

25-7198

The Supreme Court

OF the

United States of America

ORIGINAL

1 First Street NE, Washington, DC, 20543

Barbara Anne Clark

Petitioner

FILED
DEC 29 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

V

Hospital University Pennsylvania &

Penn Medicine Orthopedics

Scaricamazza, Devitt, Naulty, Betty Alder

/Defendants/3rd party law firm Respondents

Writ of Certiorari

To The Supreme Court of United States

Of America

(From United States District Trail & Third Circuit Court Of Appeals

Petition For Writ of Certiorari

Barbara Anne Clark Pro se litigant/Plaintiff/ Petitioner

322 East Chestnut Street apt 6 Coatesville PA 19320(temporary

)Anneclark9601@gmail.com Phone number)610)563-8090

1.Question Presented

2a).Whether the United States District Court of Eastern Pennsylvania district judge Murphy upheld the constitutional and statutory right in the United States District Court of Eastern Pennsylvania ,my right to petition the government for redress grievance in civil litigation proceedings In pursuant to 28U.S.C.section 1331 in which states district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

2b).Whether The United States Third Circuit Court of Appeals L.A.R.

34.1(a) had appellate jurisdiction to review my appeal in pursuant to number and composition of venue in pursuant to 28U.S.C.section 41, of The United States thirteen Circuit Courts of Appeals

2c) Whether both United States trail district court and Third Circuit appellant Court L.A.R.34.1

(a)(local appellant Rule) violated Federal Rules of civil and appellant procedure and the United States Constitution of America. in allegedly Illegally misleading the process of litigation

and jurisdiction venues. By using tactics of the old abolished tradition of judicial code of 1911 of circuit riding, merging trail and circuit courts.

These alleged unlawful actions is proof of abuse in discretion, bad faith tactics

Of the judicial system in the process of civil litigation

according to the law. These actions was unconstitutional and it

warrants the importance of The Supreme Court of United States of America of review of writ of certiorari in pursuant to Supreme Court Rule 10.

The Supreme Court of the United States of America's review of this civil case is of sufficient seriousness of alleged violations of the United States Constitution of America.

Violation of these laws and federal rules of procedures of justice by the federal trail and Third circuit courts and Judges

L.A.R.34.1(a) is of substantial concern of

the Supreme Court of United States America Justices to uphold the United States Constitution of America in resolution of justice in my civil case.

2. Parties to the proceedings

Petitioner, Appellant Barbara Anne Clark is the Pro-se litigant/self/

representation

322 East Chestnut Street apt 6

Coatesville PA,19320(temporary address)

The Respondents /Defendants Third Party law firm Counsel's Thomas Savon

,Devitt,and Scaricamaz, Naulty representing the defendants Hospital University

Pennsylvania,Penn Medicine Orthopedics

Third parties law firms address is

1Penn Center,1617 JFK suite 750 Philadelphia PA,19103.

19103tsavon@naulty.com

Ph:()215)568-5116 Fax)215)568-2077

Including the defendants

Insurance attorney Betty S Alder FMCTower Cira Centre

South 2929 Walnut Street Philadelphia PA,19103

3. Table of Contents

1.Question presented

2 Parties of the proceedings

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4. Appendixes

Appendix A-1-6 November 4, 2024

Memorandum /order decision of United States Eastern Pennsylvania

District trial Court Judge John F. Murphy dismissed civil medical malpractice case for lack subject matter jurisdiction.

Statement in memorandum includes District Judge John Murphy admitting the Defendants is negligent in my medical treatment (civil case docket number 24:Civ-02970 JFM)

Appendix B 1

June 9, 2025 First filed Opinion /judgement denied decision of Third Circuit

Court L.A.R. 34.1(a) Three panel judges Phipps Krause, and Roth. Filed Opinion was Signed per cuim civil case docket number 24:3197).

And

Appendix B 2: judgment of Third Circuit three panel judges submitted June 9,2025

Appendix C Notice from third Circuit Clerk of Courts stating litigant and defendants counsel date

of circuit judge's hearing for oral argument on April7,2025 and Counsel's present is not

required.Judgment Third Circuit Court of Appeals L.A.R.34.1(a)(without printed docket number

filing number at top of the page. Signed by circuit clerk of courts not third circuit panel judges

L.A.R.

Appendix D1 September 11,2025 The third Circuit Clerk of court providing information in

reference to the appellate's motion

request for type of rehearing.(civil case docket number

24:3197)

Appendix D 1 and 2:August 20,2025 Decision Granted motions for

rehearing, extended time, summary judgment order signed by Third

circuit judge Phipps(civil case docket number 24:3197)

Appendix E1-3 summary case docket for the Third Circuit Court L.A.R.34.1(a)Appeal civil case

docket number 24:3197

Appendixes F 1-3 Summary case docket sheets for cases number 24-Civ-0297-JFM

Appendix G1&2:October 3,2025 third circuit clerk of courts

submitted en-banc Third Circuit judges response to rehearing

decision denied Sur petition without vote or judgment .(civil

case docket number 24:3197)

Appendix H: October 8,2025 Document from circuit clerk of

courts noting motion is on record (24:3197)

5. Table of Authority

In the 1816 case of Martin v. Hunter's Lessee .The

Supreme Court ruled that the Constitution is a deemed

federal law and the "supreme law of the land" and held that

it was the proper duty of the Supreme Court to ensure that

national interests were not contravened by state goals or prejudices.

Marbury v. Madison (1803) In Marbury v. Madison (1803) Established the doctrine of judicial review the

Judiciary Act of 1789, Congress gave the Supreme Court the authority to issue certain judicial writs. The Constitution did

not give the Congress this power, Because the Constitution is the

Supreme Law of the Land, the Court held that any

contradictory congressional Act is without force. The ability of

federal courts to declare legislative and executive actions is

unconstitutional..

The U.S. Constitution of America is the Supreme law of the land.: The

Constitution is the source of all government power, but it

also places limitations on that power and protects citizens'

fundamental rights. The Supreme Court has the power of

judicial review, meaning it can determine whether a law

passed by Congress or a state legislature is

unconstitutional. If a law is found to be unconstitutional, it can no longer be enforced.

6. Opinions Below

Previous alleged official and unofficial reports in Opinion/Decisions and orders entered in the

cases by the Courts of the United States District Court of the Eastern Pennsylvania and Third

Circuit Court of Appeals civil docket case numbers (No.24-cv-02970-JFM trail-court),Third Circuit

Court of appeals (24:3197)

First was rendered on November 4,2024 at

601 Market Street Philadelphia PA,19106) In regarding to my

civil medical malpractice case against the defendants ,Hospital

University Pennsylvania and Penn Medicine Orthopedics was

denied for lack subject matter jurisdiction.(appendix A 1-5and 6)

B)I filed an appeal on January 15,2025 to the (United States

Third Circuit Court of Appeals.civil case docket number(No.24-3197 at

601 Market Street Philadelphia PA,19106 floor21, was also

denied for lack subject matter jurisdiction rendered on June 9,2025),(appendix B1,B2)

C)Motion for review rehearing was then granted on August20,2025 (appendix D1),and then

later (civil case docket number

24:3197.3rd Circuit Court of Appeals)

D) Sur petition for rehearing denied by en banc without a rendering judgment on October

3,2025 recorded by (3rd Circuit clerk Courts of

Appeals civil case docket number 24:3197)

(The Third Circuit's en banc court's last response was recorded by

the third circuit clerk of courts was a Sur petition for rehearing.

While my initial filing was to Three panel circuit judges to

correct fundamental errors. However ,The response from the

clerk of courts was a Sur petition for rehearing which was

denied without official vote from three panel judges or en banc

judges was entered on October 3,2025.) (See appendix

G1 an G2

The previous decisions of United States trail and 3rd Circuit Court of Appeals is based on civil litigation process of medial malpractice case disputes of lack of subject matter jurisdiction and an incomplete legitimacy response from 3rd Circuit Court of Appeals.

The memorandum decision of the United States District Trail Court dismisses my civil case due to lack subject mater violations My statutory and constitutional right in pursuant to 28U.S.C. Section 1331Federal question jurisdiction ,and equal protection of laws within it's jurisdiction of the 14 amendments of United

States Constitution America

The composition and disposition of the Circuit Court of Appeals in pursuant to 28 U.S.C.section 41 is not 3rd circuit court of Appeals L.A.R.35.1(a) jurisdiction located at 601 Market Street Philadelphia PA,191106.

In matter of 3rd Circuit Court of Appeals L.A.R.34.1(a) decision-not

reported or reproduced on October 3,2025 didn't apply to 37 CFR

42.23 opposition and replies in litigation of statement of material

fact in response to litigants filing of motions.

7. Jurisdiction

Jurisdiction of the Supreme Court of the United States of America Supreme Court Rule 14: The

jurisdiction of Supreme Court of United States of America's original jurisdiction is invoked

according

to Article III, Section 2, Clause 2 of the United States of America.

This case is sought to be reviewed by Supreme Court of United States of America in previous

rendering opinions and judgments of

The United States 3rd Circuit Court of Appeals L.A.R.35.1(a),and United States District Trail Court

civil cases docket

numbers 24:3197,24:Civ-02970 JFM.

Last response was 3rd Circuit Court of Appeals L.A.R. Sur petition denying my petition for panel rehearing and

summary judgment of en banc review was not decided

but was entered on October 3, 2025. (See

in Appendix G1 and G2).

This writ of certiorari is timely mailed on December 29, 2025 to The Supreme Court

of United States of America clerk's of courts office within the 90 days after last entry of Third

Circuit

Court, and resubmitted corrections sent within 60 on February, 2026 to Supreme Court's of

United States of America's clerk of Court.

Defendants was served on February 2026.

8. Constitutional Provisions involved

b) Marbury v. Madison (1803 In a landmark case,

Marbury v. Madison (1803), Marshall ruled that acts

of Congress can be reviewed and struck down if the

court deems them to be unconstitutional. This

power of judicial review, which the court had

previously exercised in upholding federal laws,

allowed Marshall to substantiate the court's power by ruling that Section 13 of the Judiciary Act

of 1789

was void and violates Article 3 of the United States Constitution of America Constitution.

Without this power, the provisions within the First

Amendment and elsewhere in the Bill of Rights

would not have had nearly the impact they have

had in American history.

(such as My right to petition for redress grievances)

14 amendment to the United States constitution

section 1

The fourteenth amendment to United States

Constitution

Section 1 States

All persons born or naturalized in the United States, and

subject to the jurisdiction thereof, are citizens of the

privileges or immunities o

United States and of the State wherein they reside. No

State shall make or enforce any law which shall abridge

the 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 of the law.

9. Petition for Writ of Certiorari

I petitioner Barbara Anne Clark pro-se litigant, respectfully

petitions The Supreme Court of United States of America to grant writ of certiorari for review

of the opinions ,judgments and fundamental issues of both relations of the United States

District Court of Eastern Pennsylvania and the United States Third Circuit Court of Appeals

L.A.R.34.1(a) in conducting processing of serious violations civil injustice

litigation in accordance to matter of law.

Below is a summary of statement listing of the previous

injustices of this litigation proceeding with argumentative

evidence of constitutional law imposed to injustices of this

civil litigation process.

10.Summary Statement of Case and /Argument.

On November 4,2024 the United States District Judge

John F. Murphy dismissed my civil medical malpractice

case due to lack of subject matter jurisdiction. An Oral
argument hearing was held at the United States District
Court of Eastern Pennsylvania on October 25,2024
,located at 601 Market Street Philadelphia PA,19106
civil case number 24:Cv-02970-JFM.

On January 15,2025 I filed an appeal to the United States
Third Circuit Court of Appeals.civil case docket number
24:3197. Also, located at 601 Market Street 21 floor
Philadelphia PA,19106. On April 7,2025,I was notified my
appeal was submitted to TheThird circuit court of16
appeals,L.A.R. 34.1(a), three panel judges Krause, Phipps and Roth.
The Defendants are In default in accordance to Fed.R.Civ.P.

I also amended entry of default against the defendants with
my appeal requesting the court to grant default judgment

against the defendants on grounds of newly discovered

evidence pursuant to Fed.R.Civ.P. 60 (b).)

I found The defendants were in default .Third party law firm

and defendants insurance attorneys both Thomas Savon and Betty

S Alder error in legal proceedings in refiling of timing of entry of

appearance on behalf of their defendants.(My complaint was

filed on July 9,2024,The defendant's error was discovered on

the day of oral argument which was held on held on October

25,2024 .(see summary case docket sheet in appendix G)

I stated The defendants are in default in my appeal to Third Circuit Court of Appeals L.A.R.

35.1(a)in accordance to

Fed.R.Civ.P.12(a)Rule 12 of defense and objection states a defendant must serve an answer: (i)

within 21 days after

being served with the summons and complaint;The panel

judges should've striked all the defendant's attorneys .

Prior filing including entry of appearance before October

25,2024.

On June 9,2025 Third circuit panel judges denied my appeal On August 12,2025I filed a motion of review requesting the three panel district judges to review their rendered decision on June ,9,2025 for dismissing my appeal for lack subject matter jurisdiction.

My motion of review included a amended motion for summary judgment with amended rehearing in accordance to Fed.R.Civ.P.60(b)(1)

On August 20,2025One of the Third Circuit Judge Phipps Ordered my Granted my motion of review motion summary judgment motion with amended motion too add rehearing. (See in Appendix D.)

Without any objection from Appellees

On October 3,2025 Circuit judge Phipps denied petition for rehearing en banc , previously order granted motion for rehearing to amend summary judgment motion with rehearing issued on August 20,2025 (see in appendix G1,2)

The denied motion of rehearing stated Sur petition for rehearing didn't deny the additional

granted motions request on order such as granted summary judgment.(argument

In accordance to § 42.23 Oppositions, replies,

and sur-replies.(Sur petition)

(a) Oppositions, replies, and cur-replies must comply with the content requirements for motions

and, if the paper to which the opposition, reply, or

sur-reply is responding contains a statement of

material fact, must include a listing of facts that are

admitted, denied, or cannot be admitted or denied.

Any material fact not specifically denied may be

considered admitted.

My Argument

My motions to third circuit court of appeals L.A.R. 34.1.(a)

civil cases number 24-3197) I had proven I had a

constitutional and statutory right in the jurisdiction of the

federal courts in accordance to 28 U.S.C. section 1331 and

28 sec 1294 pursuant to the 14 amendment of the United States Constitution of America .

implemented in my first appeal to the Third Circuit court of appeals on January 15,2025.

My civil

case should have been justified in compensation

settlement in my favor on the grounds of burdened of

proof of evidence provided in discovery documents,and in United States in accordance to

facts

and findings

trail district judge memorandum statement the defendants Hospital

University Pennsylvania and Penn Medicine Orthopedics

are negligent in my medical treatments in pre and

postoperative care including surgical malpractice admitting the

defendants were negligent in my medical treatment- civil

case docket number 24:cv-02970JFM(see in appendix 1 .21

(Under factual findings

My argument

In pursuant to Fed.R.Civ.P 52,58 findings and conclusions by

the court/judge's judgment on partial findings states In an

action tried on the facts without a jury or with an

advisory jury, the court must find the facts specially

and state its conclusions of law separately. The

findings and conclusions may be stated on the

record after the close of the evidence or may appear

in an opinion or a memorandum of decision filed by

the court. Judgment must be entered under Rule

58(See judge (Murphy memorandum in appendix A1)

Section 6 of Fed.R.Civ.P.52 states (6) Setting Aside the

Findings. Findings of fact, whether based on oral or

other evidence, must not be set aside unless clearly

erroneous, and the reviewing court must give due regard to the trial court's opportunity to judge the credibility.(Statement of Findings of Fact and Conclusions of Law , 1 F.R.D. 25, 26– 27; United States v. Forness (C.C.A.2d, 1942) 125 F.(2d) 928, cert. den. (1942) 316 U.S. 694. These findings should represent the judge's own determination and not the long, often argumentative statements of successful counsel. United States v. Forness, supra; United States v. Crescent Amusement Co . (1944) 323 U.S.

On October 8,2025 Third Circuit clerk of courts

immediately responded to my filed motion to the Circuit

Court submitted on October 7,2025,to correct their

fundamental errors.

The circuit's clerk of courts response was-This motion will

be docketed and petition for rehearing was denied-in

accordance to Fed.R.Civ.P. 1 .The Third circuit clerk stated

a incorrect rule to my filed motion to correct

fundamentals errors of judgment of the en banc court

decisions suggesting I seek justice at the Supreme Court

of United States pursuant to Fed.R.A.P. 1.

This entire legal proceeding of civil litigation of the ethnic

duties of the circuit clerk of courts including trail court case documents filings.

Particularly the Beginning of The Appeal litigation process with the signed per cum opinion ,by

the Third Circuit Court of Appeals L.A.R. 34.1(a) entered on June9,2025.In addition on August

20,2025 allegedly signed by Third

Circuit Judge Phipps granting motions for rehearing amended

with summary judgment motion, following a alleged denied order of circuit Judge Phipps
motion of rehearing en banc (Sur petition for
rehearing) signed by Circuit judge Phipps on October
3,2025. Conflicts the both of the signed signatures orders of the same Third Circuit Judge
Phipps.

Also ,The Sur petition for rehearing decided on October3,2025 Judge Phipps stated (no judge
who concurred in the decision

having asked for rehearing,)

that is allegedly

referencing judge Phipps signature is suspiciously contradictory to granted motions signed by
same Third Circuit judge Phipps on August 20,2025 for
rehearing amended with summary judgment motion on

See in appendix D granted Motion rehearing motion

for summary judgment by judge Phipps and Sur petition for rehearing signed by judge Phipps in

appendix G1,2)

The

Circuit Court's en banc including circuit judge Phipps

Didn't make a decision on my civil case in pursuant to

Fed.R.Civ.P. 58 in pursuant to findings and

conclusions.

My argument

Rule 52 states the judges must formally document

their reasoning on record their specific findings of

fact and separately state their conclusions of law. In

addition Fed.R.Civ.P.52 governs a judges to implement

decision making in non jury trials by requiring the judge to

find the facts and state their conclusions of Law on document

.In addition The United States Supreme Court has decided an

important question of federal law that states a legitimate written opinion or memorandum to a judges decision is imperative documents that set legal precedent for lower courts to follow in similar cases.

The Third Circuit Judges denied Sur petition for rehearing without the proper response to litigation as the Supreme Court of United States enacted in previous cases decided is

unconstitutional. It was a fundamental error that the circuit court

L.A.R.34.1(a) should've corrected. A specific civil procedure to address a severe case of injustice was not justified according to the law.

These written documentation are required and crucial. If these ethical and structural requirements are not met is considered careless and unclear can

undermine the an judgement authority and integrity of
the court's decision. Many parties want to understand the
rationale behind the court's judgment. Further, reasons for findings of fact
and conclusions of law are essential for appellate review.
Without them, it might be hard for an appellate court to
find that a trial court abused its discretion or erred as a
matter of law.

11. Reasons for granting writ of certiorari

To avoid erroneous deprivation of the constitutional rights if
United States citizen by the judicial system unlawful acts .
.This court should clarify the standards of the federal rules
and constitutional provisions according to the law by

enforcing justice and preventing abuse of discretion by the
judiciary system.

This petition arises from civil medical malpractice case. I filed

against the Hospital University Pennsylvania and Penn

Medicine Orthopedics in the United States District Court of 25

Eastern Pennsylvania

The alleged Trial and Circuit Judges character, disposition and

litigation proceeding in decisions of their previous judgements

in this litigation proceedings is reasons to warrant the Supreme

Court of the United States to intervene the alleged misleading

information from the defendant's-

attorneys and court staff involved in these arbitrary acts of

dilatory tactics in-administrative of justice . Their actions

of the United States

trail court and third circuit court (L.A.R.34.1(a)) allegedly seems to be practicing of the old tradition structure of the merging of trail and circuit courts of code 1911 when circuit courts had

both trail and appellant jurisdiction.This act was abolished in 1912.

.Their alleged actions are abuse of discretion is an infringement of my constitutional rights and steps towards justice.

5d)This courts intervention is necessary to resolve conflict amongst these alleged imposters impersonation of justice in The United States District trail and Circuit courts.

This civil medical malpractice is regarding

circumstances of serious medical negligence .

The injustice of a procedural defect of the conflict between

the venue of the right courts and officials-addressing the

same illegal issue of an unlawful judgment constitutes the

Supreme Court of the United States of America to intervene.

After learning of evidence that the Third circuit

court of Appeals (L.A.R.,local appeals rule didn't

have jurisdiction to review my appealed case and

realizing their alleged actions of bad faith

misleading of justice. Although the courts of appeal are

called circuit courts I was not confused with the former

United States circuit courts which were active from 1789

abolished in1911. The circuit judges didn't abide by the

judicial statue that governs the requirement and legal procedures

for a three judges panel district court, which is found in federal statue 28

U.S.C.section

2284,In this litigation proceeding The third

circuit court judicial system implemented the third Circuit

Court in pursuant to L.A.R. 34.1(a)(Local Appellant Rules

which conflict with the federal statue of the number and

composition of the 13 circuit courts of appeals in pursuant to

28U..S.C.section 41.The third circuit court litigated at

location at 601 Market Street Philadelphia

PA.19106 as jurisdiction L.A.R.(local appellant rule) for the

venue of trail court and circuit courts jurisdiction at.I have

shown this court abuse in discretion of the federal judicial

court system staff and the Defendants allegedly licensed law

firm Scaricamazza Devitt,and

Naulty, Including Hospital University Pennsylvania and Pen

n Medicine Orthopedics insurance attorney Betty

S.Alder.The Defendants Attorneys inflicted dilatory tactics to

delay and obstruct justice.After accumulating some research

evidence ,the fiduciary system website domain cm/efc login

ca3.uscourts.gov appeared faulty having filing requirements

only in accordance to PAM(privileged access management).128

solely prepared this civil lawsuit as self representation

litigant.These judicial acts of this alleged arbitrary group is

grossly unlawful and unethical standards of the alleged

Attorneys involved.Theses alleged fiduciary system staff

instructed me in my process of filing this civil lawsuit in

which was odvisously unlawful .

During my process of preparing this writ of

certiorari while currently going through other issues

of discriminatory discretion tactics of abuse of an

alleged conspiratorial arbitrary groups

interpretation of this civil case including current
medical treatment..The alleged judicial system
didn't process this legal litigation to ensures legal
accuracy, proper documentation, and the protection of
my rights, including the opportunity for the official
proceedings of judgement in an open and close case of preponderance of evidence of
negligence .

.I was and still currently injured physically that
caused severe difficulty on daily basis ,experiencing
extreme emotional distress in the economy in achieving goals because of current and past
circumstances of this injury.

I request The Supreme Court of United States to
expedite a Decision in this case so I can receive
compensation settlement for medical negligence
caused by the defendants and the
defendants attorneys alleged unethical litigation practices.

12. Conclusion

The Supreme court of United States of America should review the trail and circuit courts judgements and litigation process including procedural defects of the Defendants third party attorneys representation .This Court will find there is a conflict of unlawful acts of the judicial system in the process of this civil litigation. It constitutions the Supreme Court to regulate and enforce the federal laws that the United States Constitution of America protects.

This civil case deserves resolution of this court. .I am asking the justices to Grant certiorari review to decide weather the Constitutional laws were applied and the defendants negligence in my medical treatment that resulted in medical malpractice. I am asking the justices to grant relief stated in original filed complaint July 9,2024 of 100,000,000

to I the petitioner as matter of justice. (In rendering a decision response in laymen's terms.).I

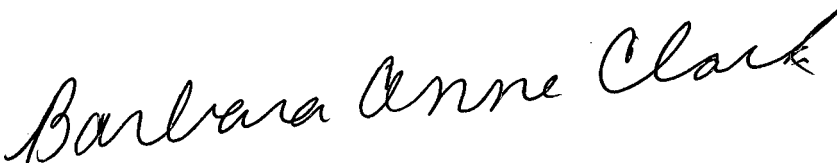
request intervention

of Supreme Court of United States to ensure my rights are respected according to the law in

granting this writ of certiorari.

Respectfully submitted,

Barbara Anne Clark (age46)

A handwritten signature in cursive script that reads "Barbara Anne Clark". The signature is written in black ink and is slanted upwards from left to right.

Supreme court of United States 1 First street

NE Washington DC 20543-0001

Solicitor general of the United States of America

CC:,United States Department of Justice 950 Pennsylvania Ave Washington DC 2053031