

25-7160

No. USCA 5 No. 24-3300

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SUPREME COURT U.S.

**ORIGINAL**

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
Kelli Prather — PETITIONER  
(Your Name)

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Sixth Circuit

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

PETITION FOR WRIT OF CERTIORARI

Kelli Prather 38314-509

(Your Name)

Atwood Satellite Camp P.O. Box 14525

(Address)

Lexington, KY 40512-4525

(City, State, Zip Code)

(859)255-6812

(Phone Number)

## QUESTION(S) PRESENTED

1. When a Defendant is in custodial custody and an FBI agent interrogated the defendant is the Agent required to Mirandize the defendant? If the agent fails to allow the defendant to Plead the Fifth is this illegal and a violation of Amendment V?
  2. Can a corporation bring charges against a citizen if they are a member of the Press and disclose information about a lawsuit against the company? If charges are brought against the journalist is that a violation of Amendment I?
  3. In all criminal proceedings is the defendant entitled to a speedy and public trial, entitled to notification of the witnesses against her, entitled to have witnesses called in her favor and entitled to be represented by effective Counsel? If either of these rights are violated is this a violation of Amendment VI?
  4. If a defendant contacts the FBI for assistance, the agents eventually show up at the home of one of the defendant's family member, agrees to meet with the defendant in custodial custody at the FBI office (under the guise of helping the defendant) fails to disclose that this is a criminal investigation, fails to Mirandize the defendant, interrogates the defendant in a taped interview, and eventually use an excerpt from the taped interview to secure a criminal conviction against the defendant is this illegal? Is the excerpt inadmissible in a court of law and considered fruit of the poisonous tree and inadmissible during the trial? Were the agent's actions illegal and this process considered "constructive parallelization" and violation of Amendment V and Amendment XIV (failure to provide equal protection of the law)?
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## LIST OF PARTIES

- All parties appear in the caption of the case on the cover page.
- All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## RELATED CASES

United States District Court for the Southern District of Ohio  
((Western Division) at Cincinnati, Ohio - civil cases

- a. Prather v. United States of America et al 1:25-cv-679
- b. Prather v. Vance et al 1:25-cv-874
- c. Prather v. Hamilton County Board of Elections et al 1:25-cv-809

Cincinnati, Hamilton County, Ohio - Hamilton County Court of Common Pleas

- a. State of Ohio v. Kelli Prather B2304708
  - b. Kelli Prather v. Experimental Holdings Inc. A140001
  - c. Kelli Prather v. Experimental Holdings Inc. A1400863
  - d. Kelli Prather v. City of Cincinnati case No. Unavailable
  - e. Kelli Prather v. Naphcare Incorporated case No.
  - f. Kelli Prather v. Darrell Willis case
  - g. Kelli Prather v. Cary and Dr. Kesha Williams
-

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## TABLE OF AUTHORITIES CITED

### CASES

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1. United States Court of Appeals for the Sixth Circuit case No. 24-3300, Direct Appeal United States of America v. Kelli Prather Date of Decision May 27, 2025, Before - Circuit Judge Thapar, Circuit Judge Bush and Circuit Judge Larsen  
and
  2. United States District Court for the Southern District of Ohio at Cincinnati, case No. 1:21-cr-00038-1 United States of America v. Kelli Prather, Date of Decision July 25, 2024  
Matthew W. McFarland District Judge
- 

### STATUTES AND RULES

#### Constitutional Provisions

The Constitutional provisions that this Petition for Writ of Certiorari hinges upon are outlined below:

The Constitution of the United States of America begins as follows: "We The People of the United States in order to form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the Common Defense, promote the general Welfare and secure the Blessings of Liberty to ourselves and our Posterity do ordain and establish this Constitution of the United States of America. Unfortunately for the past 25 years Ms. Kelli Prather and her family, have been unjustly denied and deprived of the Justice, Tranquility, General Welfare and Blessings of Liberty that are guaranteed within the Constitution. On July 25, 2024, after being Unjustly Charged and Railroaded, Kelli Prather was convicted of crimes that she did not commit. Further Ms. Kelli Prather asserts that she has been subjected to violations of her rights under the Constitution as follows:

Amendment I - Denied Freedom of Speech, Religion and Free Exercise as a Journalist (the Press).

Amendment II - Denied the Right to Bear Arms

Amendment IV - Ms. Prather's Person and Property was Unjustly Searched and Seized: Kelli Prather was Subjected to a Warrant Without Probable Cause

Amendment V - Kelli Prather was Subjected to Self-Incrimination and Incarcerated without being Mirandized or Given Due Process

Amendment VI - Kelli Prather was Denied a Speedy and Public Trial, Denied the Opportunity to Call Witnessed in her Defense

Amendment XIV - Kelli Prather was Denied Equal Protection of the Law

Article 1 - Kelli Prather was Denied the Opportunity to be placed on the Ballot to Run as a candidate for United States Senator.

### OTHER

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Now comes, Pro Se Defendant - Petitioner, Kelli Prather in forma pauperis pursuant to 1 Federal Habeas Corpus Practice and Procedure and invoked under 28 U.S.C. 1254 (1) petitioning this Honorable Court to accept this Writ of Certiorari and Grant the appeal and Decision rendered under Direct Appeal case No. 24-3300 from the United States Court of Appeal for the Sixth Circuit dated May 27, 2025.

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Amendment V - Defendant Kelli Prather is being held in violation of the Fifth Amendment of the Constitution and Prosecutorial Misconduct related to self-incrimination and forcing a citizen to testify against herself. Amendment V states that no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment of an indictment of a Grand Jury, nor shall be compelled in any criminal cases to be a witness against himself, nor be deprived of life or liberty or property without due process of law. In 2021, Ms. Prather was in custodial custody at the Cincinnati FBI office, was not presented with an indictment, and subjected to an interview that was taped and used by the Prosecution/Government. During the taped interview, Ms. Prather was interrogated; however, she was not presented with an indictment during that interview; nor, Mirandized (given an opportunity to Plead the Fifth). Further, during the subsequent federal trial for case No. 1:21-cr-00038 Special Agent Ferron Yi, used an excerpt from the taped interview to secure a conviction against the Defendant.

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Amendment 1 - Defendant Kelli Prather asserts that Fifth Third Bank Manager - Nick Goetz unjustly caused charges to be brought against Ms. Prather in violation of Freedom of Speech and Freedom of the Press. After speaking with Nick Goetz on five instances regarding loans available through the CARES Act of 2020, Ms Prather became frustrated and asked to speak with his supervisor. Ms. Prather also referenced a \$10Bil lawsuit settlement by Fifth Third bank for denying loans that were made available through the Community Reinvestment Act (CRA OF 1971) to Black home and business owners. Ms. Prather also disclosed that she is a journalist and she discussed the lawsuit on her podcast. Thereafter Mr. Goetz work with Fifth Third Bank underwriter David Bolin and Fifth Third Banker Jacob 'AJ' Robinson to initiate an investigation against Ms. Prather.

Amendment VI - Defendant, Kelli Prather is being held in violation of the Sixth Amendment. Amendment VI states in all criminal proceedings the accused shall enjoy the right to a speed and public trial. In violation of the Sixth Amendment, Ms. Prather was on pretrial release for two years prior to going to trial on a superseded indictment. The Sixth Amendment also states the accused shall be informed of the nature and cause of the accusations, to be confronted with the witnesses against her, and to have compulsory process for obtaining witnesses in her favor. Although Ms. Prather had Counsel, she was not informed who the Prosecution intended to use as witnesses to confront her until the trial. Nor, did the Prosecution give her an opportunity to obtain; nor call witnesses or present evidence in her favor.

Amendment XIV - Plaintiff Kelli Prather asserts that she was denied Equal Protection of the Law by local, state and federal law enforcement. Amendment XIV states that all persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and the state wherein they reside. No state shall deprive any person of life, liberty or property without due process of law, no deny to any person within its jurisdiction equal protection of the laws. Ms. Prather reached out to local, state and federal law enforcement agencies and was denied equal protect of the law. Resultingly, Kelli Prather's life and livelihood was significantly impacted, jeopardized and ultimately Ms. Prather was unlawfully subject to self-incrimination and denied freedom through imprisonment.

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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

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix 1 to the petition and is

- reported at U.S. Court of Appeals File Name 25a0138p.06; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the United States district court appears at Appendix J to the petition and is

- reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was May 27, 2025.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A \_\_\_\_\_.

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

For cases from **state courts**:

The date on which the highest state court decided my case was \_\_\_\_\_.  
A copy of that decision appears at Appendix \_\_\_\_\_.

A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## STATEMENT OF THE CASE

Now comes, Pro Se Defendant - Petitioner, Kelli Prather in forma pauperis pursuant to 1 Federal Habeas Corpus Practice and Procedure and invoked under 28 U.S.C. 1254 (1) petitioning this Honorable Court to accept this Writ of Certiorari and Grant the appeal and Decision rendered under Direct Appeal case No. 24-3300 from the United States Court of Appeal for the Sixth Circuit dated May 27, 2025.

Plaintiff Kelli Prather asserts that she is being held in violation of the Fifth Amendment (Amendment V) of the Constitution and ineffective Counsel. Amendment V of the Constitution states that no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment of an indictment of a Grand Jury, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life or liberty or property without due process of law. In August 2021, Ms. Prather was in custodial custody at the Cincinnati FBI office. During the taped interview, Ms Prather was interrogated; however, she was never presented with an indictment, nor Mirandized (not given an opportunity to please the Fifth). Further during the subsequent federal trial for case No. 1:21-cr-00038-1, Special Agent Ferron Yi, used an excerpt from the taped interview against Ms. Prather. Kelli Prather was forced to serve as a witness against herself in violation of Amendment V.

Plaintiff Kelli Prather asserts that Fifth Third Bank Manager - Nick Goetz unjustly caused charges to be brought against Ms. Prather in violation of Amendment I. After speaking with Nick Goetz on five instances regarding loans available through the CARES Act of 2020 Ms. Prather became frustrated and asked to speak with his supervisor. Ms. Prather also made the following statement to Mr. Goetz. "I am aware that Fifth Third Bank was recently a party to a \$10 Bil lawsuit settlement for denying loans that were made available through the Community Reinvestment Act (CRA) of 1971 To Black home and business owners, I hope this will not be the same type of experience. Ms. Prather also disclosed that she is a journalist and she discussed the lawsuit on her podcast. Thereafter, Mr. Goetz initiated an investigation against Ms. Prather

Plaintiff Kelli Prather asserts that she is being held in violation of the Sixth Amendment (Amendment VI). Amendment VI states in all criminal proceedings the accused shall enjoy that right to a speedy and public trial. In violations of the Sixth Amendment Ms. Prather was on pretrial release for two-years prior to trial on a superseded indictment. The Amendment also states the accused shall be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor and to have the Assistance of counsel for his defense. Ms. Prather was not informed who would serve as witnesses for the Prosecution; nor did she have an opportunity to obtain witnesses in her favor and she had ineffective counsel in violation of Amendment VI.

Plaintiff Kelli Prather asserts that she was denied Equal Protection of the Law by local and federal law enforcement. Amendment XIV states that all persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No State shall deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction equal protection of the laws. Ms. Prather reached out to local and federal law enforcement and was denied equal protection of the law. Resultingly, Kelli Prather's life and livelihood was jeopardized and ultimately Ms. Prather was unlawfully denied Freedom and subjected to imprisonment.

Kelli Prather is a natural born African American citizen of the United States of America. Ms. Prather is an occupational therapist, a real estate investor, a sole proprietor/business owner, a social justice and civil rights advocate, a journalist, a member of the Greater Cincinnati African American Chamber, the National Community Reinvestment Coalition and a former member of the Greater Cincinnati Community Reinvestment Coalition of 2017. In 2021, Ms. Kelli Prather was unjustly charged and railroaded. Thereafter, a jury convicted Kelli Prather of bank fraud, wire fraud, aggravated identity theft, and making a false statement on a loan application. The district court sentenced her to 84 months imprisonment. Prather is petitioning to Honorable court to Grant her Writ of Certiorari in hopes of having the convicts overturned and sentence vacated.

## REASONS FOR GRANTING THE PETITION

### Introduction

Kelli Prather is a natural born African American citizen of the United States of America. Ms. Prather is an occupational therapist, a real estate investor, a sole proprietor/business owner, a social justice and civil rights advocate, a journalist, a member of the Greater Cincinnati African American Chamber, the National Community Reinvestment Coalition and a former member of the Greater Cincinnati Community Reinvestment Coalition of 2017. In 2021, Ms. Kelli Prather was unjustly charged and railroaded. Thereafter, a jury convicted Kelli Prather of bank fraud, wire fraud, aggravated identity theft, and making a false statement on a loan application. The district court sentenced her to 84 months imprisonment. Prather is petitioning to Honorable court to Grant her Writ of Certiorari in hopes of having the convicts overturned and sentence vacated.

Kelli Prather filed a Petition for Writ of Certiorari on July 22, 2025 for United States Appeal Court case No. 24-3300 and invoked under 28 U.S.C. 1254(1). Ms. Prather filed a Motion to Extend the Time to file for a Writ of Certiorari on January 28, 2026 since she was on Writ, not in Federal Custody and at the Hamilton County Justice Center. The Petition for Writ of Certiorari prepared by Kelli Prather and mailed through U.S.P.S. from the Hamilton County Justice Center was never delivered to the United States Supreme Court.

### Constitutional Provisions Involved -

The Constitutional provisions that this Petition for Writ of Certiorari hinges upon are outlined below:

The Constitution of the United States of America begins as follows: "We The People of the United States in order to form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the Common Defense, promote the general Welfare and secure the Blessings of Liberty to ourselves and our Posterity do ordain and establish this Constitution of the United States of America. Unfortunately for the past 25 years Ms. Kelli Prather and her family, have been unjustly denied and deprived of the Justice, Tranquility, General Welfare and Blessings of Liberty that are guaranteed within the Constitution. On July 25, 2024, after being Unjustly Charged and Railroaded, Kelli Prather was convicted of crimes that she did not commit. Further Ms. Kelli Prather asserts that she has been subjected to violations of her rights under the Constitution as follows:

Amendment I - Denied Freedom of Speech, Religion and Free Exercise as a Journalist (the Press).

Amendment II - Denied the Right to Bear Arms

Amendment IV - Ms. Prather's Person and Property was Unjustly Searched and Seized: Kelli Prather was Subjected to a Warrant Without Probable Cause

Amendment V - Kelli Prather was Subjected to Self-Incrimination and Incarcerated without being Mirandized or Given Due Process

Amendment VI - Kelli Prather was Denied a Speedy and Public Trial, Denied the Opportunity to Call Witnessed in her Defense

Amendment XIV - Kelli Prather was Denied Equal Protection of the Law

Article 1 - Kelli Prather was Denied the Opportunity to be placed on the Ballot to Run as a candidate for United States Senator.

The Court of Appeals for the Sixth Circuit adopted the Decision of the District Court primarily based on Plain error caused by trial Counsel. However neither the Circuit Court nor the District court acknowledged or addressed the Constitutional Rights' violations the defendant was subjected to within this case and trial.

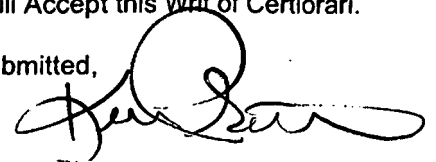
### Conclusion -

The United States of America unjustly charged and railroaded Ms. Kelli Prather to a vile, militia style attack in retaliation for engaging in peaceably assembled act of civil disobedience (Cincinnati, OH 2001), serving as a Whistleblower for Medicare and Medicaid Fraud (New York City, NY 2007), using her social justice and political platform to disclose the misappropriation of billions of dollars in federal funds (Cincinnati, OH 2005 - 2024). Further, the United States subjected Ms. Prather, and her family, to cruel and unusual punishment, unlawful acts, political sabotage and unlawful imprisonment. This Writ of Certiorari is being presented in hopes that the Honorable United States Supreme Court Justices will review the information enclosed in the Appendix and overturn the Federal Convictions from case No. 1:21-cr-00038-1.

For the following good causes, this Defendant-Appellant, prays that this Honorable Court will Accept this Writ of Certiorari.

Respectfully submitted,

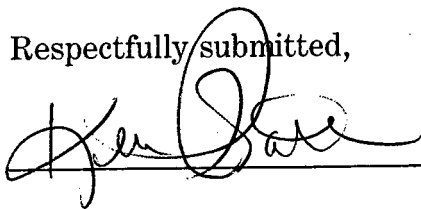
Kelli Prather



**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
\_\_\_\_\_

Date: February 23, 2026