

25-7061

No. _____

ORIGINAL

FILED
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SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

JABIAS D. JONES

— PETITIONER

vs.

MARTINEZ & LEVY

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FIFTH CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Why wasn't the three oldest children given to an able "WILLING" blood relative, such as the Petitioner?
2. How long should a case stay open when the biological parent's aren't following the rules of the family reunification plan?
3. What evidence does the defendants have to support the decision of adoption of the three oldest children OVER returning the children to the maternal grandmother?
4. How by, the Judicial authority of the defendants; former defendant Judge Nikki Mundkowsky & Child Protection Services; all "SUPPORTED" to give the petitioner custody of the youngest sibling. "THEN" all "ALSO" signed off on the "UNNECESSARY" adoption of the three oldest siblings?
5. Where is the supporting documentation with the signature of the petitioner's withdrawal of responsibility for the children, after solely caring the oldest three from Oct. 2017 till Dec. 2019?
(Youngest sibling from Oct.9, 2018-present.)
6. How did the defendant Levy remain on the case, after the petitioner reported Levy to the state bar in Jan. 2020; HE DID NOT report this to the courts & still had the most influential input on which way the case went?
7. Did the defendant Levy as Ad Litem receive special treatment in Judge Mundkowsky's courtroom because Levy was Judge Mundkowsky's former Professor at Baylor law?
8. Did the defendant Levy as Ad Litem for the children, bully the CPS workers/supervisors & have his way in the court room under his former protege Judge Mundkowsky who over looks his nasty, unprofessional behavior, while defendant Martinez just agreed with everything Levy did?
9. Why did the defendant Martinez D.A. CPS unit, do nothing to stop Levy's vendetta against the petitioner; & then leave the CPS unit after the filing of the original petition?
10. When did Child Protective Services, & the defendants decide to go against policies set forth in the Texas Family Codes pertaining to family reunification with a blood ABLE, & WILLING Relative?

LIST OF PARTIES

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

RELATED CASES

Nana kept her grandkids out of foster care, Then the foreclosure notice arrived. By: USA TODAY Journalist Jayme Fraser. Published Oct. 25, 2025. Updated Jan. 21, 2026.

While most cases are unique, this is the only case with details most similar to my case. The similarity of the way child protective services, can act like a BULLY when everything doesn't go their way.

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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 judgement below.

OPINIONS BELOW

The opinion of the United States court of appeals appears at APPENDIX A to the petition and is reported at The Fifth Circuit court of Appeals #25-50309 Jones v. Martinez.

The opinion of the United States district court appears at APPENDIX B to the petition and is reported at The Western District of Texas Waco Division Jones v. Mundkowsky 6:24-cv-00005-ADA

The Opinion of the United States District Court appears at APPENDIX C to the petition and is reported at the 74th Judicial District McLennan County Texas

JURISDICTION

The date on which the United States Court of Appeals decided my case was November 25, 2025.

No petition for a rehearing was timely filed in my case.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Petitioner, Ms. Jabias D. Jones of sound mind & competent, a living breathing woman Sui Juris, Pro se litigant. Declare by my autograph, in my own handwriting that the following FACTS in this petition for a writ of certiorari are true to the BEST of my knowledge and belief. I seek justice for the violations of my constitutional rights under 42 U.S.C. 1983 & 18 U.S.C. 242. And the Civil Rights Act of 1866.

My petition/lawsuit is an attempt to EXPOSE an organized crime ring of child exploitation. I requested the safe return of my oldest three grandchildren several times before the unnecessary adoption took place violating SEVERAL Texas Family codes.

This petition will demonstrate that I (and my entire family) have suffered an injury "in fact" that is TRACEABLE by means of abuse of judicial authority.

OVERALL, there are SEVERAL legal issues & constitutional violations raised in this case. The defendants by lack of procedural safeguards committed perjury & fraud by means of "illegal" tactics to process the "UNNECESSARY" adoption of my three oldest grandchildren, shortly after this same court, judge, ad litem, D.A, & child protective services supported giving the petitioner full custody of the youngest sibling born during the first CPS case of the oldest three. This violates House Bill 567; Texas family codes 153.001; 153.002; 153.432; 153.433; 153.434 & chapter 262 sub chapter B, by "NOT" doing what was in the best interest of the children. *In re M.C.H., 317 S.W.3d 764(Tex.App.2010) My youngest grandchild, the sibling of; is unnecessarily growing up without his siblings. *Mathews v, Eldridge, 424 U.S. 319(1976).

What happened to CPS'S

best policy of keeping family together with "Reunification" with a "ABLE", "WILLING" blood relative like myself. The "DESTRUCTION" of families due to the poor handling & coercion of child protection services teamed up with corrupt courts is definitely a crime that has to be exposed. And given the "trust" placed in the judicial tribunals to dispense justice, one might consider harm that accrue from the abuse of judicial authority to be even more significant than those from private violence.

STATEMENT OF THE CASE

Texas Family Code 153.432 allows a biological grand parent to file an original suit for possession. I met all the qualifications of the grandparents rights of the Texas Family Codes 102.003;102.004;102.005. In fact I MET all the requirements of Texas Family Code Title 5's sub-chapter 262.001(b); sec.264.751; sec.264.7551; sec.573.023(a). My case was prior to 9-1-25 House Bill 2350 & Senate bill 2052.

The system of Child Protective Services is failing children, failing families, & failing our country as a whole. Relatives are losing custody without "cause" in far too many cases. The lack of a sound legal system as it is; Child protective services has a reputation for dishonesty & fabricating evidence & their social workers can be some of the most unreliable individuals one may encounter. I did not receive fair engagement in the hearings held on 10/13/21 & 10/21/21 in the court room of Judge Mundkowsky district court. During modification hearing that was combined with the termination of the parental rights. That resulted in all my requests bring denied. The youngest sibling and the petitioner wasn't even granted any form of visitation. How could not only the defendants, but the adoptive parents & the entire court room NOT SEE & ACKNOWLEDGE a grand mother's love & the fact that I am fighting to keep my family together. In situations like this, the defendants rely on judicial immunity to cover their organized crime of kidnapping children in plain sight. Working together to elaborately control the CPS cases, so they can continue this type of corruption for "money" and a "facade" appearance, while destroying lives. My grandchildren "did not need" to be adopted. They were merely seen as candidates for adoption day at Baylor Law. Supporting their partnership with Harris Creek Church.

JUSTICE-vs-LAW

I have been in fear of my life being taken because of what I've uncovered by not giving up. I reported this organized crime in detail to the FBI. Along with the fact that their partnered church, Harris Creek; cleared a seven figure debt in three years with the aid of their affiliation with CPS. After investigation, the FBI recently arrested an intern/ex-employee of the church. 25 yr old Garrett Edward English for child porn charges with the intent to promote on July 10,2025. This has been part of my worst nightmare, that their childhood may have been ruined by some type of awful act such as this. These children could be SAFE with their maternal grandmother & youngest sibling.

IN TEXAS, KIDS TAKEN INTO CUSTODY LEAVE A KINSHIP PLACEMENT TWICE AS OFTEN AS THE NATIONWIDE RATE. ACCORDING TO A USA TODAY ANALYSIS OF FEDERAL DATA TRACKING KIDS REMOVED FROM THEIR HOMES IN A FOUR YEAR PERIOD. A SYSTEM THAT JUDGE JANIS JACKS STATED IN 2015 WAS BROKEN IN A MULTITUDE OF WAYS, "MOST IMPORTANTLY" THOUGH IT IS BROKEN FOR TEXAS'S PMC CHILDREN, WHO ALMOST UNIFORMLY LEAVE STATE CUSTODY MORE DAMAGED THAN WHEN THEY ENTERED.

REASONS FOR GRANTING THE PETITION

JUSTICE DELAYED IS JUSTICE DENIED.

By "MERCY" of the court "HELP" make this situation make sense.

The defendants lack immunity from prosecution for violating constitutional rights under 18 U.S.C. 242. Congress acted to proscribe criminal conduct such as the defendants in the Civil Rights act of 1866.

I, JABIAS D. JONES am not on probation nor parole. Nor did I receive any type of government assistance when SOLEY caring for all four children. In the last 6-7 yrs, I have spent my "entire" retirement caring for my grandchild(ren) & fighting for the safe return of my flesh & blood, my offspring's DNA; *Supreme Court, 1969, Sniadach v. Finance Corp. 395 U.S. 337, 349. The youngest sibling is growing up unnecessarily without his siblings.

WITH INSULT TO INJURY; recently, I received a call from a CPS social worker Dakena O. Freeman on Dec.17,2025@ 9:39a in regards to me assuming responsibility for one of the grandchildren immediately. CPS was called by a facility on concerns of Refusal to Assume Parental Responsibility (RAPR). By the adoptive parent Kellie Davidson. We did all the necessary procedures by way of the social worker Dakena O. Freeman. 1. Interviewing the youngest sibling at school. (slightly embarrassing by the assumptions) 2. Inspecting & taking pictures of my home (unexpectedly) 3. Contacting all references & concluded the necessary paperwork to place the child in my possession. With the support the family therapist Mrs. Yolanda Attaway, MA.,LPC-S yattaway@4counseling.net 254-744-7532; as the emergency back up provider on the CPS plan, because of the last minute request. All this in two days of consistent effort, only to have the social worker DENIED permission to pick the child up from the facility she was abandoned at, that made the call to CPS & bring her to her biological grandma. This after the social worker Dakena O. Freeman stated that the adoptive mother Kellie Davidson was "ABDAMENT" that she did not want the child back in the home. On the document I was given to sign, (Notification of Rights?) states the allegations against the case name Kellie Davidson with CPS case #50848708. Then at the last minute decide to keep the child in the home? I was heartbroken yet again. My family had to sustain another DEEP CUT in a wound that never healed. This system would rather assist in using medications to brainwash children to accept their conditions. I have to keep fighting for my grandchildren.

There is a general rule that a ministerial officer who acts wrongfully, although in good faith is nevertheless liable in civil action & cannot claim the immunity of sovereign. There is no statute of limitation on fraud. *In re Bolens 135 N.W. Rep. 164 (1912) Supreme Court Wisconsin.

"FACTS" in time doesn't change & therefore I can easily lay out all the deception by means of Perjury, & Fraud committed to the point.

American citizens must be heard. Rich or Poor. Blue collar workers such as myself must stand up for what is right & help expose what is wrong.

Crimes in court will continue otherwise. This matter must be exposed to avoid the ability for CPS & the court appointed officials from engaging in crimes of perjury & fraud. How many families have been unnecessarily destroyed by the hands of the defendants. The case before you has proof that me & my family are victims of their organized crimes involving innocent children. I ask that the poor handling of CPS be investigated by congress. No grandparent or willing able biological relative should have to suffer like I am/have. Together we can make a change & avoid situations like this in the future. Help me bring my grandchildren home where they belong.

CONCLUSION

This is an ISSUE of National Importance. I PRAY that with the power of the Supreme Court, changes are made by congress to prevent the poor handling of Child protective services nationwide.

The Petition for writ of certiorari should be granted.

In GOD I TRUST
Respectfully submitted,
In Good Faith
Without Prejudice UCC 1-308

Ms. Jabias D. Jones
January 29, 2026