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Supreme Court, U.S.
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IN THE SUPREME COURT OF
THE UNITED STATES

Wesley Redding	Supreme Court Case No. _____
· Petitioner	
-vs-	On Petition For Writ Of Certiorari from the 11th Appellate District of Ohio
United States Parachute Association Inc., et al.	
· Respondents	Case No. 2025-G-0010

PETITIONER'S AMENDED CORRECTIONS FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED FOR REVIEW

1. Did the trial court and the Eleventh Appellate District Court of Appeals of Ohio violate Petitioner's due process rights under the Fourteenth Amendment to the Constitution of the United States when they settled fraud without an oral hearing?
2. Did the trial court and the Eleventh Appellate District Court of Appeals of Ohio violate Petitioner's Fourteenth Amendment when they violated Petitioner's "substantial right" to a jury trial under Sections 5, Art. I of the Constitution of Ohio by barring Petitioner's claims per Civ. R. 12(C) due to res judicata without an oral hearing?
3. Did the trial court and the Eleventh Appellate District Court of Appeals of Ohio violate Petitioner's Fourteenth Amendment to the

Constitution of the United States by restricting the November 14, 2024, frivolous conduct hearing to a "sole issue"?

4. Did the trial court's "appearance of impropriety" affect the public's great general interest in the *confidence*, *independence*, *integrity*, or *impartiality* of Ohio's judiciary?

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II. A LIST OF ALL PROCEEDINGS DIRECTLY RELATED

1. Geauga County Court of Common Pleas
   Docket No. 23P000619
   Case Caption: Frivolous Conduct Hearing
   Judgment: March 24, 2025

2. Eleventh Appellate District of Ohio
Docket No. 2025-G-0010
Case Caption: Oral Argument
Judgment: October 6, 2025

III. CITATIONS OF THE OFFICIAL OR UNOFFICIAL REPORTS

1. *Redding v. United States Parachute Association Inc.*, Geauga C.P. 23P000619.

2. *Redding v. United States Parachute Association, Inc.*, 11th Dist. Geauga No. 2025-G-0010, 2025-Ohio-4631.

3. *3/17/2026 Case Announcements*, 2026-Ohio-846.

4. *5/12/2026 Case Announcements,* 2026-Ohio-1686

IV. CONCISE STATEMENTS OF BASIS FOR JURISDICTION

The U.S. Supreme Court distinguished **extrinsic fraud** from intrinsic fraud in the 1878 case *United States v. Throckmorton*[1]. Where, "by reason of

[1] *U.S. v. Throckmorton*, 98 U.S. 65

something done by the successful party to a suit, there was in fact no adversary trial or decision of the issue in the case", an unsuccessful litigant is entitled to *equitable relief* from the judgement thus obtained, or a new trial if the *fraud* prevented that from happening, *U.S. v. Throckmorton*, 98 U.S. 65.

In the case at bar, the underlying case, the trial court asserted in its March 24, 2025 Final Judgment Entry Against the Plaintiff "[M]r. Redding argues that prior Judgment and Decisions were obtained by fraud and are all incorrect. *See Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 21P753; *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2023-Ohio-884 [22G0024]; *Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 23P619 and 11th Dist. Geauga No. 20240014; and the previous Decisions and Judgments in Instant Suit (jointly "all prior Decisions and Judgments" or

"Decisions and Judgments"), (See Pet. Appx. Vol. I at No. 3, p. 30). In *Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 21P753 (the "2021 Complaint") there was no adversary trial of the issue in the case. In the "2021 Complaint, Respondents' jointly filed a Motion To Dismiss on March 3, 2022 which — asserted that the USPA Executive Committee declared Petitioner ("Redding") ineligible for membership pursuant to the procedures set forth in Section 1-6.4.F of the USPA Governance Manual, (See Trl Ct. Record. Evid at Dkt. 192, Pl. Ex. 9, p. 2). However, the USPA Executive Committee actually declared Redding ineligible for membership in accordance with Section 1-1 Article I, Section 2, (See Pet. Appx. Vol. I at No. 2, p. 13). In fact, section or processes in the 1-6 including but not limited to Section 1-6.4.F, a non-members provision, were not applicable to Petitioner in the "2021 Complaint", (See

Pet Appx. Vol. I at No. 1, p. 5). Therefore, Petitioner, an unsuccessful litigant in the "2021 Complaint" who — shall be entitled to *equitable relief* from the judgment thus obtained, or a new trial if the *fraud* prevented that from happening. Moreover, Respondents' *fraud* prevented Petitioner from an adversary trial or decision of the issue (USPA declaring Redding ineligible for membership pursuant to Section 1-1 Article I, Section 2).

The Judgment Entries and Opinions sought to be reviewed are (1) the March 7, 2024, Order on Defendants' Combined Motion For Judgment On the Pleadings and Sanctions in *Redding v. United States Parachute Association, Inc.*, Geauga C.P. 23P000619 (the "2023 Complaint" or "Underlying Case"); (2) the Final Judgment Entry Against the Plaintiff issued on March 24, 2025 in the "Underlying Case"; (3) the Opinion and Judgment Entry on October 6, 2025 in

Redding v. United States Parachute Association, Inc., 11th Dist. No. 2025-G-0010, 2025-Ohio-4631 ("*Redding II*"); and (4) the Entry regarding Reconsideration in *"Redding II"*, (See Pet. Appx. Vol. I at Nos. 3, 4, 5, and 6). The highest state court of last resort, the Supreme Court of Ohio, declined jurisdiction on March 17, 2026 in *Redding v. United States Parachute Association Inc.*, Supreme Court of Ohio Case No. 2026-0018, (See Pet. Appx. Vol. I at No. 7, p. 112). And on **May 12, 2026**, the Supreme Court of Ohio denied Petitioner's reconsideration or rehearing, (See Pet. Appx. Vol. I at No. 8, p. 114).

The statutory provision, 28 U.S.C § 1257, final judgments or decrees rendered by the highest court of a State (Eleventh Appellate District of Ohio) in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari. A petition for a writ of certiorari is timely filed with the clerk of this

court within 90 days after entry of the judgment and, is timely filed when it is filed with the Clerk within 90 days after entry of the order denying discretionary review, *See* Rule 13.1. The highest state court of last resort, the Supreme Court of Ohio, declined jurisdiction on March 17, 2026 and denied Petitioner's motion for reconsideration and motion for relief on May 12, 2026. Therefore, Petitioner's Petition For Writ of Certiorari was timely filed on July 30, 2026.

The questions of whether Judge Paschke correctly dismissed the underlying complaint, whether the judge properly determined that the complaint was frivolous, or whether the judge issued legal rulings (extrinsic fraud) in the underlying case and, a prior case that failed to comply with the law are matters for appellate review. *In re Disqualification of Paschke*, 24-AP-080, citing *In re Disqualification of Schooley*, 2023-Ohio-4332, ¶ 24.

V. CONSTITUTIONAL PROVISIONS, STATUTES, INVOLVED

1. 18 U.S.C. 1001
2. 28 U.S.C § 1257
3. Fourteenth Amendment of the U.S. Constitution
4. R.C. § 1729.24
5. R.C. § 2323.51
6. R.C. § 2323.51(B)
7. R.C. § 2505.02(B)
8. R.C. § 2505.02(B)(1)
9. R.C. § 2913.01(A)
10. R.C. § 2913.01(B)
11. Section 5, Art. I of the Ohio Constitution

VI. CONCISE STATEMENTS OF FACTS

1. An Appendix to a brief may only include relevant material, *See* Rule 24.3. Petitioner only included "relevant material" for the purposes of this Petition.

2. The record is on file with the Clerk and available to the Justices, and counsel may refer in briefs and in oral argument to relevant portions of the record not included, *See* Rule 26.2. Petitioner refers to portions of the "record" not included.

3. Respondents' Combined Motion for Judgement on the Pledings and Sanctions ("MJOP") filed on December 13, 2023, asserted clearly that "Defendants jointly filed Motion To Dismiss in the 2021 Complaint on March 3, 2022", (See Trl Ct. Record Evid. at Dkt. 24, p. 4, § II).

4. Respondents' jointly filed Motion To Dismiss in the 2021 Complaint asserted that: (1) "The USPA Executive Committee decided to declare Plaintiff ineligible for membership"; and (2) "The USPA made this decision pursuant to the procedures applicable to non-members set forth

in Section 1-6.4.F of the USPA Governance Manual", (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 9, p. 2). However, approximately one-hundred thirty eight (138) days prior to defending the litigation, USPA's Executive Director Mr. Albert Berchtold sent Petitioner ("Redding") an email on August 11, 2021 which — clearly stated that "The section you are referencing is from the 1-6 and relates to member disciplinary process which is **not applicable**", (See Pet. Appx. Vol. I at No. 1, p. 5).

5. The USPA Executive Committee actually declared Redding ineligible for membership in accordance with a different section; namely Section 1-1 Article I, Section 2 of the USPA Governance Manual, (See Pet. Appx. Vol. I at No. 2, p. 13).

6. Section 1-1 Article I, Section 2 of the USPA Governance Manual asserts that "The USPA Executive Committee may declare any individual ineligible for membership for causes consistent with those set forth in Article I, Section 6.A as grounds for censure, suspension, or expulsion, (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 3, p. 5, § II).

7. Section 1-1 Article I, Section 6.A asserts clearly that "**Any member** may be censured, suspended, or expelled by the USPA Executive Committee", (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 3, p. 6). Therefore, the USPA Executive Committee declared Petitioner ineligible for membership in accordance with Section 1-1 Article I, Section 2 and, also declared Petitioner ineligible for membership

in accordance with Section 1-1 Article I, Section 6.A relating to "members."

8. On August 27 – 29, 2021, the entire USPA Board of Directors (twenty-two (22) members), "moved to uphold" USPA Executive Committee's decision to declare Wes Redding ineligible for membership", (See Pet. Appx. Vol. I at No. 2, p. 16, ¶ 10). Therefore, the entire USPA Board of Directors, consisting of 22 members voted and passed an "unanimous decision" to uphold USPA Executive Committee's decision to declare Petitioner ("Redding") ineligible for membership in accordance with Sections 1-1 Article I, Section 2 and § 1-1 Article I, Section 6.A relating to "members."

9. The Exhibits in ¶¶'s 4 — 8 were submitted into evidence without objection during the

November 14, 2024, frivolous conduct hearing. Specifically, during the November 14, 2024, frivolous conduct hearing, Respondents' senior counsel Mr. Tyler Tarney ("Mr. Tarney") instructed the trial court to: (1) "We're fine just admitting them all on both sides"; (2) "Just admit all the exhibits"; and (3) "Let them all into the record", (See Trl. Ct. Record Evid. at Dkt. 191, T.p., p. 140, ¶¶ 13 – 24).

10. In *Redding v. United States Parachute Association, Inc.*, 11th Dist. Geauga No. 2022-G-0024, 2023-Ohio-884 ("*Redding I*") asserted in its Opinion on March 20, 2023 the following:

    (a) "To the contrary, Art. I, Section 6.4(F)(2) sets forth procedural channels for a disciplinary investigation of 'Non-members'";

    (b) "In light of the factual allegations, appellant as a non-member, is not entitled to rely upon USPA's compliance with the Manual as a

basis for his claims that he and appellees had some contractual relationship";

(c) "We previously concluded that under these facts, appellant, at the time, was a non-member", (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 11, pp. 6 – 7, 9, ¶¶ 14 – 15, 21).

Here, the Eleventh Appellate District Court of Ohio determined that Petitioner was a Non-member pursuant to Section 1-6.4.F of the USPA Governance Manual. However, as noted in ¶¶ 4 – 7 Petitioner was actually declared ineligible for membership in accordance with Sections 1-1 Article I, Section 2 and § 1-1 Article I, Section 6.A relating to "members." These issues were NOT "actually" or "directly" litigated in *Redding v. United States Parachute Association, Inc.*, Geauga C.P. 21P000753 (the "2021 Complaint") or in *Redding v. United States Parachute Association, Inc.*, 11th Dist.

Geauga No. 2022-G-0024, 2023-Ohio-884 ("*Redding I*")

11. In *Redding I*, the Eleventh Appellate District Court of Ohio asserted and ruled the following:

    (a) "Appellant claims that Appellees' Motion To Dismiss is based upon (fraudulent criminal or otherwise) statements which deprived him of the substantial right to a jury trial";

    (b) "Initially, none of the above arguments were raised in appellant's memorandum in opposition to appellees' motion to dismiss";

    (c) "this court can only address arguments specifically passed on by the trial court";

    (d) "In this matter, we discern no plain error", (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 11, p. 4, ¶¶ 5 – 6).

Here, the Eleventh Appellate District Court of Ohio did NOT ascertain Petitioner's *fraud claim* as it was **unripe** until after judgment.

12. On April 2, 2023, Petitioner filed a police report with the Chardon Police Department which stated the following:

    a. ""[W]esley would later provide me with case files from court case **#21P000753** and appeal case **#22G000024** stemming from the Geauga County Common Pleas Court";

    b. "[W]esley stated that during the above mentioned court cases, **USPA claimed he was not a member** at the time of the alleged breach of contract";

    c. "[W]esley **believes this claim is false and was used to get his case against USPA dismissed**", (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 20, pp. 3 – 4).

13. In *Redding v. United States Parachute Association, Inc.*, 2025-Ohio-4631 ("*Redding II*"), the Eleventh Appellate District Court of Ohio asserted and ruled the following:

    a. "[O]n October 17, 2023, Redding filed a second complaint, consisting of a

77-page complaint with an additional 476 pages of exhibits";

b. "[R]edding attached multiple documents/exhibits to his 2023 complaint. The **facts** and **substance** of the documents related to circumstances and/or **communications that occurred prior to the filing of the 2021 complaint**", (See Pet. Appx. Vol. I at No. 5, pp. 58 – 59, 61, ¶¶ 7, 10).

14. On December 13, 2023, Respondents' moved for judgment on the pleadings, or in the alternative, summary judgement, and moved for fees pursuant to R.C. 2323.51, (See Pet. Appx. Vol. I at No. 5, pp. 61 – 62, ¶ 11).

15. On March 7, 2024, the trial court issued an Order on Defendants' Combined Motion For Judgment on the Pleadings and Sanctions which asserted the following:

a. "Defendants' address a potential claim for fraud in their combined motions";

b. "Defendants' MJOP seeks to dismiss Plaintiff's Complaint for failure to state a claim per Civ.R. 12(C) due to res judicata";

c. "Plaintiff disputes application of res judicata by claiming fraud";

d. "This too is not a new claim, as it was at issue in the appeal";

e. "The Eleventh District Court of Appeals considered Plaintiff's fraud claim under the plain error doctrine";

f. "the allegation of fraud is also res judicata";

g. Defendants are entitled to judgment as a matter of law";

h. "Plaintiff's pending claims were all previously decided in prior actions and are barred by res judicata":

i. "Filing the within Complaint objective constitutes 'frivolous conduct' in several if not all the way set forth above. For example, as the claims in this matter are clearly barred by res judicata", (See Pet. Appx. Vol. I at No. 38 – 39, 44, 46 – 47, 50).

Here, the trial court "acknowledged" that Respondents addressed a "potential claim" for *fraud* in their Combined Motions, thus Petitioner properly raised the federal question of extrinsic fraud.

16. Title 18 U.S.C. 1001(a) whoever in any matter *knowingly* or willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement, or representation or; (3) makes or uses any false, writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement.

17. Ohio R.C. § 2913.01(A) and (B) has the same meaning as 18 U.S.C § 1001. First, R.C. § 2913.01(A) "Deception" means knowingly deceiving another or causing another to be

deceived by any false or misleading representation, by withholding information, by preventing another from acquiring information, or by any other conduct, act, or omission that creates, confirms, or perpetuates a false impression in another, including a false impression as to law, value, state of mind, or other objective or subjective fact. Next. R.C. § 2913.01(B) states "Defraud" means to knowingly obtain, by deception, some benefit for oneself or another, or to knowingly cause, by deception, some detriment to another, (See Trl. Ct. Record Evid. at Dkt. 5, pp. 71 – 72, ¶ 339).

18. *In re Disqualification of Paschke*, 24-AP-150, Judge Paschke "acknowledged" the impropriety of initially finding Mr. Redding's conduct to be frivolous without first conducting a hearing, as noted in the September 11, 2024, Judgment

Entry (Trl. Ct. Record Evid. at Dkt. 109), (See Pet. Appx. Vol. I at No. 9, p. 117).

19. "**Impropriety**" means that includes conduct that **violates the law**, **court rules**, or provisions of this code, and conduct that undermines a judge's *independence*, *integrity*, or *impartiality*, *See* Ohio Code of Judicial Conduct Rule Terminology. "An **appearance of impropriety** exists when "the [judge's] conduct would create in reasonable minds a perception that the judge's ability to carry out judicial responsibilities with *integrity*, *impartiality*, and *competence* is **impaired**." *Caperton v. A.T. Massey Coal Co. Inc.*, 556 U.S. 868, 888 (2009), quoting American Bar Association, Annotated Model Code of Judicial Conduct, Canon 2A, Commentary (2004); see also id. at 890 (noting that the code of judicial conduct provide more

protection than due process requires). Therefore, when the Hon. Judge Paschke acknowledged "impropriety", this affected her ability to carry out judicial responsibilities with *integrity*, *impartiality*, and *her competence was impaired* which — also violated Petitioner's Fourteenth Amendment right of the Constitution of the United States.

20. The Record Evidence indicates that the trial and oral hearing on November 14, 2024, was infected with judicial bias. Judge Paschke had an appearance of impropriety before the trial ever started. "If the record evidence indicates that the trial was infected by judicial bias, the **remedy is a new trial**." *See State v. Brown*, 2023-Ohio-4452, quoting *State v. Jackson*, 149 Ohio St.3d 55, 2016-Ohio-5488, 73 N.E.3d 414,

¶ 43, citing *State v. Dean*, 127 Ohio St.3d 140, 2010-Ohio-5070, 937 N.E.2d 97, ¶ 2.

21. On September 11, 2024, the trial court asserted in its Judgment Entry on all Pending Motions And Amended Order the following:

    a. "[I]n its Order, the court found Mr. Redding's conduct was frivolous without setting or holding the hearing required by R.C. 2323.51(B)";

    b. "[U]pon further review was inappropriate";

    c. "[I]t was inappropriate for the court to rule on Defendants' frivolous conduct motion in its March 7, 2024, Order";

    d. "[C]onsequently the court's prior order is hereby **amended** to **eliminate the prior finding** of frivolous conduct";

    e. "[T]he anticipated damages hearing will be bifurcated. First, the parties will present evidence and argument relative to the preliminary issue of whether frivolous conduct occurred";

    f. [I]f frivolous conduct is found to have occurred, the hearing will

> immediately continue relative to any alleged resulting adverse affect and related damages 'If any'", (See Trl. Ct. Record Evid. at Dkt. 109, p. 3)

Here, the trial court violated the law, R.C. § 2323.51(B), by finding frivolous conduct as the claims allegedly were barred by res judicata without a oral hearing — which violated Petitioner's Fourteenth Amendment. The trial court "**amended**" and "**eliminated**" a prior finding of frivolous conduct. A finding that was found to be frivolous because the claims were allegedly barred by res judicata. Therefore, the trial court "**amended**" and "**eliminated**" all its prior findings including, but NOT limited to, the finding that Petitioner's claims were barred by res judicata.

22. Judge Paschke still had an appearance of "impropriety" when her September 11, 2024,

Judgment Entry clearly stated "the parties will present evidence to the preliminary issue of whether frivolous conduct occurred", (See Trl. Ct. Record Evid. at Dkt. 109, p. 3). Judge Paschke still had an "appearance of impropriety" of initially finding Petitioner's claims were barred by res judicata without an oral hearing, in violation of R.C. § 2323.51(B). This violated Petitioner's Fourteenth Amendment (due process) of the Constitution of the United States.

23. On March 24, 2025, the trial court asserted in its Final Judgment Entry Against The Plaintiff the following:

    a. "Unilateral attempts to expand the November 14, 2024, frivolous conduct hearing to encompass res judicata and fraud do not show the Magistrate erred in determining the facts and law";

b. "Mr. Redding argues that prior Judgment and Decisions were obtained by fraud and are all incorrect. See *Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 21P753; *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2023-Ohio-884 [22G0024]; *Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 23P619 and 11th Dist. Geauga No. 20240014; and the previous Decisions and Judgments in Instant Suit (jointly "all prior Decisions and Judgments" or "Decisions and Judgments")

c. "The sole issue before the Magistrate was whether Mr. Reddings conduct in Instant Suit was frivolous"; (See Pet. Appx. Vol. I at No. 3, pp. 29 – 31).

Here, the trial court and/or Judge Paschke settled *extrinsic fraud* and res judicata without an oral hearing, in violation of Petitioner's Fourteenth Amendment of the Constitution of the United States. Further, Petitioner properly raised the federal question (fraud) in the "2023 Complaint."

24. In *Redding II*, the Eleventh Appellate District Court of Ohio asserted the following:

> "[R]edding takes issue with this because, he maintains, this statement implies the trial court did not engage in the requisite "**three-step analysis**" for determining sanctions under R.C. 2323.51. We disagree", (See Pet. Appx. Vol. I at No. 5, p. 88, ¶ 50).

25. On February 11, 2025, Petitioner file a "Notice To the Court Of a Discrepancy with the transcript", (See Trl. Ct. Record Evid. at Dkt. 173). Petitioner clearly stated in his Notice that "After receiving and reviewing the transcript prepared by the Court's "official court reporter", the Plaintiff has found a discrepancy", (See Trl. Ct. Record Evid at Dkt. 173, p. 1). Specifically, on page 127 Line Nos. 20 – 23, Beverly J. Modic transcribed the following:

> THE MAGISTRATE: You have already done that. You have already made it painfully clear that <u>you</u> believe there was fraud in this case okay?, (See Trl. Ct. Record Evid. at Dkt. 191, T.p., p. 127, ¶¶ 20 – 23).

However, at 2 hours 34 minutes 56 seconds through 2 hours 35 minutes 1 second of the trial court's Digital Court Recording (DCR), the Magistrate says the following:

> THE MAGISTRATE: You have already done that. You have already made it painfully clear that "**<u>we</u>**" believe there was fraud in this case."

26. On March 24, 2025, the trial court asserted in its Final Judgment Entry that: (1) "The Court has listened to the DCR recording and compared it to the transcript"; and (2) "The court reporter correctly transcribed the November 14, 2024, hearing", (See Pet. Appx. Vol. I at No. 3, p. 24). However, as previously noted in ¶ 18, Judge Paschke "acknowledged"

the impropriety of initially finding Petitioner's conduct was frivolous without an oral hearing. The Hon. Judge Paschke (trial court judge) had an appearance of impropriety when listening to the DCR recording.

27. *In re Disqualification of Paschke*, Supreme Court of Ohio No. 26-AD-146, Judge Paschke asserted that: (1) "These allegations are based on my refusal to modify a word contained in a transcript of a hearing"; (2) "The Court Reporter and I both interpreted the statement contained in the Digital Court Recording as Follows"

> THE MAGISTRATE: No. You have already done that. You have already made it painfully clear that you believe that there was fraud in this case", (See Pet. Appx. Vol. 1 at No. 10, p. 129).

28. *In re Disqualification of Paschke*, Supreme Court of Ohio No. 26-AD-146, Judge Paschke

asserted that: (1) "Mr. Redding argues that the underline word above is "we" ; (2) "I do not believe Mr. Redding's interpretation is correct"; and (3) "I instead believe that the Magistrate said "you", as the Court Reporter transcribed", (See Pet. Appx. Vol. I at No. 10, p. 129). However, at 2 hours 34 minutes and 56 seconds through 2 hours 35 minutes 1 second, the Magistrate actually says the following:

> THE MAGISTRATE: You already done that. You already made it painfully clear that "**we**" believe there was fraud in this case."

Therefore, its imperative that this Court, get the Record Evidence including, but not limited to the Digital Court Recording and listen to it to determine if an "Official Transcript" was indeed falsified which —

prevented Petitioner from properly presenting his case on appeal in *Redding II.*

29. *In re Disqualification of Paschke*, Supreme Court of Ohio No. 26-AD-146, Judge Paschke asserted that "The understanding that Mr. Redding believes that there was fraud to assure him that the Magistrate understands his point", (See Pet Appx. Vol. I at No. 10, p. 130). Therefore, the Magistrate did understand Petitioner's point and that is exactly why at 2 hours 34 minutes and 56 seconds through 2 hours 35 minutes and 1 second the Magistrate said "on the record" that "You made it **painfully clear** that '**we**' [presumably the court] believes there was fraud in this case." "Fraud vitiates the most solemn contracts, documents, and

even judgements." *See U.S. v. Throckmorton*[2], 98 U.S. 61.

30. On March 25, 2025, Petitioner filed the Eleventh District Court of Appeals Docketing Statement which he stated on that Docketing Statement "R.C. § 2505.02(B)(1) an order is a final order that may be reviewed, affirmed, modified, or reversed when it is an order that affects a **substantial right** in an action that in effect determines the action and **prevents a judgment**", (See Trl. Ct. Record Evid. at Dkt. No. 189). In fact... in *Redding I*, the Eleventh Appellate District Court of Ohio asserted that: (1) "statements which deprived him of the

[2] The U.S. Supreme Court distinguished extrinsic fraud from intrinsic fraud. Where, "by reason of something done by the successful party to a suit, there was in fact no adversary trial or decision of the issue in the case", an unsuccessful litigant is entitled to equitable relief from the judgement thus obtained, or a new trial if the fraud prevented that from happening, *U.S. v. Throckmorton*, 98 U.S. 65.

substantial right to a jury trial"; and (2) In support of his point he cites R.C. 2505.02(B), the statute governing final,. Appealable orders", (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 11, p. 4, ¶ 5). *See Redding I, Id.* at ¶ 5. Therefore, R.C. § 2505.02(B) is the statute governing final, appealable orders that affect a "substantial right to a jury trial." Moreover, Petitioner "raised" his substantial right to a jury trial on appeal in *Redding II.* Further, Petitioner "properly raised" a question, his "substantial right" to a jury trial.

31. Section 5, Art. I of the Ohio Constitution states "The right of trial by jury shall be inviolate, except that, in civil cases, laws may be passed to authorize the rendering of a verdict by the concurrence of not less than three-fourths of the jury.

32. Petitioner raised the issue in *Redding II*, that the trial courts "inappropriate decision" affected Appellant's "substantial right" to be heard and properly present his case, (See Appellant's Brief at p. 22).

33. The Eleventh Appellate District Court of Ohio asserted and ruled in *Redding v. United States Parachute Association, Inc.*, 2025-Ohio-4631 ("*Redding II*") the following:

    a. "Appellant, Wesley J. Redding ("Redding") appeals the judgment of the Geauga County Court of Common Pleas granting the motion of appellees', United States Parachute Association, Inc. ("USPA") et al., for judgment on the pleadings, pursuant to Civ.R. 12(C)";

    b. "Redding also appeals the trial court's judgment awarding USPA sanctions and attorney fees for frivolous conduct in relation to the underlying complaint";

c. "Redding cites to this court's opinion in *Redding I* in his 2023 complaint on multiple occasions";

d. "We conclude that the various filings in the prior case, as well as this court's opinion in *Redding I*, were adequately incorporated into the pleadings";

e. "This court previously drew the same conclusion in *Redding I, Id.* at ¶ 12. In that matter, this court determined that Redding was not a member of USPA at the time it decided to not renew his membership"; (See Pet. Appx. Vol. I at No. 5, pp. 55, 66 – 67, 69).

Therefore, in *Redding I*, the Eleventh Appellate District Court of Ohio ("Court of Appeals") ruled in that matter that Redding ("Petitioner") was not a member of the USPA pursuant to the non-member Section 1-6.4.F. Specifically, the Court of Appeals ruled in *Redding I*, that (1) Art. 1 § 6.4(F)(2) sets for procedural channels for a disciplinary

investigation of 'Non-members'; and (2) "In light of the factual allegations... appellant, as a non-member", *See* ¶ 10. However, "sections or processes in the 1-6 including but not limited to Art. 1 § 6.4(F) a non-members provision were NOT applicable, *See* ¶¶ 4 – 8.

34. The Eleventh Appellate District Court of Ohio asserted and ruled in *Redding II* the following:

    a. "In this appeal, Redding seems to argue that USPA committed fraud and breached its contract with him when it claimed it did not renew his membership pursuant to Art. 1, § 6.4(F)(3)";

    b. "Instead, pursuant to conversations he had with USPA Executive Director Albert Berchtold, his membership was actually revoked under a separate section; namely **Art. 1 § 6.4(C)** , which provides: "***Any member*** shall be guilty of an offense justifying the imposition of the penalties set forth in USPA Governance Manual 1-§6.4(C) below who — Engages in conduct as a skydiver that a person of reasonable prudence would

> anticipate as being likely to bring public contempt upon their person, upon skydivers, or upon USPA", (See Pet. Appx. Vol. I at No. 5, p. 71, ¶ 22).

Therefore, USPA actually "revoked" Petitioner's membership in accordance with **Art. 1 § 6.4(C)** when he was a "member." Moreover, Respondents' "*knowingly*" had *purported knowledge thereof* that Redding's USPA membership was actually "revoked" under a different section than alleged in five (5) prior cases, thus obtaining judgements by way of extrinsic fraud (outside the pleadings). Further, the Court of Appeals "acknowledged" that Petitioner "raised" the federal question of *fraud* and, the federal question was passed upon a court of competent jurisdiction.

35. The Eleventh Appellate District Court of Ohio asserted and ruled in *Redding II* the following:

a. "The breach of contract and alleged fraud are barred by res judicata";

b. "This court thoroughly considered the claim for relief under Sarbanes-Oxley in *Redding I*";

c. "This court also previously addressed and rejected Redding's intentional interference with a business relationship claim";

d. "The claim of intentional interference with a business relationship is barred by res judicata";

e. We accordingly hold the trial court did not err in concluding the claims in the second complaint were barred by res judicata"; (See Pet. Appx. Vol. I at No. 5, pp. 73, 75 – 76, 79, ¶¶26, 28 – 29 – 30, 35)

In *Redding I* and in *Redding II*, the Court of Appeals ruled that Redding was a non-member pursuant to Art. 1, § 6.4(F), a section that was NOT applicable, *See* ¶¶ 4 – 8.

36. The Eleventh Appellate District Court of Ohio asserted and ruled in *Redding II* the following:

a. "R.C. 2323.51 governs the determination of frivolous conduct";

b. "Redding alleges the trial court erred when it stated the **sole issue** before the Magistrate was whether Mr. Redding's conduct in the instant suit was frivolous";

c. "Redding takes issue with this because, he maintains, this statement implies the trial court did not engage in the requisite "three-step analysis";

d. "We disagree";

e. As Redding points out, "A motion for sanctions under R.C. § 2323.51 requires a three-step analysis. "First, did an individual engage in frivolous conduct. Second, if the conduct was frivolous, was another party adversely affected by the frivolous conduct. And third, the amount of award if any." *Keith-Harper v. Lake Hosp. Sys., Inc.*, 2017-Ohio-7361 ¶ 27 (11th Dist.), (See Pet. Appx. Vol. I at No. 5, pp. 84, 88 – 89.)

Here, the Eleventh Appellate District Court of Appeals of Ohio violated Petitioner's

Fourteenth Amendment of the Constitution of the United States.

VII. DIRECT AND CONCISE ARGUMENT

On March 7, 2024, the trial court dismissed Petitioner's complaint per Civ.R. 12(C) due to res judicata. Specifically, the trial court asserted in its March 7, 2024, Order that: (1) "Defendants are entitled to judgment as a matter of law"; (2) "Plaintiff's pending claims were all previously decided in prior actions and are barred by res judicata"; (3) "Pursuant to Civ.R. 12(C), the Court enters judgment in favor of Defendants and dismisses the Complaint"; and (4) "Filing the within Complaint objectively constitutes 'frivolous conduct' in several if not all the way set forth above; for example... as the claims in this matter are clearly barred by res judicata", (See Pet. Appx. Vol. I at No. 4, pp. 46 – 47, 50). However, *In re Disqualification of Paschke*, Supreme Court of

Ohio No. 24-AP-150, the Hon. Judge Carolyn J. Paschke (trial court judge) admitted to the Supreme Court of Ohio that "[I] do acknowledge the impropriety of initially finding Mr. Redding's conduct to be frivolous without first conducting a hearing, as noted in the Judgment Entry of September 11, 2024", (See Pet. Appx. Vol. I at No. 9, p. 117, ¶ 1). Therefore, the Hon. Judge Carolyn J. Paschke (trial court judge) had an appearance of impropriety in finding (1) Defendants were entitled to judgment as a matter of law"; (2) Plaintiff's pending claims are barred by res judicata; and (3) "Pursuant to Civ.R. 12(C), the Court entered judgment in favor of Defendants and dismissed the Complaint. "**Impropriety**" means that includes conduct that **violates the law**, **court rules**, or provisions of this code, and conduct that undermines a judge's *independence*, *integrity*, or *impartiality*, *See* Ohio Code of Judicial Conduct Rule Terminology. "An

appearance of impropriety exists when "the [judge's] conduct would create in reasonable minds a perception that the judge's ability to carry out judicial responsibilities with *integrity*, *impartiality*, and *competence* is **impaired**." *Caperton v. A.T. Massey Coal Co. Inc.*, 556 U.S. 868, 888 (2009), quoting American Bar Association, Annotated Model Code of Judicial Conduct, Canon 2A, Commentary (2004); see also id. at 890 (noting that **the code of judicial conduct provide more protection than due process** requires). Therefore, when the Hon. Judge Paschke acknowledged "impropriety", this affected her ability to carry out judicial responsibilities with *integrity*, *impartiality*, and her *competence* was *impaired* which — violated Petitioner's "substantial right" under Section 5, Art. 1 of the Ohio Constitution (jury trial) and, "due process" rights under the Fourteenth Amendment of the Constitution of the United States.

The trial court settled extrinsic fraud (fraud) without an oral hearing. First, the trial court's Final Judgment Entry Against the Plaintiff issued on March 24, 2025, asserted that "Mr Redding argues that **prior Judgments and Decisions were obtained by fraud and therefore are all incorrect**. *See Redding v. United States Parachute Association, Inc.* Geauga C.P. 21P753; *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2023-Ohio-884 [220024]; *Redding v. United States Parachute Association, Inc.*, Geauga C.P. 23P619 and 11th Dist. Geauga No. 202400014; and the previous Decisions and Judgments in Instant Suit (jointly "all prior Decisions and Judgments"), (See Pet. Appx. Vol. I at No. 3, p. 30). The trial court's March 7, 2024, Order on Respondents' Combined Motion for Judgment on the Pleadings and Sanctions ("MJOP") asserted that: (1) "Defendants address a potential claim for fraud in

their Combined Motions"; (2) "Plaintiff disputes application of res judicata by claiming fraud"; (3) "This too is not a new claim, as it was at issue in the appeal"; (4) "the Eleventh District Court of Appeals considered Plaintiff's *fraud* claim under the plain error doctrine"; and (5) "the allegation of fraud is also res judicata", (See Pet. Appx. Vol. I at No. 4, pp. 38, 44, 46). Next, the trial court asserted and ruled in its Final Judgment Entry Against the Plaintiff issued on March 24, 2025, that "[Unilateral attempts to expand the November 14, 2024, frivolous conduct hearing to encompass res judicata and *fraud* do not show the Magistrate erred in determining the facts and the law", (See Pet. Appx. Vol. I at No. 3, p. 29, ¶ 2). Therefore, the trial court settled *extrinsic fraud* without an oral hearing which — has not been, but should be, settled by this Court pursuant to Rule 10(c).

Extrinsic Fraud is deceptive practice **that occurs outside of the actual judicial process** and prevents a party from fully presenting their case in court. The Eleventh District Court of Appeals asserted in its October 6, 2025, Opinion and Judgment Entry that: (1) "Redding attached multiple documents/exhibits to his 2023 complaint; (2) the facts and substance of the documents related to circumstances and/or communications that occurred prior to the filing of the 2021 complaint", (See Pet. Appx. Vol. I at No. 5, p. 10). These documents/exhibits include an email which was sent to Petitioner on August 11, 2021, clearly stating that "The section you are referencing is from the 1-6 and relates to member disciplinary process which is not applicable", (See Pet. Appx. Vol. I at No. 1, p. 5). Fraud (extrinsic) is defined as the **intentional** use of deception or, dishonest means to deprive another person of a legal right. Fraudulent procurement of a

judgment, often called "Fraud upon the Court", occurs when a party uses deceit, **false evidence**, or corrupt practices **to obtain a court order or judgment**. However, in *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2022-G-0024, 2023-Ohio-884 ("*Redding I*") the Eleventh District Court of Appeals asserted and ruled that: (1) "Initially, none of the above arguments were raised in appellant's memorandum in opposition to appellees' motion to dismiss"; (2) "Absent plain error, this court can only address arguments specifically passed on by the trial court"; and (3) "In this matter, we discern no plain error", (See Trl. Ct. Record Evid. at Dkt. 192, Pl. Ex. 11, p. 4, ¶ 6). *See Redding v. United States Parachute Association, Inc.*, 2023-Ohio-884, ¶ 6. Therefore, the Eleventh District Court of Appeals did NOT consider Petitioner's *fraud* claim under the plain error doctrine because, initially that argument was not raised in

Petitioner's memorandum in the 2021 complaint and, the Eleventh District Court of Appeals can only address arguments passed on by the trial court. Moreover, the trial court settled extrinsic fraud without an oral hearing which —violated Petitioner's "substantial right" to a jury trial under Section 5, Art. 1 of the Ohio Constitution which — violated Petitioner's Fourteenth Amendment of the Constitution of the United States. Thus, this Court, shall settle Petitioner's *fraud claim* which, has not been, but should be settled by this court pursuant to Rule 10(c).

The Eleventh District Court of Appeals asserted in its Opinion and Judgment Entry issued on October 6, 2025, that: (1) "Redding assigns five errors for this court's review"; (2) He first provides: The trial court committed prejudicial error by dismissing appellant's complaint per Civ.R. 12(C) due to res judicata"; (3)

"Under this assignment of error, Redding asserts the trial court erred in dismissing his claims based upon res judicata because his claims relate to separate factual issues not previously before the court and therefore were not actually litigated"; and (4) "We disagree", (See Pet. Appx. Vol. I at No. 5, p. 63, ¶¶ 12 – 14). However, as previously noted *supra*, Petitioner's *fraud* claim was NOT previously before the court in *Redding v. United States Parachute Association, Inc.*, Geauga C.P. 21P753 (the "2021 Complaint") nor on appeal in *Redding I*. *Id.* at ¶ 6. Therefore. The Eleventh Appellate District Court of Appeals settled extrinsic fraud without an oral hearing. In fact, the Eleventh District Court of Appeals asserted and ruled in *Redding II* that "The breach of contract and alleged fraud are barred by res judicata", (See Pet. Appx. Vol. I at No. 5, p. 73, ¶ 26).

Moreover, the Eleventh District Court of Appeals settled extrinsic fraud without an oral hearing.

Respondents' *knowingly* and intentionally used deceit, deception, *false evidence*, and dishonest means to deprive Petitioner of a legal right and fraudulently procure judgments in *Redding v. United States Parachute Association Inc.*, Geauga C.P. 21P000753 (the "2021 Action"); *Redding v. United States Parachute Association Inc.*, 2023-Ohio-884 (11th Dist.) ("*Redding I*"); *Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 23P619 (the "2023 Action" or "Underlying Case"); and in *Redding v. United States Parachute Association, Inc.*, 2025-Ohio-4631 (11th Dist.) ("*Redding II*") to obtain a court order, judgment, or decision by way of fraud. Specifically, Respondents' *"knowingly"* misrepresented the issue of the USPA Executive Committee declaring Petitioner ineligible for

membership pursuant to Section 1-6.4.F, a non-members provision, in their Motion To Dismiss in the 2021 Complaint, (See Trl. Ct. Record Evid. at Skt. 192, Pl. Ex. 9, p. 2). However, the USPA Executive Committee actually declared Redding ineligible for membership in accordance with Section 1-1 Article I, Section 2; namely an entirely different section, (See Pet Appx. Vol. I at No. 2, p. 13). In fact, the Full USPA Board of Directors, consisting of 22 members, voted unanimously to uphold the USPA's Executive Committee decision to declare Redding ineligible for membership pursuant to that Section 1-1 Article I, Section 2 member provision, (See Pet. Appx. Vol. I at No. 2, p. 16). Therefore, the USPA Executive Committee actually declared Redding ("Petitioner") ineligible for membership in accordance with Section 1-1 Article I, Section 2 and, NOT Art. 1 § 6.4(F) as previously alleged in the "2021 Complaint" and

Redding I. Moreover, Respondents' *knowingly* and intentionally used deceit, deception, *false evidence*, and dishonest means to deprive Petitioner of a legal right and fraudulently procure judgments in the "2021 Complaint", in *Redding I*, in the "2023 Complaint"; and in *Redding II.*

The elements of fraud are: (a) a representation, or where there is a duty to disclose, concealment of a fact; (b) which is material to the transaction at hand; (c) made falsely with knowledge of its falsity, or with such utter disregard and reckless as to whether it is true or false that knowledge may be inferred; (d) with the intent of misleading another into relying upon it; (e) justifiable reliance upon the representation or concealment; and (f) resulting injury proximately caused by the reliance. *Burr v. Stark Cty. Bd. of Commrs.*, (1986), 23 Ohio St. 3d 69, at syllabus 2. USPA's Executive Director, Albert Berchtold,

knowingly concealed facts related to circumstances and/or communications that occurred prior to the filing of the 2021 complaint which — were material to the transaction at hand; made falsely with knowledge of its falsity; made with the intent of misleading another into relying upon it (the trial court and the Eleventh District court of Appeals) who — justifiably relied upon the representation or concealment; and the resulting injury proximately caused by the reliance was Petitioner's prior Decisions and Judgments being dismissed. Not only did USPA's Executive Director Albert Berchtold *knowingly* conceal facts but, so did Respondents' senior counsel Mr. Tyler Tarney ("Mr. Tarney"). Specifically, Mr. Tarney testified during the November 14, hearing that: (1) "Yes, I was in contact with Albert Berchtold at the outset of litigation"; (2) "The litigation was the first time I received or reviewed documents"; (3) "You

have shown me the introduction section of our Motion to Dismiss"; (4) "I wrote that section in the Motion to Dismiss"; and (5) "I think your question is where did I get that information, I can't recall exactly", (See Trl. Ct. Record Evid at Dkt. 191, T.p., pp. 123 – 126). In fact, Respondents' MJOP asserted that "Defendants jointly filed a Motion to Dismiss in the 2021 Complaint on March 3, 2022", (See Trl. Ct. Record Evid at Dkt. 24, p. 4, § II). Moreover, USPA's Executive Director; the entire USPA Full Board of Directors; Respondents' United States Parachute Association, Inc. ("USPA") et al.; and Respondents' senior counsel Mr. Tyler Tarney *knowingly* concealed facts material to the transaction at hand which resulted in "all prior Decision and Judgments" being obtained by extrinsic fraud (outside the judicial process) which violated Petitioner's "substantial right" to a jury trial under Section 5, Art. I of the Ohio

Constitution which — violated Petitioner's Fourteenth Amendment to the Constitution of the United States.

Res judicata involves both claim preclusion (historically called estoppel by judgement in Ohio) and issue preclusion (traditionally known as collateral estoppel). *Lycan v. Cleveland*, 171 Ohio St.3d 550, 2022-Ohio-4676, reconsideration denied, 169 Ohio St.3d 1445, 2023-Ohio-554, 203 N.E.3d 744, ¶ 22. Under Ohio law, the doctrine of res judicata consists of 'the two related concepts of claim preclusion, also known as res judicata or estoppel by judgment, and issue preclusion, also known as collateral estoppel. *State of Ohio ex rel. Susan Boggs et. al. v. City of Cleveland*, 655 F.3d 516 (6th Cir. 2011) (citing *Doe ex rel. Doe v. Jackson Local Schs. Sch. Dist.*, No. 10-3272, 2011 WL 1792814, at * 3 (6th Cir. May 11, 2011) (quoting *O'Nesti v. DeBartolo Realty Corp.*, 862

N.E.2d 803, 806 (Ohio 2007). The Ohio Supreme Court set forth three requirements for the application of collateral estoppel or issue preclusion: (1) was **actually** and **directly** litigated in the prior action, (2) was passed upon and determined by a court of competent jurisdiction, and (3) when the party against whom collateral estoppel is asserted was a party in privity with a party to the prior action. *Kobal v. Edward Jones Secs.*, 2021-Ohio-1088, at ¶ 26 citing *Thompson v. Wing*, 70 Ohio St.3d 176, 637 N.E.2d 917 (1994). The issues of (1) *fraud*; (2) the USPA Executive Committee declaring Redding ineligible for membership in accordance with Section 1-1 Article I, Section 2 and Section 1-1 Article I, Section 6.A; (3) the USPA Executive Committee declaring Redding ineligible for membership in accordance with Art. 1 § 6.4(C) for engaging in public contempt as a "member" were NOT (1) actually or directly litigated in prior

actions; (2) passed upon and determined by a court of competent jurisdiction. Moreover, Petitioner's issues or claims were NOT (1) actually or directly litigated in prior actions; or (2) passed upon and determined by a court of competent jurisdiction (court of appeals).

The Eleventh District Court of Appeals asserted in its October 6, 2025, Opinion and Judgment Entry that: (1) "R.C. 2323.51 governs the determination of frivolous conduct"; (2) "Redding alleges the trial court erred when it stated the **sole issue** before the Magistrate was whether Mr. Redding's conduct in instant suit was frivolous"; (3) "Redding takes issue with this because, he maintains, the trial court did not engage in the requisite "**three-step analysis**" for determining sanctions under R.C. 2323.51"; (4) "We disagree"; and (5) "As Redding points out, "A motion for sanctions under R.C. § 2323.51 requires a three-step analysis. "First, did an individual engage in

frivolous conduct. Second, if the conduct was frivolous, was another party adversely affected by the frivolous conduct. And third, the amount of award if any." *Keith-Harper v. Lake Hosp. Sys., Inc.*, 2017-Ohio-7361, ¶ 27 (11th Dist.), (See Pet Appx. Vol. I at No. 5, pp. 84, 88 – 89, ¶¶ 43, 50 – 51). Therefore, the trial court held the November 14, 2024, frivolous conduct hearing to a "**sole issue**" when R.C. 2323.51 requires a "**three-step analysis**" in determining frivolous conduct. Thus, the trial court and the Eleventh District Court of Appeals violated Petitioner's "substantial right" to a jury trial under Section 5, Art. 1 of the Ohio Constitution which — violated Petitioner's Fourteenth Amenedment of the Constitution of the United States.

The statutory provision, 28 U.S.C § 1257, final judgments or decrees rendered by the highest court of a State (Eleventh Appellate District of Ohio) in which

a decision could be had, may be reviewed by the Supreme Court by writ of certiorari.

The questions of whether Judge Paschke correctly dismissed the underlying complaint, whether the judge properly determined that the complaint was frivolous, or whether the judge issued legal rulings (federal law) in the underlying case and, a prior case that failed to comply with the law are matters for appellate review. *In re Disqualification of Paschke*, 24-AP-080, citing *In re Disqualification of Schooley*, 2023-Ohio-4332, ¶ 24.

The trial court, the Eleventh Appellate District Court of Ohio ("Court of Appeals") and/or the Supreme Court of Ohio did NOT act at all times that promoted *public confidence* in the *independence*, *integrity*, *impartiality*, of the judiciary by avoiding an appearance of impropriety. First, *In re Disqualification of Paschke*, 24-AP-150 against the

trial court judge, Judge Carolyn J. Paschke *knowingly* admitted "impropriety" of initially finding Mr. Redding's conduct to be frivolous without holding a hearing, (See Pet. Appx. Vol. I at No. 9, p. 117, ¶ 1). "Impropriety" is a violation of the law and court rules which — effects a judge's ability to carry out judicial responsibilities with *integrity*, *impartiality*, and *competence* is impaired, *See Caperton v. A.T. Massey Coal Co. Inc.,* 556 U.S. 868, 888 (2009), quoting American Bar Association, Annotated Model Code of Judicial Conduct, Canon 2A, Commentary (2004); see also id. at 890 (noting that the **code of judicial conduct provide more protection than due process requires**). Next, the Supreme Court of Ohio ruled *In re Disqualification of Paschke*, 24-AP-150 that "The case shall proceed before Judge Paschke", (See Trl. Ct. Record at Dkt. 130, p. 2). Moreover, the Supreme Court of Ohio allowed Judge Carolyn J. Paschke to

proceed over Petitioner's underlying case when she had a "appearance of impropriety" in which — her ability to carry out judicial responsibilities with *integrity*, *impartiality*, and which — her competence was *impaired*. Therefore, this case is a "**Landmark**" case effecting the principles of res judicata which — including, but not limited to, claim preclusion; issue preclusion; and, collateral estoppel essentially affecting 11.9 million people in the State of Ohio and, another 341.8 million people across the United States of America. Further, this case effects the *Throckmorton Doctrine*[3]; *ripeness doctrine*[4]; extrinsic

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[3] *U.S. v. Throckmorton*, 98 U.S.

[4] *State of Ohio ex rel. Susan Boggs et. al. v. City of Cleveland*, 655 F.3d 516 (6th Cir. 2011) (citing *Katt v. Dykhouse*, 983 F.2d 690, 693 (6th Cir. 1992) (applying Michigan's **ripeness doctrine** to determine that the plaintiff could not have raised a claim in a previous action because that claim did not ripen until after judgment was entered in that action; *State v. Smith*, No. 4-06-18, 2006 WL 2795609, at *2 (Ohio Ct. of App. Oct. 2, 2006) (declining to apply the doctrine of res judicata because the issue was not previously ripe).

fraud; essentially affecting 11.9 million people in the State of Ohio and, another 341.8 million people across the United States. Furthermore, this case effects the rights to due process (Fourteenth Amendment), essentially affecting 11.9 million people in the State of Ohio with another 341.8 million people nationwide.

CONCLUSION

This Court has the ability to invoke their "**inherent equity power**" to find *extrinsic fraud* where the Respondents' misrepresented the facts. In *Aheroni v. Maxwell*, 205 Cal.App.3d 284, 252 Cal.Rptr. 369 (Cal. Ct. App. 1988) the California Court of Appeals invoked their "inherent equity power" and found *extrinsic fraud* where a plaintiff induced the defendant not to contest the action by misrepresenting the facts. In this underlying case,

Respondents' United States Parachute Association, Inc. et al. "misrepresented" the **actual issue** of denying or refusing Petitioner's USPA membership, resulting in adverse judgments or, judgments obtained by way of extrinsic fraud in *Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 21P753; *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2022-G-0024, 2023-Ohio-884 [22G0024]; *Redding v. United States Parachute Association, Inc.*, Geauga C.P. No. 23P619; *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2025-G-0010, 2025-Ohio-4631 and; *Redding v. United States Parachute Association, Inc.*, Supreme Court of Ohio No. 2026-0018.

The U.S. Supreme Court distinguished extrinsic fraud from intrinsic fraud in the 1878 case

United States v. Throckmorton[5], where, "by reason of something done by the successful party to a suit, there was in fact no adversary trial or decision of the issue in the case", an unsuccessful litigant **is entitled to equitable relief** from the judgement thus obtained, or a new trial if the fraud prevented that from happening, *U.S. v. Throckmorton*, 98 U.S. 65. Petitioner (an unsuccessful litigant) is entitled to "equitable relief" from all previous Decisions and Judgments from those Decisions or Judgments obtained and, a new trial since Respondents' *fraud* prevented an adversary trial or decision of the issue of the USPA actually declaring Petitioner ineligible for membership.

This Court shall GRANT Petitioner's Petition For Writ of Certiorari. Further, Petitioner

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[5] *U.S. v. Throckmorton,* 98 U.S. 65

respectfully requests this Court to settle Petitioner's (1) *fraud* claim; and (2) settle Petitioner's claims of breach of contract; Sarbanes-Oxley Act; Intentional Interference with a Business Interest; Self-Dealing/O.R.C. § 1729.24; breach of good faith; negligence/fraud; temporary injunction relief; and related damages due to the trial court being infected with judicial bias (appearance of impropriety).

Respectfully Submitted
Wesley Redding

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PROOF OF SERVICE

I hereby declare under the penalty of perjury that under the laws of the United States of America that the foregoing Petition For Writ of Certiorari is true and correct, and certify that a copy of the

foregoing was sent to Respondents and the Hon. Judge Carolyn J. Paschke by priority U.S Mail and/or third-party commercial carrier pursuant to Rule 29.5; F.R.A.P. 21(a)(1); F.R.A.P. 25(c)(B); F.R.A.P. 25(c)(C); F.R.Civ.P. 5(b)(2)(E), and F.R.Civ.P. 5(b)(2)(F) on the 4th day of November, 2026.

CERTIFICATE OF COMPLIANCE

Certificate of Compliance With Type-Volume Limit,
Typeface Requirements, and Type-Style Requirements

1. This document complies with [the type-volume limit of Rules of the Supreme Court of the United States [*Rule 33.1(b)*]] [the word limit of Rules of the Supreme Court of the United States [*Rule 33.1(g)(i)*]] because, excluding the parts of the document exempted by Rules of the Supreme Court of the United States [*Rule 33.1(d)*]]:

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I, Wesley Redding, declare under the penalty of perjury that under the laws of the United States of America that the foregoing Certificate of Compliance is true and correct.

(s)*Wesley Redding*

Pro-Se for Petitioner

Dated: November 4, 2026

Appendix

1. Email from USPA Executive Director Mr. Albert Berchtold, dated August 11, 2021.

2. United States Parachute Association Minutes of the Board of Directors Meeting, August 27 – 29, 2021.

3. Final Judgment issued on 3/24/2025 in *Redding v. United States Parachute Association, Inc.*, Geauga C.P. 23P000619.

4. Order of Defendants Combined Motion For Judgment On The Pleadings and Sanctions in *Redding v. United States Parachute Association, Inc.*, Geauga C.P. 23P000619.

5. Opinion and Judgment Entry in *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2025-G-0010, 2025-Ohio-4631.

6. Judgment Entry regarding rehearing in *Redding v. United States Parachute Association, Inc.*, 11th Dist. No. 2025-G-0010, 2025-Ohio-4631.

7. Judgment Entry declining jurisdiction in *Redding v. United States Parachute Association, Inc.*, Supreme Court of Ohio No. 2026-0018 dated March 17, 2026.

8. Reconsideration Entry declining reconsideration in *Redding v. United States Parachute Association, Inc.*, Supreme Court of Ohio No. 2026-0018.

9. Response To Affidavit of Disqualification acknowledging "Impropriety" *In re Disqualification of Paschke*, Supreme Court of Ohio No. 24-AP-150.

10. Response To Affidavit of Disqualification acknowledging "Impropriety" *In re Disqualification of Paschke*, Supreme Court No. 26-AD-146.