

DEC 17 2025

OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

No. _____

ANGELIINA LYNN LAWSON,
Applicant,

v.

JONATHAN DAVID LAWSON,
*Respondent.*EMERGENCY APPLICATION FOR STAY PENDING DISPOSITION OF PETITION FOR
WRIT OF CERTIORARI

Pursuant to 28 U.S.C. § 2101(f) and Supreme Court Rule 23, Petitioner respectfully applies for an emergency stay of the mandate issued by the United States Court of Appeals for the Tenth Circuit in Case No. 25-3097, pending the timely filing and disposition of a forthcoming Petition for Writ of Certiorari.

Petitioner respectfully requests relief to preserve the federal status quo, prevent irreparable harm in ongoing state court proceedings, and allow the Supreme Court the opportunity to resolve important constitutional and jurisdictional questions under 28 U.S.C. § 1443(1) and the Americans with Disabilities Act (ADA).

I. DECISIONS BELOW

The Tenth Circuit's unpublished Order and Judgment dated December 11, 2025, affirmed the district court's remand and denied all pending motions, including emergency and constitutional relief.

Petitioner timely filed a Motion for Panel Reconsideration and Objection to Summary Disposition Without Fraud Review, which was denied on December 15, 2025.

Petitioner filed a Motion to Stay the Mandate under Fed. R. App. P. 41(d)(2)(A), which was denied on December 16, 2025. (See App. A).

II. JURISDICTION

This Application is filed pursuant to Supreme Court Rule 23 and 28 U.S.C. § 2101(f). The Tenth Circuit entered final judgment on December 11, 2025. This application is submitted prior to the

RECEIVED

DEC 23 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

mandate issuing and within the timeframe for filing a Petition for Writ of Certiorari, which is due no later than March 11, 2026.

III. BACKGROUND

Petitioner is a pro se litigant with a documented disability who removed her state court proceeding to federal court under 28 U.S.C. § 1443(1), alleging structural discrimination and ADA exclusion by state court actors. The district court remanded, and the Tenth Circuit affirmed. However, the Tenth Circuit:

- Did not rule on Petitioner's properly filed Motion for Panel Review of Fraud Upon the Court (Dkt. 35);
- Denied all pending emergency motions, including requests for protection, without reasoned opinion;
- Denied Petitioner's motion to stay the mandate, despite her active pursuit of certiorari and preservation of her federal rights.

Petitioner now seeks to preserve jurisdiction and halt the issuance of the Tenth Circuit's mandate to prevent resumption of state court proceedings that threaten her parental rights, access to justice, and protected ADA interests.

IV. REASONS FOR GRANTING THE STAY

A. There is a Reasonable Probability of Certiorari Being Granted

Petitioner's forthcoming petition raises questions of first impression under 28 U.S.C. § 1443(1): whether civil rights protections based on disability under the ADA qualify as laws "providing for equal civil rights" entitling removal when a litigant cannot enforce those rights in state court.

Additionally, Petitioner raises due process concerns arising from the Tenth Circuit's failure to adjudicate her fraud and emergency motions, and the denial of relief without reasoned explanation. These unresolved questions require this Court's supervisory guidance.

B. Petitioner Will Suffer Irreparable Harm Without a Stay

If the mandate issues, Petitioner faces immediate and irreparable harm, including:

- Resumption of state court proceedings without jurisdiction;
- Continued denial of ADA accommodations and access to meaningful participation;
- Risk of permanent alienation from her child due to unlawful state action.

The relief requested is narrowly tailored to maintain the status quo while certiorari is pursued.

C. No Harm to Respondent

Respondent has defaulted in the federal proceedings and has not participated in the appellate litigation. There is no demonstrable prejudice to Respondent if a stay is granted.

D. Public Interest Favors the Stay

The case presents recurring issues of national importance regarding the rights of disabled litigants to access federal courts, the proper scope of § 1443(1), and the integrity of judicial proceedings. Granting the stay would promote respect for federal constitutional protections and protect vulnerable litigants from irreparable injury.

V. CONCLUSION

Petitioner respectfully requests that the Circuit Justice grant this Emergency Application for Stay of the Mandate pending the timely filing and disposition of a Petition for Writ of Certiorari.

Respectfully submitted,
/s/ Angeliina Lynn Lawson
Angeliina Lynn Lawson, Pro Se
1914 5th Avenue, Leavenworth, KS 66048

December 16, 2025

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2025, a true and correct copy of the foregoing Emergency Application for Stay Pending Certiorari was served via clerk's filing system to all parties.

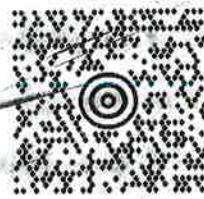
/s/ Angeliina Lynn Lawson
Pro Se Applicant

ANGELINA LAWSON
(913) 972-1661
THE UPS STORE #6462
100 E KANSAS ST
LANSING KS 66043-1616

10 LBS 1 OF 1
SHP WT: 10 LBS
DATE: 17 DEC 2025

SHIP OF THE UNITED STATES
TO: CLERK OF THE SUPREME COURT
1 1ST ST NE

WASHINGTON DC 20543-0001

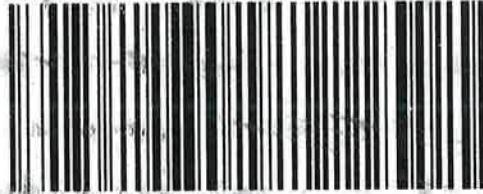


MD 201 9-75



UPS GROUND

TRACKING #: 1Z A38 514 03 3202 0179



BILLING: P/P

MMZGHB5QNEHFN ISH 13.00C BIXOLON S 46.5V 11/2025

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 11, 2025

Christopher M. Wolpert
Clerk of Court

JONATHAN DAVID LAWSON,

Plaintiff - Appellee,

v.

ANGELINA LYNN LAWSON,

Defendant - Appellant.

No. 25-3097
(D.C. No. 5:25-CV-04045-JWB-TJJ)
(D. Kan.)

ORDER AND JUDGMENT*

Before CARSON, BALDOCK, and KELLY, Circuit Judges.

Appellant Angeliina Lynn Lawson¹ unsuccessfully tried to remove Kansas state-court custody proceedings to federal court under 28 U.S.C. § 1443(1). That provision permits removal when the petitioner “is denied or cannot enforce in the

* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. See Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

¹ We construe Ms. Lawson’s pleadings liberally in light of her pro se status, but we will not construct a legal theory on her behalf. See *Whitney v. New Mexico*, 113 F.3d 1170, 1173-74 (10th Cir. 1997).

courts of such State a right under any law providing for the equal civil rights of citizens of the United States.” Ms. Lawson invoked § 1443(1) on the ground that Kansas state courts are violating her rights under Title II of the Americans with Disabilities Act. She says those rights are, or should be, “civil rights” within the meaning of § 1443(1). Controlling precedent says otherwise.

The Supreme Court has clearly stated that a petitioner seeking removal under § 1443(1) must allege claims that “arise[] under a federal law providing for specific civil rights stated in terms of racial equality.” *Johnson v. Mississippi*, 421 U.S. 213, 219 (1975) (internal quotation marks omitted). We reiterated this principle in *Miller v. Lambeth*, 443 F.3d 757, 761-62 (10th Cir. 2006). Ms. Lawson’s claims have nothing to do with racial equality, so the district court correctly concluded it lacked subject-matter jurisdiction and remanded her case to state court. Exercising jurisdiction under 28 U.S.C. § 1291, we affirm for the same reasons set forth in the district court’s well-reasoned order entered on May 30, 2025. In so doing, we reject Ms. Lawson’s additional argument that the district court should have addressed her jury-trial demand and her pending motions to compel state-court action. It would have been inappropriate for the district court to do so given the lack of jurisdiction. All pending motions are denied.

Entered for the Court

Paul J. Kelly, Jr.
Circuit Judge

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Case No. 25-3097

Angeliina Lynn Lawson

Appellee, Respondent

v.

Jonathan David Lawson

Appellant, Petitioner

Appealed Case: 5:25-cv-04045-JWB-TJJ (D. Kan.)

Removed from State Case: 2020-DM-000131 (Anderson County District Court)

NOTICE OF INTENT TO FILE PETITION FOR WRIT OF CERTIORARI AND REQUEST

TO PRESERVE FEDERAL STATUS QUO

I. NOTICE OF INTENT TO PETITION FOR WRIT OF CERTIORARI

COMES NOW the Appellant and gives formal notice to all parties and tribunals that she intends to file a Petition for Writ of Certiorari to the Supreme Court of the United States under 28 U.S.C. § 1254(1) and Sup. Ct. Rule 13, to seek review of the Tenth Circuit's unpublished December 11,

2025 Order affirming premature remand, denying all pending motions, and failing to rule on constitutional issues, ADA protections, or fraud upon the court.

The constitutional issues raised in the Tenth Circuit appeal and preserved for Supreme Court review include:

1. Whether 28 U.S.C. § 1443(1) permits removal of ADA-based claims involving structural discrimination and denial of access to state judicial forums, in light of *Louisiana v. Callais* oral arguments affirming that equal civil rights enforcement need not be racially exclusive;
2. Whether federal appellate inaction on multiple emergency motions constitutes constructive denial of access to appellate process and due process protections under the Fifth and Fourteenth Amendments;
3. Whether the unilateral withholding of a disabled child by a state actor, while federal review remains pending, constitutes a constructive taking and an irreparable deprivation of protected familial and disability rights;
4. Whether courts may ignore formal motions alleging fraud upon the court (filed under FRAP 27 and Rule 60(d)(3)) without panel review or written ruling, and whether such omissions violate fundamental procedural fairness;
5. Whether appellate silence authorizes lower state courts to resume proceedings in direct violation of 28 U.S.C. § 1446(d), thus resulting in ultra vires action, forum stripping, and further due process injury.

The undersigned intends to file her Petition for Writ of Certiorari within the time allowed by Sup. Ct. Rule 13 (90 days from entry of judgment) and will include an application for interim stay under Sup. Ct. Rule 23 if necessary.

II. REQUEST TO PRESERVE FEDERAL STATUS QUO

Appellant hereby notifies:

- The Anderson County District Court,
- The District of Kansas,
- The U.S. Court of Appeals for the Tenth Circuit,
- All opposing parties and officers of the court,

that until the Supreme Court has had an opportunity to review the pending constitutional issues, no court or agency shall interpret the termination of the Tenth Circuit case as final authority to proceed in the state matter or federal district court case.

Specifically, the undersigned:

- Objects to any resumption of proceedings in Anderson County or D. Kansas,
- Affirms that her federal rights and objections remain fully preserved,
- Asserts that any attempt to proceed in violation of 28 U.S.C. § 1446(d), while a cert petition is pending or reasonably contemplated, will constitute further obstruction, coercion, fee claims and constitutional injury.

This notice is filed to avoid waiver, preserve status quo, and give fair warning to all courts that their jurisdiction is not restored until the U.S. Supreme Court has declined review.

III. PRESERVATION FOR RECORD AND CERTIFICATION

This filing shall be preserved for:

- Use in the Court of Federal Claims as predicate notice under Tucker Act theories of constructive taking;
- The record of the Supreme Court of the United States to demonstrate exhaustion and due process deprivation;
- Future administrative, ADA, or judicial misconduct complaints concerning the abuse of process and denial of appellate protections.

Respectfully submitted,
/s/ Angeliina Lynn Lawson
Pro Se Appellant

December 11, 2025

1914 5th Ave, Leavenworth, KS 66048 | 913-972-1661

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2025, I filed the foregoing Notice of Intent to File Petition for Writ of Certiorari and Request to Preserve Federal Status Quo with the Clerk of the United States Court of Appeals for the Tenth Circuit via CM/ECF, which will serve any participating parties. Due to the Appellee's default and failure to appear in federal court, service shall also be effectuated via clerk's filing.

/s/ Angeliina Lynn Lawson
Angeliina Lynn Lawson
Pro Se Appellant

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Case No. 25-3097

Angeliina Lynn Lawson

Appellee, Respondent

v.

Jonathan David Lawson

Appellant, Petitioner

Appealed Case: 5:25-cv-04045-JWB-TJJ (D. Kan.)

Removed from State Case: 2020-DM-000131 (Anderson County District Court)

MOTION FOR PANEL RECONSIDERATION AND OBJECTION TO SUMMARY
DISPOSITION WITHOUT FRAUD REVIEW

I. INTRODUCTION AND GROUNDS FOR RELIEF

COMES NOW Appellant, Angeliina Lynn Lawson, and respectfully submits this Motion for Panel Reconsideration pursuant to Fed. R. App. P. 27 and 40, and lodges formal objection to this Court's December 11, 2025 Order and Judgment, which:

1. Affirmed the district court's remand order;

2. Disposed of the appeal without oral argument;
3. Summarily denied “all pending motions” without identifying or addressing Dkt. 35, Appellant’s Motion for Panel Review of Fraud Upon the Court and Constitutional Oversight, which had previously been referred to the merits panel by court order dated August 28, 2025.

This omission constitutes a procedural defect, a constitutional violation, and a denial of access to the fraud-remedy authority preserved under Rule 60(d)(3), *Hazel-Atlas*, and *Logan v. Zimmerman Brush Co.*, and must be cured to preserve the integrity of the appellate process and record for higher court review.

II. PROCEDURAL POSTURE AND PANEL OBLIGATION

On August 25, 2025, Appellant filed Dkt. 35, titled Motion for Panel Review of Fraud Upon the Court and Constitutional Oversight, raising detailed and documented claims of:

- Structural fraud and judicial sabotage of removal rights under 28 U.S.C. § 1443(1);
- Ultra vires state court action during federal divestment;
- Clerk misconduct, sealed records, and ex parte orders post-removal;
- Fraud on the court by court-appointed officers, including the GAL;
- Suppression of ADA claims, jury demands, and federal filings via record tampering.

On August 28, 2025, this Court entered a minute order stating:

“Referred to the panel of judges that will later consider this case on the merits.”

This directive created a binding procedural expectation that Dkt. 35 would receive full review by the merits panel.

Yet, in its December 11, 2025 Order and Judgment, the panel:

- Disposed of the entire appeal without mentioning Dkt. 35;
- Issued no ruling, acknowledgment, or procedural explanation for disregarding a referred fraud motion;
- Summarily denied “all pending motions,” leaving the status of fraud-related preservation filings (Dkts. 52, 54, 56) legally ambiguous.

This represents an adjudicative failure under both circuit precedent and Supreme Court authority requiring meaningful consideration of fraud claims when timely and substantiated.

III. CONSTITUTIONAL AND LEGAL VIOLATIONS

Appellant respectfully submits that the panel’s failure to adjudicate the referred fraud motion constitutes:

A. Violation of the Due Process Clause (Fifth Amendment)

Under *Logan v. Zimmerman Brush Co.*, 455 U.S. 422 (1982), courts cannot arbitrarily terminate adjudication of a timely-filed claim without process. The August 28 referral triggered procedural due process protections. Summary denial without discussion is facially unconstitutional.

B. Denial of Access to Fraud Remedies under Rule 60(d)(3)

Federal courts retain inherent jurisdiction to remedy fraud upon the court at any time. See *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944). Appellant's motion did not merely allege legal error—it asserted egregious fraud and record tampering sufficient to vacate the remand order and require reinstatement of federal jurisdiction. Summary silence is not a ruling on the merits.

C. Violation of Appellate Panel Duty under Tenth Circuit Procedure

Once a motion is referred to the panel “that will later consider the case on the merits,” it cannot be dismissed *sub silentio*. The panel must either:

- Decide the motion on the record,
- Deny it with reasoning,
- Or certify why it cannot be addressed at this stage.

None of these steps occurred.

IV. REQUEST FOR PANEL CLARIFICATION AND RECORD PRESERVATION

Appellant respectfully requests that this panel:

1. Reconsider its summary disposition of Dkt. 35;
2. Clarify on the record whether the allegations of fraud upon the court, record suppression, and ADA retaliation were considered and denied, or simply bypassed;
3. Issue a ruling or certification that preserves the status of Dkt. 35 and associated motions (Dkts. 52, 54, 56) for:
 - o Supreme Court certiorari review under Rule 13,

- o Emergency supervisory review under Sup. Ct. R. 20,
- o Tucker Act constructive taking claims under 28 U.S.C. § 1491.

If the panel declines to reconsider, Appellant requests that it enter a summary denial of Dkt. 35 explicitly, so the record is not left procedurally ambiguous.

V. PRESERVATION FOR SUPREME COURT AND COURT OF FEDERAL CLAIMS REVIEW

This objection and reconsideration request are necessary to preserve Appellant's rights for:

- Petition for Writ of Certiorari under 28 U.S.C. § 1254(1);
- Tucker Act filing under 28 U.S.C. § 1491, based on constructive taking and judicial sabotage of access;
- Fraud-based Rule 60(d)(3) petition;
- Continuing ADA retaliation claims under Title II.

VI. CONCLUSION

The panel's failure to review or address the fraud motion (Dkt. 35) after formally referring it is a structural defect that undermines the finality of the judgment and prevents higher courts from accessing a complete procedural record.

Appellant respectfully requests this panel:

- Reconsider its summary ruling and review Dkt. 35 on the merits;
- Clarify the disposition of all fraud-related filings;

- Preserve the record for SCOTUS and Federal Claims oversight.
- And denial of access to justice.

Appellant intends to file a Petition for Writ of Certiorari and this motion is necessary to complete the procedural record and protect her rights.

Respectfully submitted,

December 12, 2025

/s/ Angeliina Lynn Lawson

Pro Se Appellant

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2025, I filed the foregoing Motion for Panel Reconsideration and Objection to Summary Disposition Without Fraud Review with the Clerk of the United States Court of Appeals for the Tenth Circuit via CM/ECF, which will serve counsel of record and participating parties, due to Respondent's default in the federal appellate matter.

/s/ Angeliina Lynn Lawson

Angeliina Lynn Lawson

Pro Se Appellant

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 15, 2025

Christopher M. Wolpert
Clerk of Court

JONATHAN DAVID LAWSON,

Plaintiff - Appellee,

v.

ANGELINA LYNN LAWSON,

Defendant - Appellant.

No. 25-3097
(D.C. No. 5:25-CV-04045-JWB-TJJ)
(D. Kan.)

ORDER

Before CARSON, BALDOCK, and KELLY, Circuit Judges.

Appellant's petition for rehearing is denied.

Entered for the Court,

Per Curiam

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Case No. 25-3097

Angeliina Lynn Lawson

Appellee, Respondent

v.

Jonathan David Lawson

Appellant, Petitioner

Appealed Case: 5:25-cv-04045-JWB-TJJ (D. Kan.)

Removed from State Case: 2020-DM-000131 (Anderson County District Court)

MOTION TO STAY ISSUANCE OF THE MANDATE PENDING FILING OF PETITION

FOR WRIT OF CERTIORARI

I. PROCEDURAL BACKGROUND

1. The Tenth Circuit issued its Order and Judgment on December 11, 2025, affirming the district court's remand and denying all pending motions without substantive ruling.
2. On December 12, 2025, Appellant filed a Motion for Panel Reconsideration and Objection to Summary Disposition Without Fraud Review, which was denied on December 15, 2025.

3. Appellant previously filed a Notice of Intent to File a Petition for Writ of Certiorari, placing this Court and opposing parties on formal notice.
4. Appellant's constitutional and statutory questions include:
 - o Whether 28 U.S.C. § 1443(1) permits removal of ADA-based civil rights claims;
 - o Whether fraud upon the court and due process violations must be reviewed when previously referred to the merits panel;
 - o Whether structural access violations and retaliation under the ADA fall within federal protections now acknowledged in recent equal protection jurisprudence.

II. GROUNDS FOR STAY

Federal Rule of Appellate Procedure 41(d)(2)(A) provides:

"A party may move to stay the mandate pending the filing of a petition for a writ of certiorari in the Supreme Court. The motion must be filed before the mandate is scheduled to issue."

Appellant submits that this motion is timely, and respectfully requests a stay of the mandate because:

5. The forthcoming petition raises substantial constitutional questions of first impression related to ADA enforcement under 28 U.S.C. § 1443(1);
6. Petitioner has diligently preserved the record and filed timely objections, notices, and emergency filings;
7. If the mandate issues, irreparable harm may occur in state proceedings (Anderson County Case 2020-DM-000131), which will resume without jurisdiction and cause further denial of access to justice;

8. The stay would prevent confusion, promote judicial economy, and respect the Supreme Court's supervisory authority over the constitutional questions preserved.

9.

III. RELIEF REQUESTED

9. Pursuant to Fed. R. App. P. 41(d)(2)(A), Appellant respectfully moves this Court to stay issuance of the mandate pending the timely filing of a Petition for Writ of Certiorari with the United States Supreme Court. Appellant intends to file her certiorari petition within the 90-day deadline established by Sup. Ct. R. 13.1, based on the Tenth Circuit's final judgment entered on December 11, 2025.

IV. CONCLUSION

Appellant respectfully requests that this Court stay issuance of the mandate pending the filing and disposition of a timely Petition for Writ of Certiorari in the United States Supreme Court.

Respectfully submitted,

December 15, 2025

/s/ Angeliina Lynn Lawson

Pro Se Appellant

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2025, I filed the foregoing Motion to Stay Issuance of the Mandate Pending Filing of Certiorari Petition with the Clerk of the United States Court of Appeals for the Tenth Circuit via CM/ECF, which will serve counsel of record and all registered parties.

As Respondent has defaulted in federal appellate participation, service is also effectuated via clerk filing system

/s/ Angeliina Lynn Lawson

Angeliina Lynn Lawson

Pro Se Appellant

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 16, 2025

Christopher M. Wolpert
Clerk of Court

JONATHAN DAVID LAWSON,

Plaintiff - Appellee,

v.

ANGELINA LYNN LAWSON,

Defendant - Appellant.

No. 25-3097
(D.C. No. 5:25-CV-04045-JWB-TJJ)
(D. Kan.)

ORDER

Before CARSON, BALDOCK, and KELLY, Circuit Judges.

This matter is before the court on Appellant's Motion to Stay Issuance of the Mandate Pending Filing of Petition for Writ of Certiorari (the "Motion"). Upon consideration, the Motion is denied.

Entered for the Court,

Per Curiam

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

August 25, 2025

Christopher M. Wolpert
Clerk of Court

JONATHAN DAVID LAWSON,

Plaintiff - Appellee,

v.

ANGELINA LYNN LAWSON,

Defendant - Appellant.

No. 25-3097
(D.C. No. 5:25-CV-04045-JWB-TJJ)
(D. Kan.)

ORDER

This matter is before the court on Appellant's *Motion for Panel Ruling on Fraud Upon the Court and Constitutional Oversight*. The motion is referred to the panel who will decide this appeal on the merits. No ruling will issue at this time.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk

IN THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Case No. 25-3097

ANGELIINA LYNN LAWSON,

Appellant

v.

JONATHAN DAVID LAWSON,

Appellee

MOTION FOR PANEL RULING ON FRAUD UPON THE COURT AND

CONSTITUTIONAL OVERSIGHT

COMES NOW the Appellant, Angeliina Lynn Lawson, pro se, and respectfully moves this Court for a ruling by the assigned merits panel on the preserved issues of (1) fraud upon the court, (2) void jurisdiction, and (3) systemic denial of access to judicial redress in violation of the First, Fifth, and Fourteenth Amendments. This request arises in light of new filings, obstruction in all related district court matters, and continuing suppression of summons and reassignment requests in federal civil rights cases arising from the same core record. Appellant invokes the supervisory authority of this Court under:

- Fed. R. Civ. P. 60(d)(3)

- 28 U.S.C. § 1443(1)
- Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)
- Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009)
- Aoude v. Mobil Oil Corp., 892 F.2d 1115 (1st Cir. 1989)
- The Court's inherent constitutional oversight powers

BACKGROUND

Appellant removed the underlying case (2020-DM-131, Anderson County) to federal court on May 6, 2025, under 28 U.S.C. § 1443(1) due to systemic ADA retaliation and denial of court access. The state judge, Eric W. Godderz, issued a custody order on September 19, 2024 based on ex parte communications and false statements submitted by court officers without notice, hearing, or any opportunity for Plaintiff to respond. Upon removal, Judge Godderz held a hearing on May 8, 2025, in clear absence of jurisdiction.

Appellant filed a Notice of Fraud Upon the Court and Preservation of Rule 60(d)(3) (Dkt. 12) in this appeal, documenting the tainted record. A separate First Amended Civil RICO Complaint (6:25-cv-1179) outlines over 20 predicate acts committed by the same judicial and court officer defendants named in this record. All federal district cases (2:25-cv-02199, 2:25-cv-02171, 2:25-cv-02251)

stemming from this scheme have been stayed, denied summons, or obstructed, without ruling on motions to reassign under 28 U.S.C. § 292(b).

TOTAL COLLAPSE OF ACCESS TO JUDICIAL FORUM

Since filing this appeal:

- No summons has been issued in any federal civil rights case filed by Appellant
- All IFPs have been granted yet followed by immediate stay or procedural obstruction
- Judges and clerks named in pending civil RICO action continue to rule in related dockets
- The District of Kansas has refused to adjudicate ADA access, retaliation, or fraud on the court

Appellant has now exhausted all lower-court mechanisms. The obstruction is no longer procedural; it is structural.

GROUND FOR PANEL REVIEW AND RETENTION OF JURISDICTION

Appellant does not request remand to a district that has demonstrated systemic bias and functional denial of due process. Appellant asks this Court to:

1. Rule directly on the preserved fraud on the court claim (Dkt. 12)
2. Declare the Sept. 19, 2024 custody order void ab initio due to ex parte reliance on false evidence
3. Hold that ADA Title II is enforceable under 28 U.S.C. § 1443(1) as a law providing for equal civil rights
4. Certify the constitutional question to the U.S. Supreme Court under 28 U.S.C. § 1254(2), if needed
5. Grant oral argument or evidentiary hearing, if required, to develop the factual record concerning the fraud and ADA exclusion presented in the appeal

This case exemplifies why appellate review of structural judicial fraud and ADA discrimination is constitutionally necessary. If not here, there is no remaining neutral forum.

PLAINTIFF'S RECORD PROVES THE HAZEL-ATLAS STANDARD

The September 19, 2024 custody order was procured via:

- Suborned perjury by court-appointed GAL Andrew Bolton and opposing counsel BreAnne Poe
- Ex parte email communications never entered into the record

- Suppression of contradictory evidence, including therapist compliance logs and ADA requests

The Tenth Circuit has supervisory jurisdiction to review judgments so procured under Hazel-Atlas, especially where the judicial machinery has been defiled by court insiders.

RELIEF REQUESTED

Appellant respectfully requests:

- That this Court rule on the preserved fraud on the court claim
- That it retain jurisdiction and decline to remand
- That it vacate the state order of Sept. 19, 2024
- That it formally rule on the inclusion of ADA Title II under 28 U.S.C. § 1443(1)
- That it consider certifying the constitutional access question to the U.S. Supreme Court
- That it grant an evidentiary hearing or oral argument to resolve these constitutional and factual issues if necessary

Respectfully submitted,

Date: August 25, 2025

/s/ Angeliina Lynn Lawson

Angeliina Lynn Lawson

Pro Se Appellant

(Contact information on file)

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2025, I caused a true and correct copy of this Motion for Panel Ruling on Fraud Upon the Court and Constitutional Oversight to be served by U.S. Mail and/or electronic filing through the Tenth Circuit ECF system upon the following:

Jonathan David Lawson

(Address on record)

/s/ Angeliina Lynn Lawson

Pro Se Appellant

Appendix H
FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

July 23, 2025

Christopher M. Wolpert
Clerk of Court

JONATHAN DAVID LAWSON,

Plaintiff - Appellee,

v.

ANGELIINA LYNN LAWSON,

Defendant - Appellant.

No. 25-3097
(D.C. No. 5:25-CV-04045-JWB-TJJ)
(D. Kan.)

ORDER

This matter is before the court on Appellant's *Motion to Certify Constitutional Question to the United States Supreme Court*. The motion is referred to the panel who will decide this appeal on the merits. No ruling will issue at this time.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk

Case No. 25-3097

IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

ANGELIINA LYNN LAWSON,
Respondent-Appellant,

v.

JONATHAN DAVID LAWSON,
Petitioner-Appellee.

MOTION TO CERTIFY CONSTITUTIONAL QUESTION TO THE UNITED
STATES SUPREME COURT
PURSUANT TO 28 U.S.C. § 1254(2) AND TENTH CIR. R. 10.3

Angeliina Lynn Lawson, Pro Se Appellant



Filed: July 22, 2025



I. INTRODUCTION

Pursuant to 28 U.S.C. § 1254(2) and Tenth Circuit Rule 10.3, Appellant respectfully moves this Court to certify the following constitutional question of first impression to the Supreme Court of the United States:

“Does 28 U.S.C. § 1443(1), which authorizes removal to federal court for persons denied ‘any law providing for equal civil rights,’ encompass disability-based rights secured under Title II of the Americans with Disabilities Act (ADA), as recognized and enforced pursuant to the Fourteenth Amendment?”

This question lies at the heart of Appellant’s appeal. The district court remanded her removal under § 1443(1), holding that the statute is limited to race-based rights. That narrow interpretation, which traces to dicta in *Johnson v. Mississippi*, 421 U.S. 213 (1975), and *City of Greenwood v. Peacock*, 384 U.S. 808 (1966), directly conflicts with the plain text of the statute and undermines the equal protection principles established in *Brown v. Board of Education*, 347 U.S. 483 (1954), and extended to disability-based claims in *Tennessee v. Lane*, 541 U.S. 509 (2004).

Certification is warranted because no federal appellate court has squarely addressed whether ADA Title II rights qualify under § 1443(1), and because the

question implicates a constitutional hierarchy of civil rights that Congress did not intend and the Constitution cannot permit.

II. BACKGROUND AND PROCEDURAL POSTURE

Appellant removed her state custody matter to federal court under 28 U.S.C. § 1443(1), citing systemic ADA retaliation, procedural exclusion, and record suppression by Kansas state actors. The district court remanded on the sole ground that § 1443(1) applies only to race-based rights, failing to address Appellant's jury demand, evidentiary motions, or the documented ADA violations.

As detailed in the Opening Brief (see Dkt. 6, 8–12, 14–22, 30), Appellant presented evidence of:

- Denial of CART captioning and hearing access in violation of 28 C.F.R. § 35.160;
- Judicial retaliation for ADA grievances;
- Post-removal judicial orders in violation of § 1446(d);
- Clerk obstruction and altered dockets;
- Procedural exclusion barring enforcement of ADA rights.

Appellant's argument is that ADA Title II is a civil rights statute enacted under the Fourteenth Amendment to secure equal participation in public programs, including courts, and is therefore covered by § 1443(1)'s protection for "any law providing for equal civil rights."

III. QUESTION PRESENTED IS OF NATIONAL CONSTITUTIONAL SIGNIFICANCE

The question—whether *disability-based civil rights are categorically excluded from removal under § 1443(1)*—has never been addressed by the Supreme Court.

In *Brown*, the Court declared that “[s]eparate but equal has no place” in public education. That foundational principle evolved to protect other vulnerable groups denied access to justice, including women (*Frontiero*), children of undocumented immigrants (*Plyler*), and individuals with disabilities (*Lane*).

However, under the district court's reasoning, a state court could systematically exclude disabled litigants—by denying captioning, sealing their filings, and retaliating for ADA requests—and yet those litigants would be barred from federal removal unless the discrimination were based on race. Such an interpretation

reintroduces the “separate but equal” framework that *Brown* sought to eliminate, creating a caste-based system of federal access to justice.

This Court correctly identified this paradox in its own framing of the issues on appeal. Certification is thus necessary to resolve whether *Brown*’s equality mandate extends to ADA Title II under § 1443(1), or whether modern civil rights claims are confined by Reconstruction-era race-specific precedents.

IV. CERTIFICATION IS PROPER UNDER § 1254(2)

The statutory and prudential factors favor certification:

- **First Impression:** No federal circuit court has definitively answered whether ADA Title II qualifies as a law “providing for equal civil rights” under § 1443(1). Lower courts have split or declined to decide. See *Goshen Mortg. v. Altier*, 2023 WL 2478358 (11th Cir.); *Taos County v. Currier*, 625 F. App’x 358 (10th Cir.).
- **Substantial Federal Importance:** The question determines whether disabled litigants—like Appellant—can access a federal forum when state courts refuse to enforce ADA rights.

- Conflict with Constitutional Doctrine: Limiting § 1443(1) to race-only rights undermines the constitutional parity established in *Lane* and the textual breadth of “any law” in § 1443(1).
- Judicial Efficiency: A Supreme Court ruling will provide clarity to federal courts, state courts, and litigants regarding the scope of § 1443(1) in disability rights enforcement.

V. CONCLUSION

The Court is presented with a rare and urgent opportunity to resolve a constitutional ambiguity with profound national implications. The spirit of *Brown*, the structure of § 1443(1), and the evolution of disability rights all support certification of this question. Without such review, lower courts will continue applying an unequal standard of federal protection based on the classification of the litigant—a result flatly inconsistent with the promise of equal justice under law.

Appellant respectfully requests that this Court certify the following question to the United States Supreme Court under 28 U.S.C. § 1254(2):

“Does 28 U.S.C. § 1443(1), which authorizes removal where a person is denied a right under ‘any law providing for equal civil rights,’ include disability-based

rights under Title II of the Americans with Disabilities Act, enacted pursuant to the
Fourteenth Amendment?"

Respectfully submitted,

Dated: July 22, 2025

/s/ Angeliina Lynn Lawson

Angeliina Lynn Lawson, Pro Se Appellant

[REDACTED]

[REDACTED]

CERTIFICATE OF SERVICE

I certify that on July 22, 2025, the foregoing opening brief was filed electronically through CM/ECF. Notice of this filing will be sent by U.S mail to all parties by operation of the Court's electronic filing system, including:

Jonathan David Lawson

[REDACTED]

[REDACTED]

Respectfully submitted,

Date: July 22, 2025

/s/ Angeliina Lynn Lawson

Angeliina Lynn Lawson, Pro Se Appellant

[Redacted]

[Redacted]

IN THE UNITED STATES COURT OF
APPEALS FOR THE TENTH CIRCUIT

Case No. 25-3097

Angeliina Lynn Lawson,

Respondent/Appellant,

v.

Jonathan David Lawson,

Petitioner/Appellee

SUPPLEMENT TO MOTION TO CERTIFY CONSTITUTIONAL QUESTION

(Dkt. 28)

I. INTRODUCTION

Appellant respectfully submits this Supplement in further support of the pending Motion to Certify Constitutional Question (Dkt. 28). That motion remains under submission before the merits panel with no ruling to date. Appellee has filed no opposition to the motion, to Appellant's Opening Brief, or to any other filing. Accordingly, the constitutional question should now be treated as fully briefed and uncontested.

This Supplement is filed pursuant to Fed. R. App. P. 27 and 10th Cir. R. 27.1(A) to reinforce the urgency of certification under 28 U.S.C. § 1254(2). It seeks no new relief, but provides additional historical and factual context underscoring why the following question must be certified to the United States Supreme Court:

“Does 28 U.S.C. § 1443(1), which authorizes removal to federal court for persons denied ‘any law providing for equal civil rights,’ encompass disability-based rights secured under Title II of the Americans with Disabilities Act, as recognized and enforced pursuant to the Fourteenth Amendment?”

This question is of first impression nationally. It is no longer academic; it is constitutional. Certification is the only mechanism to resolve the escalating conflict

between outdated precedent limiting § 1443(1) to race-based rights and modern civil-rights statutes guaranteeing equal access for disabled litigants.

II. CONSTITUTIONAL NECESSITY OF CERTIFICATION

Certification is constitutionally necessary because this appeal presents a conflict that no federal appellate court has resolved: whether disabled individuals, when denied access to justice in state courts, can invoke § 1443(1) to secure a federal forum.

A. ADA Title II Qualifies as a Law Providing for Equal Civil Rights

Enacted under Congress's Fourteenth Amendment authority, Title II of the ADA guarantees "equal access to the courts" and "effective communication" in judicial proceedings. Supreme Court precedent in *Tennessee v. Lane* and *United States v. Georgia* recognizes Title II as civil-rights legislation of constitutional stature. The ADA therefore fits squarely within the statutory language of § 1443(1).

B. The Record Proves No Forum Exists in Kansas

Exhibit E documents sixteen separate Kansas proceedings in which Appellant was denied accommodations, discovery, and jury trial access following assertion of ADA rights. Summons were withheld, filings suppressed, and hearings conducted

without accommodations. These are not isolated errors but a systemic pattern showing Kansas courts are unwilling or unable to enforce Title II.

C. Unrebutted Evidence of Fraud Demands Higher Court Resolution

Appellant's Notice of Fraud Upon the Court (Dkt. 12) set forth unrebutted evidence of ex parte orders, fabricated jurisdiction, and record suppression. Fraud on the court destroys confidence in state remedies and requires higher court oversight.

D. Judicial Duty Requires Certification

Certification is not discretionary in substance. Where state courts and lower federal courts jointly foreclose enforcement of a federal civil rights statute, the appellate court must either resolve the conflict itself or pass it upward. To do nothing would sanction an unconstitutional hierarchy of civil rights. As further outlined in Exhibit F, judicial officers have a constitutional duty to act where federal rights are being extinguished by procedural devices.

Appellant attaches Exhibit G, a consolidated legal analysis containing the full statutory, constitutional, and doctrinal basis for interpreting § 1443(1) to include ADA Title II. While this analysis is not necessary to decide the narrow motion to certify, it is included to preserve the full record and to aid the Supreme Court if the question is certified.

RELIEF REQUESTED

For the reasons stated above, Appellant respectfully requests that this Court certify the following question to the United States Supreme Court under 28 U.S.C. § 1254(2):

“Does 28 U.S.C. § 1443(1), which authorizes removal where a person is denied a right under ‘any law providing for equal civil rights,’ include disability-based rights under Title II of the Americans with Disabilities Act, enacted pursuant to the Fourteenth Amendment?”

Certification is the only lawful means to resolve the constitutional paradox now before this Court. In the alternative, Appellant requests that the Court expressly preserve this issue for Supreme Court review in its eventual opinion.

EXHIBITS ATTACHED

The following exhibits are submitted in support of this Supplement and are incorporated by reference:

- Exhibit E – *Litigation Summary of Systemic ADA Access Failures and Judicial Obstruction in Kansas Courts* (Demonstrating denial of accommodations, discovery, and jury trial across 16 cases)
- Exhibit F – *Sworn Memorial on Judicial Duty and Constitutional Supremacy* (Outlining the judicial oath, Article III boundaries, and fundamental access rights of disabled litigants)
- Exhibit G – *Legal Memorandum: Statutory Construction, Equal Protection, and the Historical Imperative* (Comprehensive legal analysis demonstrating why ADA Title II qualifies as a “law providing for equal civil rights” under 28 U.S.C. § 1443(1))

These exhibits are included to preserve the full record and to assist the Court or any reviewing body in evaluating the constitutional urgency and doctrinal clarity of the certification question.

Respectfully submitted,

Date: August 28, 2025

/s/ Angeliina Lynn Lawson

Pro Se Appellant

(Address on record)

CERTIFICATE OF SERVICE

I certify that on August 28, 2025, the foregoing filing was submitted through the Court's CM/ECF system for electronic docketing. As Appellee has made no appearance, filed no response, and is in default (see Dkt. 37), no additional service is required under Fed. R. App. P. 25 and Tenth Circuit Rule 25.3(C).

Jonathan David Lawson

(Address on record)

/s/ Angeliina Lynn Lawson

Angeliina Lynn Lawson, Pro Se Appellant

Exhibit E – Summary of Prior Lawsuits

Petitioner: Angeliina Lynn Lawson

Litigation History – Jury Trials and Discovery Denied in 100% of Cases. Each of the sixteen filings had a clear legal basis (ADA retaliation, §1983 civil rights, RICO, removal for federal protection, and appeals). In every case, proceedings were cut off before the merits could be heard — through skipped IFP rulings, withheld summons, suppressed subpoenas, after ADA accommodations were filed or dismissals. Not once has Plaintiff been permitted a jury trial, evidentiary hearing, or full discovery. This pattern compelled the civil RICO filing and the statutory request for reassignment to a three-judge out-of-district panel — a request the District Court has likewise denied.

Case No.	Court	Year Filed	Core Claims	Outcome	Jury Trial Granted?
Judge Broomes, Mag. James 2:25-cv-02199	D. Kan.	2025	ADA retaliation, civil rights, custody interference	IFP granted, summons stayed, case stalled	No
Judge Broomes, Mag. James 2:25-cv-02171	D. Kan.	2025	ADA retaliation, denial of access, GAL misconduct	IFP granted, stayed, AG shielded from default	No
Judge Broomes, Mag. James 2:25-cv-02251	D. Kan.	2025	Civil rights, ADA retaliation, Bolton misconduct	IFP granted, summons withheld 90+ days now	No
Judge Broomes, Mag. James 5:25-cv-04045	10 th Circuit Appeal D. Kan.	2025	Circuit Appeal premature remand, Federal removal, ADA protections	Rapid remand within 9 days, no chance to build record, no hearings	No
Judge Broomes, Mag. James 6:25-cv-01179	D. Kan.	2025	Civil RICO, ADA retaliation, enterprise	IFP granted, summons stayed, discovery denied	No

Case No.	Court	Year Filed	Core Claims	Outcome	Jury Trial Granted?
Judge John Bryant Leveanworth Dist. Ct. LV-2025-cv-000070	Kansas Ct. Appeal	2025	State appeal of sanctions, ADA retaliation	Defendant defaulted but granted dismissal instead, motion disqualification, sudden sanctioned without trial or hearing	No
Judge John Bryant Leavenworth Dist. Ct. (two dockets)	Kansas State Court	2025	Custody interference, ADA retaliation, contempt	Coercive dismissal, procedural improper, skipped over IFP, no jurisdiction	No
Judge Rhonda Mason Johnson Dist. Ct. JO-2025-cv-623	Kansas State Court	2025	Fraud, misrepresentation	130 days inaction; no ADA retaliation, motion disqualification, sudden dismissal	No
Judge Keven O' Grady Johnson Dist. Ct. JO-2025-DM-1717	Kansas Ct. Appeal	2025	State Appeal of no jurisdiction, ADA retaliation, no cause	Denied; change of venue, ADA accommodations, jury trial	No
Judge Eric Godderz Anderson County 2020-DM-131, Fraud Court on Court	Fed. Removed. Kansas State	2020-ongoing	Fed. removal for no jurisdiction, ADA retaliation, access rights.	Dismissed, not docketed, or labeled "correspondence"	No
Judge McEntee Small Claims (5 cases)	Kansas State Court	2025	Unilaterally dismissed, no hearing, right after ADA accommodations requested	Dismissed, after proper service of summons and hearing dates set.	No

Summary

- Total Lawsuits Filed: 16
- Jury Trials Granted: 0
- Pattern: In every case, Plaintiff's constitutional right to a judicial forum was extinguished before the merits could be heard. Courts repeatedly relied on procedural devices — such as stays of service, coerced dismissals, premature remands, blanket discovery denials, and sanctions — or retaliated after ADA accommodation requests. This systemic denial of access demonstrates structural bias and validates the necessity of reassignment to neutral, out-of-district judges under 28 U.S.C. §§ 292(b), 294.

Exhibit F

MEMORIAL IN SUPPORT OF JUDICIAL DUTY AND CONSTITUTIONAL
LAW

FIRST AMENDMENT RIGHT TO PETITION FOR REDRESS OF
GRIEVANCES

This Notice and Demand is made pursuant to the First Amendment to the United States Constitution, which secures the right of the people to petition their government for a redress of grievances. No statutory interpretation, administrative rule, or corporate policy shall be construed to diminish or infringe this constitutionally protected right.

Issued By One of the People, Beneficiary of the Public Trust Established by the
Constitutions

INTRODUCTION

Let it be entered into the public record that this memorial is submitted not as a petition but as a lawful statement of principle, authority, and foundational truth, to make plain what the Constitution secures, what no tribunal may disregard, and

what every officer of government is sworn to uphold. This is not argument for favor, but a reminder of duty.

The People are not governed by fiction, nor bound to procedure masquerading as law. The Constitution is the supreme law of the land. That which is repugnant to it is void.

OATH TO THE CONSTITUTION IS NOT OPTIONAL

All judicial officers are bound by oath to uphold and defend the Constitution of the United States. This is not a formality, it is a legal and moral obligation to apply only those acts, decisions, and procedures that are in harmony with the Supreme Law of the Land.

“The Senators and Representatives... and all executive and judicial Officers... shall be bound by Oath or Affirmation, to support this Constitution.”

United States Constitution, Article VI, Clause 3

“This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made... shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”

United States Constitution, Article VI, Clause 2

Those who sit in judgment are not free to substitute their preferences, statutory policies, or administrative procedures in place of the supreme Law of the Land.

The judicial oath binds each officer to uphold the Constitution above all.

CONSTITUTIONAL DUTY IS ACTIVE, NOT PASSIVE

“No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.” - *Cooper v. Aaron*, 358 U.S. 1 (1958)

“Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.” - *Miranda v. Arizona*, 384 U.S. 436 (1966)

The judiciary is not excused from its constitutional duty by silence, complexity, or administrative convenience. The judicial power must be exercised within the bounds of the Constitution, and never in circumvention of it.

THE CONSTITUTION IS THE SOLE SOURCE AND LIMIT OF JUDICIAL AUTHORITY

“The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and

establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

- Article III, Section 1, United States Constitution

"An unconstitutional act is not a law; it confers no rights; it imposes no duties; it affords no protection... it is, in legal contemplation, as inoperative as though it had never been passed."

- Norton v. Shelby County, 118 U.S. 425
(1886)

By the trust indenture known as the Constitution for the United States, the People vested the judicial power of the United States in courts of record, to be exercised only by judges nominated by the President and confirmed by the Senate. No other means of appointment is known to the Constitution; no other authority may sit in judgment over the rights of the People.

Where one presumes to act without such appointment, or to operate under the will of the Legislature, the proceeding is not judicial in nature but administrative in character, and void ab initio for want of jurisdiction. The People are not subject to legislative tribunals, nor to administrative actions disguised as judicial process.

The Judiciary exists not to expedite the aims of statute, but to guard the rights secured by the Constitution and to ensure that no power is exercised beyond that which the People have granted. Any officer acting outside that grant ceases to be a judge in law, becoming instead an agent of policy, without lawful power to bind the People.

ON THE LIMITS OF CONGRESSIONAL POWER

The so-called Federal Rules of Civil Procedure are legislative instruments created by Congress [28 U.S.C. § 2072]. But nowhere in the Constitution is Congress granted the authority to prescribe the manner in which Article III courts shall execute their judicial power. The separation of powers forbids such overreach. Maxim 11a. A delegated power cannot be again delegated. 2 Inst. 597; Black's, 2d. 347; 2 Bouv. Inst. n. 1300.

To allow Congress to dictate how the Judiciary functions is to undo the structure of government ordained by the People. Judicial power is vested by Article III—it is not conferred by Congress, and it is not made subject to Congressional control. No legislative process, no administrative rule, no procedural scheme—however dressed in tradition—can override, replace, or supplant the People's right to due process of law as secured by the Fifth Amendment.

THE IMMUTABILITY OF MAXIMS OF LAW

In law, as with any science, there exist fundamental principles which form its basis and to which reference must often be made. These are the Maxims of Law.

Blackstone likened them to axioms in geometry. Sir Edward Coke called them conclusions of reason—propositions universally assented to, needing no proof or discourse. Black's Law Dictionary (2d ed., 1910) defines a maxim as an established principle of law universally admitted as a correct statement of the law and agreeable to natural reason. The Founders esteemed this foundation: Jefferson praised Coke's Institutes as a fundamental code of the English law, and Rutledge observed that they were almost the foundation of our law.

Maxims of law are not optional, not repealable, and not secondary to statute. They are enduring first principles that govern courts, constrain officers, and mark the lawful boundaries of power. When they are neglected, the door opens to encroachment and deception; when they are honored, justice is secured. Any proceeding that departs from these controlling principles is without lawful footing, no matter how official it looks.

The maxims used in this section are drawn from Charles A. Weisman's "A Selection of Maxims of Law" (1990). They are presented here as controlling guidance for this matter.

Even the Supreme Court of the United States, in a recent unanimous decision, acknowledged the continuing authority of these background principles. In *EMD Sales, Inc. v. Carrera*, 601 U.S. ___ (Jan. 15, 2025), Justice Gorsuch, concurring with Justice Thomas, reaffirmed that “courts must proceed against a background of common-law adjudicatory principles” — the very maxims that have governed lawful judgment for centuries — and that “it is the judicial duty to declare the law, not to enact it.”

Some maxims especially pertinent to this controversy:

51q. A frequent recurrence to fundamental principles, and a firm adherence to justice, virtue, and original law, are indispensably necessary to preserve the blessings of liberty and good government. American Maxim.

51r. As usurpation is the exercise of power, which another has a right to; so tyranny is the exercise of power beyond right, which no body can have a right to. Locke, Treat. 2, 18, 199.

51i. Individual liberties are antecedent to all government. C.L.M.

51b. The government is to be subject to the law, for the law makes the government. C.L.M.

51k. The law is not to be violated by those in government. Jenk. Cent. 7.

51p. The main object of government is the protection and preservation of personal rights, private property, and public liberties, and upholding the law of God. American Maxim.

71j. The welfare of the people is the supreme law. *McInerney v. Ervin*, (Fla.) 46 So.2d 458, 463; Bacon, Max. reg. 12; 13 Coke, 139.

64ff. A court can only declare what the law is, and whether consistent with the law of God, and the fundamental or constitutional law of society. *The State v. Post*, 20 N.J.L. 368, 370 (1845).

64a. A judgment given by one who is not the proper judge is of no force and should not harm any one. 10 Coke, 70, 766; Bouv. 133; Fleta, 1. 6, c. 6, s. 7; Broom, Max. 92.

7a. When the form is not observed, it is inferred that the act is annulled. 12 Coke, 7.

68f. Justice is neither to be denied nor delayed. Jenk. Cent. 76, 93.

63q. That law is best which leaves least to the discretion of the judge; that judge is best who leaves least to his own opinion. Broom, Max. 84; 1 Kent, Comm. 478; Bacon, Aph. 8, 46.

65c. An action of a judge which relates not to his office is of no force. Dig. 50, 17, 170; 10 Coke, 76. A judicial act before one not a judge is void. Lofft. 458.

63y. It is the duty of a judge to declare [enunciate] the law, not to enact the law or make it. Lofft, 42; Tray. Leg. Max. 283; Lofft. App. 42.

51c. Obedience makes government, not the name by which it is called. C.L.M.

11g. When anything is commanded, everything by which it can be accomplished is also commanded. 5 Coke, 116

11s. One lawfully commanding must be obeyed. Jenk. Cent. 120.

11w. In the presence of the superior power, the inferior power ceases. Jenk. Cent.

214, c. 53; 13 How. (54 U.S.) 142. The less authority is merged in the greater.

Broom, Max. 111

84c. Punishment is due if the words of an oath be false. Black's, 840.

Notice. To act contrary to a controlling maxim is to act outside the law. Any order or enforcement taken in violation of such a maxim is void ab initio and without color of law, and any officer who persists does so outside the oath and at personal liability.

DUE PROCESS OF LAW IS A GUARANTEE, NOT A PRIVILEGE

“No person shall... be deprived of life, liberty, or property, without due process of law.” -Fifth Amendment, U.S. Constitution

Due process of law is not a courtesy extended by courts, it is a non-negotiable constitutional guarantee. The People are entitled to it not because they plead for it, but because it is secured by the supreme law.

The Fifth Amendment's Due Process Clause addressed remaining concerns about the processes that would attend trials before independent judges and juries. It provided that the government may not deprive anyone of "life, liberty, or property, without due process of law." As originally understood, this provision prohibited the government from "depriving] a person of those rights without affording him the benefit of (at least) those customary procedures to which freemen were entitled by the old law of England." Sessions v. Dimaya, 584 U. S. 148, 176 (2018) (GORSLUCH, J., concurring in part and concurring in judgment) (internal quotation marks omitted); see Erlinger, 602 U. S., at ____ (slip op., at 6-7). More than that, because it was "the peculiar province of the judiciary" to safeguard life, liberty, and property, due process often meant judicial process. 1 St. George Tucker, Blackstone's Commentaries, Editor's App. 358 (1803). That is, if the government sought to interfere with those rights, nothing less than "the process and proceedings of the common law" had to be observed before any such deprivation could take place. 3 J. Story, Commentaries on the Constitution of the United States §1783, p. 661 (1833) (Story). In other words, "due process of law' generally implied] and include[d] ... *judex* [a judge], regular allegations, opportunity to

answer, and a trial according to some settled course of judicial proceedings." Murray's Lessee, 18 How., at 280. This constitutional baseline was designed to serve as "a restraint on the legislative" branch, preventing Congress from "mak[ing] any process 'due process of law,' by its mere will." *Id.*, at 276. SEC vs JAKERSY 603 U. S. ____ (2024).

When a court dismisses a cause without addressing the facts raised, or relies upon another litigant's record to issue orders affecting a separate case, it violates the essential character of due process. This is not adjudication; it is administrative disposal. Such acts are void *ab initio*, without color of law, and any officer persisting therein stands outside the oath and in personal liability.

NO ONE IS ABOVE THE LAW

"It is a core tenet of our democracy that the People are the sovereign, and the Rule of Law is our first and final security. "[F]rom their own experience and their deep reading in history, the Founders knew that Law alone saves a society from being rent by internecine strife or ruled by mere brute power however disguised." *United States v. Mine Workers*, 330 U. S 258, 308 (1947) (Frankfurter, J., concurring in judgment).

A corollary to that principle sets the terms for this case: "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest,

are creatures of the law, and are bound to obey it." United States v. Lee, 106 U. S. 196, 220 (1882). We have long lived with the collective understanding that "[decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen," for "[i]n a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously." Olmstead v. United States, 277 U. S. 438, 485 (1928) TRUMP v. UNITED STATES 603 U.S. ____ (2024)

Notice: These controlling principles are not advisory. They are the binding force of the supreme Law of the Land. By the Supremacy Clause, every officer — judicial, legislative, and executive — is bound to obey them, "any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." An officer who steps beyond these bounds ceases to act under lawful authority and proceeds only in a private capacity, stripped of immunity and answerable in their own person for every trespass upon the rights of the People.

Any officer now on notice of these controlling principles, yet choosing to act in defiance of them, stands stripped of lawful authority, without immunity, and liable in their private capacity for every injury caused.

**THE GRAND JURY AS THE PEOPLE'S RE COURSE AGAINST OFFICIAL
VIOLATION**

The Fifth Amendment secures that “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...” This is not a relic of history — it is a living constitutional safeguard that belongs to the People, not to any branch of government.

“The grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It is a constitutional fixture in its own right...

In fact the whole theory of its function is that it belongs to no branch of the institutional Government, serving as a kind of buffer or referee between the Government and the people.” United States v. Williams, 504 U.S. 36 (1992)

Let it be understood: the very record of these proceedings — every refusal to uphold the oath, every constitutional claim ignored, every unlawful order entered — is evidence. And that evidence may be carried by the People before a grand jury as proof of willful violation of the supreme Law of the Land.

In persisting, you are not merely erring — you are building your own case file against yourself. The grand jury exists for precisely such lawless disregard: to investigate, to indict, and to bring to account those who would set themselves above the Constitution they swore to defend.

No robe, title, or office will shield you from that reckoning. Once the People convene, the law will speak, and the record you create today will be the record that convicts you tomorrow.

CONCLUSION

Let this memorial serve not only as a support to the accompanying notice, but as a lawful record and constitutional reminder to all who read it:

The People have not consented to be governed by legislative tribunals or administrative agencies posing as courts. We are not creatures of statute, nor subjects of departmental policy. We are the People from whom all power originates and to whom all actors of government are accountable.

The Constitution remains the supreme law of the land. Judicial power must be exercised according to it—by officers duly appointed, in forums lawfully established, with full adherence to maxims that cannot be overturned by rule or routine.

Where there is no jurisdiction, there is no judge. Where there is no due process, there is no law.

Submitted in peace, in truth, and in law. All rights reserved. No waiver of rights or remedies.

Angeliina Lawson, One of the People

August 25, 2025

Exhibit G

Memorandum in Support of Certification Under 28 U.S.C. § 1254(2)

Statutory Construction, Equal Protection, and the Historical Imperative

This Memorandum is submitted as Exhibit G in support of Appellant's Supplement to the Motion to Certify Constitutional Question (Dkt. 28). It provides a comprehensive legal, constitutional, and historical analysis demonstrating why Title II of the Americans with Disabilities Act (ADA) qualifies as a 'law providing for equal civil rights' under 28 U.S.C. § 1443(1). While not essential to the narrow procedural relief sought in the certification motion, this Exhibit preserves the legal record for appellate and historical purposes. As federal civil rights law evolves beyond the racial frameworks of Reconstruction, this memorandum urges the Court to interpret § 1443(1) in a manner consistent with its text, history, and the demands of contemporary equality.

Exhibit G

Legal Analysis: Statutory Interpretation, Equal Protection, and Historical Precedent

This Exhibit is submitted in further support of Appellant's Supplement to Motion to Certify Constitutional Question (Dkt. 28). It preserves for the record additional

statutory, doctrinal, and historical arguments demonstrating why Title II of the Americans with Disabilities Act (ADA) qualifies as a “law providing for equal civil rights” under 28 U.S.C. § 1443(1). While not essential to the narrow certification request, these arguments provide important context for why Supreme Court clarification is urgently required.

I. The Plain Text of § 1443(1) Encompasses ADA Title II

- Section 1443(1) authorizes removal where a litigant is denied a right under “any law providing for equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof.”
- Congress chose deliberately broad language (“any law … equal civil rights”) rather than limiting protection to race. Other Reconstruction-era statutes expressly mentioned “race and color,” but § 1443(1) did not.
- Title II of the ADA, enacted in 1990, is a comprehensive civil rights law that prohibits exclusion from courts and public services on the basis of disability. It fits comfortably within § 1443(1)’s language.

II. Title II as a Direct Analogue to the Civil Rights Act of 1964

- In *Georgia v. Rachel* (1966), the Supreme Court held that Title II of the 1964 Civil Rights Act was a qualifying “equal civil rights” law under § 1443(1).
- Title II of the ADA is structurally parallel: both statutes confer specific individual rights to nondiscrimination in defined venues (restaurants and accommodations in 1964; public entities, including courts, in 1990).
- Excluding the ADA from § 1443(1) creates a logically indefensible hierarchy between different civil rights statutes.

III. Equal Protection Concerns: An Unconstitutional Hierarchy of Rights

- Reading § 1443(1) as race-only creates a two-tiered system: racial equality guarantees qualify for removal, but disability (or religion, national origin, or sex) does not.
- This judicially imposed hierarchy lacks a rational basis. Congress enacted the ADA under its Fourteenth Amendment § 5 power, and *Tennessee v. Lane* confirmed Title II enforces fundamental due process and equal protection rights.
- Denying federal forum access to disabled litigants while granting it to racial discrimination victims raises serious Equal Protection concerns.

IV. Historical Examples of Judicial Resistance to Expanding Civil Rights

- *Plessy v. Ferguson* (1896): judicial refusal to recognize equal protection until overturned by *Brown v. Board*.
- *Bradwell v. Illinois* (1873): denial of equal professional rights to women, later repudiated.
- *Korematsu v. United States* (1944): sanctioning Japanese-American internment, later discredited.
- These examples illustrate the dangers of courts freezing constitutional guarantees and refusing to extend equal protection to new groups.

V. Post-1975 Developments Undermine Johnson v. Mississippi's Race-Only Reading

- *Johnson v. Mississippi* (1975) confined § 1443(1) to race-based rights. But that decision pre-dated the ADA and modern disability civil rights framework.

- Congress explicitly described the ADA as a civil rights law, recognizing disabled persons as a “discrete and insular minority” subject to systemic discrimination.
- Supreme Court cases after Johnson—*Tennessee v. Lane*, *United States v. Georgia*, and *Olmstead v. L.C.*—confirm disability rights as constitutional in nature.

VI. Calls for Reevaluation

- Federal appellate judges (e.g., Tenth Circuit in *Currier*, Sixth Circuit in *Winesburgh*) have noted the plain text of § 1443(1) naturally covers disability-based rights, but felt constrained by Johnson.
- Legal scholars and the Department of Justice Civil Rights Division have urged reevaluation of the race-only limitation as inconsistent with modern civil rights law and federal enforcement priorities.
- The analogy to *Maine v. Thiboutot* (1980)—where the Supreme Court broadened 42 U.S.C. § 1983 beyond racial claims to “any rights secured by the laws”—shows how Reconstruction-era statutes must evolve to cover modern civil rights protections.

VII. Conclusion

This supplemental analysis demonstrates that:

- The plain text of § 1443(1) is not race-limited.
- ADA Title II is a paradigmatic civil rights law guaranteeing equal access.
- Exclusion of ADA rights entrenches an unconstitutional hierarchy.
- Historical examples warn against narrow interpretations of equality.
- Post-1975 jurisprudence and scholarship confirm that disability rights are fully within the ambit of “equal civil rights.”

For these reasons, this Exhibit supports certification of the question presented to the Supreme Court. Only that Court can reconcile § 1443(1)’s broad text with modern civil rights law and prevent the continuation of a second-class status for disabled litigants.