

SIMILAR BRIEFED FILED

No. _____

IN THE
United States Supreme Court

DR. LILLIE M. COLEY, PHD, et al
Petitioner,

v.

NEW JERSEY SUPREME COURT, et al
Respondent(s).

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

PETITION FOR A WRIT OF CERTIORARI

Lillie M. Coley, PhD

TABLE OF CONTENTS

TABLE OF CONTENTS ii

TABLE OF AUTHORITIESiii

PETITION FOR A WRIT OF CERTIORARI 1

QUESTIONS PRESENTED 12

LIST OF PARTIES..... 16

OPINIONS BELOW 18

JURISDICTION 19

RELEVANT CONSTITUTIONAL PROVISION..... 18

INTRODUCTION..... 22

STATEMENT OF THE CASE 23

REASONS FOR GRANTING THE WRIT 24

CONCLUSION..... 27

INDEX TO APPENDICES

Appendix A – Trial Court PA July 16, 2010 Graves Order(VACATED) on December 9, 2011 Order. Two(2) Orders enclosed.

Appendix B – PA Order April 11, 2011 Order with DNA Attached by Court;

Appendix C - New Jersey August 13, 2012 Order Obtained by Allege Fraud

Appendix D – NJ Supreme Court Denial of Review Dated Sept. 25, 2020

Appendix E – Opinion of Appellant Div. A-099/227/228/229/1916/2491

Appendix F – Opinion of Appellant Division A-1817-14

Appendix G - Opinion of Appellant Division A-1185-14

Appendix H – Rymir Birth Certificate as of May 2011

Appendix I - Trial Court Orders on PA Set Aside(2)

TABLE OF AUTHORITIES AND CASES

CASES:

1. *Haines v. Kerner*, 404 US at 520 (1980)1

2. *Birl v. Estelle*, 660 F.2d 592 (1981)1

United States v. Lee, 106 US 196,220 [1882]1

3. *Woodrick v. Jack J. Burke Real Estate*,
 306 NJ Super 61 (App. Div. 1997)2

4. *Perez v. Rent A Center*,
 892 A.2d 1255 (Sup. Ct, NJ., 2006)2

5. *Aetna Casualty & Surety Co. v. Plymouth Gem*
 Industries, 1997 WL 346289912

6. *Griffen v. Griffen*, 327 U.S. 220,
 66 S. Ct. 556, 90 L. Ed. 6353,28

7. *Williamson v. Berry*, 945, 540 12 L. Ed. 1170,
 1189 (1850)3,9

8. *Holder v. Scott*, 396 S.W.2d 9063

9. *Old Wayne Mut. L. Assoc. v. McDonough*, 204 U. S. 8, 27 S. Ct. 236 (1907)
.....3,37

10. *Orner. V. Shalala*, 30 F.3d 1307 (Colo. 1994)6,9,10,32

11. *Haun v. Steigleder*, 830 S.W.2d 833, 83437

12.	<i>Dallas County v. Sweitzer</i> , 971 S.W.2d 629, 630	37
13.	<i>Fulton v. Finch</i> , 162 Tex. 351, 346 S.W.2d 823, 827	37
14.	<i>Evans v. C. Woods, Inc.</i> , No. 12-99-00153-CV	4,5,8,34
15.	<i>Long v. Shorebank Development Corp.</i> , 6 182 F.3d 548 (C.A. 7 Ill. 1999)	33,36,38
16.	<i>State ex rel. Latty</i> , 907 S.W.2d at 486	5,11,21,34,37
17.	<i>Baker v. Baker, Eccles & Co.</i> , 242 U.S. 394	21
18.	<i>National Exchange Bank v. Wiley</i> , 195 U.S. 257, 25 S.Ct. 70, 49 L.Ed. 184	21
19.	<i>Adam v. Saenger</i> , 303 U. S. 59, 62	21
20.	<i>Milliken</i> , supra, at 462	21
21.	<i>Baker v. General Motors Corp.</i> , 522 U. S. 222, 233	21
22.	<i>King v. Taylor</i> , 188 N.C. 450, 451, 124 S.E. 751, 751	19
23.	<i>Ex parte Spaulding</i> , 687 S.W.2d at 745	4,5,11,18,21,33,34,38
24.	<i>Ex parte Seidel</i> , 39 S.W.3d 221, 225	18,19
25.	<i>Mellon Service Co. v. Touche Ross & Co.</i> , 946 S.W.2d 862, 864	24,57
26.	<i>Merck & Co. v. Biorganic Laboratories, Inc.</i> ,	9
27.	<i>Watkins v. Resorts Int'l Hotel & Casino, Inc.</i> 124 N.J. 398, 409	9
28.	<i>Velasquez v. Franz</i> , 123 N.J.498, 505 (1991)	9
29.	<i>Stamps v. Ford Motor Co.</i> , 650 F. Supp. 390, 404	8
30.	<i>Dodrill v. Ludt</i> , 764 F.2d 442, 444	8
31.	<i>No East-West Highway Committee v. Chandler</i> , 767 F.2d 21, 24	8

32.	<i>Falcon v. General Tel. Co.</i> , 815 F.2d 317, 320	8
33.	<i>Pontarelli Limousine, Inc. v. City of Chicago</i> , 929 F.2d 339, 340	8
34.	<i>Harris Trust and Savings Bank v. John Hancock Mutual Life Ins. Co.</i> , 970 F.2d 1138, 1146	8
35.	<i>Accord v. U.S. Phillips Corp.</i> , 55 F.3d at 598	8
36.	<i>Estate of Pusey</i> , 180 Cal. 368,374	7,8
37.	<i>Cadenasso v. Bank of Italy</i> , p. 569	7,8
38.	<i>El-Kareh v. Texas Alcoholic Beverage Comm'n</i> , 874 S.W.2d 192, 194	4,5,6,21,34
39.	<i>Valley v. Northern Fire & Marine Ins. Co.</i> , 254 U.S. 348, 41 S. Ct. 116 (1920)	3,6

STATUTES AND RULES:

1.	U.S. Constitution , Amend. XIV	18
2.	U.S. Constitution , Amend. I	18
3.	Fed. R. App. Proc. 4(b)(1)	16
4.	Fed. R. App. P. 4(a)(4)	16
5.	Fed. R. App. Proc. 30(f)	16
6.	Fed. Rules Civ. Proc., Rule 60(b)(4)	2,4,6,13,37
7.	28 U.S.C. §1254 (1)	16
8.	28 U.S.C. §1332(a)	16
9.	28 U.S.C. § 1738	9,14,34

PETITION FOR WRIT OF CERTIORARI

Coley asks the Court to take judicial notice of the fact that she is without counsel, is not apt in the laws and legal procedures, and is not an attorney licensed to practice law. Therefore, her pleadings must be read and construed liberally. See *Haines v. Kerner*, 404 US at 520 (1980); *Birl v. Estelle*, 660 F.2d 592 (1981). Further Coley believes that this court has a responsibility and legal duty to protect any and all of Coley's constitutional and statutory rights. See, *United States v. Lee*, 106 US 196,220 [1882]

A. The Court granted Full Faith and Credit to a vacated/voided judgment that no longer exist of Robert Graves dated July 16, 2010. A void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. Vacated Orders cannot be used as a final Order by any party as a defense.

The Appellate Division erred in giving preclusive effect to July 16, 2010, Paternity Order that was later vacated by a Pennsylvania State Court on December 9, 2011. Moreover, the Appellate Division ignored the April 18, 2011 disestablishment, dispositive of Robert Graves's paternity and failed to grant Full Faith and Credit to the Pennsylvania Order vacating the July 16, 2010 Order. Contrary to the Appellate Court's Opinion the issue of paternity is still in doubt in both Pennsylvania and New Jersey.

When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal.

In considering the factors required for Collateral Estoppel, a Court must inquire whether the nature and status of the prior action can be afforded preclusive effect. A vacated judgment has no preclusive effect and therefore, collateral estoppel does not apply. *See Woodrick v. Jack J. Burke Real Estate*, 306 NJ Super 61 (App. Div. 1997); *Perez v. rent A Center*, 892 A.2d 1255 (Sup. Ct, NJ., 2006); *Aetna Casualty & Surety Co. v. Plymouth Gem Industries*, 1997 WL 34628991 (NJ Super Law Div., 1997).

For purposes of issue preclusion, "final judgment" includes any prior adjudication of an issue in another action that is determined to be sufficiently firm to be accorded conclusive effect. However, a vacated judgment bears no conclusive effect on the underlying action; therefore, it cannot be a final judgment in other actions.

B. The Court deny a Motion to Set Aside PA Orders(Appendix I) void/vacated judgments denying relief under FRAP 60(b)(4). It was denied in order to cover up the fraud on court which begun in August 2012 regarding personal jurisdiction and concealment of evidence of hiding residential property holdings and VOID orders. The court then sanction parties for making this valid legal request. As One party's(Wanda) Motion to Set Aside was completely ignored by the Trial court in

order to continue false claims against her so, its still pending on the docket. Not allowing for Foreign Orders to be attacked is a denial of due process.

The 14th amendment of the United States Constitution gives everyone a right to due process of law, which includes judgments that comply with the rules and case law. Most due process exceptions deal with the issue of notification. If, for example, someone gets a judgment against you in another state without your having been notified, you can attack the judgment for lack of due process of law. In *Griffen v. Griffen*, 327 U.S. 220, 66 S. Ct. 556, 90 L. Ed. 635 a pro se litigant won his case in the Supreme Court who stated:

Williamson v. Berry, 945, 540 12 L. Ed. 1170, 1189 (1850). "It has also been held that" it is not necessary to take any steps to have a void judgment reversed, vacated, or set aside, it may be impeached in any action direct or, collateral. *Holder v. Scott*, 396 S.W.2d 906, (Tex.Civ.App., Texarkana, 1965, writ ref., n.r.e.). "A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. It is clear and well-established law that a void order can be challenged in any court", *Old Wayne Mut. L. Assoc. v. McDonough*, 204 U. S. 8, 27 S. Ct. 236 (1907).

The law is well-settled that a void order or judgment is void even before reversal", *Valley v. Northern Fire & Marine Ins. Co.*, 254 U.S. 348, 41 S. Ct. 116 (1920) "Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal."

Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. **The law firms and corrupted Judges went back with illegal orders to cover up no due process and fraud upon the court which continue from 2012 to 2020.**

Additionally, a *void judgment* may be attacked at any time by a person whose rights are affected. See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.-Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at *1 (Tex. App.-Tyler Aug. 30, 1999, no pet. h.). Court's Motion on Denying the Set Aside does not change the fact the Order in question is VOID and it is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). If an appeal is taken, however, the appellate court may declare void any orders the trial court signed after it lost plenary power over the case, because a void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. (Code 1907, §4134; Code 1923, §7849; Code 1940, T. 7, §561.). When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, *Orner. V. Shalala*, 30 F.3d 1307 (Colo. 1994). This cannot be ignored its fact recorded! Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed.

Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 -Klugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985).

When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at any time by a person whose rights are affected. See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.-Houston [14th Dist.]

Lillie Coley timely filed in the New Jersey Appellant Division regarding a Void Judgment and No Due Process along Civil Rights issues. In addition to this, she presented her receipts to prevent this case- complaint on a void judgment from being illegally dismissed-denied regarding a Fraud Upon the Court and Constitutional Issues on No Due Process.

Find here the grounds for which the Rule applies: RULE 60(b) (1) (2) (3) (4) (6) 60(d) (1) (2) (3) and FRAP 25(a)(2)(B) and RULE 17(a)(l) and 9(b). 1994, no writ); *see also Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at *1 (Tex. App.-Tyler Aug. 30, 1999, no pet. h.). "A Party Affected by VOID Judicial Action Need Not APPEAL." *State ex rel. Latty*, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). If an appeal is taken, however, the appellate court may declare void any orders the trial court signed after

it lost plenary power over the case, because a void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment.

Also, Section 6-9-180: Jury trial on issues of fact. If the motion or application is to enter satisfaction of a judgment under the New Jersey Rules of Civil Procedure or to set aside the entry of satisfaction of a judgment, on request of either party, the issue of fact must be tried by a jury. (Code 1886, §2870; Code 1896, §3340; Code 1907, §4146; Code 1923, §7861; Code 1940, T. 7, §573.). When appeal is taken from a void judgment, the appellate court must declare the judgment void. Because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal in favor of appellant. A void judgment may be attacked at any time by a person whose rights are affected. *See El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.--Houston [14th Dist.] 1994, no writ); *see also Evans v. C. Woods, Inc.*, No.12-99-00153-CV, 1999 WL 787399, at *1 (Tex. App.--Tyler Aug. 30, 1999, no pet. h.).m. The law is well-settled that a void order or judgment is void even before reversal", *Valley v. Northern Fire & Marine Ins. Co.*, 254 U.S. 348, 41 S. Ct. 116 (1920) "Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal." *Williamson v. Berry*, 945, 540 12 L. Ed. 1170, 1189 (1850).

When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, *Orner. V. Shalala*, 30 F.3d 1307 (Colo.

1994). Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A..

The Court Has A Responsibility to Correct a Void Judgment:

The statute of limitations does not apply to a suit in equity to vacate a void judgment. (*Cadenasso v. Bank of Italy*, p. 569; *Estate of Pusey*, 180 Cal. 368,374 [181 P. 648].) This rule holds as to all void judgments. In the other two cases cited, *People v. Massengale* and *In Re Sandel*, the courts confirmed the judicial power and responsibility to correct void judgments.

FRCP Rule 60(b) provides that the court may relieve a party from a final judgment and sets forth the following six categories of reasons for which such relief may be granted: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59; (3) fraud, misrepresentation, or misconduct by an adverse party; (4) circumstances under which a judgment is void; (5) circumstances under which a judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application or (6) any other reason justifying relief from the operation of the judgment. F.R.C.P. Rule 60(b)(1)-(b)(6). To be entitled to relief, the moving party must establish facts within one of the reasons enumerated in Rule 60(b). When

rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, *Orner. V. Shalala*, 30 F.3d 1307 (Colo. 1994). Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process.

Collateral Estoppel, a Court must inquire whether the nature and status of the prior action can be afforded preclusive effect. A vacated judgment has no preclusive effect and therefore, collateral estoppel does not apply. *Accord v. U.S. Phillips Corp.*, 55 F.3d at 598; *Harris Trust and Savings Bank v. John Hancock Mutual Life Ins. Co.*, 970 F.2d 1138, 1146 (2d. Cir 1992)affd510 U.S. 86 (1993); *Pontarelli Limousine, Inc. v. City of Chicago*, 929 F.2d 339, 340 (7th 1991) (en banc); *Falcon v. General Tel. Co.*, 815 F.2d 317, 320 (5th Cir. 1987); *No East-West Highway Committee v. Chandler*, 767 F.2d 21, 24 (1st. Cir. 1985); *Dodrill v. Ludt*, 764 F.2d 442, 444 (6th Cir. 1985); *Stamps v. Ford Motor Co.*, 650 F. Supp. 390, 404 (N.D.Ga. 1986). However, a vacated judgment bears no conclusive effect on the underlying action; therefore, it cannot be a final judgment in other actions.

C. Not given Full Faith and Credit for sister state PA Order dated April 18, 2011 and December 9, 2011, other parties were given full faith and credit for two other sister state PA Orders which no longer had legal value as these orders no longer have legal value because they depended upon an Order that was VACATED. 28 U.S.C. § 1738, declares that these materials should receive “the same full faith and credit” in each state that they have in the state “from which they are taken.” By

not granting Full, faith and Credit allowed fiction over facts to litigate the case allowing more Fraud Upon the court and denying parties of their Human Rights under the 14th Amendment. RYMIR' paternity which has not been adjudicated. Vacated Orders cannot be used as a final Order by any party as a defense. "The term 'res judicata' refers broadly to the. . . doctrine barring relitigation of claims or issues that have already been adjudicated." *Velasquez v. Franz*, 123 N.J.498, 505 (1991). Specifically, the doctrine "provides that a cause of action between parties that has been finally determined on the merits by a tribunal having jurisdiction cannot be relitigated by those parties. . . in a new proceeding." Id. *Watkins v. Resorts Int'l Hotel & Casino, Inc.*, 124 N.J. 398, 409 (1991).

D. Concealment of evidence – Court allowed fraudulently misrepresentation in the very first litigation August 13, 2012 pertaining to and about his property holdings and contacts with the forum state to avoid personal jurisdiction. The Appellant Division made Coley submit to residency laws in regard to personal jurisdiction, due to property ownership, but S.C did not despite having New Jersey properties. This is gender discrimination and S.C. part by false actions causing denials with fraud on the court thereafter. In *Merck & Co. v. Biorganic Laboratories, Inc.*, the Appellate Division stated defendants who engaged in a "deliberate course of conduct" that "frustrate[d] plaintiff's discovery of facts" should not be award sanction for attorney fees.

As stated the law firms and corrupted Judges went back with illegal orders to cover up no due process and fraud upon the court with *continuous violations of a denial of Due Process*, with the intent to cover the illegal rulings thereafter. In Hopes no one would find out the truth on what really occurred here. There was Fraud on the Court on August 13, 2012 (FD-04-2874-12) to 2019- and thereafter the judges and court knew this. With more litigation also came more *fraud upon the Court*, without lack of standing on a Void Judgment, petitioner believes is illegal which the Court sought to enforce a VOID order that had NO legally standing whatsoever. Avoiding the No Due Process of discovery and fact finding is unlawful and alienates the Petitioner from the due process sought. After the crime was committed based upon premise of *Fraud Upon the Court* which begun in 2012 regarding false statements of property ownership then it continues, and the fraud increased in July 2015 with denial of Motion to Set Aside Void orders see above. Along with a host of other acts of Fraud Upon the Court see below. Constitutional and Civil Laws were violated here, that was covered up illegally with illegal orders based upon fraud and *fraud upon the courts*. A void judgment procured by fraud, can be attacked at any time, in any court, either directly or collaterally and should be vacated along with all proceeding order under that docket number FD-04-2874-14 and related.

Again, under Federal laws, which is applicable to all states, the U.S. Supreme Court stated that if a court is "without authority, its judgments and orders are regarded as nullities. "They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no

justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers.” A party affected by void judicial action need not appeal. *State ex rei. Latty*, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). When appeal is taken from a void judgment, the appellate court must declare the judgment void. Because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal.

E. A Court cannot grant a motion based on hearsay and speculation as the Rule of Law, since hearsay is inadmissible not permitted in court. The Court subsequently used that illegal hearsay to provide cover for sanctioning parties for attorney fees, filings of a Judgment Bond as equitable liens on Petitioner's residential property as no money was owed to the court by Petitioner. In addition, the Court used criminal statutes for non-criminal case as controlling rule of law. And lastly, the Court never served the party under FRAP 25(a)(2)(b) making this Judgment unlawful as notice must be given and due process was abridged.

In Rule 4.4 Service of process: If any of the parties set out in Section 4-4, whose names are known, reside in the State of New Jersey, a copy of the order must be served upon them, in the same manner that process is served on defendants in civil actions. (Acts 1923, No. 526, p. 699; Code 1923, §9914; Code 1940, T. 7, §1118; Acts 1951, No.882, p. 1521, §3.)

F. Lillie Coley was denied Court audio and documents on appeal which obstructing her ability to defend her appeal. Other party a high-profile male performer was able to obtain documents; see, Rule 1:4-4 Records on Appeal, and Rule 5:3-2(b). This was discriminatory and as such, Coley, not being a high-profile, female was denied Due Process. Also see, In A-1916-16 COLEY; Coley was denied *freedom of speech*, and court services when seeking to fix court errors. Appellant cites 18 USC § 1512 and 18 USC § 1341 for concealment of records in official proceedings, evading the legal process by withholding court records required to defend the case, and retaliation in relation to the Motion to Reconstruct Audio when Appellant was denied Certified Audio from Court and physical records while other male party was given these same records. The Court also cannot sanction party for seeking the truth in asking for records on appeal as right.

Other Acts of Allege Fraud on Court the Came About Due to Initial Fraud

See History for more details.

QUESTIONS PRESENTED

1. Does the Full Faith and Credit Clause permit a court to vacate voided judgment that no longer exists but previously issued by a Court, in violation of the 14th Amendment Due Process protection? A Court must declare the judgment void because the court may not address the merits. A Party

affected by void judicial action need not appeal. A void judgment is not entitled to the respect accorded a valid adjudication, but may be entirely disregarded, or declared inoperative by any tribunal in which effect is sought to be given to it. It is attended by none of the consequences of a valid adjudication. It has no legal or binding force or efficacy for any purpose or at any place. ... It is not entitled to enforcement ... All proceedings founded on the void judgment are themselves regarded as invalid. 30A Am. Jur. Judgments 44, 45. It does not affect, impair, or create legal rights. If an appeal is taken, however, the appellate court may declare void any orders the trial court signed after it lost plenary power over the case, because a void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. And therefore, a void order cannot be litigated.

2. Can a court deny a Motion to Set Aside Void Orders and then sanction parties for this valid legal request, and does such acts violate the 14th Amendment Due Process protection in relation to void judgments under Fed. R. App. Proc. § 60(b)(4) which states: *“that there is no statute of limitations on filings in a complaint based upon fraud or fraud upon the court”*? The Motion to Set Aside was completely ignored by the court and so we present the question.

3. Can court deny Full, Faith and Credit to Valid Certify Order with a DNA attached? 28 U.S.C. § 1738, declares that these materials should receive “the same full faith and credit” in each state that they have in the state “from which they are taken.” Section 2 clause 1 reads: “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.” This clause ensures equal treatment to the citizens of all the states by the Congress.
4. Can a Court deny a motion citing Fraud on the Court/Concealment of Evidence regarding personal jurisdiction without fair Due Process, without time for discovery or *evidentiary hearing* of disputed facts and fraud which would determine false judgments that continued thereafter? This extraterritorial operation which is demanded under article IV, § 1 of United States Constitution and acts of Congress are impeachable for manifest fraud.
5. Can a Court Grant a Motion predicate on Illegitimate Ex-Post Facto, hearsay, and speculation in 2016 as the Rule of Law when hearsay is not permissible in court and no seal order existed for litigation in question dated November 17, 2014? By the use of illegal Ex Pos Facto, and hearsay, Court sanctioned parties for attorney fees, and requisite judgment bond as an equitable lien on Coley’s residential property. Doing so when no money is owed to the court. Did the Court used criminal statutes in non-criminal case as Rule

of Law? Then, subsequently, did not serve or notice the party of judgment as required under FRAP 25(a)(2)(b)?

6. Can the court deny a Motion to Obtain Records on Appeal to Select Parties while giving records to others in a manner that violates or is in direct contradiction to the 14th Amendment Due Process protection? Insomuch doing so by the Court then proceeded to apply sanctions on the party for seeking the true abstract of the court records on appeal.
7. Can an Appeal Support a *VOID JUDGMENT*? When appeal is made taken from a void judgment, the Appellate Court must declare the judgment void, because the appellate court may not address the merits. “This appellate court has no jurisdiction to consider the merits of an appeal from a void judgment.” *Mellon Service Co. v. Touche Ross & Co.*, 946 S.W.2d 862, 864 (Tex.App.-Houston [14th Dist.] 1997, no writ). The also laments justly, because jurisdiction is fundamental, an appellate court must determine, *847 even *sua sponte*, whether it has jurisdiction to consider an appeal” *id.*
8. Can an Appeal support one party, a female, being subject to laws of the state, in this case personal jurisdiction through property ownership, and contrary to the rule of law, the other party, a male, not subject to these same laws when he undeniably has property and thus personal jurisdiction as well, minimum contacts? He [S.C] has residential property in the governing state. Male party

seeks to avoid the demands of the complaint which caused damages to the female party and all ruling thereafter were *all* based on the fraud upon the court which was discriminatory in nature. **Here, the Court abandons good sense with respect to the equal protections in that, the female and less monetarily situated person is held to a higher standard of jurisdiction as compared to the male who is held to a lesser standard of jurisdiction, which amounted to no personal jurisdiction being attached.**

9. Can a Court deny an Appellant's review of an appeal that was timely filed by appeals clerk office with filing fees paid? *See Fed. R. App. P. 4 (a) (4)* Certain timely post-judgment motions render a notice of appeal ineffective. An amended notice must be filed if review of the post-judgment motion's disposition is desired. *Id.*
10. Can an appeal support denial of records on appeal to one party and allow a tainted record? As such, procedure described in *Fed. R. App. Proc. 30(f)* control for hearing appeals on the original record without requiring an accurate appendix be authorized. *Fed. R. App. Proc. 4(b)(1)* states in part: The parties must not engage in unnecessary designation of parts of the record, because the entire record is available to the court."
11. Can an Appeal support freedom of speech to select parties, when no current GAG Order in doing so, subject certain parties to a GAG order that was not issued by the Court in claims of a high-profile case? The bar of a high-profile case does not

in itself award an automatic gag order unless so issued by the Court. (locate proper caselaw and cite to statements) While opposing party in which the high-profile pertains to is allowed speak freely in public and to media and posted their response online. Allotment of such act is disparate in manner in disparate treatment of a certain class over another and a violation therein.

List of Parties

All Parties appeal in the caption of the case on the cover page.

Lillie M. Coley, PhD
Rymir Satterhwaite
Wanda Satterthwaite

Vs.

NEW JERSEY Supreme Court
NEW JERSEY Appellant Division
NEW JERSEY Family Court
NEW JERSEY Civil Court

OPINIONS BELOW

A-1817-14 **Appendix F**

A-1185-14 – **Appendix G**

Appeals Opinion Illegally Combined: A-099-15, A-227-15, A-228-14, A-229-15(Civil Law), A-1916-16 & A-2491-16(Civil Law) - See Attached **Appendix E**

JURISDICTION

This court has jurisdiction on a void judgments, fraudulent orders, and constitutional issues. 28 U.S.C. §1254 (1). There is diversity of citizenship

between the parties and the amount in controversy exceeds the sum of \$100,000. The district court had jurisdiction in cases and controversy under 28 U.S.C. §1332(a).

RELEVANT CONSTITUTIONAL PROVISION

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. U.S. Const. amend. XIV. The **14th Amendment** of the United States Constitution gives everyone a right to due process of law, which includes judgments that comply with the rules and case law. Most due process, exceptions deal with the issue of notification. If, for example, someone gets a judgment against you in another state without your having been notified, you can attack the judgment for lack of due process of law. In *Griffen v. Griffen*, 327 U.S. 220, 66 S. Ct. 556, 90 L. Ed. 635 pro se litigant won his case in the Supreme Court. A void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Seidel*, 39 S.W.3d 221, 225 (Tex. Crim. App. 2001), *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring).

Finally, "A writ of certiorari is a discretionary, extraordinary writ—and is therefore never granted as a matter of right." *See, e.g., King v. Taylor*, 188 N.C. 450, 451, 124 S.E. 751, 751 (1924) (explaining that the writ "is allowed only on a reasonable show

of merits and that the ends of justice will be thereby promoted”). Petitioner relies on the merits and duties of the father to provide for the family, barring that, for the Court to step in and provide a fair legal means to adjudicate his absence.

Full, Faith and Credit

Well settled caselaw declares that these materials should receive “the same full faith and credit” in each state that they have in the state “from which they are taken.” *Ex parte Seidel*, 39 S.W.3d 221, 225 (Tex. Crim. App. 2001). Noting the United States Supreme Court has ruled on this issue in 577 U. S. ____ (2016), (US Supreme Court granting), stated, “with respect to judgments, “the full faith and credit obligation is exacting.”” *Baker v. General Motors Corp.*, 522 U. S. 222, 233 (1998). “A final judgment in one State, if rendered by a court with adjudicatory authority over the subject matter and persons governed by the judgment, qualifies for recognition throughout the land.” *Ibid.* “Consequently, before a court is bound by [a] judgment rendered in another State, it may inquire into the jurisdictional basis of the foreign court’s decree.” *Ibid.* That jurisdictional inquiry, however, is a limited one. “[I]f the judgment on its face appears to be a ‘record of a court of general jurisdiction, such jurisdiction over the cause and the parties is to be presumed unless disproved by extrinsic evidence, or by the record itself.”” *Milliken*, *supra*, at 462 (quoting *Adam v. Saenger*, 303 U. S. 59, 62 (1938)). Here in this case, the Court rendered no hearing and placed no weight on the Judgment, instead focusing on other matters that in hindsight should not have been heard in light of the sister states prior Judgment or

until such time as the question of law is settled. Justice Holmes lamented in his decision, “The Georgia judgment appears on its face to have been issued by a court with jurisdiction, and there is no established Georgia law to the contrary.” *Id.*

Civil Rights Title VII of the Civil Rights Act of 1964,1983

42 U.S.C. Section 2000e et sec, and the Rehabilitation Act of 1973, 29 U.S.C. § 701, when parties were denied due process subjected to gender discrimination, retaliation, disability, and race. A civil right is an enforceable right or privilege, which if interfered with by another gives rise to an action for injury. Discrimination occurs when the civil rights of an individual are denied or interfered with because of the individual's membership in a particular group or class. Various jurisdictions have enacted statutes to prevent discrimination based on a person's race, sex, religion, age, previous condition of servitude, physical limitation, national origin, political affiliation and in some instance’s sexual orientation.

Freedom of Speech

The First Amendment of the United States Constitution protects the right to freedom of religion and freedom of expression from government interference. It prohibits any laws that establish a national religion, impede the free exercise of religion, abridge the freedom of speech, infringe upon the freedom of the press, interfere with the right to peaceably assemble, or prohibit citizens from petitioning for a governmental redress of grievances.

INTRODUCTION

The case before the Court involves a void judgment which is well-settled *caselaw* that “a void judgment may be attacked at any time by a person whose rights are affected.” See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.--Houston [14th Dist.]). A judgment obtained in violation of procedural due process is not entitled to full faith and credit when sued upon in another jurisdiction. *National Exchange Bank v. Wiley*, 195 U.S. 257, 25 S.Ct. 70, 49 L.Ed. 184; *Old Wayne Life Ass'n v. McDonough*, 204 U.S. 8, 23, 27 S.Ct. 236, 241, 51 L.Ed. 345; *Baker v. Baker, Eccles & Co.*, 242 U.S. 394, 401, 37 S.Ct. 152, 154, 61 L.Ed. 386. Moreover, due process requires that no other jurisdiction shall give effect, even as a matter of comity, to a judgment elsewhere acquired without due process. Restatement of Judgments, § 11, Comment (c). See 328 U.S. 876, 66 S.Ct. 975 (Rehearing Denied April 29, 1946). A Party Affected by VOID Judicial Action Need Not APPEAL. *State ex rel. Latty*, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring).

STATEMENT OF THE CASE

A. Factual background

The Appellate Division erred in giving preclusive effect to July 16, 2010, Paternity Order that was later vacated by a Pennsylvania State Court on December 9, 2011. Moreover, the Appellate Division ignored the April 18, 2011 disestablishment, dispositive of Robert Graves's paternity and failed to grant Full Faith and Credit to the Pennsylvania Order vacating the July 16, 2010 Order. Contrary to the Appellate Court's Opinion the issue of paternity is still in doubt in both Pennsylvania and New Jersey.

When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal.

B. Procedural History

The Court granted Full Faith and Credit to a vacated/voided judgment that no longer exist of Robert Graves dated July 16, 2010. A void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. Vacated Orders cannot be used as a final Order by any party as a defense.

The Appellate Division erred in giving preclusive effect to July 16, 2010, Paternity Order that was later vacated by a Pennsylvania State Court on December 9, 2011. Moreover, the Appellate Division ignored the April 18, 2011 disestablishment, dispositive of Robert Graves's paternity and failed to grant Full Faith and Credit to the Pennsylvania Order vacating the July 16, 2010 Order. Contrary to the Appellate Court's Opinion the issue of paternity is still in doubt in both Pennsylvania and

New Jersey. When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal.

REASONS FOR GRANTING THE WRIT

“Avoid judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights.” *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. A void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court. *See Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999). “A void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights.” Under Federal law, which is applicable to all states, the U.S. Supreme Court stated that if a court is "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences,

are considered, in law, as trespassers. A Party Affected by VOID Judicial Action Need Not APPEAL. *State ex rei. Latty*, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." Ex parte Spaulding, 687 S.W.2d at 745 (Teague, J., concurring).

When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, *Orner. V. Shalala*, 30 F.3d 1307 (Colo. 1994). When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at any time by a person whose rights are affected. See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.-Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at *1 (Tex. App.-Tyler Aug. 30, 1999, no pet. h.). 28 U.S.C. § 1738, declares that these materials should receive "the same full faith and credit" in each state that they have in the state "from which they are taken." This legal right was not for sister state Pennsylvania Order dated April 18, 2011 and December 9, 2011, which were valid Orders. Another party was given full faith and credit for two different sister state Pennsylvania Orders which no longer had legal value as these depended upon the Order in question that was VACATED on December 9, 2011.

Concealment of evidence caused *Fraud Upon the Court* on the offset when party did not have to submit to the State of New Jersey via personal jurisdiction which could

have brought about a paternity closure. This concealment caused damages for parties and all litigations thereafter was built upon this one act of fraud and party continue to give court false information regarding its residential holdings in the state of New Jersey. Coley continually requested a Discovery which was Denied, and she also provided the court with New Jersey Deed's demonstrating S.C's residents and the disputed facts, and in turn she was denied due process and **inability to perform discovery of facts and reach adjudication on the merits.**

Some fraud led to illegal equitable Bonds illegally recorded as lien on Coley's residential properties at which she was never served to recording under. There was no due process, process of service from Court, Coley found out from seeing a document filed by parties on appeal. A court cannot enter order based on hearsay then use this hearsay orders to file a judgment Bond as equitable liens on persons residential property when no money is owed to the court. In view of this Court should invalidate the judgment. Additionally, the Court used criminal statutes for non-criminal case as rule of law, which is abusive in its power, then, this Judgment enter was **never served** on Coley under FRAP 25(a)(2)(b) regarding her residential property. Coley became aware of this allege transaction in reviewing documents from adversary appendix on appeal. A void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally,

provided that the party is properly before the court. *See Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999, FRCP RULE 60(b), FRCP Rule 60(b) provides that: the court may relieve a party from a final judgment and sets forth the following six categories of reasons for which such relief may be granted: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly- discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59; (3) fraud, misrepresentation, or misconduct by an adverse party; (4) circumstances under which a judgment is void; (5) circumstances under which a judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or (6) any other reason justifying relief from the operation of the judgment. F.R.C.P. Rule 60(b)(1)-(b)(6). To be entitled to relief, the moving party must establish facts within one of the reasons enumerated in Rule 60(b).

As stated, The Appellant Division did not give Coley. full, faith and credit for the PA Orders dated April 18, 2011, and December 9, 2011 regarding RYMIR' paternity which has **not been adjudicated**. S.C. did get credit for PA Orders of May 19, 2011, and July 16, 2010, which both depend upon the PA Order that no longer exist because it has been vacated. Vacated Orders cannot be used as a final Order and S.C cannot use a vacated Order as a defense. A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. It is clear and well-established law that a void order can be challenged in any court", *Old Wayne Mut.*

L. Assoc. v. McDonough, 204 U. S. 8, 27 S. Ct. 236 (1907). Citing from *Ins. Co. of State of Pennsylvania v. Martinez*, 18 S.W.3d 844 (Tex. App. 2000). “This appellate court has no jurisdiction to consider the merits of an appeal from a void judgment.” *Mellon Service Co. v. Touche Ross & Co.*, 946 S.W.2d 862, 864 (Tex.App.-Houston [14th Dist.] 1997, no writ). “A judgment is void only when it is clear that the court rendering judgment had no jurisdiction over the parties or subject matter, no jurisdiction to render judgment, or no capacity to act as a court.” *State ex rel. Latty v. Owens*, 907 S.W.2d 484, 485 (Tex.1995). “When appeal is taken from a void judgment, the appellate court must declare the judgment void” *Id.* at 486 (citing *Fulton v. Finch*, 162 Tex. 351, 346 S.W.2d 823, 827 (1961)); *Dallas County v. Sweitzer*, 971 S.W.2d 629, 630 (Tex. App.-Dallas 1998, no writ); *Haun v. Steigleder*, 830 S.W.2d 833, 834 (Tex.App.-San Antonio 1992, no writ).

CONCLUSION

It has often been said a fact is a fact is a fact, and insomuch these are the facts, and they are not avoidable. Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 -*Klugh v. U.S.*, 620 F.Supp. 892 (D.S.C.1985). When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at any time by a person whose rights are affected. First, A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. A

void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court. *See Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999). Secondly, conferring no created legal rights to a would provide for hearing, “It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights.” *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). Additionally, A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. A void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court. *See Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999). And Finally, the equitable bonds illegally recorded by Court Order, must have lien recorded. There was never a recorded lien or any conveyance to Lillie Coley concerning her residential properties by the Court who created the Judgment, and by doing so never gave notice or due process to Petitioner. Also, Court lacking standing to rule is void judgment upon which void is nullity in the eyes of the law. However, it is in contravention of the Governed Laws and Security Laws under Sections 17(a)(2) and 17(a)(3) of the Securities Act of 1933 and Section 21C of the Exchange Act of 1934 and Sections 13(a), 13(b)(2)(A) and

13(b)(2)(B) of the Exchange Act and Rules 12b-20, 13a-1, 13a-11, 13a-13-using deceptive practices and more. Furthermore, Section 35-4-50: Conveyances required to be recorded in office of probate judge: Conveyances of property, required by law to be recorded, must be recorded in the office of the judge of probate. (Code 1852, §1268; Code 1867, §1537; Code 1876, §2147; Code 1886, §1791; Code 1896, §985; Code 1907, §3367; Code 1923, §6853; Code 1940, T. 47, §94.).

The petitioner hereby asks this Honorable Court to award the relief requested in this Petition for Writ of Certiorari and all other legal and equitable relief as this Court may deem necessary.