

Appendix A
STATE OF MINNESOTA
IN SUPREME COURT
A25-1497

In re the Marriage of:

Catrina M Rued, petitioner,

Respondent,

vs.

Joseph D Rued,

Petitioner.

PER CURIAM.

ORDER

Based upon all the files, records, and
proceedings herein,

IT IS HEREBY ORDERED that the petition of
Joseph Rued for further review is denied.

Dated: April 29, 2026

GAÏTAS, J., took no part in the consideration
or decision of this case.

Appendix B

STATE OF MINNESOTA

IN COURT OF APPEALS

A25-1497

In re the Marriage of:

ORDER OPINION

Catrina M Rued, petitioner
Respondent

Hennepin County
District Court File
No 27-FA-16-6630

vs.

Joseph Rued,
Appellant.

Considered and decided by Reyes, Presiding
Judge; Harris, Judge; and Bond, Judge.

**BASED ON THE FILE, RECORD, AND
PROCEEDINGS, AND BECAUSE:**

1. This appeal stems from ongoing litigation in which appellant Joseph Daryll Rued (father) purports to challenge family-law rulings by the district court. Related state appellate matters include A25-1175, A25-1150, A25-0935, A25-0831, A25-0362, A25-0361, A25-0209, A25-0057, A24-2035, A24-1905, A24-1740, A24-1706, A24-1705, A24-0982, A24-0759, A24-0719, A23-1936, A23-1755, A23-1754, A23-1467, A23-1444, A23-1235, A23-1004, A23-0715, A23-0044, A22-1420,

A22-1060, A22-0812, A22-0593, A21-1064, and A21-0798.

2. In July 2023, the district court filed an order determining that father is a frivolous litigant in Hennepin County. See Minn. Gen. R. Prac. 9.06(b). The district court's order requires father to post security and meet preconditions prior to filing documents in district court. Father appealed, we affirmed, the Minnesota Supreme Court denied review, and the U.S. Supreme Court denied father's petition for a writ of certiorari. *Rued v. Rued*, No. A23-1444 (Minn. App. Apr. 29, 2024), rev. denied (Minn. Aug. 6, 2024), cert. denied, 145 S. Ct. 1175 (2025).

3. In May 2025, father requested permission to file a motion addressing parenting-time issues. The district court allowed father to file his motion. Father's motion requested immediate unsupervised parenting time, modification of custody, and for all prior orders to be vacated. Respondent Catrina M. Rued (mother) opposed the motion and moved for conduct-based attorney fees. The district court denied father's motion and granted mother's motion for conduct-based attorney fees. Father filed a motion for amended findings and for "relief from fraud upon the court," which the district court denied. The district court awarded mother \$8,750 in attorney fees. Father appeals these rulings.

4. Father challenges the district court's denial of his parenting-time motion. "The district court has broad discretion in determining parenting-time issues and will not be reversed absent an abuse of that discretion." *Shearer v. Shearer*, 891 N.W.2d 72,

75 (Minn. App. 2017) (quotation omitted). Father does not argue that the district court erred in finding that his parenting-time motion failed to substantively address parenting-time issues. Instead, he argues that his fraud claims are not barred by res judicata. Res judicata provides that “[o]nce there is an adjudication of a dispute between parties, res judicata prevents either party from relitigating claims arising from the original circumstances, even under new legal theories.” *Hauschildt v. Beckingham*, 686 N.W.2d 829, 837 (Minn. 2004). “We review de novo whether the doctrine of res judicata can apply to a given set of facts.” *Erickson v. Comm’r of Dep’t of Human Servs.*, 494 N.W.2d 58, 61 (Minn. App. 1992). If res judicata applies, we review the district court’s decision of whether to apply the doctrine for an abuse of discretion. *Dixon v. Depositors Ins. Co.*, 619 N.W.2d 752, 756 (Minn. App. 2000) (reviewing a district court’s decision to apply res judicata for an abuse of discretion).

5. The district court found that, despite being characterized as a motion to modify parenting time, father’s motion

immediately began reciting repetitive claims of perjury, fraud, child maltreatment, abuse, neglect, endangerment, and emotional terrorism, all of which have been addressed numerous times by this District Court, Scott County District Court, the Minnesota Court of Appeals, the Minnesota Supreme Court, the U.S. District Court for Minnesota, and the U.S. Supreme Court. All issues concerning such arguments have been res judicata for more than a year. Not only is this Court without

authority to further address such arguments, but the claims raised by [father] do not credibly rise to the level of modification in any capacity. The purpose of the hearing was to address the best interests factors relative to the minor child's parenting time schedule and conditions, none of which were addressed in [father's] argument or motion filing.

On this record, the district court did not err in determining that res judicata was available and did not abuse its discretion by concluding that father's claims are barred by res judicata. See *Rued v. Rued*, No. A24-1905, 2025 WL 1732805 at *2-3 (Minn. App. June 16, 2025) (affirming district court's order dismissing father's fraud claims for failure to state a claim upon which relief could be granted), rev. denied (Minn. Aug. 27, 2025). Therefore, the district court did not abuse its discretion in denying father's purported parenting-time motion. See *Shearer*, 891 N.W.2d at 75.

6. Father challenges the district court's denial of his motion for amended findings and for "relief from fraud upon the court." We review the district court's denial of a motion for amended findings for an abuse of discretion. *Zander v. Zander*, 720 N.W.2d 360, 364 (Minn. App. 2006), rev. denied (Minn. Nov. 14, 2006). The district court found that father's motion for amended findings failed to provide any

argument regarding the issue of ongoing parenting time Instead, [father] simply repeated the same argument he has made repeatedly for the past several years. . . . Therefore, [father's] current request to amend

or review the Court's rulings regarding such issues is, likewise, without legal merit.

The district court's determination is supported by the record. Because father's motion for amended findings was based on father's disagreement with the district court's findings rather than any new argument, the district court did not abuse its discretion in denying father's motion for amended findings. See *State ex rel. Fort Snelling State Park Ass'n v. Minneapolis Park & Rec. Bd.*, 673 N.W.2d 169, 178 (Minn. App. 2003) (determining that the district court did not abuse its discretion in denying motion for amended findings when motion was based on appellant's mere disagreement with the court's legal conclusions).

7. Father challenges the district court's award of conduct-based attorney fees to mother. We review the district court's award of conduct-based attorney fees for an abuse of discretion. *Brodsky v. Brodsky*, 733 N.W.2d 471, 476 (Minn. App. 2007). The district court may award, "in its discretion, additional fees, costs, and disbursements against a party who unreasonably contributes to the length or expense of the proceeding." Minn. Stat. § 518.14, subd. 1a (2024). The district court found that "[father's] motion, excessive filings totaling 4,700 pages, and [father's] argument itself unreasonably added to the length and expense of this proceeding." Based on mother's affidavit and statements, the district court found that \$8,750 was a "fair award of fees and costs." Father does not provide any legal authority or relevant analysis to support his contention that the district court's award of attorney fees was an abuse of discretion. See *State, Dep't of Labor & Indus. v. Wintz Parcel Drivers, Inc.*, 558 N.W.2d 480, 480

(Minn. 1997) (declining to address inadequately briefed issue). Even if we addressed father's argument, the record supports the district court's finding that father's motion to modify parenting time exceeded the scope of the district court's permission and its determination that father "unreasonably contribute[d] to the length or expense of the proceeding." Minn. Stat. § 518.14, subd. 1a. Therefore, the district court acted well within its discretion by awarding mother conduct-based attorney fees.

8. To the extent that father challenges prior opinions of this court and district court rulings in other cases, those arguments are not properly before us, and we do not consider them. See Minn. R. Civ. App. P. 140.01; *Aaron Carlson Corp. v. Cohen*, 933 N.W.2d 63, 71 (Minn. 2019) (discussing impropriety of collateral attacks on prior rulings); see also *Sigurdson v. Isanti County*, 448 N.W.2d 62, 66 (Minn. 1989) (stating that "when the appellate court has ruled on a legal issue . . . [t]he issue decided becomes law of the case and may not be relitigated in the trial court or reexamined in a second appeal" (quotation omitted)).

9. Rued raised additional arguments on the merits of his entitlement to a fair hearing pursuant to Minnesota Statutes section 256.045, subdivision 3(a)(6). Such arguments, however, are not properly before us on appeal and we therefore decline to reach them here.

IT IS HEREBY ORDERED:

1. The district court's rulings of July 17, 2025, July 29, 2025, August 5, 2025, and final judgment entered August 12, 2025, are affirmed.

2. Pursuant to Minn. R. Civ. App. P. 136.01, subd. 1(c), this order opinion is nonprecedential, except as law of the case, res judicata, or collateral estoppel.

Dated: 2/17/26 **BY THE COURT**

s/Rachel F. Bond
Judge Rachel F. Bond

Appendix C

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL
DISTRICT FAMILY
COURT DIVISION

In Re the Marriage of:

Case Type:
Dissolution with
Child Court File No.:
27-FA-16-6630

Catrina M. Rued,
Petitioner

**FINDINGS AND
ORDER**

and

Joseph D. Rued,
Respondent.

The above-entitled matter came on for hearing on July 9, 2025, before the Honorable Richard A. Stebbins, Referee of District Court. The hearing took place via Zoom Meeting.

Petitioner was present and represented by Beth Barbosa, Esq. Respondent was present and appeared self-represented

Based upon the information provided by the parties, and all the files, proceedings and records herein, the Court makes the following:

FINDINGS OF FACT

1. Following the issuance of the Court's Order dated July 17, 2025, the Respondent has filed with the Court a "Motion to Amend and for Relief from Fraud Upon the Court" for review. Per the Order dated July 24, 2023, Respondent has been named a frivolous litigant per Minn. R. Gen. Prac. 9.06. By the terms of that order, Respondent's motions are reviewed for legal merit prior to filing and scheduling of hearings.

2. Respondent's motion seeks to have the Court reconsider rulings in the July 17, 2025, Order. Such rulings deemed the argument and motion requests made by Respondent to be res judicata, having been heard on numerous occasions before the district court and appellate courts. Respondent did not provide motion requests or argument regarding the issue of ongoing parenting time, an issue the Court identified specifically when the July 9, 2025, hearing was scheduled for Respondent's motion. Instead, Respondent simply repeated the same argument he has made repeatedly for the past several years. Therefore, Respondent's current request to amend or review the Court's rulings regarding such issues is, likewise, without legal merit and should be dismissed without hearing.

ORDER

1. Respondent's Motion to Amend and Relief from Fraud and Fraud Upon the Court is hereby DISMISSED. All fees submitted by Respondent shall be returned to him.

2. Service of a copy of this order shall be made upon a pro se party by first class U.S. mail at their last known addresses and upon counsel by Eservice, which shall be due and proper service for all purposes.

SO ORDERED

The foregoing order is
recommended.

Findings of Fact and
Order approved.

s/Richard Stebbins

Richard A. Stebbins
Referee of District Court

s/Theresa Couri

Theresa Couri
Judge of District
Court

Dated: April 25, 2025 [sic—filed August 5, 2025]

Appendix D

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL
DISTRICT FAMILY
COURT DIVISION

In Re the Marriage of:

Case Type:
Dissolution with
Child Court File No.:
27-FA-16-6630

Catrina M. Rued,
Petitioner

**FINDINGS AND
ORDER**

and

Joseph D. Rued,
Respondent.

The above-entitled matter came on for hearing on July 9, 2025, before the Honorable Richard A. Stebbins, Referee of District Court. The hearing took place via Zoom Meeting.

Petitioner was present and represented by Beth Barbosa, Esq. Respondent was present and appeared self-represented

Based upon the information provided by the parties, and all the files, proceedings and records herein, the Court makes the following:

FINDINGS OF FACT

1. The parties were divorced on April 26, 2019. They are the parents of the minor child [W.O.R.], born [xxxx], and of whom Petitioner exercises sole legal and sole physical custody.

2. The history of this case is long and involves different Courts and jurisdictions. As a result of this Court's Order dated July 24, 2023, Respondent was named a frivolous litigant per Minn. R. Gen. Prac. 9.06. This order required that motions filed by Respondent must first be reviewed to determine legal merit. Respondent requested that he be allowed to bring a motion to address ongoing parenting time issues, and the court allowed scheduling of a motion date to address the issue. The most recent parenting time order is the May 4, 2023, order granting Respondent supervised parenting time.

3. Respondent filed his motion on May 7, 2025, asking for immediate, unsupervised parenting time, modification of custody, and that prior custody orders be vacated. Petitioner filed a motion July 2, 2025, requesting that Respondent's motion be denied. Petitioner filed an affirmative motion on June 25, 2025, requesting conduct and need-based attorney's fees and costs.

4. Respondent's argument immediately began reciting repetitive claims of perjury, fraud, child maltreatment, abuse, neglect, endangerment, and emotional terrorism, all of which have been addressed numerous times by this District Court, Scott County District Court, the Minnesota Court of Appeals, the Minnesota Supreme Court, the U.S.

District Court for Minnesota, and the U.S. Supreme Court. All issues concerning such argument have been res judicata for more than a year. Not only is this Court without authority to further address such arguments, but the claims raised by Respondent do not credibly rise to the level of modification in any capacity. The purpose of the hearing was to address the best interests factors relative to the minor child's parenting time schedule and conditions, none of which were addressed in Respondent's argument or motion filing.

5. It is undisputed that there are very few parenting time supervision options available to the parties as a result of the actions of Respondent and his parents. The parties have signed up with The Price Dynamic supervision facility and both acknowledged being on a waiting list to begin supervised parenting time very soon. The Court supports Respondent's relationship with his son and encourages Respondent to follow through with the pending supervised visits in the context of the May 24, 2023 order.

6. Petitioner requests conduct-based and need-based attorney's fees and costs. Respondent's motion, as described to and allowed by the Court, was supposed to address the issue of ongoing parenting time. Unfortunately, Respondent simply repeated the same argument based on fraud that he has been making to several district and appellate courts over the past two years. Such action is unreasonable and has added to the length and expense of this proceeding. As a result, Petitioner is entitled to conduct-based fees and costs. Petitioner's counsel will have 10 days from the date of this order to provide an

affidavit of fees and costs and the Court will review the same for a determination of amount.

NOW, based upon the above Findings of Fact, the Court makes the following:

ORDER

1. Respondent's motions are hereby denied in their entirety.

2. The parties shall fully cooperate with enrollment for supervised parenting time through The Price Dynamic.

3. Petitioner's counsel shall submit verification of fees and costs within 10 days of the date of this Order.

4. All prior orders, not inconsistent herewith, remain in full effect.

5. Dispute Resolution. In the event of a dispute the parties cannot resolve on their own, they shall engage in mediation in an attempt to resolve the issue(s) prior to bringing any action before the Court.

a. Definition of Mediation. Mediation is a voluntary process entered into by the parties. In this process the parties continue direct communication, but with the assistance of a neutral person who is the mediator, which mediator has no authority to require any concession or agreements. A good-faith effort shall be made to resolve any claim or controversy arising between the parties.

b. Selection of a Mediator. Unless the parties agree to hire their own mediator, the parties shall utilize the mediation services provided by Family Court Services (612-348-7556). The parties may be required to provide proof of mediation attempts with Family Court Services before given a motion hearing date.

c. Duties and Responsibilities of Mediator. The mediator shall have the duty and responsibility to assist the parties in resolving all issues submitted for mediation.

d. Payment of Costs. Both parties shall share the mediator's fees and disbursements equally unless they mutually agree otherwise.

e. Confidentiality and Privilege. Within the limits of the law, the mediator will accord confidentiality and privilege to all communications with the parties.

f. Compromise or Offers to Compromise during Mediation. State statute shall be applicable throughout the entire process of mediation.

g. Good Faith. Each party must participate in the mediation process in good faith. The standard of good faith applies in selecting the mediator, scheduling, attending and participating in the mediation process.

h. Exhaustion of Remedies. The above procedure shall be followed before either party may apply to the Court for relief. Upon applying to the Court for relief, the moving party must submit an affidavit averring that mediation was attempted but was unsuccessful or that the opposing party act in bad faith in the mediation process.

6. Any relief not addressed and granted herein is DENIED.

7. Service of a copy of this order shall be made upon a pro se party by first class U.S. mail at their last known addresses and upon counsel by Eservice, which shall be due and proper service for all purposes.

8. Unless otherwise ordered, all parties shall notify the other party and the Court of any change in residence, mailing address and telephone number within 10 days of such change. Any later actions brought or notices sent in this case for which personal service is not required may be sent to the most recent addresses provided by the parties.

IT IS SO ORDERED

The foregoing order is
recommended.

s/Richard Stebbins
Richard A. Stebbins
Referee of District Court

Dated: July 17, 2025

Findings of Fact and
Order approved.

s/Theresa Couri
Theresa Couri
Judge of District
Court

Appendix E

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL
DISTRICT FAMILY
COURT DIVISION ...

In Re the Marriage of:

Case Type:
Dissolution with
Child Court File No.:
27-FA-16-6630

Catrina M. Rued,
Petitioner

and

Joseph D. Rued,
Respondent.

**ORDER
GRANTING
CONDUCT-BASED
ATTORNEYS'
FEES & COSTS
AND JUDGEMENT**

This matter came on administratively before
the Honorable Richard A. Stebbins, Referee of
District Court, on July 29, 2025.

There were no appearances. Petitioner is
represented in this matter by Beth Barbosa, Esq.
Respondent is self-represented.

Based on all of the files, records, and
proceedings herein, the Court makes the following

FINDINGS OF FACT:

1. On July 9, 2025, after being given permission as a frivolous litigant to file a motion regarding ongoing parenting time, the parties appeared for a hearing. Respondent's motion in this matter greatly exceeded this specific issue, primarily focusing on past, repetitive allegations of fraud, perjury, child abuse and maltreatment, neglect, and endangerment, all of which are res judicata. No cohesive argument regarding the ongoing parenting time schedule was made. While Respondent properly sought permission to address parenting time scheduling and conditions, as required by his frivolous litigant status, he ultimately filed motion paperwork and made argument that ignored the parenting time issue and concentrated on modification of custody, vacation of past orders, and allegations already adjudicated by every court from this district court up to the U.S. Supreme Court.

2. As a result, Respondent's motion, excessive filings totaling 4,700 pages, and Respondent's argument itself unreasonably added to the length and expense of this proceeding. Petitioner seeks conduct-based attorney's fees and costs. The Court allowed counsel for Petitioner to submit an affidavit regarding fees and costs. The Court has reviewed the affidavit and attached statements and finds that the award of \$8,750.00 is a fair award of fees and costs for Petitioner.

3. Said fee award should be issued as a judgment against Respondent. Numerous orders awarding attorney's fees against Respondent have remained unpaid until reduced to a judgment for enforcement by Petitioner. Therefore, as a matter of economy this order will do the same.

4. Respondent's argument immediately began reciting repetitive claims of perjury, fraud, child maltreatment, abuse, neglect, endangerment, and emotional terrorism, all of which have been addressed numerous times by this District Court, Scott County District Court, the Minnesota Court of Appeals, the Minnesota Supreme Court, the U.S. District Court for Minnesota, and the U.S. Supreme Court. All issues concerning such argument have been res judicata for more than a year. Not only is this Court without authority to further address such arguments, but the claims raised by Respondent do not credibly rise to the level of modification in any capacity. The purpose of the hearing was to address the best interests factors relative to the minor child's parenting time schedule and conditions, none of which were addressed in Respondent's argument or motion filing.

NOW, therefore, based upon the above Finding of Fact, the Court makes the following:

IT IS ORDERED:

1. Attorneys' Fees. Petitioner is awarded a judgment against Respondent in the amount of \$8,750.00 as and for attorney's fees and costs. Said judgment shall immediately be entered and docketed by Hennepin County Court Administration.

**ORDER FOR JUDGEMENT LET THE
JUDGEMENT BE ENTERED ACCORDINGLY**

**FINDINGS OF FACT
AND ORDER
RECOMMENDED:**

BY THE COURT:

The foregoing order is
recommended.

Findings of Fact and
Order approved.

s/Richard Stebbins
Richard A. Stebbins
Referee of District Court

s/Theresa Couri
Theresa Couri
Judge of District
Court

Dated: July 29, 2025

JUDGEMENT

I certify the above Order is the Judgement of the
Court and Judgement is hereby entered.

s/Amelia Dobbs

Amelia Dobbs, Court Administrator

Dated: 08/12/2025 3:26pm

Appendix F

Case No. A25-1497
State of Minnesota
In Supreme Court

In re the Marriage of:

Catrina Rued,
v.
Joseph Rued.

**PETITION FOR REVIEW OF DECISION OF
THE COURT OF APPEALS**

Joseph Rued
9007 Avila Cove
Eden Prairie, MN 55347

*Petitioner Joseph
Rued*

BETH BARBOSA
430 N. 1st Avenue
Suite 220
Minneapolis, MN 55401
*Attorney Representing
Respondent Katrina
Rued*

Statement of Legal Issues:

1. Did the Court of Appeals ("COA") err in asserting Petitioner ("Father"/"Rued") "did not argue that the district court ["DC"] erred in finding that [Rued's] parenting-time motion failed to substantively address parenting-time issues"?
2. Did COA err in either invidiously applying res judicata differently to Petitioner than others sufficiently similarly situated in violation of equal protections requirements, due to effectuation through application of law, or in applying res judicata in contravention of clear requirements under state law, resulting in application of a wholly unconstitutional judicial doctrine prohibited by the Supremacy Clause and in blatant Fourteenth Amendment requirements violations?
3. Did COA err in determining that Petitioner's motion did not seek to modify parenting time?
4. Did COA err in affirming the DC's fraud and fraud upon the court asserting that Father's claims based upon CPS' admitted fraud and perjury and resulting child maltreatment, including endangerment, have been addressed by DC, Scott County District Court, COA, this Court, the Minnesota District Court, and the United States Supreme Court when none of these courts have remotely addressed such issues and specifically declined or refused to do

so, which is demonstrable fraud upon the court determinative to the proceeding by both DC and COA in conspiracy with Respondent, her attorney, and numerous other actors under color of law?

5. Did COA err in determining that "on this record" res judicata barred Father's claims related to CPS fraud determinatively relied upon to deprive parenting time, physically confine Father and Son, and deprive other rights far more precious than any property right that have never been litigated because the Minnesota Judiciary has prevented the litigation of such, resulting in no possible citation in the record supporting the COA's essential determinations to sustain fundamental reliance upon admitted perjury and fraud by CPS existing, and necessarily determines DC and COA have discretion to violate Fourteenth Amendment due process and equal protections requirements?
6. Did COA err in determining that DC's assertion that Father's motion for amended findings and for relief from fraud upon the court (including by DC in this proceeding) failed to provide any argument regarding the issue of ongoing parenting time is supported by the record and is mere disagreement, despite DC refusing to enforce its own order for parenting time to occur, despite Petitioner's request, for now over 28 months?

7. Did COA err in asserting that Petitioners' provision of fundamental fairness as a basis to prevent awarding conduct-based fees on the basis of demonstrable fraud of DC and Respondent is not a legal authority or relevant analysis and that DC (and COA) are "well within" their discretion to award or affirm conduct-based fees based upon such courts' irrefutable violations of Fourteenth Amendment requirements?
8. Did COA err in determining it could not address its previous violations of the Constitution, either under state rules or law-of-the-case, contravening both state rules and actual law-of-the-case doctrine, invidiously applying such in violation of Supremacy Clause requirements to sustain violations of the Fourteenth Amendment?
9. Did COA err in affirming DC refusal to enforce parenting time?
10. Did COA err in affirming DC continuing to order parenting time for Father and W.O.R. in a maximum security supervision based upon the admitted fraud and perjury of CPS and those conspiring with them that has been prevented from being litigated, all in violation of the laws of both the United States and this State?
11. Did COA err affirming DC continuing to deprive protected rights of parenting time and custody

of Father in violation of due process and equal protection requirements under the United States and Minnesota Constitutions?

12. Did the COA err in not reaching Petitioners' claims under equal protections or due process?

Statement of the case:

Father sought enforcement and alteration of parenting time (A[pp.-20-72-/-3-/-25-26-]), among other directly related issues in DC. Despite court order for parenting time, at the time of district court proceedings parenting time between Father and Son, W.O.R., had been deprived for almost 2 years, which has now been deprived for more than 28 months. DC asserted that the United States Supreme Court, this Court, COA, the Minnesota District Court, and Scott and Hennepin County District Court have all addressed the issues Father raised related to CPS' admitted fraud and perjury—not one of these courts have addressed such issues and there is no possible support for such assertions, which are determinatively relied upon in the proceeding and to sustain deprivations of Petitioners' protected rights and, despite the irrefutable nature of these facts which was clearly identified on appeal (A[pp.-38-42-]), COA explicitly affirmed and cited such demonstrable fraud upon the court, committing fraud upon the court itself as a matter of demonstrable fact for which no doubt can reasonably exist (A[pp.-42-]). This factual fraud is the basis of DC and COA application of res judicata to issues related to CPS' fraud and perjury determinatively relied upon to deprive protected rights for which no full and fair opportunity to litigate has ever been provided, as Rued was prevented from

submitting any supporting evidence in initial proceedings and the fraud and perjury was not explicitly relied upon until affirmance by COA on appeal, inhibiting the ability to address such issues on initial appeal, all as a matter of fact.

COA asserted Rued did not raise that DC was wrong that Rued's parenting time motion did not seek to address parenting time (A[pp.-3-])—the entire thrust of DC proceeding (A[pp.-73-80-]) and on appeal related to parenting time (A[pp.-3-] at 3, second sentence; A[pp.-51-54-/-81-83-]). COA's assertions otherwise are flamboyantly fraudulent as a matter of irrefutable fact—Father's relief targeted in DC and on appeal plainly, and principally, sought to address parenting time. It is illogical, as a matter of fact, to assert that because some relief may seek to address more than parenting time, the parenting time relief that was and is sought does not exist, but that is what COA claims. COA applied *res judicata*, which cannot apply to sustain fraud or when the issues have been prevented from being litigated (A[pp.-74-/-34-53-/-59-60/-65-71-]), to sustain deprivations of protected rights to care, custody, and companionship of Rued's child in violation of Fourteenth Amendment due process requirements. COA determined that "on this record," which is based upon fraud, as a matter of fact, that any court has ever reached these issues of CPS' admitted fraud and perjury determinatively relied upon that have never been allowed to be litigated, DC (and, necessarily also COA) did not abuse discretion by denying Father's parenting time motion (A[pp.-4-]), which included also merely enforcing parenting time to occur which has been deprived for now months, despite court order (A[pp.-73-/-81-83-]).

COA asserted DC assertion that Father's motion to amend and for relief from fraud and fraud upon the court (including by DC in this proceeding) failed to provide any argument regarding the issue of ongoing parenting time was supported by the record (A[pp.-5-])—again, the entire thrust of such motion related directly to parenting time (A[pp.-79-80-]). COA asserted that if “disagreement” existed, then DC (and COA) have discretion to sustain anything because “mere” disagreement is not sufficient to warrant alteration (A[pp.-5-])—in order to have standing to address flagrant fraud and violations of Constitution by DC and COA one must also necessarily “disagree.” The whole point of “mere disagreement” is that the actions at issue are within the discretion of the court, which this flagrant fraud and willful violations of Constitution are not—there is no “mere disagreement” at issue here, as a matter of fact. COA asserted issuing conduct-based fees supported only by DC and COA fraud is within its discretion and Fourteenth Amendment requirements (see A[pp.-54-/-82-83-]) are not a legal authority (A[pp.-5-]). COA asserted State Rules and law-of-the-case do not allow COA to address fraud and violations of Constitution in prior cases, relied upon by COA here (A[pp.-6-]), which is also factually untrue (MRAP 103.04), for multiple reasons. COA has not provided anything meaningful in the entire order that remotely has a chance to comply with basic reason or the United States Constitution as a matter of fact.

Argument in Support of the Petition:

COA's citation to such clear fraud as asserting all of these courts that have never addressed or allowed the fundamental issues of CPS' admitted

fraud and perjury to be litigated have determined such issues, essential to affirmance and this proceedings determinations, demonstrates COA' willful abuse, indicative of the severity of rebellion of the Minnesota Government, especially the judiciary, against the United States Constitution to abuse American citizens and children solely to protect their personal interests—specifically citing such demonstrably fraudulent and essential claims is indicative of the degradation of judicial culture, gleefully taunting law, reason, and United States Constitution as if such persons were superior to both reason and law and able to institute any tyranny they see fit as long as all levels of the judiciary violate the Constitution together. This is naïve, criminal, and stupid—these and related proceedings, themselves, are the evidence against the involved members of the Minnesota Judiciary and state and federal government actors irrefutably establishing wanton criminality that the President of the United States is now statutorily required to ensure is addressed in order to reinstitute Constitutionality at this point.

Neither the doctrine of res judicata nor law-of-the-case under state law violate Constitutional requirements—law-of-the-case is a discretionary doctrine which should be applied when an appellate court has previously determined an issue in a manner within lawful discretion (A[pp.-36-38-/56-60-]), which definitionally cannot support sustaining clear violations of Constitution, as here, and res judicata cannot be applied to sustain fraud (A[pp.-34-36-/53-55-]) or where the issues have been prevented from being litigated (A[pp.-34-42-/57-58-/68-70-]) both of which apply here. COA application of res judicata and law-of-the-case violates due process through

preventing claims for which no full and fair opportunity to litigate have been provided from being litigated and sustaining deprivations of protected rights essentially based upon CPS' admitted fraud and perjury and those relying upon the same (A[pp.-34-42-/-53-55-/-57-58/-68-70-]), equal protections through invidiously applying doctrines differently to Petitioner than such actually are under state law in application of law to deprive protected rights (A[pp.-34-42-/-53-55-/-57-58/-68-70-]), and the Supremacy Clause through construction and application of law where judicial doctrine nullifies the Constitution's requirements (A[pp.-53-55-/-57-60-/-68-69-]).

Conduct-based fees cannot be awarded based upon Constitutional violations and comply with Constitutional requirements (A[pp.-54-55-/-83-]) and refusing to reach due process and equal protections issues presented (A[pp.-42-53-]) to sustain violations of Constitution violates Constitutional requirements. The Minnesota Judiciary is caught red-handed in the most widespread conspiracy to deprive established protected rights in violation of Constitutional requirements in U.S. history and, instead of simply complying with Constitutional requirements, has chosen to further willfully violate the U.S. Constitution to abuse a child and citizens, which is unconstitutional.

Criteria for Review and Conclusion

Here, "lower courts have so far departed from the accepted and usual course of justice as to call for an exercise of...supervisory powers" (Minn.R.App.P.117, subd.2(c)) through brutally lying and perpetrating fraud upon the court in asserting that issues related to

CPS' fraud and perjury in CPS investigations, determinatively relied upon to deprive protected rights and maltreat a child, that have been systematically prevented from being litigated by the Minnesota Judiciary have been determined by the U.S. Supreme Court, this Court, Minnesota District Court, and multiple county district courts when none of these courts have allowed litigation of such issues, applying judicial doctrines in supersession of clear Constitutional requirements under the Fourteenth Amendment, explicitly prohibited by the Supremacy Clause, as repeatedly occurs here (Minn.R.App.P.117, subd.2(d)(2)/(3)). That the Minnesota Judiciary is doing all of this simply to protect itself and other actors under color of law, irrespective of the definitional harms and terrorism to a child and abuse of citizens, is utterly indefensible and disgusting, exhibiting tyranny established to be unacceptable in western civilization centuries before our country was founded—this Court should step in to impose Constitutionality, so the federal executive does not have to step in to enforce Constitutionality for this Court.

Dated: March 9, 2026

Respectfully submitted,

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Case No. A25-1497
State of Minnesota
In Supreme Court

In re the Marriage of:

Catrina Rued,
v.
Joseph Rued.

**ADDENDUM TO PETITION FOR REVIEW OF
DECISION OF THE COURT OF APPEALS**

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Rued*

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total, so as to not have to internally re-cite to every issue overlapping—presentation of any section of this document presumes awareness of the document in total.

I. THE DISTRICT COURT ERRED IN DETERMINING THAT RES JUDICATA BARRED ANY OR ALL OF JOSEPH RUED'S CLAIMS WHEN SUCH CLAIMS HAVE NEVER BEEN LITIGATED OR REACHED DUE TO THE MINNESOTA JUDICIARY SYSTEMATICALLY PREVENTI[NG] SUCH ISSUES FROM BEING LITIGATED.

State preclusion law inherently contains Constitutional and equitable safeguards—preclusion law cannot be applied in concert with plain equal protections requirements to sustain fraud and fraud upon the court or to bar claims for which full and fair opportunity to litigate has not been provided:

It is generally held...that...res judicata may not be invoked to sustain fraud, and that a judgment obtained by fraud may not be used as a basis for the application of that doctrine. The necessity of preserving the integrity of judicial proceedings is always an overriding consideration, and in protecting the proper use of our courts it is not necessary for us to rely upon the diligence of the parties. We have recognized that the necessity for protecting the judicial process from fraud upon the court by one or more of the parties or their counsel may be ground for suspending the use of res judicata rules....The principles of laches must likewise

yield where the reputation and integrity of the court is at stake...[This is especially true in cases of fraud upon the court.] *Halloran v. Blue & White Liberty Cab Co.*, 253 Minn. 436, 442 (1958) (citations omitted).

Additionally, "the party against whom res judicata is applied must have had a full and fair opportunity to litigate the matter in the prior proceeding."...Res judicata is not applied rigidly but is a "flexible doctrine" in which "the focus is on whether its application would work an injustice on the party against whom estoppel is urged." *Mach v. Wells Concrete Prods. Co.*, 866 N.W.2d 921, 925-26 (Minn. 2015) (citations omitted) (see also *Matter of Welfare of M.D.O.*, 462 N.W.2d 370, 375-76 (Minn. 1990) and, with respect to fraud upon the court in family court, *Johnson v. Johnson*, 243 Minn. 403, 405 (Minn.1955)).

Here, the fraud upon the court from Hennepin County CPS, relied upon and furthered by Scott County CPS, Barbosa, Mother, the district court and this Court, repeatedly, has never been allowed to be litigated, despite Rued's repeated attempts, inhibiting res judicata or any preclusion law application irrespective of the fact that such all also constitutes fraud and fraud upon the court fundamental and essential to determinations of this Court and the district court, which is another independent basis inhibiting application of res judicata.

To be clear, applying res judicata to preclude claims to sustain fraud or that have not been provided full and fair opportunity to litigate, as application of

preclusion law results in here, is not only contrary to law but also unconstitutional due to resulting in invidious application of law absent rationale as Rued's claims are precluded when controlling law for similar circumstances inhibits such preclusion. Similarly, prior violations of Constitution through unlawful applications of res judicata do not result in this Court or the district court being able to rely upon prior unlawful actions to sustain violations of Constitution through invidious application of law and fraud and fraud upon the court. Not only are the district court and this Court essentially relying upon fraud from CPS determinative to the proceeding, but even prior applications of preclusion law asserting Rued's claims that have been prevented from being litigated or determined have been litigated and determined is *also*, additional, fraud and fraud upon the court determinative to the proceeding. Such constructions of law to sustain violations of Rued's protected parental rights, including care, custody, and companionship with W.O.R., are prohibited constructions of law under the Supremacy Clause and result in further, independent violations of Fourteenth Amendment requirements, mirrored under the Minnesota Constitution's provisions.

All of the above also applies to other applications of law sustaining and furthering fraud, including law-of-the-case:

[U]nlike res judicata, the doctrine of law of the case ["]applies only to litigated issues and does not reach issues which could have been but were not litigated.["]" *Sigurdson v. Isanti Cnty.*, 448 N.W.2d 62, 66 (Minn. 1989) (citations omitted).

Neither issue preclusion nor "law of the case" applies where the issue has not yet been litigated. *Matter of Welfare of M.D.O.*, 462 N.W.2d 370, 376 (Minn. 1990).

Law of the case is a doctrine of discretion, not a command to the courts...Accordingly, we will reconsider a previously decided issue only if substantially different evidence is subsequently introduced or the decision is clearly erroneous and works manifest injustice. *Little Earth of the United Tribes, Inc. v. U.S. Dep't of Hous. & Urb. Dev.*, 807 F.2d 1433, 1440-41 (8th Cir. 1986).

A successor judge may reverse a prior decision only if the successor judge believes the prior decision is clearly erroneous or unjust, or when a substantial change occurs in the essential facts, the evidence, or the applicable law. *Kornberg v. Kornberg*, 525 N.W.2d 14, 18 (Minn. Ct. App. 1994), *aff'd*, 542 N.W.2d 379 (Minn. 1996).

There has never been any testimony related to Hennepin County CPS' admitted fraud and perjury (*Kornberg v. Kornberg*, 542 N.W.2d 379, 385 (Minn. 1996))—the issues have never been allowed to be litigated and Jayswal's admissions of fraud, perjury, and fabricated evidence essentially relied upon to deprive Appellant's protected rights and endanger and falsely discredit W.O.R. have never been reached in these proceedings because the district court and this Court claim it was reached in Furnstahl's proceedings, which is objectively fraudulent because Furnstahl explicitly prevented the issues from being litigated,

despite Rued attempting to call Jayswal as a witness, even having subpoenaed Jayswal for such purpose.

The district court's and this Court's prior fraud and fraud upon the court in applying preclusion law and law-of-the-case to issues explicitly prevented from being litigated to sustain fraud and fraud upon the court to deprive Rued's protected rights does not provide a basis to do so now—such simply furthers fraud to deprive protected rights in violation of Constitutional requirements through the Minnesota Judiciary committing fraud and fraud upon the court. Fundamental fairness really does inhibit the Minnesota Judiciary from committing fraud to sustain its prior fraud to sustain prior reliance upon fraud from Hennepin County CPS and conspirators. It is ridiculous to have to explain this to judges—the Minnesota Judiciary has been openly criminal and hostile to the United States and Minnesota Constitution, resulting in extreme dangers to the public and children of this State and openly abusing Appellant and W.O.R. here.

II. THE DISTRICT COURT ERRED IN DETERMINING THAT ITSELF, SCOTT COUNTY DISTRICT COURT, THE MINNESOTA COURT OF APPEALS, THE MINNESOTA SUPREME COURT, THE U.S. DISTRICT COURT FOR MINNESOTA, AND THE U.S. SUPREME COURT HAVE ADJUDICATED JOSEPH RUED'S CLAIMS RELATED TO W.O.R.'S ENDANGERMENT AND MALTREATMENT FROM RELIANCE UPON ADMITTED FRAUD AND PERJURY OF HENNEPIN COUNTY CPS AND THOSE CONSPIRING WITH THEM AND

**RELATED ISSUES WHEN NO SUCH
VENUES HAVE ADDRESSED SUCH
CLAIMS.**

The district court claims itself, the Scott County District Court, this Court, the Minnesota Supreme Court, Minnesota District Court, and the United States Supreme Court have addressed the issues related to Jayswal's fraud and perjury—assertions of each court having done so is objectively fraudulent and constitutes fraud upon the court in violation of the Fourteenth Amendment's requirements to further and sustain deprivations of Appellant's protected rights by the district court. Hennepin County Family Court has prevented the issues related to Jayswal's fraud and resulting harm from such to W.O.R. from being litigated, then claimed such was litigated in proceedings in which such was prevented from being litigated while prohibiting Joseph Rued from litigating any of his claims, then repeatedly fraudulently claimed the issues had been litigated in the initial proceedings in which such was prevented from being litigated—lying about an issue having been litigated does not result in the issue having been litigated, but only fraud violating Fourteenth Amendment requirements here.

W.O.R.'s OFP proceeding in Scott County was determined based upon Jayswal's fraud, absent notice, when Webber stated he would not rely on anything that was not presented in evidentiary hearing absent provision of notice—Rued informed Webber he was relying upon admitted perjury but Webber declined to reach the issue and Rued has repeatedly requested this Court address reliance upon Jayswal's fraud in the interests of justice in accordance with

Constitutional requirements, irrespective of whether district courts reached the issue, which uniformly have not done so. Issues are not litigated by a court summarily relying upon admitted perjury as if true, then other courts relying on that all while preventing the issue of admitted perjury from being litigated—this is extremely straightforward and simple. If Rued was not absolutely right the district court, Scott County District Court, and this Court could cite to where Jayswal's admitted fraud and perjury were litigated, which none have even attempted because all know such does not exist—any assertions otherwise are demonstrably fraudulent and constitute fraud upon the court here. Similarly, Judge Castro's claims based upon Alec Sloan and Keith Ellison's misrepresentations do not result in reaching or litigating what is admitted fraud by Jayswal nor does the affirmance of such on the basis of prior assertions that these issues were litigated in the initial Hennepin County Family Court proceeding and affirmance or later assertions of the same result in actually litigating such—this is simply further fraud and fraud upon the court, *furthered* if essentially relied upon.

The district court claims the United States Supreme Court has determined the issues related to Jayswal's perjury and fraud, but the United States Supreme Court has never granted Rued's petitions for writ of certiorari, the legal meaning and effect of which is clear, though misrepresented by the district court here:

The Court has stated again and again what the denial of a petition for writ of certiorari means and more particularly what it does not mean. Such a denial, it has been repeatedly stated,

'imports no expression of opinion upon the merits of the case'...A denial simply means that as a matter of 'sound judicial discretion' fewer than four members of the Court deemed it desirable to review a decision of a lower court. Rule 38, par. 5, 28 U.S.C.A....But it is not merely the laity that fails to appreciate that by denying leave for review here of a lower court decision this Court lends no support to the decision of the lower court. Obviously it does not imply approval of anything that may have been said by the lower court in support of its decision. *Agoston v. Com. of Pa.*, 340 U.S. 844, 844, 71 S. Ct. 9, 9, 95 L. Ed. 619 (1950) (case citations omitted).

Similarly, denial of emergency relief without reaching the merits of any of the prevented issues does not result in the United States Supreme Court having determined the issues related to Jayswal's perjury admissions. Likewise, denials of extraordinary writs, especially on grounds, as applicable to the Minnesota Supreme Court, that appellate review exists, does not result in adjudication on the merits:

In Ex parte Hawk, 321 U.S. 114, 116, 64 S.Ct. 448, 449, 88 L.Ed. 572 (1944), we held that denial of an application for an extraordinary writ by state appellate courts did not serve to exhaust state remedies where the denial could not be fairly taken as an adjudication of the merits of claims presented, and where normal state channels for review were available. *Pitchess v. Davis*, 421 U.S. 482, 488, 95 S. Ct. 1748, 1752, 44 L. Ed. 2d 317 (1975).

The Minnesota Supreme Court has only granted one of Rued's petitions for further review and ruled upon subject-matter jurisdiction in statutorily created causes of action for actions reviewable under common law petition for writ of certiorari, not Jayswal's and conspirators' fraud, perjury, and fabricated evidence (*Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42 (Minn. 2024)). If Referee Stebbins, Judge Couri, and judges of this Court are serious about these assertions that all, much less any, of these courts have litigated and determined these issues, then they would be so incompetent as to necessarily be a danger to the public and not reach thresholds requirements of competence inherently required for Constitutionality—in the event Stebbins and Couri are just willfully violating W.O.R.'s and Rued's rights, then this would be arbitrary, capricious, and unreasonable also violating Constitutional requirements. At least one of the two of these options is necessarily the case.

III. THE DISTRICT COURT ERRED IN INVIDIOUSLY APPLYING INEQUAL LAW IN DISCRIMINATION AGAINST FATHER IN THIS CASE WHILE HOLDING THAT EVEN THE THREAT OF INTERRUPTION OF PARENTING TIME AND RELATIONSHIP WITH MOTHER AND ABUSIVE HALF-SIBLINGS IS ENDANGERMENT.

False allegations of child maltreatment, including neglect, are prohibited by law in this context where Appellee, Appellee's attorney, the district court, and this Court all know allegations that Rued's allegations are false are based upon false allegations by Jayswal, with all repeatedly informing another,

whether written or otherwise, with intent to influence this custody proceeding, including in this Court, all of which is clearly illegal (Minn. Stat. §609.507). Appellant wholeheartedly agrees that false allegations of child maltreatment are endangering and harmful to a child's best interests. The problem is that Rued's custody and parenting time is deprived on the basis that his allegations are false which is fundamentally and essentially supported by admittedly false allegations of child maltreatment by Hennepin County CPS and conspirators.

The district court deprives a father's rights, Rued's, on the basis of false allegations of child maltreatment against Mother and Mother's family, but such assertions and determinations are based upon admittedly false allegations against Rued—the district court is concerned about hypothetical effects of false allegations impacting a mother, Appellee, while ignoring that what it is hypothetically concerned about in protecting a child's relationship with his Mother against is necessarily being caused and facilitated against the child and his Father. The result, even setting aside the fraud and Constitutional issues related thereto, is a litany of equal protections violations clearly impermissible under Constitution for state judges (*Shelley v. Kraemer*, 334 U.S. 1, 13–15, 68 S. Ct. 836, 842–43, 92 L. Ed. 1161 (1948)):

Though the law itself be fair [and impartial] on its face..., yet, if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the

prohibition of the constitution. This principle of interpretation has been sanctioned by this court [repeatedly]. *Yick Wo v. Hopkins*, 118 U.S. 356, 373-74 (1886) (citations omitted).

There is nothing unequal or invidious regarding Minn. Stat. §609.507 or children's best interest factors. However, when a state judge, as Couri, Stebbins, and this Court are, takes action violating the legal requirements of Minn. Stat. §609.507 such actions in application of law result in invidious application of law because the law is not applied equally. Whether the statute is civil, criminal, child protection, or a Constitutional provision does not matter as what matters under the law is that such actions are prohibited by law. Rued is not seeking criminal prosecutions, but the prohibitions under law are clear in this statute and it is a prohibited act under state law for which seeking to cause violations of such law to cease is something that should be a matter of course under law—it is insane that judges would postulate they can violate criminal statutes because they are overseeing civil proceedings and the Minnesota Attorney General has not brought charges against them, but this is the position necessitated in refusing to cease clear violations of law occurring here.

There is no construction of Minn. Stat. §609.507 that would authorize judges to violate such as is occurring here with respect to the prohibitive legislative pronouncement—there is no reason the statute would not be self-executing with respect to its violations and merely causing such illegal actions by judges, Appellee, and her attorney to cease having controlling effect of law as remains in this case (*In re Wretlind*, 225 Minn. 554, 563, 32 N.W.2d 161, 167

(1948) (see also *Payne v. Lee*, 222 Minn. 269, 269, 24 N.W.2d 259, 261 (1946) and *Willis v. St. Paul Sanitation Co.*, 48 Minn. 140, 150-51, 50 N.W. 1110, 1111-12 (1892)). It is insane that judges would think *they* could violate criminal statutes because the proceedings are civil and they are not being criminally charged—it is equally insane for judges to consider these patently illegal actions occurring here judicial acts. That judges taking action prohibited by statute in application of law necessarily is an invidious application law in violation of equal protections requirements is self-evident.

Similarly, best interest statutes do not discriminate, but when best interests statutes are construed, as here, to determine that it is in the child's best interests to be maltreated, neglected, and endangered, and for the district court to think they have authority to define children's best interest standards and having child maltreatment laws against the child violated without consideration of child maltreatment laws under theory that such are only actionable in juvenile court so civil family courts can violate such statutes that no sane person could ever believe would be in conflict with child maltreatment statutes necessarily results in violations of law and invidious application of law. Judges have no discretion to do as the district court has done here and define a child's best interest as having child maltreatment violated against him, but that is precisely what Stebbins and Couri have done to W.O.R. and sustain to deprive Rued's protected rights. This clearly violates equal protections requirements—there is no sane person who could imagine a child's best interests could be served through violating child maltreatment laws, which is what is occurring here.

To the extent this has not been made specific it is only because no judiciary has ever been as perverted Hennepin County Family Court in this case in the history of the United States.

The fundamental driver of this insanity and what are, themselves, violations of equal protections identified above, is that the Minnesota Judiciary is treating Mothers and Fathers entirely differently in the application of law in this case. On the basis of hypothetical disruption to a child's relationship with his Mother, the district court imposes parenting restrictions upon Father and subjects Father and son to supervision, directed and controlled by Mother and her attorney, which has resulted in keeping Father and son apart for approximately two years, despite Father incessantly seeking to enforce parenting time to see his son—this definitionally causes the very harm the district court and this Court claim to seek to avoid under best interest standards, *unless* the standards are different for Fathers and Mothers in this case, which, of course the standards applied here are. Mother presents admitted perjuries that are also false allegations of child maltreatment by Hennepin County CPS against Father supporting Mother's equally definitionally false allegations against Father to deprive companionship between Father and Son for two years. The district court and this Court do not consider such harms against W.O.R. harmful because such does not treat the relationship between a father and son and son and mother as equal—relationships with mothers matter so much that even the threat of impact is endangerment and when the actual impact is facilitated based upon false allegations by Mother, for years, against Father that is no effect to the child's best interest standards, and, indeed, the district court

and this Court necessarily determine that such deprivations of companionship with Father are the best interests of the child. Equal protections do not have to be based upon race, even it could be with overt liberal animosity to white men versus minorities or women, and "the number of individuals in a class is immaterial for equal protection analysis." (*Vill. of Willowbrook v. Olech*, 528 U.S. 562, 564, 120 S. Ct. 1073, 1074, 145 L. Ed. 2d 1060 (2000)).

What Father is falsely accused of by Mother, who is actually perpetrating what Father is falsely, based upon *admissions* of falsity by Hennepin County CPS, accused of results in the district court depriving parenting time for years and now entirely for two years while the same actions from Mother that Father is falsely accused of results in sole custody and parenting time. All a mother has to do in this case in Hennepin County, Minnesota is abuse her own child and have an ex-husband who does not participate in child maltreatment and seeks to protect his child in accordance with Natural, state, and federal law. The law for this Mother is perfectly inverted from the law from this Father—there cannot be a starker demonstration of unequal law than that between the Father and Mother here. What Father is demonstrably falsely accused of is determined to be child endangerment by Father when Mother is demonstrably perpetrating what she falsely is accusing Father of that is determined to be in the best interests of the child. This is all clearly unconstitutional and unequal application of law—the same law has to be applied equally between persons under the Fourteenth Amendment, which the district court's determinations fail to do in a spectacular and abusive fashion to Father and W.O.R.

IV. THE DISTRICT COURT ERRED IN SUSTAINING FLAGRANT VIOLATIONS OF CHILD MALTREATMENT LAWS AGAINST W.O.R.

The public policy of the state is to protect children from maltreatment (Minn. Stat. §260E.01)—the violations of child maltreatment laws against W.O.R. are numerous and obvious (see A25-0935 and A25-1150), including neglect, endangerment, emotional terrorism all acknowledged by the district court. The Minnesota Judiciary purports to determine W.O.R.'s medical issues in a manner that is not medically sound based upon testing that is not diagnostic to deny W.O.R. medically recommended care and contradict every controlling medical opinion for W.O.R. on an issue that can cause death, which Mother and W.O.R.'s school rely upon, with the school also violating federal law doing so. Of course, such actions by the Minnesota Judiciary are also prohibited acts under state law (Minn. Stat. §147.081, subd. 1 and 3(3)). The inherent endangerment in relying upon admitted fraud and perjury of CPS investigations to falsely discredit W.O.R.'s reports and evidences of maltreatment is self-evident. Relying on false allegations against a parent is endangering. The emotional terrorism of removing W.O.R.'s father from his life is also established in the record (Add-45-49). The Minnesota Judiciary willfully chooses to perpetrate and conspire to perpetrate all of this child maltreatment against W.O.R.

Equal protections requirements are binding upon state action, including in civil or criminal proceedings ("Equal Protection Clause of the

Fourteenth Amendment does not contain any latent distinctions between criminal and civil legal process." *Reynolds v. City of Little Rock*, 893 F.2d 1004, 1008 (8th Cir. 1990)). The Minnesota Judiciary has no authority to determine, as the district court does here, such obvious violations of child maltreatment laws are in the best interest of W.O.R.—this is beyond what is authorizable under law and reason and the Minnesota Judiciary takes it a step further claiming Rued's lack of support of the Minnesota Judiciary's flagrant violation of child maltreatment laws against W.O.R. is child endangerment. This is insane and morally, legally, and factually indefensible behavior.

This Court is claiming its prior demonstrable fraud and fraud upon the court in flagrant violation of Constitutional requirements legally constrains this Court to continue such fraud and abuse—this is a construction of law inhibited by the Supremacy Clause. If this Court and the Minnesota Judiciary does not understand this, the Minnesota Judiciary is too incompetent to not necessarily be a danger to the public. Being a judge is not license to violate the law—the reality, under law, is quite the opposite. The Minnesota Judiciary sustaining such plain and irrefutable violations of child maltreatment laws stemming from fundamental reliance upon admitted fraud and perjury is not authorizable under best interest factors. The Minnesota Judiciary cannot relativize everything into oblivion then say whatever they want—allergy skin and blood testing is not diagnostic for good reason and the Minnesota Judiciary cannot change this reality by claiming otherwise, which is just fraud. This Court is constrained to what is and this Court relies on false

allegations against Rued to purport to support its violations of law—even if the allegations against Rued for sabotaging what he has sought continuously for years for W.O.R.'s welfare and Appellee has refused to support for years were true such does not provide basis for the Minnesota Judiciary to violate criminal and child maltreatment laws as is occurring. The Minnesota Judiciary is so fixated on seeking retribution and revenge against Rued for exposing the Minnesota Judiciary's and government's criminality and flagrant violations of Constitution that it does not care about how badly it abuses W.O.R. and how many laws and Constitutional requirements it violates and defies.

What is the law applies in this state and the Minnesota Judiciary has no authorization to violate child maltreatment laws under the guise that it can ignore them in proceedings governed under best interest factors—child maltreatment cannot be in a child's best interest. Keeping W.O.R. from Rued for two years is definitionally child maltreatment, including under the holdings of the district court and this Court in this case, which is only exacerbated in abuse and illegality given this is precisely what the record evidences is the scariest thing in W.O.R.'s life. The behavior and child maltreatment of the Minnesota Judiciary is objectively disgusting and indefensible, making clear the necessary change which must occur in the legal landscape across this country to protect children and citizens from the public danger of judicial abuse, resulting from judges seeking to elevate themselves above law and Constitution instituting their own tyranny, which has not been seen in the history of our country or Anglo-Saxon law since Magna Carta, infecting our country and government for the

last three decades. Judges cannot violate law in application of law and comply with equal protections—holding otherwise is objectively a public danger to the citizens and children of this state and country, as exhibited here.

**V. THE DISTRICT COURT ERRED IN
WILLFULLY CONTINUING TO DEPRIVE
AND NOT ENFORCE PARENTING TIME
FOR SUCH EXTENDED PERIODS.**

It is not contestable that Father and son have been kept apart for an extreme period of time or that Rued seeks to enforce parenting time in this and numerous proceedings over the past year, which the district court claims is not occurring, which is indefensible and unsupportable where parenting time based upon best interest standards was raised in June 9 and other Motions and in the hearing (Add-10-15) by Rued. The district court simply lies about this fact, and claims that because the Minnesota system cannot accommodate supervision at the rate the judiciary imposes it the deprivation of parenting time is what it is, but Rued is subjected to supervision based upon Hennepin County CPS fraud and the fraud of conspirators, including Barbosa, Appellee, and the district court and this Court relying upon such admitted fraud and perjury in violation of the most rudimentary requirements of fairness under Constitution. The district court cannot just wash its hands of what is occurring with Rued and W.O.R. being kept from each other for such extended periods of time based upon what the district court is doing in violation of Constitutional requirements and state statutes, including criminal statutes. It is definitionally contrary to W.O.R.'s best interests to be

kept from his Father for two years and the district court has a duty to not allow such harms to W.O.R., much less not explicitly facilitate such by lying about the court record, resulting in assertions unsupportable by the record.

VI. THE DISTRICT COURT ERRED IN CONTINUING TO ORDER PARENTING TIME IN A MAXIMUM SECURITY SUPERVISION CENTER FOR FATHER AND W.O.R. BASED UPON ADMITTED FRAUD AND PERJURY OF HENNEPIN COUNTY CPS AND THOSE CONSPIRING WITH THEM THAT HAS BEEN PREVENTED FROM BEING LITIGATED ALL IN VIOLATION OF THE LAWS OF BOTH THE UNITED STATES AND THIS STATE.

The district court sustained reliance upon admitted fraud and perjury to continue physical confinement of Rued and W.O.R., which is into perpetuity and contains no hallmark of remedial action, only punishment, and Rued and W.O.R. are being punished in retribution for exposing that the Minnesota Judiciary's actions in this case are criminal. Physical confinement as imposed here fundamentally based upon admitted fraud and perjury plainly violates the laws of the United States and Constitution, mirrored under state law, and also constitutes violations of the Eighth Amendment here as cruel and unusual punishment.

VII. THE DISTRICT COURT ERRED IN CONTINUING TO DEPRIVE PROTECTED RIGHTS OF PARENTING TIME AND

**CUSTODY OF JOSEPH RUED IN
VIOLATION OF DUE PROCESS AND
EQUAL PROTECTIONS REQUIREMENTS
UNDER THE UNITED STATES AND
MINNESOTA CONSTITUTIONS.**

The district court sustained fundamental reliance upon admitted fraud and perjury of Hennepin County CPS and conspirators to deprive protected rights of Rued and endanger and maltreat W.O.R. on the basis such was res judicata, which cannot be applied to sustain reliance upon such demonstrable fraud and perjury determinative to the proceeding or to such issues that have been systematically prevented from being litigated by the district court and Minnesota Judiciary in concert with state law or Constitutional requirements. The irrefutable result is construction of law prohibited by the Supremacy Clause and violations of equal protections and due process under the Fourteenth Amendment—such is clearly unlawful and this Court has to ensure its actions and the actions it sustains complies with law. This is really simple—this Court has no authorization to take actions sustaining such actions plainly violating Constitutional requirements. Rued does not have to present this in some magic way—the Court has its own independent duty to ensure its actions comply with Constitutional and state law requirements. This Court has no authorization to take action that does not comply with Constitutional requirements and due process, equal protections, state preclusion law, state law, and fundamental fairness are provisions of law for which this Court has no authorization to say such are not because that would be definitionally fraudulent, as the Constitution and state law do exist as provisions of law.

VIII. THE DISTRICT COURT ERRED IN GRANTING CONDUCT-BASED FEES BASED UPON DEMONSTRABLE FRAUD TO MOTHER.

For years, the Minnesota Judiciary has been ordering Rued to pay Appellee and Barbosa to perpetrate fraud upon the court and endanger and maltreat his son, which is only continued here where Appellee and Barbosa represent that the issues related to admitted CPS fraud have been litigated, knowing full well such has never occurred, which is fraud upon the court. It is improper to grant to conduct-based fees to a litigant, Appellee, abusing her child and ex-spouse through committing fraud upon the court to deprive W.O.R.'s and Rued's protected rights, which is precisely what the district court has done.

IX. THE DISTRICT COURT ERRED IN DISMISSING JOSEPH RUED'S MOTION TO AMEND AND FOR RELIEF FROM FRAUD AND FRAUD UPON THE COURT TO SUSTAIN RELIANCE UPON DEMONSTRABLE FRAUD AND FRAUD UPON THE COURT TO DEPRIVE JOSEPH RUED'S PROTECTED RIGHTS AND CONTINUE TO MALTREAT AND ENDANGER W.O.R. IN VIOLATION OF THE FOURTEENTH AMENDMENT'S REQUIREMENTS.

The district court could have addressed all of the flagrant violations of Constitution and law occurring here in Rued's Motion to Amend—instead,

the district court continued the custom and practice exhibited by the Minnesota Judiciary throughout these circumstances of asserting its prior abuses and violations of law somehow authorize or sanction its further and continuing abuses, which has no reasonable basis in law. The district court claimed that Rued's relief sought reconsideration, which is not relevant because whether under motion to amend or reconsideration the district court had a duty to not violate law and Constitution. The district court erred dismissing and not granting Rued's relief requested in his Motion to Amend and Relief from Fraud and Fraud Upon the Court.

Judicial officers' reliance on known, admitted perjury, and suppression of such evidence, as is occurring here, to deprive Appellant's protected rights is Constitutionally prohibited action (*Albright v. Oliver*, 510 U.S. 266, 299 (1994), citing to *Napue v. Illinois*, 360 U.S. 264, 79... (1959), binding upon state representatives (see *Glossip v. Oklahoma*, 145 U.S. 612, 630 (2025) "implicit in any concept of ordered liberty,") (failure of State to correct testimony known to be false violates due process)). Furnstahl's unconscionable scheme to exclude deposition admissions of perjury and disallow testimony from Jayswal and then his reliance upon the known, perjurious investigation outcomes is known use of perjury and deliberate suppression of evidence favorable to Appellant essential to the proceedings. Other judicial Defendants have been notified numerous times and not only have failed to correct their willful reliance upon known perjury and fraud but have sustained it for further punishment, which is inhumane to both W.O.R. and Father also violating the Eighth Amendment with respect to both Rued and

W.O.R.

As reflected above, all such actions also clearly violate due process including rudimentary principles of fundamental fairness and cannot be sustained under the U.S. and Minnesota Constitutions, including through this proceeding:

The right to a fair trial is a fundamental liberty secured by the Fourteenth Amendment. *Estelle v. Williams*, 425 U.S. 501, 502 (1976).

In...1930[], the Court...stated: "The federal guaranty of due process extends to state action through its judicial as well as through its legislative, executive or administrative branch of government." Further examples of such declarations in the opinions of this Court are not lacking[]. *Shelley v. Kraemer*, 334 U.S. 1, 14-15 (1948).

The hearing required by the Due Process Clause must be 'meaningful[]'...is a proposition which hardly seems to need explication that a hearing which excludes consideration of an essential element to the decision...does not meet this standard. *Bell v. Brunson*, 402 U.S. 535, 542 (1971).

The exclusion of competent and relevant evidence on the ground that the trial court was in possession of the evidence but it was not in the record, is **not due process, and an order based thereon cannot be sustained**. *State v. Sax*, 42 N.W.2d (Minn. 1950) (Emphasis added).

No full and fair opportunity to litigate has been provided in this case related to the frauds and Constitutional violations. In fact, the cases have proceeded in such flagrant disregard of fundamental fairness and other due process and equal protections requirements under the Fourteenth Amendment that the proceedings are clearly being conducted in bad faith by the Minnesota Judiciary. Further, there have been no determinations regarding the fraud and Constitutional violations that all controlling court orders are based upon in this case—indeed, the deposition admissions of Jayswal were fraudulently kept out of the record and not litigated in the initial proceeding all issue preclusion and law-of-the-case applications fundamentally are directed towards and these proceedings still have yet to acknowledge the existence of Jayswal's deposition, much less its admissions of perjury, so such issues as presented here could not have been previously litigated or determined by the district court here. Accordingly, law-of-the-case or other preclusion principle applications is plainly unconstitutional in this case where the issues have never been reached or acknowledged.

Further, when law-of-the-case or res judicata is improperly applied to sustain fraud and Constitutional deprivations as the case is here, such action is Constitutionally prohibited by the Supremacy Clause, given fundamental fairness and other Constitutional mandates upon government action when depriving protected rights (*Armstrong v. Exceptional Child Ctr., Inc.*, 135 S. Ct. 1378, 1383 (2015)):

[I]ntegrity of judgements [] are the basis of the legal system. (*United States v. Alvarez*, 132 S. Ct. 2537, 2546 (2012)).

The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. In...Britain the king...is sued in...a petition...and...never fails to comply with the judgment..."[I]t is a general and indisputable rule, that where there is a legal right, there is also a legal remedy by suit, or action at law, when ever that right is invaded." *Marbury v. Madison*, 5 U.S. 137, 162 (1803).

The holdings in these cases are not only or merely errors but are Constitutionally prohibited actions and result in fraud upon the court by the Minnesota Judiciary through knowingly and willfully causing their judgements to fundamentally rely upon admitted perjury noticed to all multiple times that has never been litigated or even allowed to be litigated through Constitutionally prohibited action by the district court and the Minnesota Judiciary.

Judicial doctrines cannot be used to relegate the U.S. Constitution *brutem fulmen* and doing so is *ultra vires* action by judicial officers in this case under state and federal law. This case demonstrates the deep perversion of law that occurs when judicial doctrines are elevated above Constitutional mandates in violation of the Supremacy Clause. The evidence demonstrates that prior orders in this case fundamentally relied upon admitted perjury and

fraud, which has not been reached based upon repeated fraudulent applications of res judicata or law-of-the-case to not reach the clear evidence demonstrating prior orders fundamentally relied upon fraud and perjury, causing any such applications of judicial doctrines to be wholly inappropriate (see *Cayse v. Foley Brothers, Inc.*, 260 Minn. 248, 253 (Minn. 1961)—preclusion or law-of-the case does not apply to issues, as these, that have not been litigated) and, in this case, unlawful under the Fourteenth Amendment.

Clearly, the illegal actions of the district court are beyond any possible judicial discretion and cannot be lawfully sustained by this Court (*Larson v. Domestic Foreign Corp.*, 337 U.S. 682, 690 (1949); *United States v. Lee*, 106 U.S. 196, 220 (1882)). Such actions result in changing Constitution and law in application of law, which is a usurpation of unauthorized judicial power in the absence of jurisdiction as such power is reserved for the legislature (both federal and of thirty-eight states, in this case) and prohibited by Minn. Const. Art. III (*Ex Parte United States*, 242 U.S. 27, 51 (1916)).

Constitutional rights of association and liberty are clearly implicated for Appellant and W.O.R. here, which are unlawfully deprived by the district court's illegal actions, and sustaining of the same, along with Appellee and Barbosa's actions. Father's liberty interests and protected rights related to his natural child, W.O.R., are firmly established through the Supreme Court of the United States' holdings (*Stanley v. Illinois*, 405 U.S. 645, 651 (U.S. 1972)). The unlawful deprivation of such rights for such extended periods of time clearly results in irreparable harm given that such periods of time are unreturnable and, thus,

irremediable.

W.O.R. has bravely reported sexual and physical abuse that occurred while in the care of Appellee over the years. There is no reliable evidence subjected to due process that such reports are not sincere or truthful. W.O.R.'s reports have been made to, at least, 3 child protection investigators, 2 forensic interviewers, a dozen adults, written down so his words could not be ignored, and testified to in his own OFF proceeding. Appellee and Barbosa have committed perjury, subornation of perjury, and fraud upon the court, repeatedly, trying to obfuscate W.O.R.'s clear reports of abuse. Judicial Defendants in related cases in state and federal court and the district court here have committed fraud upon the court and knowingly and willfully sustained reliance upon such fraud and perjury in the CHIPSP to falsely discredit W.O.R.'s disclosures and testimony and cut Father and W.O.R.'s other family members out of W.O.R.'s life, fulfilling what W.O.R. indicated was the "scariest thing" in his life—this is emotional terrorism and psychological abuse of W.O.R. by the district court.

In addition to fraud and Constitutional violations, the district court and judicial Defendants in related cases have flagrantly violated state child maltreatment laws, Father's immunity under such laws as a reporter of child maltreatment (Minn.Stat.260E.34), and their duties to W.O.R.:

The State, of course, has a duty of the highest order to protect the interests of minor children, particularly those of tender years. *Palmore v. Sidoti*, 466 U.S. 429, 432 (1984).

Since the State has an **URGENT** interest in the welfare of the child, it shares the parent's interest in an accurate and just decision. *Lassiter v. Department of Social Services*, 452 U.S. 18, 27 (1981). (EMPHASIS added).

The conduct of the district court towards W.O.R. not only results in acts prohibited by state law and Constitutions but is also inhumane (same as prior - 280-; 359-). W.O.R.'s entire life with his paternal family has been taken from him, losing his Father, W.O.R.'s closest relationship in the world and whom W.O.R. trusts to protect him. W.O.R. can no longer play basketball or go fishing with his Father or go to his cabin, his favorite place in the world, because Appellee, Barbosa, the district court, and judicial Defendants in related cases have lied, committed fraud, and illegally taken W.O.R.'s Father and family from him in violation of law and Constitutional requirements. Rued has suffered greatly from these frauds and judicial abuses, but this pales in comparison to the harms these frauds are inflicting upon W.O.R. that he has so unnecessarily endured. This is a horrific situation and there is no reasonable defense that judicial officers have not adequately addressed these frauds. Based upon the facts and evidence in this case, no reasonable judicial officer anywhere in the United States would find the conduct towards W.O.R. exhibited here by the Minnesota Judiciary (same as prior on -241-242-) acceptable conduct towards their own child or grandchild, nor could any reasonable judicial officer view such as lawful conduct conforming to maltreatment laws or Constitution.

The Minnesota Judiciary has no authorizable

business being anywhere near, or ignoring, violations of child maltreatment law or any related prohibitions (same as prior on -349-; -927-; -125-), much less violating such (same as prior on -242-243-; 978-; -1019-1020-; -75-; -1024-; -90-91-; -132-) through Constitutionally prohibited action (U.S. Const. Art. VI §2):

The legislature hereby declares that the public policy of this state is to protect children whose health or welfare may be jeopardized through maltreatment. (Minn. Statute § 260E.01).

Multiple experienced and highly qualified experts have provided input into the state and federal records related to overt and severe irreparable harms Rued and W.O.R. are suffering based upon the record evidence and actions and omissions of the Minnesota Judiciary (same as prior on -302-351- (see *State v. Myers*, 359 N.W.2d (Minn. 1984)), which is uncontroverted in the record. Rued's and W.O.R.'s irreparable harms continue and increase by the day until adequate relief is provided which has been abusively delayed by further frauds and Constitutionally prohibited abuses by the district court, sustained through and including this order appealed here:

Protecting against abusive delay is an interest of justice. *Martel v. Clair*, 565 U.S. 648, 662 (2012).

Unlawful confinement and deprivations of basic rights to child welfare or rights far more precious than any property rights indisputably results in irreparable harms, and the fact that such harms have been

perpetrated for so long upon Appellant and W.O.R. only adds to the irreparable nature.

The district court, Appellee, and Barbosa are fully aware, as such have been noticed numerous times, that the primary fraud claims presented herein have never been fully or fairly litigated nor have the merits been appropriately reached by any judicial body, rendering judicial doctrines of issue preclusion or law-of-the-case inapplicable and violative of Constitutional requirements, if applied. Accordingly, any inference or claim to the contrary under oath by any party would be perjurious. In addition, any inference or claim to the contrary in a brief would be violative of MRPC Rule 3.3(a), and if relied upon here results in fraud upon the court.

Appellant seeks relief from fraud upon the court which all controlling district court orders are fundamentally based upon that has never been litigated or allowed to be litigated. It is a fact that is not open for debate or other reasonable interpretation that the district court's orders fundamentally rely upon Jayswal's CHIPSP as essential evidence to deprive Appellant's and W.O.R.'s protected rights in flagrant violation of procedural due process given systematic refusal by the district court to allow these issues to be litigated or reach that the court is relying upon admitted perjury and substantive due process requirements because the district court continues fundamentally relying upon Jayswal's CHIPSP and those conspiring with Jayswal and/or relying upon Jayswal's admitted perjury in the CHIPSP all of which is demonstrably untrue and continuing sustaining reliance upon such to deprive protected rights, as here, violates clear Fourteenth Amendment guarantees,

including fundamental fairness—such is the only reasonable interpretation of the evidence and is the only conclusion supportable by the record as Jayswal has admitted assertions that Rued's allegations of W.O.R.'s maltreatment and abuse are false is totally incorrect:

Q: Is it true that there was no evidence of any abuse?

A: I don't believe there was.

Q: Any evidence of abuse? Hadn't [W.O.R.] made multiple reports to you?

A: Yes...

Q: And he made those disclosures multiple times to you, right?

A: Correct.

Q: He also made them to CornerHouse, correct?

A: Correct...

Q: So to say that there was no evidence of any such abuse is just totally incorrect, isn't it?

A: Yes. Same as prior on -1293-1294-.

Jayswal has admitted that allegations that Rued's reports are false, which is an affirmative statement he had made under oath, is untrue and false to the actual information in his investigation and his own belief, which is an admission of perjury. Such is also necessarily an admission that there was evidence

supporting Rued's reports of abuse, namely W.O.R.'s reports of abuse to CPS investigators and at CornerHouse.

Perjury is defined under state statute in Minn.Stat. §.609.48.subd.1 which provides definition of "acts constituting [perjury]" as a "false material statement not believing [such statement] to be true" under oath, which includes defining perjury to be necessarily inconsistent statements, irrespective of affirmation or determination regarding veracity of the definitionally contradictory statements (Minn.Stat. §.609.48.subd.3)—given admissions of Jayswal and what perjury is there is no discretion to determine the CHIPSP' allegations Rued's allegations are false is not perjury, as such definitionally is here. The district court's assertion that Appellant's claims are "without merit" are objectively false and constitute fraud upon the court and Constitutionally prohibited actions and abuses by Couri and Stebbins—of course, this also means such are in clear error. Even if Appellant cited no law or Constitution or any legal basis whatsoever, this Court has a duty to address these errors given the clarity of evidence and that these determinations are supported simply by Couri and Stebbins objectively lying about the record evidence to abuse Appellant and W.O.R.; all of which are actions that no state judicial officers have discretion to perform or take action to sustain, which includes this Court.

Appellant properly sought relief in a motion for fraud upon the court consistent with holdings of the Minnesota Supreme Court related to family law (*Johnson v. Johnson*, 243 Minn. 403, 405 (Minn.1955)). The district court's holding that Appellant's relief

requested is without merit is objectively legally and factually untrue under every standard of review—see also *Hazel-Atlas* (1944), *Halloran* (Minn.1958), *In re Welfare of Children*, 769 N.W.2d 297, 303 (Minn. Ct. App. 2009), *Maranda v. Maranda*, 449 N.W.2d 158, 165 (Minn.1990), and *Pfizer* (8th Cir.1976) regarding what frauds merit redress for fraud upon the court or appropriate redress here. The Minnesota Judiciary has a duty, under the Fourteenth Amendment (see *Santosky v. Kramer*, 455 U.S. 745, 758 (1982)) and holdings of the Supreme Court of the United States (see *Palmore* (1984) and *Lassiter* (1981)), to adequately address fundamental reliance upon fraud and fraud upon the court here causing severe harm to W.O.R., and Appellant and W.O.R.'s protected rights, in addition to requirements under best interest factors. Instead, this Court and the district court pervert its own law claiming they are constrained by law to perpetrate and sustain fraud and violations of the Constitution, contrary to controlling law see also *Hazel-Atlas Co. v. Hartford Co.*, 322 U.S. 238, 244-246 (1944)), with what may be the most exorbitantly ludicrous and abusive of claims and application of law that any judiciary has ever facilitated in the history of the United States:

It is quite another matter, however, to suggest that a lower court, possessing general original jurisdiction in law and equity, has not the power to set aside a judgment entered pursuant to a mandate of the supreme court on the ground that there had been fraud in the proceedings before the supreme court, thereby preventing a party from having his defenses properly presented and his full day in court, to which he is entitled. To so hold would be to stultify the

courts and render them impotent in the face of conceded fraud. 3 Freeman, Judgments, 5th Ed., p. 2453, § 1183; *Nelson v. First Nat. Bank of Killingley*, C.C., 70 F. 526. Inferentially supporting this proposition and of interest here are *La Crosse & Minnesota S. P. Co. v. Reynolds*, 12 Minn. 213, 12 Gil. 135; *Kelly v. McKeown*, 151 Minn. 525, 184 N.W. 273. In other jurisdictions where the question has been considered, a similar decision has been reached. *Kincaid v. Conly*, 62 N.C. 270; *Cox v. Bank of Hartsville, Tenn.*, 63 S.W. 237; *Wade v. Watson*, 133 Ga. 608, 66 S.E. 922. *Tankar Gas v. Lumbermen's Mut. Cas. Co.*, 215 Minn. 265, 271, 9 N.W.2d 754, 758 (1943) (see also *Hazel-Atlas Co. v. Hartford Co.*, 322 U.S. 238, 244-246 (1944)).

Fourteenth Amendment requirements do not dissolve in civil settings (*Joint AntiFascist Committee v. McGrath*, 341 U.S. 123, 171 and 161 (1951)). Basic tenants of fundamental fairness (*Brown v. Mississippi*, 297 U.S. 278 (1936)) and procedural process due are imposed by the Constitution for government action depriving protected rights. Having established procedures to remedy departures from established requirements under the Constitution does not absolve such procedures, themselves, from the requirements of fundamental fairness and dictates of the Constitution which would render meaningfulness of such procedures null with respect to the established intent of such action.

That the Supremacy Clause (*Armstrong v. Exceptional Child Ctr., Inc.*, 135 S. Ct. 1378, 1383 (2015)) and demands of the Fourteenth Amendment apply to state judicial action is not reasonably

debatable (*Shelley v. Kraemer*, 334 U.S. 1, 14-15 (1948)). Application of judicial doctrine resulting in obviating the demands of the Fourteenth Amendment or sustaining violations of the same results in action that is non-conforming to and prohibited by the United States Constitution (*Cooper v. Aaron*, 358 U.S. 1 (U.S. 1958)). Claims of re-litigating are improper to apply to evidence and information that was never considered or reached by previous district or appellate court orders and proceedings, especially relating to admitted fraud essential to deprivations of protected rights, fraud upon the court, and unreached federal claims in family law (*Angelos v. Angelos*, 367 N.W.2d 518 (Minn. 1985)):

When the [decision maker] relies on evidence that the claimant has no chance to refute, the [proceeding] becomes infected with a procedure that lacks that fundamental fairness the citizen expects from his Government. *United States v. Bianchi Co.*, 373 U.S. 709, 720 (1963).

Applying law-of-the-case doctrine or preclusion law to Constitutional claims as Appellant's that have never been allowed to be litigated due to clear violations of due process, appealed through the Supreme Court of the United States, makes the application of the doctrine clearly incompatible with requirements of the United States Constitution binding upon any state action depriving protected rights, as here. Given that such application is also clearly contrary to state and federal law holdings regarding the doctrine itself, which, itself, properly applied, does not violate the requirements of the Constitution, such application is also an equal protections violation under the Fourteenth Amendment given such is applied differently to

sufficiently similarly situated individuals given controlling, binding law of the State (see *League of Women Voters Minn. v. Ritchie*, 819 N.W.2d 636, 668 (Minn. 2012)).

There is no controversy that Jayswal's CHIPSP allegations against Appellant constitute admitted perjury because that is what Jayswal has admitted—it is what the words mean and there is no discretion to determine they are other than they are or mean other than they do. There is also no controversy that Jayswal's falsified allegations are essential to the district court determinations and deprivations of Appellant's federally protected rights prohibited by the due process clause of the Fourteenth Amendment, which no state actor has discretion to undertake or sustain. Absent Jayswal's falsified allegations and those conspiring with Jayswal or relying upon the same, the district court has no basis for any of its determinations regarding what it coins the seminal issues of the case to deprive Appellant's protected rights. There is no controversy that the district court may address this fraud upon the court and has duty to do so under United States and Minnesota Constitutional requirements, requirements for integrity of the court, its judgements, and the State and American Justice systems, under every equitable principle that matters, and under the principal requirements and aims of our society and government:

Government must also protect fundamental rights. See *The Declaration of Independence* ¶ 2; 1 W. Blackstone, *Commentaries* *124 ("[T]he principal aim of society is to protect individuals in the enjoyment of those absolute rights, which are vested in them by the immutable laws of

nature"). *Evenwel v. Abbott*, 578 U.S. 54, 84 (2016).

There is no legal discretion on the part of the district court or any Minnesota Appellate Court to not grant the relief Appellant seeks:

Those rights, fundamental in their nature, which have been guaranteed by the [Constitution] cannot be the subject of judicial discretion...[which must] be exercised in conformity to the Constitution and the laws of the land. *Smith v. Hooey*, 393 U.S. 374, 377 (1969) citing *Moreau v. Bond*, 114 Tex. 468, 271 S.W.379.

Denying Appellant's relief sought is Constitutionally prohibited state action for which no which judicial officer has authorization to undertake or sustain under law given Constitutional requirements are binding (see *Larson* (1949); *Shelley* (1948); *Bell* (1971); *Cooper* (1958); *Fiske* (1933); *Owen* (1980)), basic requirements of integrity/fairness would be flagrantly defied, and granting such is necessary because Furnstahl and the Minnesota Judiciary rendered judgement fundamentally based upon admitted perjury, which the Minnesota Judiciary and this Court are aware of, which is fraud upon the court by Furnstahl, the district court, and this Court because there was never any controversy that the admitted perjury in the CHIPSP and false allegations against Rued were admitted perjury and false allegations against Rued (see *Halloran* (Minn.1958)). The Minnesota Judiciary has been willfully and blatantly abusing Appellant and W.O.R., a child, absent any legitimate government interest attempting to protect

themselves and other actors under color of state law by trying to cover up all of this criminal action under color of state law because what has occurred here is so shocking to the conscience and so violative of federal rights it is self-evident such results in substantial damage and would expose the lack of integrity and lawfulness of all levels of the Minnesota Judiciary, being too nearsighted to see that doing so would only make the end result *that much worse*.

In *Maranda* (1991), the Minnesota Supreme Court described fraud upon the court within a marriage dissolution case, specifically noting the state court's unique position relative to dissolution proceedings. In citing the following authorities related to fraud upon the court, the Minnesota Supreme Court "refus[ed] to adopt such narrow...definition[s] of fraud in marriage dissolution cases", finding any narrow standard "had no place in family law":

[A] scheme to interfere with the judicial machinery performing the task of impartial adjudication, as by preventing the opposing party from fairly presenting [their] case. *Pfizer* (1976).

The circumstances in these proceedings clearly fulfill the more stringent standards not required in dissolution cases (*Hazel-Atlas Co. v. Hartford Co.*, 322 U.S. (1944)) in this state and are even more clear in that the district courts, themselves, are primary purveyors of the scheme defrauding the court. As presented herein, the initial trial court referee, Furnstahl, undertook a sophisticated, intentional effort to conceal his fraud upon the court from being directly appealed or discoverable upon review.

Barbosa fabricated evidence through her own affidavit as counsel submitting and fraudulently claiming the material claims in the CHIPSP she knew were admitted to have been falsified were true and made open statements of the same in court, which were fundamentally relied upon to falsely discredit W.O.R.'s testimony of abuse, dismiss an OFP, isolate W.O.R. with his abusers for years, deprive Appellant's[]

[SELECTION FROM PAGE 16 OF APPELLATE BRIEF]

VI. Current Proceeding

Rued sought relief from fraud and fraud upon the court related to Jayswal's admitted perjury and conspirators related fraud, to enforce parenting time, and to change custody and parenting time (Add-53-55; 8-23).

[TRANSCRIPT OF HEARING]

MS. BARBOSA: Thank you, Your Honor. Beth Barbosa, B-A-R-B-O-S-A, representing the petitioner in this matter, Catrina M. Rued, who is also appearing via Zoom.

THE COURT: Thank you. And then, Mr. Rued, if you'd not your appearance, please.

THE RESPONDENT: Sure, Your Honor. Joseph Rued, R-U-E-D, representing myself.

THE COURT: Thank you. This matter is before us following the Court's permission granted in early May to hear a motion regarding the issue of ongoing parenting time. We had several motions filed, both sides, since then. I've had a chance to generally review all of it. So, you don't need to go into minute detail but just the basic requests about what you're looking for starting with you, Mr. Rued.

THE RESPONDENT: Sure. Thank you, Your Honor. I have prepared a brief statement and would like to reserve time for a reply. As can be seen in my motions and supporting documents, I am asking the Court to address the issues of admitted perjury and fraud in Hennepin County CPS investigations that have been determinatively relied upon in these proceedings while the admissions that such constitutes perjury and fraud have been systematically prevented from being litigated.

The result of reliance upon such admitted perjury and fraud by Hennepin County CPS, those affiliated with the investigations, and Scott County CPS, who

also determinatively relied upon Hennepin County CPS in their investigations for [W.O.R.] result in extraordinary abuses of process along with rampant child maltreatment, neglect, endangerment and emotional terrorism of [W.O.R.].

THE COURT: Mr. Rued, I'm sorry to interrupt, but the issue that was allowed to be presented and argued before the Court concerns ongoing parenting time. We're not going back and making retroactive findings of fraud or anything of that nature, but you're entirely able to argue about what ongoing parenting time should be and how the Court should consider the best interests in that regard.

THE RESPONDENT: Okay. Well, I believe this is directly related to ongoing parenting time and however the Court is going to construe the requests that are before it. Is it okay that I proceed?

THE COURT: You can go ahead. I'm just telling you what we're actually considering today.

THE RESPONDENT: Well, I believe this relates to ongoing parenting time as well.

THE COURT: Go ahead.

THE RESPONDENT: Which are clearly demonstrated through my submissions and the record before this Court. I'm speaking about the reliance upon Hennepin County CPS and their admitted perjury and their investigations for [W.O.R.] and the harm that causes him. before this Court.

Petitioner has not allowed parenting time for over a year and a half, and her submissions make clear irrespective of what she blames for not allowing parenting time that what she has accomplished is also exactly what she wants and has every intention of attempting to continue to facilitate.

This is all after petitioner refused to comply with the Court's orders for parenting time for the nine months prior to this year and a half deprivation, which occurred after repeatedly violating the Court's order for parenting time.

As this Court is aware, this alone generates ample grounds to change custody and parenting time given the extraordinary amount of time petitioner has not allowed [W.O.R.] to see me and that this is a recurring issue that petitioner is asserting is best for [W.O.R.] based upon admitted perjury and fraud of Hennepin County CPS, and those relying upon such frauds including this Court, which petitioner and her attorney are aware are admittedly untrue.

In response, petitioner claims attempting to deal with the admitted perjury and fraud at the heart of these proceedings is frivolous because such issues have been litigated. Knowing just as well as I and

It is not possible for a child's best interest to be met through these ongoing violations of child maltreatment laws, endangerment and continued reliance upon admittedly falsified allegations of child maltreatment against me that petitioner continues to urge this Court to sustain irrespective of the severe and definitional harms to [W.O.R.].

The last time I saw [W.O.R.], he was not at all happy or comfortable with his circumstances isolated with petitioner and continued to ask me for help. I will not abandon my natural duties and my legal duties to [W.O.R.]. This Court should view that as a good thing that this Court would like to see from any parent this Court know, such issues have never been litigated because this Court has prevented it, then fraudulently claimed the issues have been litigated in order to not reach the frauds while prohibiting me from presenting my claims.

Such assertions by petitioner, which are suborned by her attorney, are demonstrably fraudulent and result in fraud upon the Court given the centrality of such issues to these proceedings. While clearly perpetrating fraud before this Court on these fundamental issues, petitioner at the same time asserts that all of what the record indicates [W.O.R.] says cannot be trusted and [W.O.R.] cannot be believed except with respect to what petitioner represents [W.O.R.] secretly tells petitioner while petitioner ensures that [W.O.R.] does not see me prohibiting [W.O.R.] from continuing to inform me otherwise as he universally has for years begging for help.

This Court does not need to look any further than the pictures of [W.O.R.] upon finding out that Judge Weber did not listen to him and the accompanying dialog and confusion regarding why he is not being listened to and terror at being ordered back into petitioner's care knowing she had threatened him that if he reported the abuse that occurs in her care that he will not get to see me, which is precisely what has occurred, and he says is the scariest thing in his life in order to know what I do regarding petitioner's claims.

Petitioner is fabricating this because her and her attorney need to maintain complete control of [W.O.R.] to ensure their abuse, endangerment, neglect and emotional terrorism continues to be covered up for their own sake.

Petitioner states under oath that I acted in bad faith in mediation contrary to her, but Ms. Barbosa would not even agree to not be personally involved with scheduling and facilitating parenting time, which is plainly indicative of the degree of control petitioner's attorney needs to exert attempting to keep her own and her client's criminal actions and child maltreatment covered up.

For all of the reasons identified in my submissions demonstrating the flagrant violations of child maltreatment laws resulting in [W.O.R.]'s ongoing maltreatment, neglect, endangerment and emotional terrorism, I respectfully ask this Court to order [W.O.R.] immediately into my care from the bench today. There is not another action this Court can take that can comport with [W.O.R.]'s best interest, which inherently requires inhibiting the ongoing maltreatment and endangerment that continues to be perpetrated upon [W.O.R.] through the reliance of admitted perjury and fraud and CPS investigations that also constitute false allegations of child maltreatment against me, which is a prohibited act under state law and a violation of criminal statutes that petitioner and her attorney continue to perpetrate and this Court cannot lawfully abide or continue conspiring with.

Absent such immediate relief being provided for these well-known issues for which no genuine controversy exists because of falsified investigation conclusions and allegations against me are admittedly untrue, I will need to seek an emergency injunction against all levels of the Minnesota judiciary, at the United States Supreme Court because contrary to the claims of this Court, the Constitution and its requirements for which no thing in state law can stand against are in effect in family courts, which has been made specific by the Supreme Court since 1953 in May vs. Anderson as present circumstances are flagrantly violative of the most rudimentary of the Constitution's requirements. Thank you.

THE COURT: Ms. Barbosa.[]

maltreatment and endangerment of W.O.R. which are unsupportable as being in W.O.R.'s best interests.

1. Modify/Amend/Vacate the Court's July 17, 2025 assertion that to the issues raised in Respondent's pleadings do not "rise to the level of modification in any capacity" as absent basis in reason, fact, or law, resulting in invidious application of law absent adequate rationale and for fraud and/or fraud upon the court given such assertions are demonstrably untrue and fraudulent and are essential to this Court's July 17, 2025 actions which further deprivations of protected rights of Respondent and W.O.R. and further child maltreatment and endangerment of W.O.R. which are unsupportable as being in W.O.R.'s best interests, as well as being contradicted by this Court's prior and controlling Orders.
2. Modify/Amend/Vacate the Court's July 17, 2025 assertion that this Court does not have "authorization" to address issues raised in Respondent's pleadings as absent basis in reason, fact, or law, resulting in invidious application of law absent adequate rationale and for fraud and/or fraud upon the court given such assertions are demonstrably untrue and fraudulent and are essential to this Court's July 17, 2025 actions which further deprivations of protected rights of Respondent and W.O.R. and further child maltreatment and endangerment of W.O.R. which are unsupportable as being in W.O.R.'s best interests.
3. Modify/Amend/Vacate the Court's July 17, 2025 assertion that issues raised in Respondent's

pleadings do not "address the best interests factors relative to parenting time schedule and conditions" and custody as absent basis in reason, fact, or law, resulting in invidious application of law absent adequate rationale and for fraud and/or fraud upon the court given such assertions are demonstrably untrue and fraudulent and are essential to this Court's July 17, 2025 actions which further deprivations of protected rights of Respondent and W.O.R. and further child maltreatment and endangerment of W.O.R. which are unsupportable as being in W.O.R.'s best interests, as well as being contradicted by this Court's prior and controlling Orders.

4. Modify/Amend/Vacate the Court's July 17, 2025 assertion that this Court "supports Respondent's relationship with his son" as absent basis in reason, fact, or law, and for fraud given such assertions are demonstrably untrue and fraudulent.
5. Modify/Amend/Vacate the Court's July 17, 2025 assertion that Respondent seeking to address unaddressed and unreached fraud upon the court, violations of criminal statutes, violations of child maltreatment laws, and violations of Constitutional requirements by this Court, Petitioner, and Petitioners' Attorney Beth Barbosa are "unreasonable" or supportive of Petitioner being "entitled to conduct-based fees and costs" as absent basis in reason, fact, or law, and for fraud and fraud upon the court given such assertions are demonstrably untrue and fraudulent.

ARGUMENT

I. APPELLEE PROVIDED NO RESPONSE REGARDING PARENTING TIME.

Joseph Rued ("Rued/Appellant/Father"), in addition to seeking to address numerous other issues, has also been seeking to enforce parenting time for years which has still not occurred, for years—prior to this Court ruling, W.O.R. will have been kept from Rued for two years despite Order for parenting time existing the entire time. The deprivation of parenting time, for years, is central to this proceeding, the issues Father has raised in formal motion and oral argument, and is contrary to what has been continuously ordered by the district court, for years—Catrina Rued ("Mother/Appellee") and Beth Barbosa ("Appellee's Attorney/Barbosa") do not even seek to address or respond to these issues raised, despite acknowledgement (Responsive Brief on ("RBO") 16). Similarly, the district court absurdly claims Father did not seek to address ongoing parenting time, which Mother's own Brief discredits (RBO 16), on the purported bases that fraud, Constitutional abuses, and violations of child maltreatment and other relevant law relates to ongoing parenting time, which is so egregiously unreasonable and non-sensical that it is abusive.

The district court refuses to address Mother's and her Attorney's deprivations of parenting time in violation of its own orders for years because the deprivations of parenting time are also based upon fraud upon the court and violations of child maltreatment and other laws, including the United States and Minnesota Constitutions, which, in

context, pushes theoretical limits of unreasonableness and illegality with the district court refusing to even enforce its own orders on the basis that Father *also* raises that its orders cannot be authorized under Constitutional requirements and are illegal, unreasonable, and abusive, including clearly harming W.O.R., contrary to the duties of the district court and, of course, also this Court, and Mother does not even respond to these issues raised. It is no mystery why Mother and Barbosa do not provide response—there is no reasonable defense to their behavior.

II. APPELLEE'S RESPONSE REGARDING EQUAL PROTECTIONS IS UNTRUE.

Father raises that the Minnesota Judiciary holds that even the hypothetical *threat* to disruption of a W.O.R.'s relationship with Mother and Mother's children from another marriage, all of whom W.O.R. has repeatedly and unequivocally reported have repeatedly abused him, is enough to physically confine Father and deprive Father's protected rights while, in the[]

[SELECTION FROM PAGE 16 OF APPELLANT'S REPLY BRIEF]

It is impossible to reconcile that due process would apply to child-support, but not long-established liberty interests by the United States Supreme Court, like parental rights and physical liberty, and due process would apply to other monetary awards like conduct-based fees as much as it applies to child-support. It is impossible to assert Rued was provided requisite opportunity[]