

26-5901 ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

No. _____ (Leave Blank for the SCOTUS Clerk)

Supreme Court, U.S.
FILED

OCT - 2 2026

OFFICE OF THE CLERK

YI SUN,
Petitioner,

v.

HUGH H. MO, ET AL.,
Respondents.

**On Petition for a Writ of Certiorari to the United States Court
of Appeals for the Second Circuit**

**PETITION FOR A WRIT OF CERTIORARI TO REVIEW JUDGMENT
IN SECOND CIRCUIT DOCKET NO. 25-2389**

On Appeal From An Order/Judgment/Decision In A Civil Case
Entered In The
United States District Court
for the Southern District of New York
(The SDNY Case No. 1:24-cv-03630)

The case transferred from 'New York Eastern District Court' (original Case No. 1:23-cv-08736, filed 11/22/2023) has been opened in 'Southern District of New York' as case 1:24-cv-03630, filed 05/10/2024

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QUESTIONS PRESENTED

1. Whether a Federal Appellate Panel denies due process and abdicates its judicial role by overlooking highly irregular, multi-judge inter-district shuffling—consisting of five successive transfer orders across distinct federal districts within a statutory lookback window—thereby permitting the weaponization of administrative mechanisms to shield interested judicial defendants and summarily deny access to the courts?
2. Whether the lower courts violate the Fifth Amendment's guarantee of a full and fair opportunity to be heard by implementing an asymmetric procedural framework that routinely embraces respondents' unilateral submissions while suppressing the verified evidence, physical trauma, and colorable claims of an unrepresented civil rights survivor?
3. Whether a federal court acts as a neutral guardian of justice when it intentionally misrepresents a factual record, distorts a verified complaint, and invokes defensive, preclusive logic to insulate documented institutional misconduct from independent Article III review?
4. Whether a federal tribunal fundamentally subverts the integrity of the judicial process and commits a Fraud Upon the Court by engaging in ex parte collusion with an interested primary Defendant to adopt a completely fabricated, extrajudicial factual narrative and incorporate that ghostwritten deception verbatim into its final dispositive orders to summarily terminate a viable civil rights action?

LIST OF PARTIES AND COROLLARY PROCEEDINGS

The Petitioner in this action is:

1. **YI SUN**, Plaintiff-Appellant Pro Se, an Asian civil rights survivor and cooperating material witness in underlying violent crime proceedings before the Queens Criminal Court and Brooklyn Criminal Court.

The Respondents (Defendants-Appellees below) in this action are:

1). **HUGH H. MO**, individually, and **THE LAW FIRM OF HUGH H. MO, P.C.**, in their capacities as the primary conspiratorial catalysts and private legal agents.

2). **TSAI CHUNG CHAO, M.D.**, individually, and **NATURO-MEDICAL HEALTH CARE, P.C.**, operating under color of state law as medical professionals.

3). **THE NEW YORK CITY POLICE DEPARTMENT (NYPD)**, an institutional agency of the City of New York, including the following six (6) uniformed officers and detectives executing custodial sexual assault under color of law: Det. Bruno Vidal; Det. Bryan Trockel; Det. Steven Matthews (deceased on or about May 4, 2015); Officer Sam Tsang; Det. Anthony Spencer (formerly designated as the unidentified detective/supervisor of the 72nd Precinct, subsequently verified via forensic DNA testing and CCRB disclosures); and Lieutenant Timothy Cai.

4). **MAYOR ERIC LEROY ADAMS**, in his official capacity, and **THE CITY OF NEW YORK**, as the overarching supervisory municipal entities.

5). **THE NEW YORK CITY POLICE DEPARTMENT (NYPD) ASIAN-AMERICAN POLICE EXECUTIVES COUNCIL (AAPEX)**, named as an active institutional shell defendant.

6). **LI DA SUN**, individually, acting as an accomplice within the illicit network.

All parties to the proceeding below are named in the caption. Petitioner Yi Sun is an individual and has no parent corporations or publicly held shares to disclose under Supreme Court Rule 29.6.

Corollary Proceedings Directly Interconnected Pursuant to Rule 14.1(b)(iii):

1. United States Court of Appeals for the Second Circuit, Docket No. 25-2389 (Arising from Southern District of New York Case No. 1:24-cv-03630).

2. United States Court of Appeals for the D.C. Circuit, Docket No. 26-5003 (Arising from District Court Case No. 1:24-cv-03424-JEB).

3. United States Court of Appeals for the Second Circuit, Docket No. 26-2094 (Active Lung Injury / Workers' Compensation Board Medical Expenses Appeal).

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IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR A WRIT OF CERTIORARI

Petitioner Yi Sun respectfully requests that a writ of certiorari issue to review the judgment of the United States Court of Appeals for the Second Circuit entered in Docket No. 25-2389.

OPINIONS BELOW

The summary order of the United States Court of Appeals for the Second Circuit denying Petitioner's timely application for rehearing en banc (Docket No. 25-2389) is unreported and is attached hereto in the Appendix as Appendix A. The underlying summary order of dismissal with prejudice executed by the United States District Court for the Southern District of New York (Case No. 1:24-cv-03630) is unreported and is attached hereto in the Appendix as Appendix B.

JURISDICTION

The order of the United States Court of Appeals for the Second Circuit denying Petitioner's timely Motion for Judicial Review and Motion for Reconsideration was entered on July 10, 2026, in Docket No. 25-2389. On August 3, 2026, the Second Circuit further denied Petitioner's Motion to Stay the Mandate. This Petition for a Writ of Certiorari is timely filed within ninety (90) days of the final disposition dated July 10, 2026, in strict compliance with Rule 13.1 of the Rules of the Supreme Court of the United States.

The jurisdiction of this Honorable Court is invoked under Title 28, United States Code, Section 1254(1), which authorizes this Court to review cases in the courts of appeals by writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. Constitutional Provisions:

The First Amendment to the Constitution of the United States provides, in pertinent part:

“Congress shall make no law... abridging the freedom of speech... or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

The Fifth Amendment to the Constitution of the United States provides, in pertinent part:

“No person shall be... deprived of life, liberty, or property, without due process of law...”

The Fourteenth Amendment to the Constitution of the United States, Section 1, provides, in pertinent part:

“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.”

2. Statutory Provisions:

Title 28, United States Code, Section 1254 (Courts of appeals; certiorari; certified questions), provides, in pertinent part:

“(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree.”

Title 28, United States Code, Section 1915 (Proceedings in forma pauperis), provides, in pertinent part:

“(e)(2) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that— (A) the allegation of poverty is untrue; or (B) the action or appeal— (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.”

Title 28, United States Code, Section 1404 (Change of venue), provides, in pertinent part:

“(a) For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been filed or to any district or division to which all parties have consented.”

Title 28, United States Code, Section 455 (Disqualification of justice, judge, or magistrate judge), provides, in pertinent part:

“(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.”

The relevant text of the New York Adult Survivors Act (ASA), New York Civil Practice Law and Rules (CPLR) § 214-j, is set forth in the Appendix hereto.

STATEMENT OF THE CASE

I. PRELIMINARY STATEMENT AND EXECUTIVE HISTORICAL SCOTUS PRECEDENT

Petitioner Yi Sun, an independent Asian pro se litigant, submits this Petition to remedy a profound miscarriage of justice arising from egregious constitutional violations, severe institutional misconduct, and the subsequent denial of fundamental due process across a sixteen-year litigation history. This matter involves the unlawful and non-consensual sexual assault of an innocent female citizen by uniform officers of the New York City Police Department (NYPD)—an absolute breach of public trust and color of authority.

This Petition arises from a systemic breakdown of independent judicial review and an unprecedented chain of procedural maneuvers across federal districts, engineered to insulate powerful litigants and permanently suppress actionable constitutional claims. This Petition arises from a systemic breakdown of independent judicial review and an unprecedented chain of procedural maneuvers across federal districts, engineered to insulate powerful litigants and permanently suppress actionable constitutional claims.

The structural origin of this controversy was originally presented to this Honorable Court following the "MeToo" movement within Petitioner's initial federal civil rights dockets, captioned SDNY Case No. 1:18-cv-11002 and Case No. 1:19-cv-00017. In October 2019, the late Associate Justice Ruth Bader Ginsburg personally intervened within this Court's supreme jurisdiction, formally granting Petitioner's emergency applications designated under Application Nos. 19A396 and 19A446, effectively returning her underlying Southern District of

New York (SDNY) cases for re-hearing and validating the absolute legal substance of Petitioner's claims. Following Justice Ginsburg's passing, however, the SDNY and the Second Circuit systematically neutralized, suppressed, and abandoned these cases, executing a repetitive, extrajudicial blueprint to "black out" the record.

Petitioner re-initiated her civil rights enforcement action during the strict statutory lookback window created by the New York Adult Survivors Act (ASA) (CPLR § 214-j). Over this grueling history, Petitioner has exhausted over one million dollars (\$1,000,000.00) in personal life savings and survived multiple unprovoked physical assaults outside courthouse steps while attempting to file documents. Her formal filings to the Second Circuit Judicial Council and the Committee on Judicial Conduct and Disability were systematically ignored or discarded due to systemic institutional self-preservation. Petitioner seeks the intervention of this Tribunal as her last remaining avenue to survive the structural nightmare created by the Respondents

II. STATEMENT OF MATERIAL FACTS

A. The Underlying Civil Actions and Statutory Claims under the New York Adult Survivors Act

1).Status as Material Witness and Victim: Appellant was a cooperating material witness and victim in joint violent crime proceedings before the Queens Criminal Court and Brooklyn Criminal Court.

2).Exclusionary Influence and Retaliation: During those proceedings, adverse private defense counsel—a former high-ranking New York Police Department (NYPD) official and current arbiter of the New York State Commission on Judicial Conduct—allegedly leveraged institutional influence to orchestrate a campaign of targeted harassment and custodial misconduct against Appellant.

3).Severe Civil Rights Violations: This institutional failure culminated in physical and sexual assaults perpetrated by law enforcement officers and associated medical professionals under color of state law.

4).Invocation of the Adult Survivors Act: On November 22, 2023, Appellant filed a timely, verified complaint in the U.S. District Court for the Eastern District of New York (EDNY Case No. 1:23-cv-08736). This action was brought explicitly under the lookback window of the New York Adult Survivors Act (ASA) (S.66A/A.648A), which temporarily waived the statute of limitations for adult survivors of sexual violence.

B. Historical Lineage and the Defiance of Prior Supreme Court Directives

Petitioner's sixteen-year quest for accountability began on June 17, 2010, within the New York State Supreme Court (Manhattan Jurisdiction), where she spent tens of thousands of dollars in personal life savings to establish conclusive forensic medical evidence, including DNA semen verification testing and emergency room reports from Brooklyn Hospital, documenting severe physical trauma from a non-consensual sexual assault perpetrated by uniform personnel. As the state proceeding neared resolution after eight years of rigorous litigation, the U.S. District Court for the Southern District of New York (SDNY) improperly facilitated the removal and consolidation of these claims (Case No. 1:18-cv-11002 and Case No. 1:19-cv-00017), only to summarily terminate them on hyper-technical, non-meritorious procedural grounds, forcing an administrative mistrial of the state action.

Between July 2018 and January 2020, Petitioner submitted three petitions to this Honorable Court (including Motion No. 2018-251, Application No. 19A396, and Application No. 19A446). The late Associate Justice Ruth Bader Ginsburg personally intervened, granting the applications and returning the underlying Southern District cases for re-hearing. Following Justice Ginsburg's passing, however, the lower courts systematically abandoned and neutralized these mandates, failing to execute the required independent evaluation.

C.The Inter-District Shuffling Trap and Pre-Ordained Dismissal

To vindicate these unaddressed core violations, Petitioner utilized the explicit

remedial window created by the New York Adult Survivors Act (ASA) and timely filed a complaint on November 22, 2023, in the U.S. District Court for the Eastern District of New York (EDNY Case No. 1:23-cv-08736), where venue and jurisdiction were indisputably proper because all defendants and events occurred exclusively within Brooklyn and Queens.

Instead of adjudicating the merits, the lower courts initiated an unprecedented procedural velocity. Between November 2023 and May 2024, the case was shuffled sequentially across a multi-judge chain in the Eastern District (including Hon. James R. Cho, Hon. Nina R. Morrison, and Hon. Natasha C. Merle) before Chief Judge Laura Taylor Swain, in coordination with defense counsel, engineered a non-consensual administrative transfer to the Southern District (re-designated as Case No. 1:24-cv-03630). Once relocated, the case was cycled through Hon. Arun Subramanian and Hon. Katherine Polk Failla, who acting under institutional deference, swiftly dismissed the action with prejudice on December 26, 2024, relying entirely on verbatim defensive positions prepared by counsel.

D. Exhaustion of Remedies and Parallel Administrative Controversies

Having exhausted all available internal avenues within the Second Circuit, where formal judicial misconduct complaints under 28 U.S.C. § 351 were summarily rejected or returned by the circuit executive without substantive review, Petitioner traveled to Washington, D.C., to seek independent assistance from the Office for Victims of Crime. Utilizing funds recovered from long-standing lost assets via the State of New York Office of the State Comptroller (Check No. 73729632 and Check No. 74343009), Petitioner full-paid the standard \$405 filing fee on December 9, 2024, to initiate an independent civil action challenging the administrative mechanisms and supervisory omissions of the federal judicial disciplinary bodies (D.D.C. Case No. 1:24-cv-03424-JEB), verified under Cashier ID APBn via Paper Receipt No. 208693.

Petitioner subsequently appealed the SDNY dismissal to the U.S. Court of

Appeals for the Second Circuit (Docket No. 25-2389). On April 20, 2026, the Second Circuit summarily denied Petitioner's In Forma Pauperis (IFP) motion and dismissed the appeal. On July 10, 2026, the Three-Judge Panel summarily denied Petitioner's Motion for Reconsideration and Motion for Judicial Review without issuing an independent memorandum opinion. Petitioner's subsequent Motion to Stay the Mandate was denied on August 3, 2026. Concurrently, Petitioner's parallel third-party action in the D.C. Circuit (Docket No. 26-5003), brought against the reviewing entities to address profound structural conflicts of interest, remains active, with a 'Petition for Panel Rehearing and Rehearing En Banc' submitted on August 19, 2026.

III. THE ABSENCE OF JUDICIAL IMMUNITY AND EXTRAJUDICIAL DOCKET RECORD SUPPRESSION

As a matter of well-established constitutional law, law enforcement officers do not possess absolute or qualified immunity from civil liability or criminal prosecution for acts of sexual assault under 42 U.S.C. § 1983, as such conduct is entirely divorced from any legitimate law enforcement objective or official duty. However, Petitioner's pursuit of legal accountability has been systematically undermined by bad-faith actors. Rather than receiving a neutral, objective, and fair investigation, Petitioner was subjected to severe psychological intimidation, disparate treatment, and explicit threats to her personal safety, directly violating her First and Fourteenth Amendment rights to petition the government for a redress of grievances and to enjoy equal protection.

The severe, permanent, and destructive nature of the trauma inflicted upon Petitioner is objectively substantiated by contemporaneous medical documentation. Following the initial assault, the catastrophic psychological impact culminated in a life-threatening crisis requiring emergency medical intervention, stabilization, and intensive care at a healthcare facility in Washington, D.C. These historical emergency medical records constitute material, objective evidence of the

severe emotional distress, profound psychological trauma, and long-term damages proximately caused by the initial assault and augmented by subsequent institutional retaliation.

Despite the gravity of these colorable claims and the binding historical imprimatur of Justice Ginsburg's orders, the court below mischaracterized Petitioner's underlying lawsuits as a repetitive, vexatious challenge to adverse judicial rulings. On November 22, 2023, Petitioner filed a timely, verified complaint in the U.S. District Court for the Eastern District of New York (EDNY Case No. 1:23-cv-08736). This action was brought explicitly under the lookback window of the New York Adult Survivors Act (ASA) (S.66A/A.648A), which temporarily waived the statute of limitations for adult survivors of sexual violence.

1). Improper Venue Manipulation: Although venue was properly laid in the Eastern District of New York based on the locus of the underlying offenses (Queens and Brooklyn), the Honorable Laura Taylor Swain executed a series of transfer orders moving the action to the Southern District of New York (SDNY).

2). Prejudicial Fact-Finding and Procedural Dismissal: Upon assuming jurisdiction, the transferee court engaged in highly prejudicial, non-objective fact-finding. The court misapplied case law to resolve disputed material facts against the vulnerable special victim and subsequently dismissed the action with prejudice on December 26, 2024.

3). Physical Retaliation and Denial of Police Protection: Following the filing of emergency motions in the SDNY, Appellant suffered severe physical violence by unidentified individuals, including being pushed onto active subway tracks at the Canal Street station. Local law enforcement systematically delayed and obstructed the recordation and investigation of these incidents, compounding Appellant's medical and financial injury.

Rather than evaluating these material facts, the District Court engaged in an unprecedented use of legal subterfuge to shield privileged defendants. The District

Court weaponized inapposite case law by first falsely characterizing Appellant as a “worst character” to justify an adverse ruling, reversing the bedrock principle that conventional legal reasoning must respect objective facts as a prerequisite.

Compounding this prejudice, the District Court went as far as issuing orders to suppress and effectively “destroy” relevant public records from the Civilian Complaint Review Board (CCRB) and the Internal Affairs Bureau (IAB), directly sabotaging the integrity of the judicial record.

IV: Petitioner’s Exhaustive, Multi-Decade Litigation Exhibits Documented Post-Traumatic Growth Rather Than Vexatious Intent

The Lower Court’s routine stigmatization and marginalization of Appellant as a “vexatious” or “malicious” litigant represents a profound mischaracterization of the record. Appellant’s sustained, twenty-year search for redress is the direct byproduct of continuous external trauma, systemic institutional hostility, and severe physical injury.

Origin of the Action and Severe Retaliation: Appellant’s litigation stems from a catastrophic 2004 incident in which she was sexually assaulted by uniformed New York City Police Department (NYPD) detectives. Following her formal complaints, state actors engaged in a campaign of intimidation, fabricating child-neglect allegations to separate Appellant from her sole minor child in an attempt to coerce her silence.

Historical Evidentiary Milestones: Far from being frivolous, Appellant’s early efforts secured high-level institutional interventions:

The Custody Victory: Aided by sympathetic public figures and **Hon. John McCabe** of the **Superior Court of the District of Columbia**, Appellant successfully defeated the fabricated retaliation and obtained permanent custody of her child Michelle Sun.

U.S. Supreme Court Re-Hearing Orders: In October 2019, the late **Associate Justice Ruth Bader Ginsburg** personally intervened, granting Appellant’s

applications (**Application Nos. 19A396 and 19A446**) and returning her underlying Southern District of New York (SDNY) cases for re-hearing. Justice Ginsburg's orders validated the legal substance of Appellant's claims. Following Justice Ginsburg's passing, however, the SDNY systematically neutralized and abandoned these cases.

Documented Post-Traumatic Growth (PTG) vs. Vexatious Litigation:

Prior to these structural wrongs, Appellant was an exceptionally healthy, resilient individual with background training in military academies who twice sought enlistment in the United States Armed Forces (U.S. Army and U.S. Navy). Her extensive legal battles represent an expression of documented **Post-Traumatic Growth**, transforming a devastating personal tragedy into a structured pursuit of systemic accountability.

V: Petitioner Continues to Suffer Exploitation, Severe Physical Violence, and Destructive Psychological Injuries Inflicted by Defendants' Ongoing Hostility

The Panel erred by disregarding the acute, physical danger and profound psychological trauma directly visited upon Appellant during the pendency of this litigation, which has left her severely compromised and entirely unrepresented.

Catastrophic Physical Injury Sustained During Litigation: While actively pursuing her legal rights, Appellant was violently pushed onto live train tracks by unknown actors, sustaining life-threatening injuries. This physical attack, combined with multiple documented street assaults outside courthouse entrances, has left Appellant with **Multiple Physical Disabilities** and in constant fear for her life.

Severe and Unremedied Trauma Portfolio: The severe institutional indifference engineered by Chief Judge Laura Taylor Swain has actively re-traumatized Appellant, causing her deep marginalization and continuous social bullying. As established by comprehensive clinical medical records—including D.C. emergency resuscitation and trauma logs—Appellant suffers from an array of

chronic, debilitating injuries directly inflicted by Defendants:

- 1). Severe Rape Trauma Syndrome, Post-Traumatic Stress Disorder (PTSD), and chronic flashbacks triggered by male authority figures.
- 2). Broken Heart Syndrome (stress-induced cardiomyopathy) and severe, vegetative depression.
- 3). Pervasive emotional distress, insomnia, panic disorders, and a total loss of life enjoyment.

Improper Denial of Equitable Tolling and Review: In November 2023, Appellant sought judicial review in the District of Massachusetts (**Case No. 1:23-12705**). On February 20, 2024, **Hon. Nathaniel M. Gorton** summarily dismissed the action by applying defensive, preclusive logic borrowed directly from Chief Judge Swain's prior orders. When Appellant subsequently sought safe haven in the District of Columbia on December 9, 2024, she was met with similar administrative doors closing.

For an unrepresented, impoverished pro se survivor with profound medical disabilities, the lower courts have turned the phrase "justice delayed is justice denied" into an absolute reality. This Petition represents the final legal avenue to restore constitutional equity.

REASONS FOR GRANTING THE PETITION

I. THE LOWER COURTS SANCTIONED A PATTERN OF VENUE MANIPULATION, ETHNIC DISPARITY, AND FACTUAL GHOSTWRITING THAT ERASES THE FIFTH AMENDMENT RIGHT TO BE HEARD FOR ADULT SURVIVORS

The decision of the Court of Appeals for the Second Circuit affirming the summary termination of Petitioner's sexual assault action (**Docket No. 25-2389**) presents an extraordinary breakdown of Article III neutrality. By implementing an asymmetric procedural framework that routinely embraced the Respondents' unilateral submissions while systematically suppressing Petitioner's verified evidence, the lower courts executed a closed-loop trap to deny an Asian pro se litigant her constitutional Right to be Heard under the Fifth Amendment.

This mechanical, verbatim adoption of an interested party's manufactured narrative directly conflicts with governing Supreme Court jurisprudence. While the verbatim adoption of findings prepared by counsel does not automatically invalidate a judgment *per se*, this Court has unequivocally mandated that such findings must be subjected to “**more careful scrutiny**” than those drafted independently by a judge (*Anderson v. City of Bessemer City*, **470 U.S. 564, (1985)**). The lower tribunals completely abdicated this constitutional duty, reducing appellate oversight to a perfunctory rubber stamp for a powerful litigation broker.

A. The Coordinated Inter-District Shuffling and Forum Concentration

Petitioner timely initiated her claims under the explicit remedial statutory lookback window of the Adult Survivors Act (ASA) within the U.S. District Court for the Eastern District of New York (**EDNY Case No. 1:23-cv-08736**). Because all named defendants and the operative events occurred exclusively within Brooklyn and Queens, venue and jurisdiction were indisputably proper in the EDNY.

However, the record unmaskes a highly irregular multi-judge administrative manipulation, where the action was subjected to an unprecedented chain of **five successive transfer orders across five distinct federal jurists** within a compressed timeframe, ultimately forcing the relocation of the complaint to the Southern District of New York (**SDNY Case No. 1:24-cv-03630**).

By shuffling an identical, viable case across districts solely to concentrate the litigation before the very judicial entities named in Petitioner's administrative misconduct complaints, the appellate panel sanctioned a coordinated “court mobbing.” This sequence demonstrates that the judiciary weaponized administrative transfer mechanisms under 28 U.S.C. § 1404(a) to shield interested defendants, insulate judicial insiders, and close the courthouse doors to an indigent survivor, presenting a question of exceptional importance regarding federal

judicial integrity under **Supreme Court Rule 10**.

B. Ex Parte Collusion and the Factual Ghostwriting of Dispositive Orders

The lower courts fundamentally subverted their roles as independent neutral arbiters by adopting a fabricated, extrajudicial narrative engineered behind the scenes by First Defendant Hugh H. Mo, Esq. to insulate the municipal perpetrators. Defendant Hugh H. Mo injected a malicious, completely false assertion into the record claiming the existence of a "**bigamous marriage relationship**"—a fraudulent detail that entirely contradicted the face of the verified complaint and possessed zero basis in fact.

Rather than executing an independent Article III evaluation of the complaint's allegations, the District Court and the Appellate Panel engaged in a severe abuse of judicial discretion by allowing this fraudulent, defense-led deception to be effectively ghostwritten directly into their final written Memorandum Opinions. Utilizing an interested party's un-tested narrative to deliberately misrepresent the factual record and invoke preclusive, defensive logic constitutes a manifest **Fraud Upon the Court** that shocks the judicial conscience and strips the unrepresented litigant of due process.

C. The Systematic Suppression of Material Evidence and Physical Trauma Records

While the lower tribunals uncritically embraced the Respondents' unilateral and coerced submissions, they maintained a strict servicing embargo against Petitioner's colorable claims. The District Court completely obliterated the non-moving party's objective, non-concoctable physical evidence timely submitted to the docket, including **forensic emergency room records from Brooklyn Hospital documenting severe hemorrhaging and long-term physical trauma** proximately caused by the initial sexual assault, alongside a handwritten inculpatory admission from the investigating detective.

By ordering the suppression and effective destruction of relevant public

investigative records from the Civilian Complaint Review Board (CCRB) and the Internal Affairs Bureau (IAB), the lower courts selectively utilized their own administrative machinery to blind the plaintiff, eliminate her Seventh Amendment jury demand rights, and strip her of a full and fair opportunity to be heard.

Furthermore, under 28 U.S.C. § 1915 (e), the appellate court weaponized financial entry barriers to summarily dismiss the appeal as lacking an arguable basis in fact, despite this overwhelming, uncontroverted physical medical record. This Court must grant review to dismantle this asymmetric framework, enforce the mandatory recusal thresholds of 28 U.S.C. § 455, and restore the constitutional integrity of the federal judiciary.

CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, Petitioner respectfully requests that this Honorable Court grant this Petition for a Writ of Certiorari, review the merits of the underlying claims, and enter an order vacating the judgments below to restore the integrity and seriousness of the federal judicial process.

Respectfully submitted,

Dated: September 30, 2026

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