

Supreme Court, U.S.
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No. 26-334

IN THE
SUPREME COURT OF THE UNITED STATES

In re the Matter of Joseph Rued,

Petitioner,

v.

the Commissioner of Human Services,

Respondent.

*On Petition for Writ of Certiorari to the Minnesota
Court of Appeals*

PETITION FOR WRIT OF CERTIORARI

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QUESTION PRESENTED

Petitioner, a reporter of child maltreatment and Father of the reported victim, sought a fair hearing for County determinations that no maltreatment occurred. The Minnesota Commissioner of Human Services determined that the Constitution was not another provision of law providing Petitioner with standing to challenge such County determinations for which Petitioner timely filed an appeal and served the Commissioner, with Petitioner's then attorneys failing to serve the County. The Court of Appeals initially held such failing deprived the district court of subject matter jurisdiction and the Minnesota Supreme Court reversed. On remand from the Minnesota Supreme Court for determinations on an issue unraised in appellate proceedings (time limitations of personal service upon the County), the Court of Appeals determinatively relied upon the Minnesota Supreme Court's remand order that explicitly did not determine such issues and asserted that there was no obligation for the County to preserve such waivable issues on appeal because the issue was not "ripe"—the same opinion relied upon the fact that such time limitation issues were raised by the County over three years prior and prior to the initial appellate proceedings.

THE QUESTION PRESENTED IS:

Does the Fourteenth Amendment inhibit state courts, including appellate courts, from dismissing appeals of state executive agency determinations implicating protected rights on grounds that are so objectively unreasonable as to be demonstrably fraudulent and contradicted within the same opinion and authorities relied upon?

PARTIES TO THE PROCEEDINGS

Joseph Daryll Rued, a natural person and reporter of child maltreatment of his natural child, is the Petitioner.

Respondents are the Minnesota Commissioner of Human Services, a state agency responsible for supervision of county child protection matters and departments and making final determinations regarding allegations of child maltreatment on a preponderance of evidence basis which are supposed to be the only determination regarding child maltreatment admissible in court, and Scott County Department of Health and Human Services, a county department responsible for investigating and making initial determinations regarding allegations of child maltreatment.

STATEMENT OF RELATED PROCEEDINGS

- *Joseph Rued v. Commissioner of Human Services*, Minnesota Supreme Court and Minnesota Court of Appeals No. A22-1420
- *Joseph Rued v. Commissioner of Human Services*, Scott County District Court No. 70-CV-22-7318
- *Joseph D. Rued v. Catrina M. Rued*, Supreme Court of the United States No. 22-702
- *In Re the Marriage of Catrina Rued and Joseph Rued*, Minnesota Court of Appeals Nos. A21-0798; A21-1064; A22-0812; A23-0715
- *Joseph Daryll Rued and on Behalf of minor child W.O.R and Catrina Marie Rued, et al*, Minnesota Court of Appeals No. A22-0593
- *Joseph Daryll Rued and on Behalf of minor child W.O.R and Catrina Marie Rued, et al*, Hennepin County Court No. 70-FA-21-13336
- *In Re the Marriage of Catrina Rued and Joseph Rued*, Minnesota Court No. 27-FA-16-6330
- *Joseph Rued, also o/b/o W.O.R., a minor child v. Catrina Rued, et al* Scott County District Court No. 70-CV-24-4238

- *Joseph Rued, also o/b/o W.O.R., a minor child v. Charles Webber* Scott County District Court No. 70-CV-24-7810
- *Joseph Rued, et al v. Charlene Hatcher, et al,* Minnesota District Court No. 23-CV-02685
- *Joseph Rued, et al v. Charlene Hatcher, et al,* Eighth Circuit Court of Appeals No. 23-CV-03092
- *Joseph Rued, et al v. Charlene Hatcher, et al,* Supreme Court of the United States No. 23-986
- *Joseph Rued, also o/b/o W.O.R., a minor child v. Catrina Rued, et al,* Hennepin County District Court No. 27-CV-24-5845; Minnesota District Court No. 24-CV-3662 (JWB/DJF)
- *In Re Joseph Rued, Petitioner,* Minnesota Supreme Court No. A24-1740; A25-0057
- *Joseph Rued, also o/b/o W.O.R., a minor child v. Charles Webber,* Minnesota Court of Appeals and Minnesota Supreme Court Nos. A24-1706; A24-2035
- *Joseph Rued, also o/b/o W.O.R., a minor child v. Catrina Rued, et al,* Minnesota Court of Appeals and Minnesota Supreme Court Nos. A24-1705; A24-1905

- *Rued, et al v. Jayswal, et al*, Minnesota District Court No. 24-CV-1763 (JRT/TNL) and Eighth Circuit Court of Appeals No. 25-1620
- *Rued, et al v. Hudson, et al I*, Minnesota District Court No. 24-CV-2437 (JRT/TNL) and Eighth Circuit Court of Appeals No. 25-1623
- *Rued, et al v. Hudson, et al II*, Minnesota District Court No. 24-CV-3409 (JRT/TNL) and Eighth Circuit Court of Appeals No. 25-1651
- *Rued, et al, v. Judge Charlene Hatcher, et al*, Minnesota District Court No. 25-CV-0468 (JRT/ECW) and Eighth Circuit Court of Appeals No. 25-1614
- *In re Rued, et al I*, Eighth Circuit Court of Appeals No. 25-1593
- *In re Rued, et al II*, Eighth Circuit Court of Appeals No. 25-1594
- *In re Rued, et al III*, Eighth Circuit Court of Appeals No. 25-1597
- *In re Rued, et al IV*, Eighth Circuit Court of Appeals No. 25-1598
- *Rued, et al, v. Jayswal, et al*, Minnesota District Court No. 25-CV-3333 (PJS/DLM)
- *Rued, et al, v. Jayswal, et al*, Supreme Court of the United States No. 25A571

- *Rued, et al v. Harris, et al*, Middle District of Florida District Court No. 2:26-cv-01060 JES-NPM
- *Rued, et al v. Harris, et al*, District of Columbia District Court No. 1:26-cv-01258

Related Cases

- *Joseph Rued, et al v. Charlene Hatcher, et al.* Supreme Court of the United States No. 23A829
- *In Re Joseph Rued, Petitioner* Minnesota Court of Appeals No. A23-0044; A23-1754; A24-0759; A24-0982
- *In Re Joseph Rued, Petitioner* Minnesota Supreme Court No. A23-1754; A23-1755; A23-1936; A24-0719 A24-0759; A24-0982
- *In Re Petitioners Scott Rued and Joseph Rued, In Re Complaint Against 041423, A Minnesota Attorney*, Minnesota Supreme Court No. A23-1004
- *In Re Complaint Against 041423, A Minnesota Attorney*, Minnesota Supreme Court No. A23-0614
- *In the Matter of the Welfare of the Children of: Catrina M. Rued and Joseph D. Rued*, Hennepin County District Court No. 27-JV-18-5395

- *In the Matter of the Welfare of the Child of:
Catrina M. Rued and Joseph D. Rued,
Hennepin County District Court No. 27-JV-25-
1195*
- *In the Matter of the Welfare of the Child of:
C.M.R. and J.D.R., Minnesota Court of
Appeals No. A25-1175*
- *In the Matter of the Welfare of the Child of:
Catrina M. Rued and Joseph D. Rued, Scott
County District Court No. 70-JV-25-7699*
- *Rued, et al v. Jayswal, et al, Supreme Court of
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<i>Griffin v. Illinois</i> , 351 U.S. 12, 76 S. Ct. 585, 100 L. Ed. 891 (1956)	13
<i>Hebert v. Louisiana</i> , 272 U.S. 312, 316, 47 S.Ct. 103, 104, 71 L.Ed. 270, 48 A.L.R. 1102 (1926)	13
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OPINIONS BELOW

The Order below is of the Minnesota Court of Appeals in *In re the Matter of Joseph Rued v. the Commissioner of Human Services* (A25-0831) (App.-4-), which was petitioned for further review at the Minnesota Supreme Court and denied.

JURISDICTION

Petitioner timely petitioned for further review with the Minnesota Supreme Court (App.-11-) for review of the Minnesota Court of Appeals Order issued December 9, 2025 in *In re the Matter of Joseph Rued v. the Commissioner of Human Services* (A25-0831) (App.-4-), which was denied February 25, 2026 (App.-3-) and Judgement entered on March 11, 2026 (App.-1-). Petitioner timely files this Petition for Writ of Certiorari within 90 days of denial of further review by the highest court of the state. Jurisdiction of this Court is invoked under 28 U.S.C. §1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS

U.S. Const. Art. VI §2, 3

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

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the

United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution.

U.S. Const. Amend. XIV §1

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

STATEMENT OF THE CASE

On remand from the Minnesota Supreme Court in *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42 (Minn. 2024), the district court dismissed an action seeking review of the Minnesota Commissioner of Human Services' ("Commissioners"/"State's") determination that a reporter of child maltreatment and father of the reported victim ("Rued"/"Petitioner") lacked standing pursuant to any provision of law under both the United States and Minnesota Constitutions' due process provisions that implicate Rued's protected right to care for his son for a fair hearing regarding County child protection services ("CPS") determinations that maltreatment had not occurred due to Rued's former attorneys' failure to timely serve Scott County Department of Health and Human Services ("the County"; collectively with the State "Respondents"/"the Government") with the action within 30 days pursuant to a waivable limitations period. The action was timely filed and the only agency with authority to make determinations at issue was timely served. On appeal of the dismissal,

Petitioner raised that the actions of the County, who appeared in every proceeding, on appeal related to the time limitations of personal service and personal service issues resulted in waiver and forfeiture under state law through the County's failure to raise such issues on appeal to the Minnesota Court of Appeals and the Minnesota Supreme Court, and to the extent the County wishes to participate in the appeal of the Commissioner's determination regarding the Constitution's provisions for due process joinder, not dismissal, is appropriate given Rued's protected rights at issue (App.-24-73-).

The Court of Appeals affirmed the district court on grounds that the Minnesota Supreme Court, in the initial appellate proceeding, determined that the County consistently maintained challenge to Rued's failure to timely serve the County and that the independent criterion of service within 30-days cannot go only to personal jurisdiction and has not been waived or forfeited as the time-period limitations claim did not need to be raised as alternative grounds of affirmance on appeal to preserve the issue by the County because it was not then ripe, resulting in joinder being improper under state law (App.-7-9-). The same opinion cites to what it represents as the County preserving the time-limitations issue at the district court *prior* to the initial appellate proceedings (App.-7-)—in initial appellate proceedings, the County explicitly raised only subject-matter jurisdiction arguments related to personal service, likely in an effort to avoid the obvious that joinder related to any defect in service would be appropriate under state law given Rued's protected rights at issue, that due process has never been provided for such determinations by the Government, the appeal of the Commissioner's

determination was timely filed, and the Commissioner was timely served. Neither time-limitations of personal service nor anything related to personal jurisdiction were raised to the Minnesota Supreme Court or the Court of Appeals by the County and Rued had no opportunity to brief or argue either issue at the Minnesota Supreme Court, as the issues were not before that court:

Ultimately, however, the County forfeited appellate review of the district court's determination regarding personal jurisdiction because it failed to raise that issue before the court of appeals. *State v. Myhre*, 875 N.W.2d 799, 806 (Minn. 2016) ("Issues not raised in the court of appeals are usually forfeited here."). We therefore decline to reach that issue. *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42, 52 (Minn. 2024).

The Minnesota Supreme Court could have dismissed Rued's appeal in *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42, 52 (Minn. 2024) if the issue related to time-limitation of personal service upon the County were clear—had that court done so, Rued could have petitioned for rehearing and/or review of determinative Constitutional issues in this Court. Appellate courts, including this Court, review *judgements* and the judgement remanded the time limitations issue of personal service upon the County to the district court, and the Minnesota Supreme Court explicitly asserted it expressed no opinion on the time limitations issue of personal service upon the County *because* it was not raised in appellate proceedings:

We therefore remand to the district court so that the County may either waive its limitations defense or move for dismissal on that basis. [Because Rued's noncompliance with the limitations period was not an issue appealed to us, **we take no position on the merits of any future motion for dismissal by the County on those grounds.**] *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42, 51 and *7 (Minn. 2024) (emphasis added).

The emphasized language above is included and necessitated in the holding, determination, and entire essence of the disposition of the proceeding at the Minnesota Supreme Court—were such not the case, the Minnesota Supreme Court would be construed as ordering the re-litigation of their own determinations and dismissal, not remand, is what would or should have occurred in such instance that is directly contrary to the judgement of the Minnesota Supreme Court which requires determinations regarding time limitations of personal service to be made in district court. Given such language, there is nothing related to the judgement necessary for Rued to review in further proceedings at or above the Minnesota Supreme Court because such proceeding determined that all issues related to time limitations of personal service were not determined in such proceeding and directed determination by the district court, which is the appropriate forum for Rued to address such issues that have never been raised in the appellate proceedings, not on petition for rehearing or petition for writ of certiorari here for of what the Minnesota Supreme Court explicitly did not determine.

To the extent the Minnesota Supreme Court opinion in *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d

42 (Minn. 2024) is construed as determining that the only proceedings in such case occurred in the district court, such is objectively unreasonable (and fraudulent) as it denies the proceeding in which the Minnesota Supreme Court issued the order remanding the case, and to the extent the same order is construed as asserting the County raised the time limitations of personal service issue on appeal, such is contradicted by the simple facts of the case and assertions within the same order by the Minnesota Supreme Court. Petitioner petitions for writ of certiorari on the basis that the Minnesota Court of Appeals' applications of law to dismiss Petitioner's appeal of the State's determinations that the United States Constitution is not a provision of law that provides Rued standing for a fair hearing regarding government child maltreatment determinations for his natural child are so objectively unreasonable as to be demonstrably fraudulent and violative of due process requirements, including fundamental fairness, under the Fourteenth Amendment, due to relying upon *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42 (Minn. 2024) to preclude the very issue remanded as therein determined based upon imputing definitional fraud to *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42 (Minn. 2024), contravening the judgement in that proceeding, and asserting the time limitations of personal service issue was not ripe in initial appellate proceeding while relying upon the fact that the County raised the very same issue in the initial district court proceeding *prior* to initial appellate proceedings.

REASONS FOR GRANTING CERTIORARI

The Court of Appeals' reliance upon *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42 (Minn. 2024) to preclude Petitioner's arguments necessarily

contravenes the essential disposition of the proceeding at the Minnesota Supreme Court and necessarily imputes fraud to the Minnesota Supreme Court opinion and essential determination that deprives Rued of any ability to challenge such issues unraised, unbriefed, and unargued by any party throughout extensive appellate proceedings determinative to deprivations of Rued's protected right to care for his son, which can only be vindicated through a fair hearing related to the County's determinations that publicly available information indicates Rued asserts are determined based upon the admitted fraud and perjury of another county agency (Hennepin County CPS) and those conspiring with them (see 25-420, 25A571, and 25-1178, among numerous other public sources), through challenging the Commissioner's determinations regarding the United States Constitution's provisions for due process. If there was some other basis conforming with law to support the disposition of the proceeding by the Court of Appeals, then these actions clearly contravening due process, both procedurally and with respect to fundamental fairness, requirements under the United States Constitution may not necessarily result in unlawfulness—there is not.

The only other basis supporting the disposition of the case is the Court of Appeals' assertion that the County possessed no obligation to raise issues related to the time limitations on personal service on appeal because the issue was not ripe, relying upon "*Leiendecker v. Asian Women United of Minn.*, 895 N.W.2d 623, 631-33 (Minn. 2017) (holding that a party is not obligated to raise an issue on appeal if it is not [']ripe['])" (App.-8-) when the Court of Appeals' disposition of the case is also based upon the

determination that the County actually raised the issue related to time limitations on personal service in the district court in 2022, prior to initial (and, necessarily, later) appellate proceedings, resulting in the Court of Appeals necessarily contradicting itself, necessarily violating due process requirements to the extent essential, and there is no intervening change in law excusing the County's failure to raise the issue regarding time limitations requirements upon personal service in prior appellate proceedings, given the County knew to raise it in prior district court proceedings along with personal service which is an extinguished claim due to the County's failure to raise such claim in the initial appellate proceedings:

This issue also arises in the context of successive appeals. A claim becomes ripe when there is an intervening change in the law between a party's **initial decision not to raise the claim because it would have been futile under then-existing law, and a later decision to raise that claim for the first time**. See *State v. Lindquist*, 869 N.W.2d 863, 867-68 (Minn. 2015) (holding that a claim was not forfeited when "an intervening change in the law ... excused" the "failure to bring what would have otherwise been a **futile** argument"); *Peterson*, 675 N.W.2d at 68 (noting that there had been no "significant changes in the law or in the facts of the case that would make review" of the issue previously not raised "any different now than it would have been" in the first proceeding). An intervening change in the law is a new rule that overrules existing precedent. *Leiendecker v. Asian Women United of*

Minnesota, 895 N.W.2d 623, 631–32 (Minn. 2017) (**emphasis added**).

The Court of Appeals has determined this proceeding and dismissed Petitioner's action/appeal seeking fair hearing for county determinations of child maltreatment regarding his natural child on grounds that are objectively unreasonable and cannot arguably comply with due process requirements under the Fourteenth Amendment.

It is uncontested that the County raised the issue related to time limitations on personal service in the initial district court proceeding in 2022, then explicitly chose not to in appellate proceedings, raising only subject matter jurisdiction—the principal question on appeal from remand is whether the failure to raise such issues in *appellate proceedings* results in waiver and/or forfeiture of such waivable claims that definitionally cannot go to subject matter jurisdiction and disposition of such issues when Rued's protected rights are implicated through means lacking compliance with Constitutional requirements, as here, is Constitutionally prohibited action. *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42 (Minn. 2024) considered the time limitations on personal service *only in the district court*, which are neither relevant to the issues on appeal nor determinative to the same in this proceeding. Further assertions of the Court of Appeals also cannot reasonably support the disposition of the case—the Court of Appeals' assertions that Rued asserts the County is not an adverse party are inaccurate (App.-8-), as Rued's assertion is that the State, not the County, is the only *indispensable* party, which is relevant when the appeal was filed and the indispensable party was served within the statute of limitations—Rued asserts that, in conjunction with

waiver and/or forfeiture of the County's claims related to time limitations on personal service, joinder of the County is appropriate and dismissal treats the waivable limitation as if such were not, in contravention of the explicit holding in *Rued v. Comm'r of Hum. Servs.*, 13 N.W.3d 42, 50 (Minn. 2024) (App.-16-). The Court of Appeals' assertion regarding Rued's argument that the time limitation upon personal service goes to personal and not subject matter jurisdiction is also misrepresented (App.-8-) and irrelevant because such is disposed of on the basis that the Minnesota Supreme Court split the issue of time limitations upon personal service requirements and personal service requirements (App.-8-), something Rued does not challenge, even if such arguably splits the same issue—that the 30-day time requirement for personal service issue is independent from personal service requirements does not logically result in both not going only to personal jurisdiction in this case where the appeal was filed and the only indispensable party served in time, which would support joinder of the County, not dismissal of the action/appeal, when the requirements are waivable under state law (e.g., *Doerr v. Warner*, 247 Minn. 98, 103–05, 76 N.W.2d 505, 511–12 (1956)—“the better practice is to have the court join the indispensable party rather than dismiss the action”) and, thus, cannot go to subject matter jurisdiction.

The Court of Appeals has affirmed dismissal of Petitioners' appeal of the Commissioner's determination that the United States Constitution is not a provision of law that provides Petitioner with standing to challenge CPS determinations regarding his natural child on grounds that cannot hope to comply with reason or the requirements upon such

state action under the Fourteenth Amendment. This Court should take writ of certiorari and require the Minnesota Court of Appeals' actions dismissing appeals and denying judicial review of State executive agency determinations regarding the United States Constitution leveraged to deprive protected rights far more precious than any property right to comply with the Fourteenth Amendment's requirements, mirrored with respect to federal and state action, and reason:

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).

That the action of state courts and of judicial officers in their official capacities is to be regarded as action of the State within the meaning of the Fourteenth Amendment, is a proposition which has long been established by decisions of this Court. That principle was given expression in the earliest cases involving the construction of the terms of the Fourteenth Amendment. Thus, in *Commonwealth of Virginia v. Rives*, 1880, 100 U.S. 313, 318, 25 L.Ed. 667, this Court stated: 'It is doubtless true that a State may act through different agencies,—either by its legislative, its executive, or its judicial authorities; and the prohibitions of the amendment extend to all action of the State denying equal protection of the laws, whether it be action by one of these agencies or by another.' In *Ex parte Commonwealth of Virginia*, 1880, 100 U.S. 339, 347, 25 L.Ed. 676, the Court observed: 'A State

acts by its legislative, its executive, or its judicial authorities. It can act in no other way.' In the *Civil Rights Cases*, 1883, 109 U.S. 3, 11, 17, 3 S.Ct. 18, 21, 27 L.Ed. 835, this Court pointed out that the Amendment makes void 'state action of every kind' which is inconsistent with the guaranties therein contained, and extends to manifestations of 'state authority in the shape of laws, customs, or judicial or executive proceedings.' Language to like effect is employed no less than eighteen times during the course of that opinion.

Similar expressions, giving specific recognition to the fact that judicial action is to be regarded as action on the State for the purposes of the Fourteenth Amendment, are to be found in numerous cases which have been more recently decided. In *Twining v. New Jersey*, 1908, 211 U.S. 78, 90, 91, 29 S.Ct. 14, 16, 53 L.Ed. 97, the Court said: 'The judicial act of the highest court of the state, in authoritatively construing and enforcing its laws, is the act of the state.' In *Brinkerhoff—Faris Trust & Savings Co. v. Hill*, 1930, 281 U.S. 673, 680, 50 S.Ct. 451, 454, 74 L.Ed. 1107, the Court, through Mr. Justice Brandeis, 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, 68 S. Ct. 836, 842-43, 92 L. Ed. 1161 (1948).

The due process clause requires 'that state action, whether through one agency or another,

shall be consistent with the fundamental principles of liberty and justice which lie at the base of all our civil and political institutions.' *Hebert v. Louisiana*, 272 U.S. 312, 316, 47 S.Ct. 103, 104, 71 L.Ed. 270, 48 A.L.R. 1102. *Brown v. State of Mississippi*, 297 U.S. 278, 286, 56 S.Ct. 461, 465, 80 L. Ed. 682 (1936).

Of course the fact that appeals are not constitutionally required does not mean that a State is free of constitutional restraints in establishing the terms upon which appeals will be allowed. It does mean, however, that there is no 'right' to an appeal in the same sense that there is a right to a trial. Rather the constitutional right under the Due Process Clause is simply the right not to be denied an appeal for arbitrary or capricious reasons. *Griffin v. Illinois*, 351 U.S. 12, 37, 76 S. Ct. 585, 599, 100 L. Ed. 891 (1956) (Dissent).

It is true that a State is not required by the Federal Constitution to provide appellate courts or a right to appellate review at all... But that is not to say that a State that does grant appellate review can do so in a way that discriminates against some convicted defendants on account of their poverty. Appellate review has now become an integral part of the Illinois trial system for finally adjudicating the guilt or innocence of a defendant. Consequently at all stages of the proceedings the Due Process and Equal Protection Clauses protect persons like petitioners from invidious discriminations. *Griffin v. Illinois*, 351 U.S. 12, 18, 76 S. Ct. 585, 590, 100 L. Ed. 891 (1956) (citations omitted).

CONCLUSION

Constitutional protections are woefully lacking in civil settings, as is demonstrated here—it is clear that the Fourteenth Amendment and the Supremacy Clause requires due process and fundamental fairness from any state appellate court just as much as from a district court when protected rights are implicated, irrespective of a lack of appeal being required under Constitution. Absent such, most rights become discretionary for the state upon appeal (any party can appeal) and the right to petition, among most other rights, no longer are *rights*. Either way, the furtherance of action by any appellate court is of what occurred in the district court and if the government takes action, whether through voluntary procedures or Constitutionally requisite procedures, such action(s) much comply with Constitutional requirements and the Court of Appeals compliance with requirements under due process is entirely unsupportable here. The government regularly treats appellate procedures as if Constitutional requirements have no bearing upon such governmental action, resulting in the debauchery exhibited by the broader circumstances here and dismissal of an appeal seeking a fair hearing regarding child abuse investigation determinations that are explicitly based upon admitted perjury and fraud of child abuse investigators and others relying upon the same that the Minnesota Judiciary has systematically prevented from being litigated for numerous years in order to protect themselves, the State, and actors under color of state, and now also federal, law that are willfully abusing children, including Rued's son, and violating the Constitution's requirements.

Of course this results in a significant miscarriage of justice, and the ability to deploy protected rights in state courts without dismissal based upon demonstrable fraud, as here, is of national import. Even the contortions and perversions of law by the Minnesota Judiciary here are targeted at avoiding determination of the fundamental issue Rued seeks judicial determination regarding—whether the Fourteenth Amendment of the Constitution is a provision of law that implicates a protected right in a fair hearing based upon the evidence regarding the government's determinations of child maltreatment, which is also of national significance, particularly when federal protections against child abuse and maltreatment are limited within territories of states, resulting in heightened necessity for state procedures related to child maltreatment, abuse, and welfare to comply with due process to the extent such can even be stratified given necessity under law. If state courts can dismiss appeals/actions seeking fair hearing for child maltreatment determinations based upon demonstrable fraud, a citizen's right to care for their child is virtually meaningless when child abuse and/or maltreatment is involved, which is as important as any aspect of the right to care for one's child, absent the United States or other states providing asylum for citizens, including children, abused by states like Minnesota or some other legal means for parents to protect children from maltreatment when the Minnesota Legislature and United States Constitution has already provided such.

Respectfully Submitted,

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