26-5320

No. ______ **ORIGINAL**

In the
Supreme Court of the United States

Linh Tran Stephens,
Petitioner,

v.

CHILD SUPPORT SERVICES OF OKLAHOMA DEPARTMENT OF HUMAN SERVICES, et al.,
Respondents.

ON PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT
(Case No. 25-5063; District Court No. 4:24-CV-00216-JDR-CDL)

PETITION FOR WRIT OF CERTIORARI

WITHOUT RECOURSE / WITHOUT PREJUDICE
Presented by:
Linh Tran Stephens, *sui juris, Agent or attorney-in-fact, natural living woman breathing with a soul and Holy Spirit, Non-Assumpsit, sole secured party creditor of LINH TRAN STEPHENS©TM ens legis and all its derivatives thereof*
in care of: 235 Tom Stewart Rd
Newberry, South Carolina 00000 ZIP EXEMPT [near 29108]
without the United States District of Columbia
Telephone: (843) 608-0294
Email: LinhStephens7@gmail.com

JULY 15, 2026

QUESTIONS PRESENTED

1. Whether claims that a state agency and a private financial institution jointly liquidated an ERISA-protected retirement account, without a qualified domestic relations order, may be dismissed at the pleading stage without any analysis of ERISA.

2. Whether due process permits a state agency to irreversibly liquidate retirement property before the hearing it scheduled to review the seizure, without notice to every account owner.

3. Whether federal courts may dismiss, rather than stay, federal damages claims under Younger abstention outside the three categories recognized in *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013), where bad faith is shown and no adequate state forum exists.

4. Whether the Eleventh Amendment permits dismissal of damages claims against state officials sued in their individual capacities, claims for prospective relief against ongoing violations of federal law, and claims against private parties who possess no immunity.

5. Whether a court of appeals violates due process when it excludes a pro se litigant's appendix from the record and then affirms on the ground that her arguments lack record support.

6. Whether federal courts must address treaty-based claims raised by a foreign national under ratified international conventions.

7. Whether federal courts must remedy, rather than rely upon, orders obtained through fraud on the court.

8. Whether a documented pattern of falsified casework and misuse of public funds, confirmed by federal investigation and state audit, establishes policy-or-custom liability under 42 U.S.C. § 1983 against defendants not shielded by immunity.

9. Whether a pleaded Fair Debt Collection Practices Act claim—that collectors reported a disputed obligation to credit-reporting and passport agencies without disclosing the dispute, refused the validation demanded in writing, and then collected through an irreversible seizure—may be dismissed without any analysis of the statute.

10. Whether the Full Faith and Credit Clause bars a State from retroactively modifying a sister State's final divorce decree, which its own courts acknowledged as binding, where no party moved to modify it.

11. Whether a pleaded civil RICO claim under 18 U.S.C. § 1964(c), resting on mail- and wire-fraud predicates in the collection of a non-existent obligation through a federally funded enforcement program, may be dismissed without analysis of its elements.

LIST OF PARTIES

Pursuant to Supreme Court Rule 14.1(b)(i), the following is a complete list of all parties to the proceedings in the courts whose judgments are sought to be reviewed:

PETITIONER:

- Linh Tran Stephens

RESPONDENTS:

- Child Support Services of Oklahoma Department of Human Services
- Charles Schwab and Co., Inc.
- Cierra Freeman
- Mary Johnmeyer
- Renee Banks
- Jason Hoenshell
- Emmalene Stringer

RELATED CASES

Pursuant to Supreme Court Rule 14.1(b)(iii), the following is a complete list of all proceedings in this Court and in the courts below that are directly related to the case that is the subject of this petition:

I. PROCEEDINGS DIRECTLY BELOW

- *Stephens v. Child Support Services of Oklahoma Department of Human Services, et al.*, No. 25-5063 (10th Cir.). Order and Judgment entered January 16, 2026. This is the judgment sought to be reviewed.
- *Stephens v. Child Support Services of Oklahoma Department of Human Services, et al.*, No. 4:24-CV-00216-JDR-CDL (N.D. Okla.). Opinion and Order of Dismissal entered April 24, 2025; Judgment entered April 24, 2025.

II. RELATED PROCEEDINGS IN THIS COURT

- *Linh Tran Stephens v. Child Support Services of Oklahoma DHS, et al.*, No. 25A913. Emergency Application for Stay filed January 31, 2026; Docketed February 20, 2026.
- *Linh Tran Stephens v. Adam Sylvester Stephens.* Companion Petition for Writ of Certiorari from the Oklahoma Court of Civil Appeals, Case No. DF-122022 (contempt-incarceration questions), submitted within the correction window granted by this Court's Clerk's latest letter of May 19, 2026; mailed overnight on July 13, 2026.

III. UNDERLYING AND RELATED ACTIONS

- *In the Matter of the Marriage of Adam Sylvester Stephens and Linh Tran Stephens*, No. 15DR18623 (Columbia Co., Oregon Circuit Court). *Dissolution Judgment* entered January 8, 2016.

- *Linh Tran Stephens v. Adam Sylvester Stephens*, No. FD-2015-2228 (Tulsa Co., Okla. Dist. Ct.). Underlying domestic-relations and enforcement proceedings.
- *In re Minor G.S.*, No. JD-2021-270 (Tulsa Co., Okla. Dist. Ct., Juvenile Div.). Parallel juvenile proceedings.
- *In re the Marriage of Linh Tran Stephens v. Adam Sylvester Stephens*, OAH No. 23-00313-73 (Okla. Office of Administrative Hearings). Administrative levy-review proceedings; orders reproduced at *App. GG*.
- *In re Linh Stephens*, No. 4:25-cv-00285-GKF-MTS, and *In re G.S.*, No. 4:25-cv-00286-CVE-MTS (N.D. Okla.), dismissed January 21-22, 2026; appeals pending, Nos. 26-5041 and 26-5040 (10th Cir.).
- Related Oklahoma appellate proceedings, Nos. DF-120848 and DF-120849 (Okla. Sup. Ct.).

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INDEX TO APPENDICES

The following appendices accompany this Petition and are incorporated herein by reference. All appendices are part of the Record on Appeal (ROA) in Case No. 25-5063 (10th Circuit) and Case No. 4:24-CV-00216-JDR-CDL (N.D. Okla.), except as noted. For the Court's convenience, each entry below concludes with its ROA locator (Vol. I = 10th Cir. Doc. 7-1; Vol. II = 10th Cir. Doc. 7-2), demonstrating that every appendix was before both courts below:

TABLE OF AUTHORITIES CITED

TENTH CIRCUIT CASES:

CONSTITUTIONAL PROVISIONS:

STATUTES, REGULATIONS, AND RULES:

TREATIES, EXECUTIVE MATERIALS, AND OTHER:

IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Linh Tran Stephens respectfully petitions this Court to issue a Writ of Certiorari to review the judgment of the United States Court of Appeals for the Tenth Circuit.

OPINIONS BELOW

The opinion of the United States Court of Appeals for the Tenth Circuit, entered January 16, 2026, in Case No. 25-5063, is reproduced at *Appendix A* ("*App. A*"). The unpublished, non-precedential *Order and Judgment* was issued by Circuit Judges Carson, Baldock, and Kelly, affirming the *United States District Court (**"U.S.D.C."**) for Northern District of Oklahoma*'s dismissal 'for substantially the same reasons stated by the district court' without independent analysis of any of the *seventeen* issues presented. The Tenth Circuit also denied Petitioner's *Emergency Motion for Stay and Injunction Pending Appeal* (January 16, 2026; *App. C*; ROA: 10th Cir. Docket Entry, Jan. 16, 2026), *Motion to Stay the Mandate* (January 28, 2026; *App. B*; ROA: 10th Cir. Docket Entry, Jan. 28, 2026), and *Verified Petition for Writ of Mandamus* (July 11, 2025; *App. D-2*; ROA: 10th Cir. Doc. 33; ROA, Vol. II at 31).

Opinion and Order of the U.S.D.C. for the Northern District of Oklahoma, entered April 24, 2025, in Case No. 4:24-CV-00216-JDR-CDL, is not reported but is reproduced in full at *Appendix D-1* (*Opinion and Order*, N.D. Okla. Doc. 61); the corresponding *Judgment* (Doc. 62) is reproduced at *Appendix DD.* The district court dismissed all claims on three grounds: (1) Eleventh Amendment immunity; (2) *Younger* abstention; and (3) failure to state a claim. All pending motions were denied as allegedly moot. Final judgment was entered the same day.

The Oklahoma Supreme Court's orders in related proceedings (Case Nos. DF-120848, DF-120849, DF-122022) are *not* directly sought to be reviewed in this *Petition for Writ of Certiorari* but constitute the background state proceedings at issue.

JURISDICTION

This Court has jurisdiction pursuant to 28 U.S.C. § 1254(1). The Tenth Circuit entered its *Order and Judgment* on ***January 16, 2026*** (Case No. 25-5063), affirming the district court's dismissal of all claims. The district court (N.D. Okla., Case No. 4:24-CV-00216-JDR-CDL, Judge John D. Russell) entered final judgment on April 24, 2025. Petitioner's original Petition to this Court was executed and postmarked ***April 13, 2026***, within ninety days of Tenth Circuit's judgment, S. Ct. R. 13.1, and any subsequent resubmission has been made within the correction window granted by the Clerk. Petitioner filed an *Emergency Application to Stay* before this Court (No. 25A913) on January 31, 2026, docketed February 20, 2026. This petition is timely.

The underlying federal action invoked 28 U.S.C. § 1331 (federal question); 28 U.S.C. § 1332 (diversity — Petitioner is a national of Viet Nam, Asia continent); 28 U.S.C. § 1343 (civil rights); and 28 U.S.C. § 1350 (Alien Tort Statute). Pursuant to S. Ct. R. 29.4(b), Petitioner has notified the Clerk and served the Solicitor General because the constitutionality of 42 U.S.C. § 658a is drawn in question.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

A. United States Constitution: Art. III, §§ 1-2 (judicial power); Amend. I (speech, religion); Amend. IV (unreasonable seizure); Amend. V (due process, self-incrimination); Amend. VI (jury trial, confrontation); Amend. VII (civil jury trial); Amend. VIII (cruel and unusual punishment); Amend. XI (sovereign immunity —

misapplied); Amend. XIII (involuntary servitude); Amend. XIV, § 1 (due process, equal protection); Art. IV, § 1 (Full Faith and Credit).

B. Federal Statutes and Regulations: 29 U.S.C. § 1056(d)(1) (ERISA anti-alienation); 29 U.S.C. § 1144 (ERISA preemption); 42 U.S.C. §§ 1983, 1985, 1986 (civil rights); 18 U.S.C. §§ 1961-1968 (RICO); 15 U.S.C. § 1692 et seq. (FDCPA); 18 U.S.C. § 666 (federal program misapplication); 42 U.S.C. §§ 654(4), 658a, 659(i)(4) (Title IV-D); 45 C.F.R. §§ 302.12, 303.6(c)(4); 28 U.S.C. §§ 1331, 1332, 1343, 1350; 28 U.S.C. §§ 1738, 1738A, 1738B (Full Faith and Credit).

C. International Authorities: United Nations Convention Against Torture (***UNCAT***), Arts. 2, 16; International Covenant on Civil and Political Rights (***ICCPR***), Art. 12; Hague Convention on the Civil Aspects of International Child Abduction.

D. Oklahoma State Statutes (applied in violation of federal supremacy): Okla. Stat. tit. 43, §§ 1 et seq. (used to modify the Oregon decree without authority); Okla. Admin. Code § 340:25-5-1 et seq. (income imputed at $250,000/year without any evidence or testimony of purposeful underemployment); Okla. Stat. tit. 21, § 565 and tit. 43, § 137 (contempt applied without ability-to-pay hearing, contrary to *Turner v. Rogers*, 564 U.S. 431 (2011)); Okla. Stat. tit. 20, §§ 123-128 (Special Judges Act); Okla. Stat. tit. 43, § 413.1 (FIDM—applied to seize ERISA accounts without QDRO, contrary to 29 U.S.C. § 1144); Okla. Stat. tit. 31, §§ 1(A)(20) and 1.1, tit. 60, §§ 327-328, and tit. 74, § 923 (exemption statutes never adjudicated); 56 O.S. §§ 240.22-240.22G (levy statute recited on the face of the unsigned notice); 31 C.F.R. Part 212 (federal benefit-protection procedures levy notice expressly disclaimed); 22 C.F.R. § 51.60(a)(2) (passport denial upon HHS certification under 42 U.S.C. § 652(k)); Okla. Stat. tit. 25, § 1101 et seq. (Anti-Discrimination Act—OCRE recused; *App. Q*).

The pertinent text of each constitutional and statutory provision cited above is set out verbatim at *App. II*, pursuant to S. Ct. R. 14.1(f).

STATEMENT OF THE CASE

An Oklahoma state agency used a federal garnishment program to seize $64,445.92 from the retirement account of a Vietnamese national—an account funded entirely after her divorce, during a subsequent marriage—to satisfy a f*raudulently-alleged* child-support debt from the earlier marriage and without any Qualified Domestic Relations Order. No requirement of Title IV of the Social Security Act was satisfied: no owner of the retirement account consented to Title IV-D enforcement, no one applied for IV-D nor IV-E services, and no assignment of support rights ever existed. See *Blessing v. Freestone*, 520 U.S. 329, 343-44 (1997) (Title IV-D functions as a fiscal yardstick between the federal government and the States and was not enacted to benefit individual custodial parents). The funds seized have never been accounted for; the child's father's own attorney testified under oath that neither he nor his client received any portion. The agency back then held a "hearing" two days *after* the property was gone, before an adjudicator who had earlier ruled he lacked jurisdiction over the same matter. The federal courts dismissed every claim without reaching any of it. The verified facts below supply the documentary record for each of the eleven Questions Presented: Sections I.A and I.C for Questions 1, 2, 9, 10, and 11; Section I.B for Questions 7, 8, and 10; Sections I.E and I.F for Question 6; Section I.F and Part II.B for Questions 3, 4, and 8; and Parts II.A and II.C for Questions 5 and 7. Pinpoint *Record on Appeal* (***ROA***) locators for every appendix are set out in the Index to Appendices, supra, and repeated throughout this Statement.

I. FACTUAL BACKGROUND: **STATEMENT OF FACTS - AFFIDAVIT OF TRUTH** (In Affidavit form 28 U.S.C.1746)

VERIFICATION AND DECLARATION

republic: South Carolina)
county of Newberry) ss.

Notice to Principal is Notice to Agent, Notice to Agent is Notice to Principal, Applications to all successors and assigns, Affidavit is a Form of Evidence, and Silence is Acquiescence and Acceptance

I, Linh-Tran: Stephens, a/k/a "Linh Tran Stephens", am an Ambassador of YHWH (יהוה), a 'free [nonblack] person,' and a stateless Vietnamese national, one of the People (as seen in the united States Constitution) republican in form; I have never knowingly been a U.S. citizen under 28 U.S.C. § 1332(a)(1). My natural rights derive from the Bill of Rights, not the Fourteenth Amendment; I am neither a negro nor a descendant of such. My biological, firstborn female offspring, G.S., shares this natural status, anchoring our constitutionally protected mother-child relationship and my fundamental parental rights over her care, custody, companionship, subject only to due process without discriminations. ***Meanwhile***, my legal entities, LINH TRAN STEPHENS©™ and G.S©®, are Fourteenth Amendment U.S. citizens under 8 U.S.C. § 1401(a), deriving standing from its privileges and immunities. Termed 'persons' in plural usage, these artificial entities were created approximately two weeks after our live births and fall under the definition of an 'individual' per 8 U.S.C. § 1101(b)(3). These entities were assigned EIN/Social Security Numbers used on the original notes pursuant to 26 C.F.R. § 301.7701-11. In terms of Commercial Codes, LINH TRAN STEPHENS©™ and G.S.©® are represented persons, account holders, and issuers of original notes, whose secured party creditor is the living woman Linh Tran Stephens. I also do hereby declare, verify, certify and affirm under penalty of perjury, that the facts herein this whole *Petition* are true and correct to the best of my knowledge, information, and belief.

A. Petitioner, Oregon Divorce Decree, and Post-Divorce ERISA Account

Petitioner's marriage to Adam Sylvester Stephens—characterized by domestic abuse (*App. O*)—was dissolved by mutual contract (binding stipulated agreement) before Judge Cathleen B. Callahan, Columbia County Circuit Court, Oregon, on January 8, 2016 (Case No. 15DR18623). The Oregon Decree expressly states in *five* separate places: "Jeep and Trailer [from Linh/mother to Adam/father] in lieu of child support." Petitioner, the natural/biological birth mother of G.S., fully performed by transferring, insuring, and delivering the Jeep and Trailer to Adam Stephens, who accepted and filed to secure title. (*App. E*; ROA, Vol. I at 338-348; Vol. II at 98, 114-118.) The Decree was registered in Tulsa County, Oklahoma, July 11, 2017 (Doc #1037428505; *App. F*; ROA, Vol. I at 349-351; Vol. II at 80) to enforce (not to modify). Oklahoma courts acknowledged it binding: *'The Court does not have authority to modify that decree retrospectively... the Oregon decree is binding on this Court.'* (*App. G*; ROA, Vol. I at 352-353; Vol. II at 80.) No motion to modify was ever filed.

The ERISA account illegally seized was created entirely after the January 8, 2016 divorce. In connection with her layoff from Cherokee Nation Health Services, and as instructed by Cherokee Nation Human Resources, Petitioner personally rolled over her Cherokee Nation 401(k) — opened in 2018 from her employment at Cherokee Nation Health Services (Indian Health Services-funded), August 2018 through September 30, 2020 (*App. FF-4*; ROA, Vol. I at 112; Vol. II at 10, 108) — from Lincoln Financial Group to Charles Schwab & Co., Inc. (Rollover Contributory IRA, acct. ***2605) in September 2020, as shown in *App. FF-2* (fax dated 09/19/2020) and *App.*

FF-3 (notarized 401(k) rollover form dated 09/17/2020). Petitioner's current husband ("X.H."), who is not Adam Stephens and is neither the father nor guardian of G.S., co-signed as spouse (*App. FF-3,* signature page) and is the co-owner and designated beneficiary of acct. ***2605 (*App. FF-1*; ROA, Vol. I at 112; Vol. II at 10, 108). Every contribution was made post-divorce; the Schwab account did not exist, and had no balance, on the date of the divorce. These facts were made known to Charles Schwab and OKDHS repeatedly—before, during, and after the May 9, 2024 hearing—through Petitioner's express written objections and certified-mail demands (*App. EE-1*; Compl. ¶¶ 27–40 & Exs. 1–4, Doc. 2; *App. GG*).

Yet on May 7, 2024—two days before the OAH hearing set for May 9, 2024, at 8:30 AM CT (*App. EE-3*)—Charles Schwab already liquidated the account against Petitioner's express written objections/notices, and without her consent (*App. EE-1*; ROA, Vol. I at 87; Vol. II at 10, 81), selling AMD ($7,066.96), AMC ($44.12), AAPL ($24,623.79), ARKQ ($10,983.22), ARKW ($7,835.92), PTON ($280.70), and TSLA ($4,686.33), totaling $55,521.04 in securities trades with a May 9, 2024 settlement date, and a total seizure of $64,445.92 (*App. EE-2*; ROA, Vol. I at 87; Vol. II at 10). X.H. received no notice, was never named or served in any proceeding, and received none of the $64,445.92. No QDRO has ever been issued as to either X.H. or Petitioner.

The ***five-document chain*** — *App. FF-4* (Cherokee Nation separation letter, a certified business record under Fed. R. Evid. 803(6)) → *App. FF-2* (fax of 09/19/2020) → *App. FF-3* (notarized 401(k) rollover form, co-signed by the nonparty second husband, 09/17/2020) → *App. FF-1* (Schwab account statement dated October 2020 — more than four years after the January 2016 divorce from Adam Stephens — confirming the account's 401(k) Rollover IRA status and the non-party second husband's co-ownership) → *App. EE-1 through EE-3* (liquidation executed *two* days before the OAH hearing, confirmed by seven individual trade confirmations each settling on the morning of May 9, before the hearing convened) — is entirely unrebutted and sits in the *Record on Appeal* (*ROA*, Vol. I at 79, 87, 112-115; Vol. II at 10, 81, 108). No Respondent challenged any link. ERISA anti-alienation protection transferred intact through the rollover. *Patterson v. Shumate*, 504 U.S. 753, 759-60 (1992). A QDRO under 29 U.S.C. § 1056(d)(3)(B)(i) never existed and could not have reached this account: the marriage to Adam Stephens was dissolved before any contribution was made; the account was never subject to the Oregon domestic-relations proceeding; the plan's own spousal-consent protection ran to the non-party second husband (App. FF-3); and no QDRO was ever sought, issued, or submitted to Cherokee Nation as plan administrator.

B. The Void Oklahoma State Court Proceedings

Oklahoma family court proceedings in Case Nos. FD-2015-2228 and JD-2021-270 were conducted without personal jurisdiction over Petitioner, a Vietnamese national who was never lawfully served, never consented to jurisdiction, and repeatedly challenged jurisdiction on the record. Each appearance was executed as a special, limited, and restricted entry of appearance under threat, duress, and coercion — Petitioner appeared ***only after*** her biological female offspring was taken without a warrant from private school under Petitioner's protective order and custody, to demand G.S.'s release. The proceedings were presided over by administrative "special judges" — Robert Perugino, Loretta Radford, Deborrah Ludi-Leitch, April Seibert, and Rodney Sparkman — over Petitioner's permanent and continuous objections to any special judges, magistrates, or substitutes for constitutionally commissioned judges, all of which were ignored.

The underlying child support order was obtained through fraud upon the court, including: **(a)** falsified documents submitted by OKDHS caseworker Bridget O'Brien/Menser, who held a prior felony conviction (Case No. CF-1999-2911) for conduct involving harm to minors, and who admitted on the record on June 1, 2022, before Special Judge April Seibert: "I know you're guilty just by looking at you" — while simultaneously admitting she never reviewed Petitioner's devices and based her report entirely on hearsay (*App. P*; ROA, Vol. I at 22; Vol. II at 72, 77, 82); **(b)** altered court transcripts and minute orders documented by independent audio recordings; and **(c)** perjured testimony by state employees. A subsequent Department of Justice (DOJ) investigation into O'Brien/Menser's conduct across multiple families, resulting in her termination from OKDHS, constitutes official confirmation of OKDHS's pattern and practice. *Monell v. Dep't of Social Services*, 436 U.S. 658 (1978).

On December 17, 2021, Special Judge Rodney Sparkman—who failed to disclose his 20-year OKDHS career—signed an *ex parte Emergency Custody Order* without notice, evidence, argument, cross-examination, or a court reporter; no official transcript exists. G.S. had already been physically removed from private school on December 3, 2021, at 6:00 p.m., without a warrant. Sole custody was awarded to Adam Stephens through records *falsely claiming Petitioner consented*, despite no wet signature or verified email from Petitioner, and despite Adam Stephens' documented prior termination of parental rights as to another female child, with a protective order entered in favor of that prior child (*App. M*; ROA, Vol. I at 102-107). As of this filing, G.S. has been separated from Petitioner for over 4.5 years without any finding of parental unfitness, due process, or jury trial. *Santosky v. Kramer*, 455 U.S. 745 (1982); *Troxel v. Granville*, 530 U.S. 57 (2000); *Stanley v. Illinois*, 405 U.S. 645 (1972).

Despite acknowledging the *Oregon Decree* as binding, Special Judge Seibert, without any pending motion to modify, retroactively imposed child support back to 2017 on February 20, 2024 (*App. H*; ROA, Vol. II at 74-75), while simultaneously finding Petitioner mentally incapacitated for custody yet imputing $250,000 annually in physician income plus $3,000 per month in disability income. That contradiction is refuted by Petitioner's IRS returns showing zero net income (*App. J*; ROA, Vol. I at 102, 126, 252, 269, 276; Vol. II at 68, 103, 107, 133, 149-153) and by Oklahoma Supreme Court's written affirmation of her indigency on January 23, 2023, in Case No. DF-120849 (*App. L*; ROA, Vol. I at 252, 276; Vol. II at 68, 91). Petitioner cannot rationally be deemed mentally ill and 100% disabled, yet simultaneously capable of earning full imputed physician income—especially where no witness or evidence showed purposeful underemployment as required for imputation. Retroactive modification of a sister State's final judgment, absent any motion to modify, also violates the Full Faith and Credit Clause: *Baker v. General Motors Corp.*, 522 U.S. 222, 233 (1998) (no roving public-policy exception to the full faith and credit due judgments); *V.L. v. E.L.*, 577 U.S. 404, 407 (2016) (per curiam) (a State may not disregard a sister State's judgment based on disagreement with its merits) (Question 10).

C. The Unlawful ERISA Seizure and the Pre-Hearing Constitutional Fraud

On May 7, 2024 — two calendar days before the Oklahoma Office of Administrative Hearings had scheduled a Bank Levy Hearing for May 9, 2024 at 8:30 AM CT (*App. EE-3*; OAH Case No. 23-00313-73; ROA, Vol. I at 79; Vol. II at 81) —

OKDHS employee Jason Hoenshell transmitted a FIDM liquidation directive to Charles Schwab & Co., Inc. Charles Schwab, through employee Mary Johnmeyer, immediately executed the full liquidation of $64,445.92 from Petitioner's ERISA-protected Cherokee Nation 401(k) Rollover IRA account ***2605 — without any QDRO, without notice to or consent of the second husband as co-owner and designated beneficiary, and over Petitioner's express written objection. (*App. EE-1*, EE-2; ROA, Vol. I at 87; Vol. II at 10, 81.) The settlement date of every single trade was the early morning of May 9, 2024 — the same morning as the OAH hearing. The property was irreversibly gone before the hearing could convene; the hearing was a constitutional nullity from the moment it was noticed. On November 20, 2023, Petitioner filed a *Verified Written Dispute and Demand for Validation* (Doc. #1056648665; *App. HH*); they never validated it and seized the account anyway.

The *Verified Complaint* — filed May 8, 2024, the day after the liquidation and the day before the hearing — preserves the paper trail verbatim (Doc. 2; *ROA*, Vol. I at 9-39). Petitioner was never served the *Notice of Levy* before the seizure; she learned of the levy only from Charles Schwab's automated email alerts, and obtained the Notice itself only after she confronted the agency with what the bank's notifications had revealed. That after-the-fact *Notice of Levy* for $64,445.92, issued under 56 O.S. §§ 240.22-240.22G over the typed name of Director Renee Banks, bore no signature of any person, no judge's name, no court, no file-stamp, and no seal — and expressly declared that 'the procedures established under *31 CFR Part 212* for identifying and protecting Federal benefits deposited to accounts at financial institutions do not apply to this garnishment order' (Original Complaint or "***Compl.***" ¶¶ 27-28 & Ex. 1, Doc. 2 at 8-9, 37): the State's own instrument disclaimed, in writing, the federal benefit-protection procedures before seizing a federally protected retirement account. The liquidation directive itself was a personal letter dated April 9, 2024 from Hoenshell to Schwab counsel Mary Johnmeyer — *'Please liquidate the assets belonging to Mrs. Stephens... begin by liquidating the assets found in account number x2605 in alphabetical order until Mrs Stephens' child support obligation has been met or until no funds are available'* — never served on Petitioner nor non-party X.H., who received it from the bank twenty-one days later (Compl. ¶ 34 & Ex. 3, Doc. 2 at 15, 49). After Petitioner's April 21-22, 2024 certified-mail demand for review (USPS Nos. 7022 2410 0002 8190 1322, 1339; Compl. ¶ 32 & Ex. 2), Stringer issued a *'Notice of Administrative Review Decision - Levy'* dated April 24, 2024 — *'No change is necessary. The levy will remain in effect'* — without any hearing having occurred (Compl. ¶ 37 & Ex. 4, Doc. 2 at 16, 51). And at 7:54 a.m. on May 7, 2024 — the very morning the sell orders executed — CSS emailed Petitioner the link for the May 9 hearing with the warning that *'[i]f you fail to join the hearing by 8:30am, you may be held in default'* (Compl. ¶ 40, Doc. 2 at 19): the agency threatened Petitioner with default for missing a hearing on property it liquidated that same morning.

The May 9, 2024 hearing itself, convened at 8:40 a.m. before administrative Special Judge Robert Perugino, confirmed on its own record that it was ratification, not adjudication (*App. GG*; OAH No. 23-00313-73 official record, submitted with Petitioner's 10th Cir. appendix, Sept. 26, 2025). **First**, Judge Perugino had granted, by written order of April 12, 2023 (signed April 13, 2023), the State's own motion to dismiss *'based on lack of subject matter jurisdiction'* in this very OAH case (*App. GG*) — yet on May 9, 2024 he asserted jurisdiction over the same matter, under the same OAH number, without explanation. **Second**, the tribunal entered the State's Exhibit

1 over Petitioner's objection while denying admission of Petitioner's Exhibits 2, 5, 6, 7, and 8, over her objection, 'based on relevancy and too much information being redacted' (*App. GG*) — a defect curable by simple unredaction — although the only material redacted was the non-party second husband's full name (leaving only his initials) to protect his identity and his Social Security number, and although the denied exhibits included the certified-mail proof that the correct exemption form had been timely returned and filed into FD-2015-2228 and additional Charles Schwab records Petitioner offered. **Third**, the State presented an alleged debt figure never exchanged with Petitioner before the hearing, while the obligee Adam Stephens, in the order's own words, 'was not present' (*App. GG*) — appearing at no point in the hearing, presenting no evidence, offering no witness, and never made available for cross-examination. The order nonetheless found that Petitioner 'failed to submit sufficient and credible evidence' that the funds came 'from a source that cannot be levied,' and ordered 'that the full levy stay in place' (*App. GG*) — a finding of evidentiary insufficiency entered by the same tribunal that had just denied admission of the evidence, as to property already liquidated before the hearing convened. **Fourth**, Petitioner timely claimed statutory exemptions for the accounts — including Oklahoma's dedicated exemption for retirement accounts and IRAs under 31 O.S. § 1(A)(20), interests in retirement, pension, and profit-sharing plans under 60 O.S. §§ 327-328, public-employee retirement funds under 74 O.S. § 923 (the account originating in federally funded Indian Health Services employment at Cherokee Nation), and undue hardship under 31 O.S. § 1.1 — and those claims were never adjudicated. And the proceeds themselves vanished: the obligee's own counsel swore that neither he nor his client received any portion, and no accounting has ever been

made — misapplication of federal program funds under 18 U.S.C. § 666, with mail- and wire-fraud predicates under 18 U.S.C. §§ 1341 and 1343 actionable under § 1964(c), as addressed by Question 11 (*App. K*; supra Part I.C). Petitioner objected throughout that a tribunal ruling without reviewing the records, the evidence, or the governing statutes denies due process; yet the adjudicator repeatedly interrupted and talked over Petitioner as she presented her case and acknowledged on the record his unfamiliarity with the case file; the objections were overruled or ignored. A biased and financially motivated adjudicator who disclaims jurisdiction, then asserts it over the same matter thirteen months later to bless a seizure his agency already executed, is not adjudicating — he is collecting. *In re Murchison*, 349 U.S. 133, 136 (1955); *Tumey v. Ohio*, 273 U.S. 510 (1927); *Gibson v. Berryhill*, 411 U.S. 564 (1973).

The chronology on the agency's own paper is therefore: decision sustaining the levy, April 24 (fifteen days before the hearing); irreversible liquidation, May 7; hearing, May 9. A tribunal that announces its decision, executes it irreversibly, and only then convenes the hearing is not a tribunal; it is *Fuentes* read backwards (Compl. Ex. 7, Doc. 2 at 75-77; *App. GG*).

This pre-hearing liquidation constitutes structural constitutional fraud and independently establishes violations of: the Fifth Amendment's pre-deprivation requirement (*Fuentes v. Shevin*, 407 U.S. 67 (1972); *Connecticut v. Doehr*, 501 U.S. 1 (1991)); *Mathews v. Eldridge*, 424 U.S. 319 (1976) (***irreversible private interest***; early-withdrawal taxation and penalties permanently attached because both owners were below retirement age); ERISA's anti-alienation bar under 29 U.S.C. § 1056(d)(1) (*Boggs v. Boggs*, 520 U.S. 833 (1997)) — making the hearing legally incapable of authorizing the seizure regardless of its conduct; the *Fair Debt Collection Practices*

Act/**FDCPA**'s prohibition on collecting formally disputed debts, 15 U.S.C. §§ 1692e, 1692g; 18 U.S.C. § 666 federal program misapplication; *Younger* bad faith under *Gibson v. Berryhill*, 411 U.S. 564 (1973) (an agency that executes the seizure while simultaneously noticing a hearing to contest it cannot claim good faith); and fraud upon the court requiring remediation under *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944), and *Glossip v. Oklahoma*, 604 U.S. 226 (2025). The rule sought is simple: a hearing scheduled after an irreversible seizure is not due process.

Per the sworn testimony of Gilbert Pilkington, Jr. (Adam Stephens' attorney) at the January 13, 2025 hearing, the $64,445.92 seized was never received by Adam Stephens, his attorney, or the child G.S. (*App. K*; ROA, Vol. II at 25, 92, 115, 140). Special Judge April Seibert acknowledged on the record that she does not know where the funds went. On August 27, 2025, Oklahoma State Auditor Cindy Byrd confirmed $93.4 million in 'questioned costs' at OKDHS for FY 2023, including $63.6 million in mismanaged federal grant money (*App. AA*; ROA: 10th Cir. Reply Br. Ex. 5, Sept. 26, 2025). Under 18 U.S.C. § 666, the disappearance of $64,445.92 from a Title IV-D federally funded agency — ***funds never reaching the beneficiary as required by 42 U.S.C. § 659(i)(4)*** — constitutes misapplication of federal program funds. OKDHS also lacked statutory authority to initiate any enforcement action: neither Petitioner nor the child's father ever applied for Title IV-D or IV-E services or received public assistance triggering an automatic support assignment under 42 U.S.C. § 654(4); by regulation the agency was required to screen for ability to pay before any contempt referral, 45 C.F.R. § 303.6(c)(4), which it never did; and Title IV-D/E functions may be exercised only by the designated single and separate organizational unit operating under the federally approved state plan, 45 C.F.R. § 302.12 — an administrative structure whose rules cannot override the Supremacy Clause or ERISA's federal protections. Every enforcement action was therefore *ultra vires* and *void ab initio*. See *Blessing v. Freestone*, 520 U.S. 329 (1997).

D. Contempt Proceedings and Debtor's Imprisonment

Without conducting any ability-to-pay hearing as required by *Turner v. Rogers*, 564 U.S. 431 (2011), and *Bearden v. Georgia*, 461 U.S. 660, 672-73 (1983) (a State may not imprison a person for inability to pay), Special Judge Deborrah Ludi-Leitch ordered Petitioner imprisoned for 60 days on February 7, 2024, despite the Oklahoma Supreme Court's written affirmation of indigency (January 2023; *App. L*), Petitioner's explicit verified declaration of inability to pay, and IRS returns showing zero income for 2021-2022 (*App. J*; ROA, Vol. I at 102, 126, 252, 269, 276; Vol. II at 68, 103, 107, 133, 149-153). The court's stated basis — 'we **believe** that she's receiving a monthly paycheck of $2,600 from the VA' — was unsupported by any evidence or first-hand witness per transcript. At the February 6–7, 2024 six-person jury trial, the court excluded seven sworn professional affidavits and all but two of Petitioner's forty-four exhibits (*App. O; App. I*), limited her to "dictionary-only" standby counsel forbidden to advise on law or on appeal, and ruled both that "this is not a criminal case where *Brady and Giglio* applies" and "I am not doing a *Rule 8 hearing*" (*App. N*). It then instructed the jury — over Petitioner's Fifth Amendment invocation — that jury could infer willfulness, the only contested element, from her silence (Jury Instruction 24a; *App. N*), contrary to *Griffin v. California*, 380 U.S. 609 (1965); yet a flat, determinate 60-day sentence plus a $500 fine is criminal contempt requiring criminal protections, *Hicks v. Feiock*, 485 U.S. 624, 632–35 (1988), and *Int'l Union, UMW v.*

Bagwell, 512 U.S. 821, 826–34 (1994). At sentencing the State's own attorney conceded that "*Turner v. Rogers* says she has to have a key to her cell," yet the court imposed a $12,413.40 cash-only purge with no finding of present ability to pay, resting instead on an unsworn assertion of a $2,600 VA income unsupported by any exhibit or witness (Feb. 6–7, 2024 Tr., Vol. II, at 103–106). These contempt questions are fully presented in the companion § 1257 petition from Case No. DF-122022 and are recited *here only to show the enforcement pattern surrounding the levy at issue.*

The court further denied Petitioner's request to serve the sentence on weekends so that her medical practice could survive; the 60-day confinement forced the permanent closure of her primary-care clinic (Peace Joy Clinic PLLC), destroying the very earning capacity the imputed-income findings presupposed, while the obligee father's own trial testimony rested on assumption rather than evidence — 'Being a doctor, I wouldn't call it struggling' (id., Vol. I, at 137).

While Petitioner's appeal of the February 2024 imprisonment (Case No. DF-122022) remained pending, Special Judge Loretta Radford issued a second order on May 8, 2025 for the identical debt — $13,711.24 cash-only, six months' incarceration — without any new ability-to-pay hearing (*App. W*; ROA, Vol. II at 141, 151, 176).

The same apparatus conditioned Petitioner's contact with G.S. on cash-only supervision fees, including a $40-per-hour monitor (Cheryl Hall) who was herself an OKDHS employee billing through her own private LLC — the agency-level self-dealing that 42 U.S.C. § 658a builds into the enforcement structure this petition asks the Court to review. A state-required monitor further forbade Petitioner, on threat of terminating all visits, from speaking of her faith (the Armor of God, Ephesians 6:10-18) to her child — an unconstitutional condition on protected speech and on the parental right to direct a child's religious upbringing recognized in *Wisconsin v. Yoder*, 406 U.S. 205, 232-33 (1972), and *Troxel v. Granville*, 530 U.S. 57, 65-66 (2000). These cash-only demands — the $40-per-hour monitor and the $12,413.40 and $13,711.24 purges (App. N; App. W) — leave no audit trail in a system already shown to have lost both the seized $64,445.92 and $93.4 million in audited costs (supra I.C). ***Neither confinement rested on any affidavit of harm or allegation of violence or ability to pay***; both were imposed solely over an alleged debt the record shows was never received by any beneficiary. Two of the four bench warrants have subsequently been dismissed and recalled, confirming on the State's own conduct that the warrants lacked legal foundation.

E. Passport Revocation, ADA Violations, and Additional Deprivations

Petitioner's passport was revoked under 42 U.S.C. § 652(k) without pre-deprivation notice or hearing, preventing her as a Vietnamese national from visiting terminally ill relatives abroad, engaging in religious or medical missionary activities, or returning to her country of origin. *Kent v. Dulles*, 357 U.S. 116 (1958). OKDHS simultaneously imputed physician income, blocked the renewal and then caused revocation of Petitioner's medical license without due process, and filed property liens (*App. V*; ROA, Vol. II at 43, 58, 74, 89, 95-97). Petitioner, a non-native-English speaker with documented chronic tinnitus (*App. T*; ROA, Vol. II at 14, 42, 54-55, 58, 62, 65-66), submitted formal ADA accommodation requests; Special Judge Seibert first denied them and required Petitioner to disclose medical diagnoses aloud in open court, then approved them on paper only — after ADA advocates filed formal complaints (*App. T*) — an approval never honored in practice by her or her successors. On May 2, 2025, Petitioner and her ADA advocates were deliberately blocked from appearing virtually, the same method permitted to Adam Stephens and his counsel. The court falsely recorded Petitioner as a 'no-show' and entered a default judgment (*App. U* — sworn affidavit of an in-person witness of these facts). Courts used Petitioner's religious expressions as grounds for ordering psychological evaluations, violating the First Amendment; her criminal claims documenting attorney perjury were systematically ignored.

F. Absence of Adequate State Remedy

On September 24, 2025, the *Oklahoma Office of Civil Rights Enforcement* (***OCRE***) formally recused itself from investigating Petitioner's claims (*App. Q*; submitted with Petitioner's 10th Cir. appendix, Sept. 26, 2025, received but not filed per *App. CC*; Case Nos. CR-23-175-PA through CR-23-193-PA), acknowledging conflicts of interest in writing because the Attorney General's office *'also represents, defends, and counsels state agencies.'* The OSBI investigation demanded by multiple Oklahoma House Representatives was refused. The *Institute for Advancement of Justice & Human Rights* (“***IAJ***”) specifically identified Petitioner's case in its Private Attorney General letter to this Court (September 17, 2025) as a nationally significant systemic human rights violation (*App. R*, p. 10; ROA, Vol. II at 31). Petitioner has exhausted every available domestic remedy: 30+ state filings denied (itemized, with document numbers, at *App. BB*); Oklahoma Supreme Court appeals decided on an incomplete record; OCRE recused; the federal district court dismissed without reaching the merits; the Tenth Circuit affirmed on a mischaracterized record; and SCOTUS Emergency Application 25A913 was filed January 31, 2026.

II. PROCEEDINGS BELOW

A. State Court Proceedings. Oklahoma family court proceedings (Tulsa County, Case No. FD-2015-2228) resulted in multiple contempt orders, property seizures, passport revocation, custody removal, and debtor's imprisonment—all before non-Article III special judges, all over Petitioner's preserved jurisdictional objections, and all without required constitutional protections. Petitioner's 9-page *Written Closing Argument* from February 2024 appears in the official Oklahoma appellate record as only 2 pages, with 7 pages missing (compare *App. Y* [original] with *App. Z* [official record]), constituting obstruction under 18 U.S.C. § 1512 and the record-suppression pathology condemned in *Glossip*.

B. District Court. Petitioner filed a federal complaint captioned "***Verified Claim for Damages, Request for Injunction Relief, and Claim for Exemption to Stop All Garnishment, Levying, and Liquidation***" (Doc. 2) in the Northern District of Oklahoma (Case No. 4:24-CV-00216-JDR-CDL) on May 8, 2024, raising claims under ERISA, RICO (*App. S*; ROA, Vol. II at 5-7, 27, 32, 48, 61, 97), the FDCPA, 42 U.S.C. § 1983, the Fourth, Fifth, Sixth, Seventh, Eighth, Thirteenth, and Fourteenth Amendments, and international human rights law. The case was referred to Magistrate Judge Christine D. Little without Petitioner's consent under 28 U.S.C. § 636(c), over Petitioner's express preemptive objection, contrary to *Wellness Int'l Network, Ltd. v. Sharif*, 575 U.S. 665, 685-86 (2015) (adjudication by a non-Article III officer requires knowing and voluntary consent). On April 24, 2025, the district court dismissed all claims on three alleged grounds — Eleventh Amendment immunity, Younger abstention, and failure to state a claim (*App. D-1*; *App. DD*; ROA, Vol. II at 227-241) — and denied all pending motions as moot in the same order on the same day as the final judgment, leaving Petitioner no opportunity for reconsideration under Fed. R. Civ. P. 59(e). The dismissed motions included additional *emergency injunction* against ongoing constitutional violations, a demand for judicial notice of documented government misconduct, a demand to compel production of the FIDM authorization records central to the claims dismissed, and a motion to disqualify the presiding judge filed eight days before the judgment (*ROA*, Doc. 56, Apr. 16, 2025) — each terminated as moot on the day of dismissal (see the docket itself). Charles Schwab and other Respondents moved to strike *Petitioner's supplemental filings documenting Schwab's coordination with CSS*; the court denied the motions to strike (Dkts. 45, 46, 52) yet never addressed that supplemental documentation anywhere in its analysis (*ROA*, Vol. II at 240). The court's own opinion acknowledged that Tenth Circuit law required it to stay — not dismiss — Petitioner's damages claims under *Younger*, stating that '[o]rdinarily, the Court would stay the only remaining claims — Ms. Stephens's claims for damages against Charles Schwab and the individual defendants — under Younger,' and citing *Chapman v. Barcus*, 372 F. App'x 899, 902 (10th Cir. 2010), and *D.L. v. Unified School District No. 497*, 392 F.3d 1223, 1228 (10th Cir. 2004), for that stay requirement — then dismissed those damages claims anyway through a Rule 12(b)(6) ruling that never mentioned ERISA, 29 U.S.C. § 1056(d), a QDRO, or *Cunningham*. The court also raised *Younger* sua sponte as to Respondent Cierra Freeman, who had never invoked it (*App. D-1* at 5 n.9 & 14-15; *ROA*, Vol. II at 227-241 & nn.9-10), showing biases. One week before that judgment, this Court decided *Cunningham v. Cornell University*, 604 U.S. 693 (2025) (April 17, 2025); the district court's order neither cites nor applies it.

C. Tenth Circuit. Petitioner appealed (Case No. 25-5063). On September 26, 2025, she submitted her evidentiary appendix. On October 2, 2025, the Clerk issued Order No. 11219757 (Docket Entry 57; *App. CC*) stating the court would 'receive, but not file' the appendix. The Tenth Circuit accordingly decided the entire appeal — including its finding that Petitioner's arguments were 'presented in too conclusory a fashion' — without Petitioner's evidentiary appendix in the official record, though the same materials were also within its own *Record on Appeal* (*ROA*). On January 16, 2026, Circuit Judges Carson, Baldock, and Kelly affirmed the dismissal in an unpublished, non-precedential four-page Order and Judgment, 'for substantially the same reasons stated by the district court,' denying oral argument sua sponte in a case raising seventeen distinct constitutional issues. Most critically, the Order deemed the Younger and Eleventh Amendment rulings waived, asserting that Petitioner's opening brief 'never addresses' those doctrines — a mischaracterization refuted by the brief's own pages, as shown in Part V, infra. The Order cites no specific record page for any conclusion, addresses no ERISA claim on the merits, and does not cite Cunningham. (App. A; ROA: 10th Cir. Docket Entry 59.) The *Order* cites no specific record page in support of any conclusion and addresses no ERISA claim on the merits. It does not cite *Cunningham*. (*App. A*; ROA: 10th Cir. Docket Entry 59.)

REASONS FOR GRANTING THE PETITION

This petition does not ask the Court to referee a family dispute. It asks whether a state agency and a private financial institution may destroy federally protected retirement property before the hearing meant to test the seizure — and whether the federal courthouse doors may then be closed by Eleventh Amendment holdings that ignore *Hafer, Younger* holdings that ignore *Sprint*, a pleading dismissal that ignores *Cunningham*, and an appellate order that excluded the petitioner's evidence and then faulted her for its absence.

Sections I–V correspond to Questions 1–5 and also address the related questions noted in each heading: Section I (Questions 1, 9); Section II (Questions 2, 9, 11); Section III (Questions 3, 6); Section IV (Questions 4, 8); Section V (Questions 5, 7). Question 10 rests on the record set out in Parts I.A–I.B of the Statement. Section VI addresses the national importance of all eleven questions and this case's suitability as a vehicle; Section VII answers the alternative grounds pressed below.

IMMEDIATE HARM & URGENCY:

An active order requiring Petitioner to return to jail for a disputed civil debt for which she already served 60 days remains outstanding: the May 8, 2025 order imposing a $13,711.24 cash bond and six months' incarceration (*App. W*; ROA, Vol. II at 141, 151, 176), and a further contempt citation issued August 21, 2025 while this Petition was being prepared (*App. X*; ROA, Vol. II at 185-197). Petitioner, a Vietnamese national and physician-mother, faces imminent imprisonment for a disputed and unvalidated debt the record confirms was never received by any beneficiary (*App. K*; ROA, Vol. II at 25, 92, 115, 140); her passport remains revoked even now (*App. V*; ROA, Vol. II at 43, 58, 74, 89, 95-97) — on the strength of an HHS certification under 42 U.S.C. § 652(k) alone, the Department of State's denial letter of March 2, 2023 (RE: 696669556) candidly acknowledging that the Department itself holds no information concerning the underlying child-support obligation; her medical license remains blocked despite winning Oklahoma Supreme Court's appeal; and G.S. has been separated from her for over 4.5 years without any finding of parental unfitness. Even minimal loss of constitutional freedoms is irreparable injury. *Elrod* *v. Burns*, 427 U.S. 347, 373 (1976). Because both account owners were below retirement age, the seizure also triggered mandatory early-withdrawal taxation and penalties — an involuntary tax liability layered atop the seizure itself, which no later ruling can undo. **Dismissals under Rules 12(b)(1) and 12(b)(6) are reviewed *de novo***, *Colorado Envtl. Coal. v. Wenker*, 353 F.3d 1221, 1227 (10th Cir. 2004); yet the Tenth Circuit issued a four-page affirmance with no independent analysis.

I. THE DISMISSAL OF THE ERISA CLAIMS AT THE PLEADING STAGE CONFLICTS WITH *CUNNINGHAM v. CORNELL UNIVERSITY* AND THIS COURT'S ANTI-ALIENATION PRECEDENTS (QUESTIONS 1 AND 9)

Oklahoma CSS deployed its FIDM program to levy Petitioner's ERISA-protected rollover retirement account—funds earned entirely after the January 2016 divorce (2018-2020), co-owned by a non-party, with no QDRO ever issued—in direct violation of 29 U.S.C. § 1056(d)(1). Jason Hoenshell transmitted the FIDM liquidation directive; Charles Schwab, through Mary Johnmeyer, liquidated $64,445.92 within hours, without QDRO verification, ERISA compliance review, or co-owner notification, despite its fiduciary duties under 29 U.S.C. § 1104. The Oregon Decree (*App. E*; ROA, Vol. I at 338-348; Vol. II at 98, 114-118) and Tulsa County registration (*App. F*; ROA, Vol. I at 349-351) conclusively establish the marriage terminated January 8, 2016 — before any Schwab account existed. A QDRO under 29 U.S.C. § 1056(d)(3)(B)(i) can only divide a plan interest that was subject to the domestic-relations proceeding; the Cherokee Nation/Schwab account was never a marital asset of the Adam-Linh marriage, and the only person holding a spousal interest is the non-party second husband who is not Adam (*App. FF-1, FF-3*). Oklahoma therefore lacked authority to reach this account under any theory. *Boggs v. Boggs*, 520 U.S. 833 (1997); *Guidry v. Sheet Metal Workers*, 493 U.S. 365 (1990);

Mackey v. Lanier Collection Agency, 486 U.S. 825 (1988); *Patterson v. Shumate*, 504 U.S. 753 (1992); *Egelhoff v. Egelhoff*, 532 U.S. 141 (2001) (ERISA preemption).

This Court's unanimous decision in *Cunningham v. Cornell University*, 604 U.S. 693 (2025)—issued April 17, 2025, one week before the district court's judgment and eight months before Tenth Circuit's—held that an ERISA plaintiff pleading a prohibited transaction need not plead the absence of an exemption. Both courts below dismissed ERISA claims at the pleading stage without any prohibited-transaction analysis, without citing *Cunningham*, and without reviewing a single document in the unrebutted *App. EE/FF chain (App. D-1; App. A*). That is a square, outcome-determinative conflict with a decision of this Court issued before either judgment became final. Summary reversal, or plenary review, is warranted; at minimum the Court should vacate and remand for the analysis *Cunningham* requires.

Charles Schwab possesses no sovereign immunity, no qualified immunity, and no statutory immunity of any kind, yet the Tenth Circuit applied no independent analysis to Schwab's fiduciary and statutory liability, affirming 'for substantially the same reasons' — reasons (Eleventh Amendment; *Younger*) wholly inapplicable to a private corporation. Schwab acted jointly with OKDHS, satisfying state-actor doctrine. *Dennis v. Sparks*, 449 U.S. 24 (1980); *Lugar v. Edmondson Oil Co.*, 457 U.S. 922 (1982). And Petitioner's FDCPA claims — seven trades executed on a debt she had formally disputed (*App. BB*; ROA, Vol. II at 191, 200, 211), each an independent collection act under 15 U.S.C. §§ 1692e, 1692g, 1692k — were never analyzed at all.

Respondents' own filings confirm both the seizure and the analytical vacuum. The OKDHS merits brief concedes that 'CSS was forced to levy her account held by Defendant Charles Schwab' (OKDHS Resp. Br. 5, 10th Cir. Aug. 8, 2025), and

Schwab's motion to dismiss admitted the operative sequence from its own records: a CSS Notice of Levy for $64,445.92 invoking 42 U.S.C. § 666 (*ROA*, Vol. I at 114, Doc. 20 ¶ 9); Schwab's April 30, 2024 warning that it would 'execute security sales' absent instructions 'by May 7, 2024' (id. at 115, ¶ 12); Schwab's statement to Petitioner that it 'is legally obligated to comply with a levy, and can only take direction from the levying agency' (id., ¶ 11)—a concession of state direction and compulsion satisfying the joint-action requirement of *Lugar and Dennis v. Sparks*; and execution of the securities sales on May 7, 2024 (id., ¶ 14)—two days before the agency's own May 9 hearing (*App. EE-3*). Yet on appeal, neither the OKDHS response brief nor the Schwab response brief so much as mentions ERISA, 29 U.S.C. § 1056(d), a QDRO, or *Cunningham* — not once. *Silence from every respondent on the controlling federal statute and this Court's controlling decision is not a defense of the judgment;* ***it is a confession that no defense of the judgment on the ERISA question exists.***

II. THE PRE-HEARING LIQUIDATION VIOLATED THE MOST BASIC RULE OF PROCEDURAL DUE PROCESS, AND THE MAY 9 HEARING RECORD CONFESSES IT (QUESTIONS 2 AND 11)

Due process requires notice and an opportunity to be heard before the deprivation. *Fuentes v. Shevin*, 407 U.S. 67, 80-82 (1972); *Connecticut v. Doehr*, 501 U.S. 1 (1991); *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). Here the sequence is stamped on the face of the State's own papers: the agency noticed a bank-levy hearing for May 9, 2024 (*App. EE-3*), executed the irreversible liquidation on May 7, 2024 (*App. EE-1*), and every trade settled the morning of May 9 (*App. EE-2*). The property was gone before the hearing opened.

Seven months before the seizure, Petitioner disputed alleged debt in writing and demanded its validation. Her *Verified Legal Notice* — file-stamped in FD-2015-

2228 on November 20, 2023 (Doc. #1056648665, *App. HH*), and following her recorded refusal of November 3, 2023 — expressly disputed the obligation, demanded validation under 15 U.S.C. § 1692g, and ***placed the collectors on notice that the debt was contested***. No validation ever issued. Instead, the disputed obligation was reported to credit-reporting and passport agencies without any disclosure that it was disputed, see 15 U.S.C. § 1692e(8), and then, on May 7, 2024, $64,445.92 was liquidated from a retirement account over which Petitioner alone held control as her own attorney-in-fact—an account no power of attorney, guardianship, or adjudication of incompetency had ever displaced, and to whose seizure she never consented. A collector that reports a disputed debt as undisputed, refuses the validation a consumer demands in writing, and then collects the sum through an irreversible taking has violated the plainest commands of 15 U.S.C. §§ 1692e(2)(A), 1692e(8), 1692f(1), and 1692g. The courts below dismissed that claim without analyzing a word of it. In the alternative, the same conduct states a furnisher claim under the *Fair Credit Reporting Act* (***FCRA***), 15 U.S.C. § 1681s-2(b), which turns on the furnishing of disputed information rather than on the character of the underlying obligation.

The collectors cannot escape the Act on the ground that the obligation was "child support." That premise assumes a valid support order; here the Oregon decree waived cash support, no valid modification ever issued, and no Title IV-D application was ever filed, so the amount taken was not lawful support but a manufactured obligation — and collecting a void sum is no part of any "official duty" exempted under 15 U.S.C. § 1692a(6)(C). Nor are the private attorneys and contractors who pursued it exempt: this Court held in *Heintz v. Jenkins*, 514 U.S. 291, 294–99 (1995), that lawyers who regularly collect debts through litigation are "debt collectors" subject to the Act. Dismissing these claims with none of this analysis—as with the ERISA and § 1983 claims—is precisely the pleading-stage default that *Cunningham v. Cornell University*, 604 U.S. 693 (2025), and the liberal-construction command of *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam), forbid.

The hearing record itself then confesses the defect (*App. GG*). The presiding administrative special judge, Robert Perugino, had by written order of April 12, 2023 granted the State's own motion to dismiss 'based on lack of subject matter jurisdiction' in this very OAH case, No. 23-00313-73 (*App. GG*); on May 9, 2024 he asserted jurisdiction over the same matter, under the same OAH number, without explanation. He entered the State's Exhibit 1 over the owner's objection; he denied admission of her Exhibits 2, 5, 6, 7, and 8—including the certified-mail proof of the timely filed exemption claim and her offered Schwab records—on the stated grounds of 'relevancy and too much information being redacted' (*App. GG*); he admitted the State's debt figure although it had never been exchanged; and he proceeded although the obligee himself 'was not present' (*App. GG*), presenting no evidence and offering no witness. His written order then found that the owner 'failed to submit sufficient and credible evidence' that the funds came 'from a source that cannot be levied'—after denying admission of the very exhibits containing that evidence—and ordered 'that the full levy stay in place' as to property his agency had irreversibly liquidated eight days before the order was signed (*App. GG*). Petitioner's statutory ***exemption claims***—31 O.S. § 1(A)(20) (retirement accounts and IRAs), 60 O.S. §§ 327-328 (retirement plans), 74 O.S. § 923 (public-employee retirement; the account originated in federally funded Indian Health Services employment), and 31 O.S. § 1.1 (undue hardship)—***were never adjudicated***. A tribunal that has already lost the property it is reviewing, presided over by an adjudicator who disclaimed jurisdiction over the same matter thirteen months earlier, and that excludes the owner's indigency and exemption evidence, is not a tribunal within the meaning of the Due Process Clause. *In re Murchison*, 349 U.S. 133, 136 (1955); *Tumey v. Ohio*, 273 U.S. 510 (1927); *Ward v. Village of Monroeville*, 409 U.S. 57, 60 (1972); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 884 (2009); *Gibson v. Berryhill*, 411 U.S. 564 (1973); cf. *Marshall v. Jerrico, Inc.*, 446 U.S. 238, 249-51 (1980) (drawing the line at adjudicators, not prosecutors, holding the financial stake); 42 U.S.C. § 658a (federal incentive payments keyed to collections, including arrearage collections). Cf. *SEC v. Jarkesy*, 603 U.S. 109, 127-28 (2024) (when an agency adjudication would deprive a person of property in the manner of a common-law action, the Seventh Amendment entitles her to an Article III forum and a jury).

The non-party co-owner's injury is independent and complete: his ERISA-protected property interest — an interest the plan itself recognized by requiring his notarized spousal consent to the 2020 rollover (*App. FF-3*) — was extinguished with zero notice and zero process of any kind. That is a per se violation under *Fuentes and Mathews*, and a warrantless seizure under the Fourth Amendment. *Carpenter v. United States*, 585 U.S. 296 (2018). The rule Petitioner asks this Court to state is not novel; it is the oldest rule there is: a hearing scheduled after an irreversible seizure is not due process.

III. YOUNGER ABSTENTION WAS APPLIED IN CONFLICT WITH *SPRINT*, AND BAD-FAITH AND NO-ADEQUATE-FORUM EXCEPTIONS ARE ESTABLISHED ON DOCUMENTS (QUESTIONS 3 AND 6)

Sprint Communications, Inc. v. Jacobs, 571 U.S. 69 (2013), confines *Younger* to three exceptional categories and warns that it is 'exceptional' relief from the federal courts' 'virtually unflagging' obligation to exercise jurisdiction. The claims here—damages for a completed ERISA seizure against individual officials and a private corporation—fit none of the three categories, and Younger has never been a doctrine for dismissing damages claims outright. The Tenth Circuit nonetheless affirmed a blanket *Younger* dismissal without *Sprint* analysis.

This Court's precedents independently forbid the disposition entered below. *Deakins v. Monaghan*, 484 U.S. 193, 202-03 (1988), holds that a district court has 'no discretion' to dismiss damages claims that cannot be redressed in the pending state proceeding, and *Quackenbush v. Allstate Insurance Co.*, 517 U.S. 706, 719-21, 730 (1996), holds that abstention principles permit, at most, a stay—never the outright dismissal—of a federal action at law for damages. The district court's own opinion recited the identical Tenth Circuit rule, acknowledging that '[o]rdinarily, the Court would stay the only remaining claims' for damages (*App. D-1* at 12; ROA, Vol. II at 238, citing *Chapman v. Barcus and D.L. v. Unified School District No. 497*), and then evaded it by resolving those damages claims under Rule 12(b)(6) in an analysis that never once mentioned ERISA, 29 U.S.C. § 1056(d), a QDRO, or *Cunningham*. The doctrine was also stretched beyond any party's request: the district court raised *Younger* sua sponte as to Respondent Freeman, who never invoked it, and applied it to Charles Schwab and Johnmeyer — private parties who are not litigants in, and have no enforcement role in, the state proceedings. A judgment that invokes an equitable abstention doctrine to extinguish legal damages claims against private corporations conflicts with *Deakins*, *Quackenbush*, and *Sprint* simultaneously.

Even within Younger's domain, *two* exceptions are established here on the face of documents, not allegations. ***Bad faith***: the agency executed the irreversible liquidation on May 7 while its own notice set the hearing for May 9 (*App. EE-1, EE-3*; ROA, Vol. I at 79, 87; Vol. II at 10, 81) — conduct that cannot be reconciled with good-faith enforcement, *Huffman v. Pursue, Ltd.*, 420 U.S. 592, 611 (1975); and the presiding adjudicator's own prior no-jurisdiction ruling (*App. GG*) brings the case squarely within *Gibson v. Berryhill*, 411 U.S. 564 (1973), where the adjudicating body's incompetence or interest negates deference. The Tenth Circuit's own precedent holds *Younger* categorically inappropriate 'when state proceedings are conducted in bad faith or cause irreparable injury,' *Pater v. City of Casper*, 646 F.3d 1290, 1293 (10th Cir. 2011); the Order ignores Pater entirely. ***No adequate forum***: *Younger* presupposes an adequate opportunity to raise federal claims, *Middlesex County Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, 432 (1982); the State's own civil-rights enforcement office formally recused itself in writing from investigating these very agencies (*App. Q; App. CC*), and the five denied exhibits at the May 9 hearing (*App. GG*) show what the 'opportunity' actually looked like. Treaty-based claims of a foreign national (UNCAT, ICCPR, Hague Convention) were likewise never addressed by any court below — although ratified treaties are supreme federal law under U.S. Const. Art. VI, cl. 2, and a court cannot resolve claims it refuses to acknowledge (Question 6).

IV. THE ELEVENTH AMENDMENT HOLDINGS CONFLICT WITH HAFER AND EX PARTE YOUNG, AND WERE APPLIED TO PARTIES WHO HAVE NO IMMUNITY AT ALL (QUESTIONS 4 AND 8)

Hafer v. Melo, 502 U.S. 21 (1991), holds unanimously that the Eleventh Amendment does not bar § 1983 damages claims against state officials sued in their individual capacities. Petitioner sued Hoenshell, Banks, Stringer, and Freeman individually, for perjury, document falsification, and the coordinated ERISA seizure.

The district court dismissed all claims on Eleventh Amendment grounds without *Hafer* analysis, and the Tenth Circuit affirmed while asserting—falsely—that Petitioner 'never addresses' the doctrine. Nor did any court conduct an *Ex parte Young* analysis of Petitioner's claims for prospective relief: cessation of ongoing enforcement of the void orders, restoration of her passport, and an accounting of the seized funds. *Ex parte Young*, 209 U.S. 123 (1908); *Virginia Office for Prot. & Advocacy v. Stewart*, 563 U.S. 247 (2011). And the Eleventh Amendment has no conceivable application to Charles Schwab & Co., Inc., Mary Johnmeyer, or Cierra Freeman — private parties amenable to suit under *Dennis v. Sparks, Lugar, and Tower v. Glover*, 467 U.S. 914 (1984). Dismissing every claim against every party under a doctrine that by its terms protects none of the individual-capacity or private defendants is not a discretionary judgment; it is legal error on the face of the order.

The precise disposition sharpens, rather than blunts, the error. The district court dismissed with prejudice, on Eleventh Amendment grounds, the claims against CSS and the official-capacity damages claims against Banks, Hoenshell, and Stringer; it dismissed the equitable claims against every remaining defendant under Younger; and it dismissed the individual-capacity damages claims under Rule 12(b)(6) as insufficiently pleaded — all without any *Hafer* analysis of the individual-capacity/official-capacity distinction and without any *Ex parte Young* analysis of the prospective claims (*App. D-1*; ROA, Vol. II at 227-241). But respondents' own appellate brief refutes the 'insufficient pleading' holding on its face: the OKDHS brief concedes the Complaint alleged that Hoenshell 'issued a liquidation request without notifying her' (OKDHS Resp. Br. 18, citing ROA, Vol. I at 23) and that Stringer filed *a false statement that Petitioner had failed to return the exemption form* (id., citing

ROA, Vol. I at 22). An allegation that a named state official executed an irreversible liquidation directive against specific property without pre-deprivation notice is not 'conclusory'; it is the paradigmatic procedural due process claim of *Fuentes* and *Mathews*, pleaded with names, dates, account numbers, and documents, and entitled to liberal construction under *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam). The unrebutted pattern evidence — the DOJ investigation and termination of caseworker O'Brien/Menser, the State Auditor's $93.4 million in questioned OKDHS costs (*App. AA*; ROA: 10th Cir. Reply Br. Ex. 5), and the OCRE recusal (*App. Q*) — further satisfies the policy-or-custom showing of *Monell v. Department of Social Services*, 436 U.S. 658 (1978), as to every defendant not shielded by the Eleventh Amendment, and supplies the 'plausibility' the courts below said was missing.

V. THE TENTH CIRCUIT EXCLUDED PETITIONER'S EVIDENCE AND THEN FAULTED HER FOR ITS ABSENCE, IN CONFLICT WITH HAINES, GLOSSIP, AND DUE PROCESS (QUESTIONS 5 AND 7)

Pro se pleadings are held 'to less stringent standards than formal pleadings drafted by lawyers.' *Haines v. Kerner*, 404 U.S. 519, 520 (1972); *Hall v. Bellmon*, 935 F.2d 1106 (10th Cir. 1991). The court of appeals did the opposite three times over. **First**, it ordered Petitioner's evidentiary appendix 'received, but not filed' (*App. CC*, Order No. 11219757, Oct. 2, 2025; ROA: 10th Cir. Doc 56-57). **Second**, it held her arguments 'too conclusory'—measuring conclusoriness against a record from which it had excluded evidence. **Third**, it wrote that she 'never addresses *Younger* abstention or Eleventh Amendment immunity,' when her briefs address both doctrines at length, including the bad-faith exception and *Hafer*. An appellate court may not manufacture waiver by mischaracterizing the record, and it may not decide an appeal on a record it has itself rendered incomplete. *Glossip v. Oklahoma*, 604 U.S. 226 (2025); *Hazel-*

Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944). ***Same pathology infected state record***: seven of the nine pages of Petitioner's filed closing argument are missing from the official appellate record (*App. Y vs. App. Z*; ROA, Vol. I at 198-211). *When record integrity fails at both state and federal levels in the same litigation, supervisory intervention by this Court is the only remaining corrective.*

The waiver rationale fails on the face of the Order's own citations. Invoking *Burke v. Pitts*, 157 F.4th 1326, 1342-43 (10th Cir. 2025), the panel held that Petitioner 'waived her opportunity to appeal' the *Younger* and Eleventh Amendment rulings because, it said, her opening brief 'never addresses' those doctrines — while simultaneously declaring that it would 'not search the record, conduct research, or construct arguments for her' (*App. A* at 3-4). But Respondents themselves briefed both doctrines below, and Petitioner's opening brief contested the substance of both rulings: it argued that 'State agents lack immunity when seizing ERISA funds without a valid QDRO' (*Opening Br. 18*) — an immunity argument — and, invoking *Axon Enterprise, Inc. v. FTC*, 598 U.S. 175 (2023), that federal courts cannot decline jurisdiction over federal claims 'wholly collateral' to overlapping state proceedings (*Opening Br. 19*)—an abstention argument—while separately briefing Rooker-Feldman and domestic-relations exception (*Opening Br. 15-16, 21-22*). Petitioner's subsequent briefing then invoked *Hafer*, 502 U.S. at 31, *Baumgardner v. Sec'y, Kansas Dep't of Transp.*, 65 F.4th 1187, 1198 (10th Cir. 2023), and *Sprint*, *Huffman*, *Pater*, and *Gibson* by name. A pro se appellant who attacks the substance of a dismissal ground does not forfeit it by omitting its case-name label; substance, not nomenclature, controls under the liberal-construction command. And forfeiture is prudential, not jurisdictional: a court of appeals retains discretion to reach a forfeited issue 'where injustice might otherwise result,' *Singleton v. Wulff*, 428 U.S. 106, 121 (1976) — a fortiori where the district court's own cited authority (*Chapman; D.L.*) required a stay rather than dismissal of the damages claims, and where this Court's decisions in *Deakins* and *Quackenbush* categorically forbid the disposition affirmed. An appellate court may not exclude a litigant's appendix, decline to examine the record, mischaracterize what the briefing contains, and then affirm on 'waiver.' The liberal-construction command of *Haines*, 404 U.S. at 520-21, and *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam), forbids precisely this manufactured default.

VI. THE QUESTIONS ARE RECURRING AND NATIONALLY IMPORTANT, AND THIS CASE IS AN IDEAL VEHICLE

Every State operates a FIDM data-match and levy program under the same federal Title IV-D architecture, and 42 U.S.C. § 658a pays every State more when it collects more — including on arrearages. OKDHS's own participation in that federal revenue stream is a matter of record: it is registered to receive, and does receive and administer, federal Title IV-D grant funds, as the State Auditor's FY 2023 Federal Single Audit confirms (*App. AA*), and its own enforcement instruments invoke the federal program directly (*App. GG*; *ROA*, Vol. I at 114). An agency that must register for, and is paid, federal incentive payments keyed to the very sums it collects is not a disinterested adjudicator of its own levy. Whether that apparatus may liquidate ERISA-protected retirement savings without a QDRO, before the hearing set to review the levy, is a question that affects the retirement security of every account holder in every State, including the millions of non-party spouses whose interests ERISA itself recognizes. The contempt machinery attached to the same debt — two incarcerations, no ability-to-pay findings, an adverse-inference instruction on the

Fifth Amendment, all documented at *App. N* and *App. W* and presented to this Court in the companion § 1257 petition from Case No. DF-122022 — shows what enforcement looks like when no disinterested forum checks it. The record here is documentary: the dispositive dates appear on the agency's and broker's own papers (*App. EE-1 through EE-3*), the account's provenance on a notarized, unrebutted five-document chain (*App. FF-1 through FF-4*), the adjudicator's self-contradiction on his own rulings (*App. GG*), and the appellate default on the Clerk's own order (*App. CC*). The Tenth Circuit's four-page unpublished order provides no reasoning to impede fresh review. There are no vehicle problems: no factual disputes underlie the questions presented, each was pressed below or foreclosed by the very orders under review, and the second contempt order and August 21, 2025 citation keep the controversy live under the 'capable of repetition, yet evading review' doctrine applied in *Turner v. Rogers*, 564 U.S. 431, 439-41 (2011).

Oklahoma's own institutions confirm the structural failure: the State Auditor's $93.4 million in questioned OKDHS costs (*App. AA*); OCRE's written recusal (*App. Q*); the refused OSBI investigation; and the DOJ investigation and termination of the caseworker whose fabrications began this cascade. *Executive Orders 14147, 14152, 14187, and 14215 and the Presidential Memorandum of March 22, 2025* identify the same category of injury. When the State's auditor, its chief legal officer's civil-rights arm, and federal executive policy all point at the same apparatus, and the federal courts of the circuit decline to look, the question of who supervises answers itself.

VII. THE ALTERNATIVE GROUNDS URGED BELOW — ROOKER-FELDMAN, THE DOMESTIC-RELATIONS EXCEPTION, AND ABSOLUTE IMMUNITY — CANNOT SUSTAIN THE JUDGMENT

Because Respondents pressed additional threshold doctrines below and may re-urge them in opposition, Petitioner addresses them now. *Rooker-Feldman* cannot support dismissal. *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005), confines that doctrine to state-court losers seeking federal review and rejection of a state judgment itself; a plaintiff who 'presents an independent claim' is outside it, *Skinner v. Switzer*, 562 U.S. 521, 532 (2011), and the doctrine never applies to nonparties to the state judgment, *Lance v. Dennis*, 546 U.S. 459, 464-66 (2006) (per curiam). The injuries here flow from executive and private conduct — the agency's FIDM directive and the broker's May 7, 2024 liquidation, executed before any hearing — not from any judgment; the co-owner X.H. was never a party to any state proceeding at all; and the ERISA, FDCPA, and § 1983 claims are independent federal claims. See *Mayotte v. U.S. Bank Nat'l Ass'n*, 880 F.3d 1169, 1174-75 (10th Cir. 2018) (*Rooker-Feldman* inapplicable to injuries from a defendant's conduct rather than a judgment).

The domestic-relations exception is equally unavailable. It is a narrow carve-out from diversity jurisdiction covering only the issuance of divorce, alimony, and child-custody decrees, *Ankenbrandt v. Richards*, 504 U.S. 689, 701-04 (1992), and it does not reach federal-question cases, *Marshall v. Marshall*, 547 U.S. 293, 307-08 (2006). *This petition asks no federal court to grant a divorce, fix custody, or set support; it asks whether* an ERISA-protected retirement account may be liquidated without a QDRO before the hearing noticed to test the levy, and whether damages claims under §§ 1983, 1985, ERISA § 502, and the FDCPA were properly dismissed without analysis. Those are federal questions under 28 U.S.C. § 1331 no matter what family-law backdrop they arise against.

Nor can absolute immunity rescue the judgment. Quasi-judicial immunity protects adjudicative acts only; it does not shield executive, administrative, or enforcement conduct. *Forrester v. White*, 484 U.S. 219, 227-30 (1988); *Antoine v. Byers & Anderson, Inc.*, 508 U.S. 429, 435-36 (1993); *Butz v. Economou*, 438 U.S. 478, 515-17 (1978) (distinguishing agency adjudicators from agency enforcement personnel). Hoenshell's transmission of the FIDM liquidation directive, Banks's supervision of the collection program, and Stringer's litigation conduct are enforcement acts, not adjudication — and an adjudicator who executes or ratifies a seizure his agency completed before the hearing acts in the 'clear absence of all jurisdiction' he himself disclaimed thirteen months earlier (*App. GG*). Charles Schwab, Johnmeyer, and Freeman possess no immunity of any kind, *Dennis v. Sparks*, 449 U.S. 24, 27-29 (1980); *Tower v. Glover*, 467 U.S. 914, 923 (1984), and no immunity doctrine reaches the prospective relief sought under *Ex parte Young*.

CONCLUSION / RELIEF SOUGHT

For the foregoing reasons, Petitioner respectfully demands that this Court:

(1) Grant the petition; reverse the judgment of the Tenth Circuit; and remand for de novo consideration on the merits, with proper analysis under *Cunningham v. Cornell University*, 604 U.S. 693 (2025), *Hafer v. Melo*, *Ex parte Young*, and *Sprint Communications v. Jacobs*;

(2) In the alternative, summarily reverse, or vacate and remand for reconsideration in light of *Cunningham*, which issued before the judgments below became final and which neither court cited nor applied;

(3) Issue a stay pending disposition of this Petition, including of all Oklahoma enforcement actions, bench-warrant enforcement, passport revocation, and further contempt proceedings, pursuant to 28 U.S.C. § 2101(f);

(4) As ERISA-specific relief on remand, direct disgorgement of all sums seized without a QDRO, with interest and make-whole relief for the early-withdrawal taxes and penalties inflicted; direct OKDHS and Charles Schwab to account fully for the disposition of the $64,445.92; and direct adjudication of the statutory exemption claims (31 O.S. § 1(A)(20); 60 O.S. §§ 327-328; 74 O.S. § 923; 31 O.S. § 1.1) that the May 9, 2024 tribunal never reached;

(5) Refer documented misconduct — including the *App. EE* pre-hearing liquidation sequence and the *App. Y/App. Z* record alteration — to the United States Department of Justice, Civil Rights Division, under 18 U.S.C. §§ 1512 and 1519;

(6) Direct that, on remand, the courts below provide written statements of fact and conclusions of law, rather than any abusive discretion, for appeal purposes if justice, truth, and the constitution of the united states of America is not revered in those courts; and

(7) DEMAND FOR JURY TRIAL. Petitioner demands trial by jury on all claims and issues so triable, upon remand and in all further proceedings. U.S. Const. amend. VII; Fed. R. Civ. P. 38(b). The demand was made and preserved from the inception of the federal action: district court's own records 'Jury Demand: Plaintiff' (ROA, Vol. I at 1). NOTICE OF NON-CONSENT: I am not a surety and I do not consent to any attempted body attachment warrant. I do not consent to any unlawful taking, trafficking, taxation, surveillance, digital identification, or compelled service that infringes upon free exercise of faith or private property rights.

(8) Exercise this Court's supervisory authority over courts of Tenth Circuit to correct the record-integrity failures documented herein (Genesis 12:3; Psalm 109:17);

(9) Grant all further relief as if this Court's own children stood in G.S.'s place — shielding a documented abuser by such cruelty to an innocent mother and firstborn female offspring is unconscionable—**as it is written[1] and as surely as YAHUAH lives:** *Psalm 127:3; Psalm 105:15; Exodus 8:1 & 9:1; Isaiah 61:8; Deuteronomy 19:15; Isaiah 54:17; Galatians 6:7;* ***Luke 11:52****, Genesis 12:3 & Psalm 109:17, Psalm 35–37,* ***John 8:36,*** *Ezekiel 18:4*).

Respectfully and honorably presented,

AVOUCHMENT / VERIFICATION

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing Statement of Facts is true and correct to the best of my knowledge, information, and belief. Executed in Newberry County, South Carolina, on July 15, 2026.

Private sector autograph; **WITHOUT RECOURSE**

without prejudice
By one–and-only beneficiary: linh-tran: stephens/Agent

Linh Tran Stephens / one-and-only Authorized Agent, attorney-in-fact, and sole **Secured Party Creditor of legal entities LINH TRAN STEPHENS©™ and of G.S.©® ens legis and derivatives thereof** including Cestui Que Trust a.k.a. "Fide Commissary Trust", **Non-Assumpsit,**

[1] "Behold, children are an inheritance from the LORD, and the fruit of the womb is His reward." (*Psalm 127:3*); "Do not touch My anointed ones, and do no harm to My prophets." (*Psalm 105:15*); "Go to Pharaoh and tell him, 'This is what the LORD says: Let My people go, so that they may serve Me.'" (*Exodus 8:1*); "Go to Pharaoh and tell him, 'This is what the LORD God of the Hebrews says: Let My people go, so that they may serve Me.'" (*Exodus 9:1*); "For I, the LORD, love justice and hate robbery offered as sacrifice. I will faithfully direct their work, and I will make an everlasting covenant with them." (*Isaiah 61:8*); "One witness alone shall not be sufficient against anyone concerning any trespass, sin, or offense. A matter must be established by the testimony of two or three witnesses." (*Deuteronomy 19:15*); "No weapon formed against you shall prosper, and you shall condemn every tongue that rises against you in judgment. This is the inheritance of the LORD's servants, and their righteousness comes from Me, declares the LORD." (*Isaiah 54:17*); "Do not be deceived: God cannot be mocked. Whatever a person sows, that person shall also reap." (*Galatians 6:7*); "Woe to you, lawyers, for you have taken away the key of knowledge. You did not enter in yourselves, and those who were entering, you hindered." (*Luke 11:52*); "I will also bless those who bless you, and curse those who curse you; and in you shall all the families of the earth be blessed."(*Genesis 12:3*); "Because he loved cursing, let the curse come upon him; and because he did not delight in blessing, let blessing remain far from him." (*Psalm 109:17*); "Therefore, if the Son makes you free, you shall be free indeed." (*John 8:36*); "Behold, all souls are mine [YAHUAH]; as the soul of the parent [mother/father], so also the soul of the child [daughter/son] is mine: the soul that sinneth, it shall die." (*Ezekiel 18:4*).

All Rights Reserved None Waived Ever, **Without Prejudice UCC 1-308 & 1-103**, Ambassador of YHWH (יהוה) and Heir of the Creator a/k/a the I AM THAT I AM, my heir/offspring/inheritance-from-YWHW is GS and all her siblings;
By the Holy and Eternal Authority vested in me by Yahusha Ha'Mashiach and as High Royal Priest of Melchizedek Order (1 Peter 2:9, Hebrews 7:17), I do hereby seal, confirm, and sanctify this instrument and its contents as lawfully issued in all Heavens and upon the Earth, A natural living free woman upon land breathing with a living soul & Holy Spirit, unlimited, non-incorporated, non-sole-proprietor, **stateless "freeman of the Union"** per Honorable Mr. Justice MILLER on April 14th, 1873, in the Slaughter-House cases, 83 US 36 (a SCOTUS case specifically mentioned in 8 FAM 102.3), full capacity and competency with postgraduate level of education, living on the land of the republic, with God-given rights unalienable pursuant to Bills of Rights,
NOT a "pro se"/"person"/"pauper"/"indigent"/"slave"/"public servant"/"government employee"/"ward of State"/"U.S. citizen"/"minor" in your black law dictionary; I reject your 12 legal presumptions/assumptions/double-speaking and reject all implied/undisclosed/uninformed contracts; as Article IV Section 2 Citizens of each State is entitled to all Privileges & Immunities;

Notice: Using a Notary on this document does ***not*** create any adhesion contract with the state, nor does it alter any legal status of any of the parties hereto in any manner, but is used only for verification, identification, and certification purposes and not for entrance into any foreign jurisdiction nor into U.S. jurisdiction.

COMMON LAW NOTARY AS JURAT CERTIFICATE

Minnesota state) *ss*
Sherburne county)

On this 15th day of July, 2026 before me, Melissa K. Vagle, a Notary Public, personally appeared a living woman Linh Tran Stephens (the Authorized Representative and Beneficiary for Legal Fiction LINH TRAN STEPHENS©®), who electronically (remotely) proved to me on the basis satisfactory evidence to be the woman whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her autograph(s) on the instrument the woman executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Minnesota State that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Melissa K. Vagle

THE GREAT SEAL OF THE STATE OF MINNESOTA 1858
MELISSA K VAGLE
Notary Public
State of Minnesota
My Commission Expires
January 31, 2028