts of the sham and void zero-day cross-marriage also obtained and maintained forcefully and unlawfully, and used the sanctuary of the trial court to confine and prevent Danut and Petitioner from giving full and complete testimonies while keeping Mirela from testifying, and also not bringing in Dorin and two sons or their neighbors to testify as subpoenaed by Danut.

Attorney Sherter told the court to "forget the immigration" to avoid presenting the facts of the fake cross-marriages where Mirela was never a wife to Danut as she cohabitated with Dorin always, and as Petitioner and Danut continued their longtime marriage and welcomed their child together.

As the court was not notified of all facts by the authorized attorneys from both sides, it rubberstamped the judgement of dissolution on April 29, 2009, which Mirela and two sons used for covering up the sham and fraudulent cross-marriage in defrauding the United States to award them naturalization unlawfully.

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[4] Cal. Code of Civil Proc. §473c(a) states in relevant part that notice of a motion for summary judgment "shall be served on all other parties to the action at least 75 days before the time appointed for hearing" and if served by mail in the State of California "required 75-day period of notice shall be increased by 5 days".

IV. Petitioner, at times with her minor child, turned to the federal judicial system for redress from the RICO acts that defrauded the Superior Court of California into rubber-stamping the 2007 and 2009 dissolution judgements without authority, but the assigned judicial officers acted unlawfully to avoid hearing and adjudicating the RICO claims related to procurement of naturalization by fraudulent means.

Respective US judicial officers violated their oath codified in 28 U.S. Code § 453 for refraining from hearing and adjudicating Petitioner's, and her minor child's, RICO claims related to immigration fraud and allegations of fraud upon the Superior Court for deciding questions of federal law without authority.

A. In the 2011 Action and subsequent Appeal to the Ninth Circuit

As pleaded in Petitioner's 70-page Complaint in the underlying civil action, Judge Cormac J. Carney and his Magistrate Judge refrained from affording Petitioner, and her dependent minor child, the equal protection of clear laws and precedents identified as follows:

a) F.R.C.P. Rule 15(a) for leave to amend the complaint for curing the court's findings of "unclear" noted in the 2012 R&R ;

b) FRCP Rule 17 for the protection of Petitioner's minor child's rights and interests;

c) FRCP Rules 18 and 19 for joinder of claims and parties in interest to join Petitioner's minor child;

d) FRCP Rule 60(d)(3) for the federal court power to "set aside a judgment for fraud on the court";

e) the *Rooker-Feldman* doctrine which does not bar a district court from reviewing and adjudicating judgments obtained through fraud upon state courts; and

f) the precedent in *Brown v. Roe*, 279 F.3d 742 (9th Cir. 2002) as cited by the district court but not applied in fact.

Judge Carney muddled his April 19, 2012 Order (**Appendix N**) to give the false impression that he applied the precedent in *Brown v. Roe*, 279 F.3d 742 (9th Cir. 2002) when in fact he did not. The denied Petitioner leave to amend the complaint for adding an additional cause of action under the new theory of the Racketeer Influenced and Corrupt Organizations (RICO) Act as introduced for the first time in Appellant's Objection to the R&R. The case in *Brown v. Roe* addressed the denial by that district court and the Ninth Circuit's finding it to be an abuse of discretion and therefore directed the lower court to consider Brown's claim as presented for the first time in his objection to the magistrate judge's R&R, the court stating in relevant part the following at 745, 746:

> "For two separate reasons, we hold that the district court abused its discretion in this case in failing to consider Brown's equitable tolling claim. **First**, there is nothing in the record that shows the district court 'actually exercise[d] its discretion,' *Howell,* 231 F.3d at 622, in refusing to consider Brown's newly-raised claim. Unlike the district court's statement in *Howell,* which specifically addressed Howell's newly-raised objection and gave reasons for rejecting it, the district court's order in this case is very brief, stating without elaboration that it conducted a *de novo* review of the magistrate's findings and recommendations. Second, unlike the litigant in *Howell,* who was represented by counsel, Brown was a *pro se* petitioner at all relevant times and was making a relatively novel claim under a relatively new statute."

Judge Carney muddled his April 19, 2012 order (**APPENDIX N**) to deceive and mislead from the fact that he did not apply the precedent in *Brown v. Roe* to

consider Petitioner's request to add a second cause of action under the new legal theory of the RICO Act. Judge Carney noted in the footnote on page 2 that he considered the "Exhibits to the Objection" only, per the precedent in *Brown v. Roe,* which is not to say that he applied that precedent since he obviously ignored Petitioner's request to add the RICO claim presented for the first time in her objection to the R&R, nor to say that he considered her RICO claims (as Judge Carter asserted in his order in the 2017 Action). Judge Carney's order makes clear that he did not grant Petitioner leave to add the RICO cause of action as requested for the first time in Petitioner's Objection to the R&R, therefore he did not apply the precedent in *Brown v. Roe.*

Similarly to the Ninth Circuit's finding in *Brown*, Judge Carney's Order dismissing the 2011 Action "is very brief, stating without elaboration on the *de novo* review of the magistrate's findings and recommendations" and also ignored that Appellant "was a *pro se* petitioner at all relevant times and was making a relatively novel claim under a relatively new statute" (at a minimum, the request to amend the complaint to add the RICO claim).

Subsequently, upon Petitioner's notice of appeal from the judgement of dismissal, Judge Carney retaliated by certifying that Petitioner's appeal was taken in bad faith because an amendment would have been futile, which was disingenuous and directed to hinder the review on appeal since he had to know that his order, to dismiss the 2011 Action without affording Petitioner a single opportunity to amend the complaint: 1) to resolve the magistrate finding of

"unclear"; 2) to join her minor child; and 3) to add the claim under the new theory in the RICO Act, first showed that amendment would not have been futile, and second showed that he refrained from affording Petitioner and her minor child the equal protection of clear laws (FRCP Rule 15(a), Rules 17, 18, 19) and the precedent in *Brown* v. *Roe*, due process and free speech rights to petition the government for redress of grievances.

Upon appeal, United States Court of Appeals for the Ninth Circuit provided Petitioner in Pro Se with intentional misguidance in the "Information for Pro Se Appellants/Petitioners" (**APPENDIX R**) to submit excerpts of record on appeal, citing a manufactured "Circuit Rule 30-1.1.1" in support, which was contrary to the actual rule for unrepresented litigants, Circuit Rule 30-1.2. A true and correct copy of 2012 Circuit Rule 30-1.2 is provided in **APPENDIX P**.

That case record shows that Petitioner did not submit excerpts of the case record on appeal, nor did any of the appellees or the district court.

The Ninth Circuit evaded the factual and procedural wrongs shown in the 2011 Action court record by using the disingenuous and misleading play on words, on the nonexistence of any excerpts of the record on appeal, to find that "[Petitioner]'s contention that the district court ignored portions of her complaint and objections to the report and recommendation is unsupported by the record" (**Appendix Q**-page 3). Petitioner was indeed misguided to submit excerpts of the record pursuant to the manufactured "Circuit Rule 30-1.1.1" (**APPENDIX R**) but she followed the true Circuit Rule 30-1.2 published in the Federal Rules of

Appellate Procedures, Ninth Circuit Rules, dated January 1, 2012 (**APPENDIX P**) which exempted the pro se from submitting the excerpts of the record.

The court record from the 2011 Action makes clear that Petitioner, and her minor child who was not afforded to join the action pursuant to FRCP Rules 17, 18 and 19 as a right and indispensable party, were denied adding the RICO claims related to violations of 18 U.S.C. § 1503, 18 U.S.C. § 1512 and 18 U.S.C. § 1425. Therefore, the Ninth Circuit's determination that "[t]he district court did not abuse its discretion by denying [Petitioner]'s request to amend her complaint because the proposed amendments would have been futile" (**APPENDIX Q**-page 2) was dishonest and directed to mislead away from the judges' unwillingness to hear and adjudicate the RICO claims related to immigration fraud, and to afford Petitioner and her minor child due process and equal protection under the First and Fourteenth Amendment. The amendments proposed could not have been futile because Petitioner was requesting leave to amend:

1) for the opportunity to cure the finding of "unclear" (on page 59 footnote 22 of the R&R) if the *Rooker-Feldman* doctrine barred review and adjudication on the requests for declaratory judgements over the state court judgments of dissolution obtained through fraud upon the Superior Court of California;

2) for adding the cause of action on the new theory under the RICO Act (otherwise afforded to Brown in *Brown v. Roe*); and

3) for joining as plaintiff her minor child upon the R&R finding (footnote 22 on pg. 59) that Petitioner's allegations prepared in pro per "purporting to rest portions

of her claims on asserted injuries that her child has suffered, are improper and not cognizable, because plaintiff's child is not a party to this case" and (footnote 19 on pg 48) that "to state any tenable basis for finding a due process violation, plaintiff's child is not a party to this case".

B. In the 2017 RICO Action and subsequent Appeal to the Ninth Circuit

As pleaded in Petitioner's 70-page Complaint in the underlying civil action, Judge David O. Carter and his Magistrate Judge refrained from affording Petitioner, and her dependent minor child, the equal protection of clear laws and precedents identified as follows:

a) F.R.C.P. Rule 15(a) for leave to amend the complaint for curing the court's findings of "unclear" noted in the 2012 R&R;

b) FRCP Rule 17 for the protection of Petitioner's minor child's rights and interests;

c) FRCP Rules 18 and 19 for joinder of claims and parties in interest to join Petitioner's minor child;

d) FRCP Rule 60(d)(3) for the federal court power to "set aside a judgment for fraud on the court";

e) the *Rooker-Feldman* doctrine which does not bar a district court from reviewing and adjudicating judgments obtained through fraud upon state courts;

f) 28 USC §1915(e) which supports appointment of counsel for the indigent; and

g) the precedent in *Wilborn v. Escalderon,* 789 F.2d 1328 (1986) which the judge cited with intentionally omitting key statements that supported appointment of counsel for the minor child.

i. *Judge Carter dismissed Petitioner's minor child, identified as S.T. by refraining from affording the child equal protection of laws and precedents*

Judge Carter ordered the dismissal of Petitioner's minor child (**APPENDIX D** and **APPENDIX E**) as he refrained from protecting the child's rights and interests pursuant to FRCP Rule 17(c)(2), and as an interested and indispensable party also having intertwined claims to be joined pursuant to FRCP Rules 18 and 19.

The district court's orders in **APPENDIX D** and **APPENDIX E** show that Judge Carter and his magistrate judge lied by purposely omitting key statements in the precedent they cited from *Wilborn v. Escalderon,* 789 F.2d 1328 (1986) for avoiding the factual "exceptional circumstances" in the case that justified a court's request for a minor's counsel pursuant to 28 U.S.C. §1915(e)(1). The precedent in *Wilborn v. Escalderon,* 789 F.2d 1328 (1986) states with clarity that both "the likelihood of success on the merits [and] the ability of the petitioner to articulate his claims *pro se* in light of the complexity of the legal issues involved" "must be viewed together before reaching a decision on request for counsel". A minor child is defined under law as an "incompetent person" (FRCP Rule 17) with no ability to articulate claims pro se and also on matters that happened while a minor. Judge Carter knew plaintiff S.T. was a minor and so he intentionally noted only the statement of "the likelihood of success on the merits" (**APPENDIX D**, on pg 5, lines 13-18; **APPENDIX E**, on pg4, lines 21-27; and on pg.6, lines 5-10) and omitted the requirement on "the ability of the petitioner to articulate his claims *pro se* in light of the complexity of the legal issues involved" as they should have been "viewed together before reaching a decision on request for counsel".

The district judges disregarded further Petitioner's child's rights and interests, as the innocent who suffers most from been born to the distressed parents and the mother suffering severe depression and PTSD, and has falsehoods over the legitimacy of been born in fact within the marriage of the parents.

Petitioner seeks to correct the public records for almost two decades now for the reputation of her family of three, her dignity as a wife to her only husband since 1985 and true legitimacy of her child born within her continued marriage with the father.

Furthermore, district judges' finding that the applicable statutes of limitation are tolled for a minor child, as such that they would "permit S.T. to raise the claims in her own name, and her own volition" upon turning the age of eighteen (**APPENDIX D**, pg 6, lines 6-19) was intentionally reckless to further burden and oppress the innocent child, as well as dishonest because the judges knew that all facts took place as the child was a minor and the justice delayed is justice denied.

The unwillingness to protect the rights of the minor child having claims of immigration fraud was continued in the subsequent appeal. In their April 24, 2020 order (**APPENDIX U**), circuit justices Owens and Bennett ordered Petitioner's minor child, identified as S.T., to proceed on appeal without counsel, together and by her self-represented first-generation immigrant mother, which was contrary to the Ninth Circuit's precedent in *Johns v. County of San Diego*, 114 F.3d 874, 876 (9th Cir. 1997) on the holding that "a parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer". Said precedent was in fact cited

by district judge Carter in dismissing the minor child from the 2017 RICO Action because the minor had no legal representation.

ii. Judge Carter denied hearing and adjudicating the RICO claims pleaded in the 2017 Action by stating in false that they were considered and adjudicated in the 2011 Action

Petitioner's Complaint in the 2017 Action pleaded in the First and Second causes of action the RICO claims which Judge Carney did not want to hear in the 2011 Action as he denied Petitioner leave to add as second cause of action on her request in the Objection to the 2012 R&R and per the precedent in *Brown v. Roe.*

The May 1, 2018 R&R (**APPENDIX L**), accepted by Judge Carter, found on page 16, lines 16-20, that "[i]n the 2012 Objections, [Petitioner] did seek leave to add her 'minor child as plaintiff and to include a second cause of action under the RICO Act against all defendants' " and that the "District Court considered, and rejected [Petitioner]'s arguments in accepting Report and Recommendation in the 2011 Action".

As summarized before on the 2011 Action order (**APPENDIX N**), Judge Carney did not grant Petitioner leave to add the RICO claims as he implied in the muddled statement in the footnote on page 2 that he considered *only* the "Exhibits to the Objection" per the precedent in *Brown v. Roe.* It is clear that Judge Carney did not grant Petitioner a single leave to, at a minimum, add a second cause of action under the new theory of RICO Act as requested in her Objection to that R&R. Petitioner made a clear request to add a RICO cause of action, but Judge Carney did not in fact consider it. Therefore, Judge Carter's statement that the "District Court

considered, and rejected [Petitioner]'s arguments in accepting Report and Recommendation in the 2011 Action" is misleading in the play on words to imply true consideration of the RICO claims and rejection on the merits when in fact Judge Carney was unwilling to hear Petitioner's RICO claims related to the violations of immigration laws by the RICO enterprise formed of private attorneys and parties who defrauded the Superior Court of California to obstruct justice to Plaintiff's family of three and to defraud the United States for procuring naturalization fraudulently.

C. In the Bankruptcy Adversary Action

Petitioner pursued Adversary Action for revocation of attorney Bors III Chapter 7 discharge, he used for escaping Petitioner's state action scheduled for trial on the claims of fraud against attorneys Bors Jr. and Bors III who joined the RICO enterprise as her sellouts. Bors III made false statements for obtaining bankruptcy discharge of the Mal Practice Fraud claim which was non-dischargeable under 11.U.S.C. § 523.

At the 4-3-2012 court hearing, there was no tentative ruling and the judge dismissed Petitioner's complaint prepared in pro per, without leave for a single amendment and "without prejudice to [Petiotioner's] filing of a complaint under 11.U.S.C. § 523" (**APPENDIX O**). The order of the bankruptcy court was prejudicial and unconstitutional for not affording leave to amend pursuant to F.R.C.P. Rule 15(a), for disrupting statutes of limitation, for limiting the relief and for adding undue financial burden for having to pay again the filing fee and costs for filing a new complaint. The self-represented Petitioner again was not afforded due process and equal protection.

V. Petitioner's underlying 2024 civil action under the Federal Tort Claims Act was dismissed mostly on grounds of judicial immunity without addressing Petitioner's showing that the named judicial

officers refrained from affording her and her minor child the equal protection of identified clear laws and precedents, and therefore acted "in clear absence of all jurisdiction" when dismissing the related actions.

The underlying 2024 Action pleads five causes of action stemming from the willful violation of constitutional rights by the named judicial officers and one attorney (name unknown) in the 2011 Action, 2012 BK Adversary action, 2017 Action and 2024 Action.

The complaint pleads the following five causes of action:

1ST COA Violation of [Petitioner], and her minor child, the Right to Equal Application of Laws, and Their First and Fourteenth Amendment Rights (42 U.S.C. § 1983);

2ND COA Violation of Rights Under the United States Constitution and the First and Fourteenth Amendments – Bivens Claims;

3RD COA Violation of the Racketeer Influenced and Corrupt Organizations Act (RICO);

4TH COA For Forcing Further the Defamatory Falsehoods and Condition of Servitude on [Petitioner] and Her Family of Three; and

5TH COA Intentional Infliction of Emotional Distress.

The Complaint details the fraud upon the Superior Court of California by the RICO enterprise related to violations of immigration law, and the unwillingness by Judge Carney and Judge Carter to afford equal protection to Petitioner and her minor child of the clear laws and precedents summarized herein before in the 2011 Action and the 2017 RICO Action respectively, as well as the unconstitutional acts by Judge Caroll and Judge Sumers in dismissing the 2012 BK Adversary Action and the 2024 Action respectively. Petitioner's Opposition to Defendants' Motion for Summary

Affirmance (**APPENDIX S**) noted the unwillingness by the district judges to afford Petitioner and her minor child the equal protection of the laws and precedents thus reaching further unconstitutional decisions.

The district court granted Defendants' motion for summary judgment on the ground of judicial immunity without any consideration of Petitioner's pleadings that the judicial officers' determinations in each of the related actions were conducted through violation of Petitioner and her minor child's rights to due process and equal protection under the Fourteenth Amendment, and the right to petition the government for redress of grievances and free speech under the First Amendment.

Because Judge Carney dismissed the 2011 Action, and Judge Carter dismissed the 2017 RICO Action through violating their own oath codified in 28 U.S. Code § 453, they cannot enjoy judicial immunity because said violations of their sacred oath were acts therefor taken in "the clear absence of all jurisdiction". This Court determined in *Bradley v. Fisher*, 80 U.S. 335, 351 (1871) that a judge is not immune for actions, though judicial in nature, taken in "the clear absence of all jurisdiction". Neither Defendants' motion for summary judgment nor the District Court decision (**APPENDIX C**) address Petitioner's showings that these judges refrained from affording her and her child the equal protection of the clear laws and precedents identified herein before.

In Petitioner's 2012 BK Adversary Action, Judge Caroll denied her the equal protection of F.R.C.P. Rule 15(a) when ordering dismissal of the action against attorney Bors III (who participated in the RICO enterprise) without leave for

Petitioner for a single opportunity to amend her complaint (**APPENDIX O**), under the FRCP Rule 15(a) and the Ninth Circuit own precedents upholding the Supreme Court's instructions to "the lower federal courts to heed carefully the command of Rule 15(a), F[ed].R.Civ.P., by freely granting leave to amend when justice so requires.' 'Gabrielson v. Montgomery Ward & Co., *785 F.2d 762*, 765 (9th Cir.1986)", while recognizing that amendment was not futile as he dismissed "without prejudice" that limited her speech and relief under all available theories, disrupted statutes of limitation and caused her undue burdens to pay again for a new filing, service of process and court fees.

In the 2021 COFC Action, Judge Somers was influenced by Staff Attorney (name unknown) in accepting "Staff Attorney Advice Memo forwarded to chambers" to silence Petitioner on her claims under Nature of Suit Code for Contract for Service (CDA) Suit Code 114 as she submitted in the Cover Sheet (**APPENDIX V**). The case record was unlawfully modified on the Nature of Suit Code to 528 -Miscellaneous Other, and on the request for monetary damages to the lower amount of $ 1,000,000 as it appears on the official case summary docket (**APPENDIX J**).

The COFC case summary notes as of 4/27/21 for Court Only "Staff Attorney Memo forwarded to chambers" (**APPENDIX J**) which influenced Judge Somers to alter Petitioner's Nature of Suit Code of 114 for CDA with Code 528 for Miscellaneous-Other thus setting the grounds for the district judge to argue that "the Claims Court does not have subject matter jurisdiction to review the decisions of other federal courts" and thus effectively ignore Petitioner and her child's claims of

breach of their implied contracts with the federal government for procurement of adjudicatory services with impartiality under the Constitution and laws of the United States and upon receipt of court fees.

VI. Upon Petitioner's underlying appeal, the Ninth Circuit flat out denied reviewing her 62-page brief and the district court record citing the judge-made rule in *United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) for the finding of "insubstantiality" of the appeal and without providing any opinion or clarification in support based on Petitioner's showings of clear laws and precedents not afforded to the self-represented and non-attorney litigant(s)

On appeal, Petitioner presented the unlawful and illegal acts by the named judicial officers, as they refrained from affording equal protection of laws and precedents and due process in the related actions in violation of their sacred oath, and therefore those acts, though judicial in nature, were in "the clear absence of all jurisdiction" which this Court determined in *Bradley v. Fisher*, 80 U.S. 335, 351 (1871) that a judge is not immune for such acts.

The Ninth Circuit ignored Petitioner's arguments that the named judges cannot enjoy judicial immunity for the unlawful and illegal acts leading to their determinations to dismiss Petitioner and her child in each of the related civil actions. Again, the district and appeal courts in the underlying 2024 Action show unwillingness to hear and adjudicate Petitioner's claims on RICO violations related to naturalization, obstruction of justice and tampering with a witness, and her allegations of fraud upon the Superior Court of California for the rubber-stamping of decisions on questions of federal law without authority.

On November 4, 2025, the Ninth Circuit also denied Petitioner's Petition for Panel Rehearing and Rehearing EnBanc (**APPENDIX T**) which pleaded again that the actions by the named judges were taken in violation of their sacred oath of duty, and the Ninth Circuit even misguided the ProSe litigant with the manufacture "Circuit Rule 30-1.1.1" that contradicts true Circuit Rule 30-1.2 (**APPENDIX T,** Exhibit 1).

Petitioner's family of three is therefore further oppressed in the forced servitude and confined under the defamatory falsehoods they seek to correct for the true reputation and the legitimacy of the child born in fact within the continued marriage of the parents.

REASONS FOR GRANTING THE PETITON

A. In the recent years, California State governmental leaders and local politicians have been outspoken before the public about holding strong state "sanctuary" policies and personal stands which are contrary to federal immigration laws thus expose state government activism strongly supportive of people who immigrated by fraudulent means. When such activism echoes into influencing judicial members, then the expectation they would highjack and corrupt the judicial process is sadly justified and as to call for an exercise of this Court's supervisory power.

Petitioner's claims in the related civil and bankruptcy actions exposed the RICO enterprise formed of private parties including six specialized family law attorneys who conspired together to aid the family of four in further oppressing Petitioner's family of three in the involuntary servitude while defrauding the

Superior Court of California into rubber-stamping the dissolution judgment in the sham and fraudulent cross-marriages that are "not been recognized as enabling the alien spouse to obtain immigration benefits"(BIA 1980) and thus deciding questions of immigration law without authority.

Petitioner's family of three sought relief in the federal judicial system on the promise of equal protection and due process, upon payment of court fees.

The federal court members who refused to hear and adjudicate Petitioner's claims of racketeering activity relating to procurement of citizenship or naturalization unlawfully under 18 U.S.C. § 1425 and allegations of fraud upon the Superior Court of California for rubber-stamped judgments to defraud the United States for procurrent of naturalization, acted in clear violation of their oath codified in 28 U.S. Code § 453.

Petitioner's family of three is therefore further confined in the forced servitude instead of been afforded due process to correct the harmful falsehoods they suffer for almost two decades. Petitioner's family of three had the right to be heard upon the various petitions for redress and to be afforded due process and equal application of laws and precedents for access to the courts' fact-finding processes and adjudication of claims on the merits.

The district, bankruptcy and circuit courts have departed from the accepted and usual course of judicial proceedings in Petitioner's related cases as to call for an exercise of this Court's supervisory power.

The district and circuit court in the underlying action refrained from considering Petitioner's showing that she and her child were not afforded the equal protection of the identified laws and precedents, and because of it they were denied constitutional rights secured under the First, Fourth, Thirteenth and Fourteenth Amendment.

B. Defendants by and through the United States Attorney's Office for the Central District of California invoked judicial immunity without considering that the federal judicial employees named in this matter acted in violation of their respective oath to uphold the United States Constitution. The district court agreed in its judgment to dismiss the underlying action.

The court records show that the named judicial officers acted in clear violation of their oath in 28 U.S. Code § 453 when denying Petitioner's, and her minor child's, constitutional rights to petition the government and to be heard at a minimum on the RICO claims related to: obstruction of justice under 18 U.S.C. § 1503; the tampering with a witness, victim, or an informant under 18 U.S.C. § 1512; and the racketeering activity relating to procurement of citizenship or naturalization unlawfully under 18 U.S.C. § 1425, as they continue to harm the family of three with the continued confinement in the forced servitude and with the illegally added forced partaking in the defrauding of the United States for naturalization.

In *Mireles v. Waco*, 502 U.S. 9, 11–12 (1991) this Court found that a judge acting in his or her official capacity enjoys judicial immunity unless he or she acted

in complete absence of all jurisdiction." The question of federal law, whether the named judicial officers' acts that clearly violated their oath codified in 28 U.S. Code § 453 to "administer justice without respect to persons, and do equal right to the poor and to the rich" were taken "in absence of all jurisdiction", was before the Ninth Circuit in the underlying appeal. The Ninth Circuit simply granted Defendants' motion for summary affirmance under Rule 3.6(a), citing the judge-made rule in *United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982), but without providing an opinion to clarify its finding of insubstantiality on the facts pleaded in Petitioner's 62-page brief with exhibits. For Hooton, in the cited case, the Ninth Circuit provided its opinion in support of affirming the summary disposition on his one-page document that only requested the Court to reduce his sentence.

The Ninth Circuit's May 1, 2025 and November 4, 2025 orders do not present any clarifying opinion on the finding of "insubstantiality" at a minimum on the important question of federal law before them for the first time. The Ninth Circuit refrained from deciding the important question of federal law whether judicial officers' acts taken in violation of their oath, to fulfill the duty entrusted in them under the sacred oath codified in 28 U.S. Code § 453, are acts "taken in absence of all jurisdiction", and therefore should be decided by this Court, and also because the Ninth Circuit so far departed from the accepted and usual course of appellate review as to call for an exercise of this Court's supervisory power.

C. The Ninth Circuit denied Petitioner the right to appellate review of her claims which pleaded at a minimum that US court members refused to hear and

adjudicate her RICO claims and allegations of fraud upon the Superior Court of California for deciding questions of immigration law without authority, and to hear and protect Petitioner's child's rights.

The Ninth Circuit's denial, by the assigned panel and affirmed enbanc, was based on Circuit Rule 3.6(a) (which is not rooted in any Federal Rule of Appellate Procedure) and the judge-made rule in *United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982). The Ninth Circuit did not provide an opinion to back its finding of "insubstantiality" of the appeal. Even the precedent in Hooton citing "*Page v. United States*, 356 F.2d 337, 339 n. 1 (9th Cir. 1966) noted that "[a]lthough motions for summary disposition are ordinarily granted or denied without opinion" the Ninth Circuit issued its opinion in that case "to clarify [their] position on such matters" and further holding that they "utilize an opinion in this case because this is the first instance to come to our attention in which the court has acted upon such a motion". Furthermore, in Hooton, the Ninth Circuit noted: "We will not, therefore, ordinarily entertain a motion to affirm where an extensive review of the record of the district court proceedings is required."

Pursuant to Circuit Rule 30-1.3, the pro se Petitioner did not submit excerpts of the record in the underlying appeal, and Defendants moved for summary affirmation without submitting an excerpt of the lower court record.

The Ninth Circuit refusal to review Petitioner's appeal or provide any opinion on the facts in support of its finding of "insubstantiality" is a departure from the duty to adjudicate and a breach of the implied contract with Petitioner for

adjudicatory services upon receipt of the court fees. The Ninth Circuit's refusal to review Petitioner's appeal is a clear departure from the accepted and usual course of judicial proceedings which calls for an exercise of this Court's supervisory power.

D. The Ninth Circuit's orders affirming summary affirmance and denying rehearing in the underlying appeal conflict with the Supreme Court decision in *Reno v. Flores*, 507 U.S. 292, 301-302 (1993), where this Court explained that a court will apply strict scrutiny when the challenged government action infringes on a fundamental right, finding at a minimum the "Fourteenth Amendments' guarantee of 'due process of law' to include a substantive component, which forbids the government to infringe certain 'fundamental' liberty interests at all, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interest".

Furthermore, in *Washington v. Glucksberg*, 521 U.S. 702, 720-21 (1997) the Supreme Court stated as follows:

> "Our established method of substantive-due-process analysis has two primary features: First, we have regularly observed that the Due Process Clause specially protects those fundamental rights and liberties which are, objectively, 'deeply rooted in this Nation's history and tradition,' ..., and 'implicit in the concept of ordered liberty,' such that 'neither liberty nor justice would exist if they were sacrificed,' Palko v. Connecticut, 302 U. S. 319, 325, 326 (1937). Second, we have required in substantive-due-process cases a 'careful description' of the asserted fundamental liberty interest."

The decisions by the US court members in the related civil actions, to deny Petitioner, and her child, their fundamental rights: 1) to petition the government for redress of grievances (i.e. on the RICO claims involving fraud upon the Superior Court of California and related to violation of 18 U.S.C. § 1425); 2) to petition the

government for redress and correction of the falsehoods in public documents from the judgements obtained through fraud upon the Superior Court of California to free the family of three from the ongoing forced servitude; and 3) to be afforded equal protection of clear laws and precedents are not "insubstantial" as to not be reviewed on appeal as a right.

The decisions to dismiss the 2011 Action, 2012 BK Action, 2017 RICO Action and 2021 Federal Claims Action, and affirmed in the related appeals, were unconstitutional in the unwillingness to hear and adjudicate Petitioner's claims:

a) that alleged fraud upon the Superior Court of California for deciding questions of immigration law without authority and for providing the rubber-stamped dissolution judgments subsequently used in the defrauding of the United States for procurement of naturalization;
b) that alleged racketeering activity relating to procurement of naturalization unlawfully under 18 U.S.C. § 1425; and
c) that alleged perpetuation of forced servitude and confinement under defamatory falsehoods over Petitioner's family of three.

Common sense dictates that a judge who acts in defiance or outside of his/her oath codified in 28 U.S. Code § 453 loses his/her jurisdictional authority entrusted upon taking the sacred oath, therefore he/she acts in fact in "the clear absence of all jurisdiction" and therefore cannot enjoy judicial immunity.

The district court dismissed Petitioner's complaint mostly on grounds of judicial immunity without addressing the crux of the matter that the named judges

acted in violation of their oath codified in 28 U.S. Code § 453 and therefore acted in "the clear absence of all jurisdiction".

The named judicial officers' decisions taken in violation of their oath departed from the accepted and usual course of judicial proceedings as to call for an exercise of this Court's supervisory power.

E. This Court is the highest in the Land with supervisory power over the lower courts' clear departure from the government promise to hear and adjudicate matters with impartiality and afford due process and equal protection with no regard to a litigant's disadvantaged status.

CONCLUSION

Petitioner prepared this petition to the best of abilities as a non-attorney with English as second language.

Petitioner, with her child, turned to the federal judicial system for redress from the forced and involuntary servitudes and the defamatory falsehoods over their family of three caused by the RICO enterprise who defrauded the Superior Court of California during their racketeering activities relating to procurement of naturalization unlawfully under 18 U.S.C. § 1425. Named U.S. judicial officers refrained from affording Petitioner and her minor child the equal protection of identified clear laws and precedents for the right to be heard on the claims stemming from the racketeering activity relating to unlawful procurement of naturalization.

The District Court dismissed the underlying action for redress under the Federal Tort Claims Act on the ground of judicial immunity and ignoring

Petitioner's claims that the judicial officers acted in defiance of their oath codified in 28 USC §453 therefore they cannot enjoy immunity for such acts taken in "the clear absence of all jurisdiction" as this Court determined in *Bradley v. Fisher*, 80 U.S. 335, 351 (1871).

Consequently, Petitioner's family of three was denied justice and the opportunity to correct the defamatory public records to get free from the involuntary servitude. Petitioner cannot live nor die without correcting the falsehoods in public records over her family of three and the legitimacy of her child, and without freeing from the forced and involuntary servitudes that continue to harm the family of three on all levels of life.

While this petition may be flawed as composed by the self-represented, it is the only form such litigant may come before this Court for the exercise of its supervisory power over the lower courts' refusals to decide claims of fraud upon the Superior Court of California and racketeering activities relating to procurement of naturalization unlawfully that further violate her family of three's rights secured under the First, Fourth, Thirteenth and Fourteenth Amendments.

The petition for a writ of certiorari should be granted.

Respectfully submitted on

February 2, 2026

Simona Tanasescu

Simona Tanasescu

Cover Corrected and resubmitted on March 13, 2026

Simona Tanasescu