



3. Within the instant state court proceedings of Lamar County never-ending, your Plaintiffs have been, and are still being, affirmatively denied basic constitutional and due process rights to at least: (A) equal protection of the laws; (B) freedom from gender and class discrimination; (C) fair and competent tribunals; (D) reasonable notice and opportunity to be heard; (E) fair and lawful use in civil prosecution and defense of relevant and material evidence and of applicable statutory, rule, and case law authorities; also (F) liberty and property protections; and (G) etc.

4. In short, the Lamar County court system may either already be, or has become, a fully wanton criminal enterprise with the officers and professionals in daily power thereof manifestly abusing process, law, litigants, and even incidental parties, in egregious patterns and practices of rights violations, also using unlawful threats and other false intimidation tactics, including willfully false deprivations of liberty rights to illegally coerce, flagrant obstructions of justice, extortionate schemes for unjust enrichment, outlandish and flagrantly obvious bias and prejudice, gross class and gender discriminations, engaging in repetitively-unlawful *ex parte* actions to obtain fraudulent orders *against* the law, and etc., i.e., generally so much crime, committed so often, it conclusively shocks the conscience of any reasonable person. Indeed, upon belief and information, Plaintiffs have sufficient cause for official investigations into patterns and practices of widespread, systemic violations of basic federal rights by the Lamar County court systems.

5. Your Plaintiffs do not, in any way, request and/or seek this honorable federal Court to alter, amend, or change, whatsoever, any aspect(s) of divorce, child custody, or any other type of familial and/or domestic matters that are properly reserved for within the state court system, yet however, all the torts and civil wrongdoing are fully actionable herein, *see* the previously filed Memorandum of Law Clarifying Established Federal Jurisdiction, which your Plaintiffs now and hereby also incorporate fully by reference the same as if it had been set forth fully herein. (H.I).

6. Plaintiffs have been continually harassed by the Lamar County courts, those related court administration systems and officers, also repeatedly violating their most basic due process rights, by willfully, knowingly and intentionally conspiring in various commissions of criminal acts and behaviors, all shockingly done in intentional conspiracies to aid and abet grand scale larcenies.

7. Again, your Plaintiffs do *not* seek this Honorable Court to issue any decrees regarding state law matters of divorce, child custody, or support, but instead *only* to enforce due process, equal and civil rights, true constitutional rights, and other federal rights, statutory and otherwise.

### JURISDICTION

8. This Court has jurisdiction of this action by virtue of at least, and including but certainly not limited to, 28 USC §§ 1331, 1343(a), 1367, and 1443, as well as under 42 USC § 1988(a).

9. Moreover, this Court is an Article III court with express authority to hear and adjudicate any questions arising under the Constitution, Laws, and Treaties of the United States, including but not limited to all of the Bill of Rights, and the Eleventh Amendment, the original Thirteenth Amendment, and Fourteenth Amendment to the U.S. Constitution, the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights, with Reservations.

10. Further, this Court has well established authority to grant declaratory relief pursuant to the Declaratory Judgment Act, 28 USC §§ 2201 and 2202, and also pursuant to F.R.Cv.P. Rule 57.

### VENUE

11. Venue is quite and solely proper in this Court, first as a removal filed over state violations perpetrated within Lamar County, TX, pursuant to 28 USC § 1446(a), and secondly pursuant to both 28 USC § 1391(b)(1), because the majority of all the individual parties reside within this judicial district, and also 28 USC § 1391(b)(2), because the majority of all events and omissions by Defendants giving rise to the claims herein also occurred within this same judicial district.

## PARTIES

12. Plaintiff Rustin P. Wright (*hereinafter* “Rustin”) is an adult citizen and resident of Collin County, State of Texas, United States of America, a taxpayer of all three (3) said government entities, and the natural parent of Plaintiff A.G.F.W. (next below).

13. Plaintiff A.G.F.W. (*hereinafter* “A.G.F.W.”) is a minor male child of shared residency with both his natural father, Rustin, in Collin County, State of Texas, United States of America, and his natural mother, Defendant Womack (next below), now and recently in Parker County, State of Texas, United States of America, but prior and for the majority of all relevant times herein with Defendant Womack in Lamar County, State of Texas, United States of America.

14. Defendant Ashley B. Womack (*hereinafter* “Ashley”) is an adult citizen and resident of Parker County, State of Texas, United States of America, but prior and for the majority of all relevant times herein with residency in Lamar County, State of Texas, United States of America, and the natural parent of Plaintiff A.G.F.W. She is neither an infant, an incompetent, nor away on any military service, and is sued and prosecuted in her individual person.

15. Defendant Brandon Y. Bell (*hereinafter* “Bell”) is an adult citizen and resident living presumably in Lamar County, State of Texas, United States of America, and at all material times herein practiced law as a state-licensed attorney within the courts of the very same County. He is neither an infant, an incompetent, nor away on any military service, and is sued and prosecuted in both his individual person and as an officer of the same state court system, as well as for divestiture to the extent allowed.

16. Defendant Jennifer M. Gibo (*hereinafter* “Gibo”) is an adult citizen and resident living presumably in Lamar County, State of Texas, United States of America, and at all material times herein practiced law as a state-licensed attorney within the courts of the very same County. She

is neither an infant, an incompetent, nor away on any military service, and is sued and prosecuted in both her individual person and as an officer of the same state court system, as well as for divestiture to the extent allowed.

17. Defendant Eric S. Clifford (*hereinafter* “Clifford”) is an adult citizen and resident living presumably in Lamar County, State of Texas, United States of America, and at all material times herein purportedly acted as a state-authorized judge within the courts of the very same County. He is neither an infant, an incompetent, nor away on any military service, and is sued and prosecuted in both his individual person and as an officer of the same court system, as well as for divestiture to the extent allowed.

18. Defendant John W.T. Biard (*hereinafter* “Biard”) is an adult citizen and resident living presumably in Lamar County, State of Texas, United States of America, and at all material times herein purportedly acted as a state-authorized judge within the courts of the very same County. He is neither an infant, an incompetent, nor away on any military service, and is sued and prosecuted in both his individual person and as an officer of the same court system, as well as for divestiture to the extent allowed.

19. Defendant The County of Lamar, Texas (*hereinafter* “Lamar County” or “the County”), is a local political subdivision and unit of government addressed through its executive, the Commissioners’ Court of Lamar County, which is the statutory executive entity responsible for all business and acts of the County, one of two hundred and fifty-four (254) various counties created under the laws of the State of Texas. It is the governmental entity responsible for raising taxes and appropriating funds for the proprietary functions of county government operated within its own political boundaries, including the relevant court, law enforcement, and other systems therein. Defendant Lamar County is ultimately responsible for seeing that its various court, law

enforcement, and all such other systems are administered so as not to conflict with any statutes, rules, regulations, or the Constitutions of either the State of Texas, or of the United States of America. Defendant Lamar County is sued in its individual, vicarious and *respondeat superior* capacities for acts and/or inactions, both by it and its subordinates described herein, committed necessarily outside and against the law, and also is sued in its official capacity for the various purposes of certain injunctive and declaratory relief herein.

20. Defendant The State of Texas (*hereinafter* “Texas” or “the State”) is a statewide political subdivision entity of the United States of America, one (1) of the fifty (50) several States and Commonwealths, encompassing all of the aforementioned two hundred and fifty-four (254) counties including Defendant Lamar County, and a unit of government addressed through its chief executive, the Governor thereof. Defendant Texas is sued in its individual, vicarious and *respondeat superior* capacities for acts and/or inactions, both by it and its subordinates described herein, committed necessarily outside and against the law, and also is sued in its official capacity for the various purposes of certain injunctive and declaratory relief herein.

#### STATEMENT OF GENERAL FACTS

21. All U.S. citizen natural parents, both male and female, father and mother both, if both are legal adults at the time of a physical conception (a normal pregnancy), *equally* have and *equally* share full legal and physical custodial rights to their mutual natural child, automatically vested into each and both such natural parents, from the very moment of birth of such living child.

22. There is no magical difference between the pre-existing, full legal and physical child custodial rights enjoyed and retained by a natural parent sued by child protection services (TX = “DFPS”), or the very same and exactly equal, pre-existing, full legal and physical child custodial rights enjoyed and retained by any natural parent sued in divorce-and-similar-with-kids family

court – both situations are exactly the same, with the state action alleging, whether expressly revealed or not, that the targeted (generally “respondent” or “defendant”) party is too seriously unfit to continue retaining his or her same pre-existing, well-established, superior child custodial rights in full force, which requires the state to first prove “unfitness” by clear and convincing evidence under full due process procedures, including that parent’s right to invoke trial by jury.

23. Well over one hundred (100+) years of consistent, enormous case law from both the state and federal courts also routinely affirms: **(a)** that not only are these same parental custodial rights to their natural minor child *superior* to “mere” constitutional rights, i.e., these custodial rights are always entitled to full due process protections in at least the same full procedural measure as any so-called “mere” right enumerated by our Federal Constitution, i.e., *more* important than those “mere” guarantees within the Bill of Rights and elsewhere; **(b)** but also that the State cannot even begin to question, let alone invade or impinge upon, those pre-existing, fully vested legal and physical custodial rights that natural parents have to their own minor children, unless and until the State would *first* prove, and only then by clear and convincing evidence performed under full due process procedures, that either or both such natural parent(s) is/are found *seriously* “unfit” within a competent court of proper jurisdiction, too *seriously* unfit to continue retaining their same such pre-existing and already fully vested legal and physical custodial rights to such child.

24. Within divorce and similar proceedings, it is an utter fallacy, an outright unconstitutional fraud, and a legal nullity, for any state court to attempt to pretend to “grant” or “award” any form of custody (“legal” and/or “physical”) of any child to either and/or both natural parents of that child, since *they both already have* child custody rights fully vested into each and both of them, long prior to ever entering into any state court action; The given state court in any such similar proceeding (*i.e., not discussing post-deprivation actions in the realm of child protective services*

*actions, which are quite different in their origination and purposes as between the state and the given parent or parents)* cannot falsely and fraudulently pretend to ostensibly “award” or “grant” something *it does not have* (child custody) to someone *who already has it* (child custody) *fully*, or more correctly described as fully flagrant discrimination and fraud by typically allowing just one parent to continue retaining her/his pre-existing child custody rights, but in fact removing the other parent’s exact same and also pre-existing child custody rights, without so much as even bothering to inform that other parent that all such rights are constitutionally-protected rights that cannot be simply taken away without first going through full due process, i.e., perpetrating all manner of unlawful administrative end-runs, by repugnant statutes, against constitutional rights, to (a) defraud the unsuspecting parent of his/her superior rights without even telling them that is what is actually going on, (b) in order to falsely reclassify that same unsuspecting parent into a so-called “noncustodial” parent, (c) in order to begin generating all sort of financial windstreams.

25. Any statute, regulation, or rule pretending to ostensibly provide any state court with authority to grant or award child custody, within divorce and similar actions involving children, but without also requiring first an affirmative due process finding of serious parental unfitness, is directly unconstitutional upon its face, *must* fail the test of constitutionality, and is also hereby directly challenged as patently unconstitutional for all the aforementioned commanding reasons.

26. Defendant Bell’s state bar number is 24045474, and he was admitted to the practice of law by and under duly-sanctioned authorities of Defendant Texas on November 5, 2004.

27. Defendant Gibo’s state bar number is 24032343, and she was admitted to the practice of law by and under duly-sanctioned authorities of Defendant Texas on November 2, 2001.

28. Defendant Clifford’s state bar number is 04382300, and he was admitted to the practice of law by and under duly-sanctioned authorities of Defendant Texas on September 24, 1973.



29. Defendant Biard's state bar number is 24034327, and he was admitted to the practice of law by and under duly-sanctioned authorities of Defendant Texas on May 3, 2002.

30. In order to even pass the bar of Defendant Texas and receive their licensure, Defendants Bell, Gibo, Clifford and Biard were duly required to not only learn and comprehend rudimentary legal basics such as equal protection of the laws, equal rights of citizens, prohibition of fraud in a court of law, and their own professional ethics rules, but were also required to duly swear their own individually-corresponding oaths of office and compliance upon all of these kinds of issues.

31. The duly-sanctioned authorities of Defendant Texas require and provide Defendants Bell, Gibo, Clifford and Biard with various annual, continuing educations regarding practice of law, and also do so under established threat of pains and penalties against their said same licensure.

32. In the early months of 2004, Plaintiff Rustin and Defendant Ashley jointly conceived the minor child herein, Plaintiff A.G.F.W., who was born alive in December of 2004.

33. By no later than that same month of December 2004, Defendant Ashley had personally and publicly acknowledged Plaintiff Rustin to be the natural parent of Plaintiff A.G.F.W.

34. By duly acknowledging Plaintiff Rustin as such, Defendant Ashley also therein had duly acknowledged the full plethora of constitutional and other rights of Plaintiff Rustin to Plaintiff A.G.F.W., and therein also acknowledged and established those rights being equal to her own.

35. None of the Defendants has ever alleged any unfitness by Plaintiff Rustin, let alone has ever proven the same by clear and convincing evidence under full due process procedures, hence Plaintiff Rustin's full and equal child custodial rights to A.G.F.W. have remained in full force.

36. All of the individual Defendants (Ashley, Bell, Gibo, Clifford and Biard) have always known the facts within ¶¶ 32-35 above, and Defendants Lamar County and Texas have likewise always been in full knowledge of the same, pursuant to the status of their own official records.

37. Immediately after the live birth of Plaintiff A.G.F.W., in the following month of January 2005, Defendant Ashley filed suit against Plaintiff Rustin for custody, support, and visitation within the courts of Defendant Lamar County, the above-encaptioned state case number 73540, seeking conspiracy to unconstitutionally reclassify Plaintiff Rustin as a so-called “noncustodial” parent by Defendant Lamar County’s courts and related actors therein, even though Defendant Ashley knew Plaintiff Rustin had never done anything to warrant any deprivations of his rights.

38. Plaintiff Rustin and Defendant Ashley were never married, never applied for marriage to each other, never cohabitated, and have never jointly owned any real property, and there was never any other valid basis or reason for Defendant Ashley to sue Plaintiff Rustin in any court.

39. Defendant Ashley continued to violate Plaintiff Rustin’s fully equal custodial rights by refusing Rustin any access to A.G.F.W. for an entire year following her filing of said lawsuit, despite the fact that it was she who had personally and publicly acknowledged his full parentage.

40. On March 8, 2006, the initial state court judge entered an Order Adjudicating Parentage (*see* Docket #1-5: Ex. B) which even further established Plaintiff Rustin’s paternal rights and full parent-child relationship, ordering at the top of page 2 thereof: “that the parent-child relationship between the father and the child is established for **all** purposes.” *Id.* at 2. (emphasis added)

41. This same Order “phased in” Plaintiff Rustin’s equal component of shared physical time over two years, i.e., of his several equally pre-existing, shared child custodial rights to A.G.F.W., by finally then allowing Plaintiff Rustin to begin exercising full alternating weeks. *Id.* at 12-13.

42. Shortly thereafter, Defendant Ashley directly stated to undersigned Plaintiff Rustin that she was not going to accept the eventual shared parenting time of said Order, that her father (Mr. Forrest) would simply **buy** her whatever justice result she desired, and that as soon as Judge Jim “Dick” Lovett retired (then soon), she would have the new judge eliminate that shared parenting.

43. True to her word in said dishonest threat, Judge Lovett later announced his retirement, Defendant Clifford announced his campaign for Lovett's judicial seat, and so also in late 2007, Defendant Ashley filed for modification of the entire child custody order, upon which a detailed "social study" was commissioned upon both herself and Plaintiff Rustin – and also paid by her.

44. Between said social study and a deposition performed upon her, Defendant Ashley fully admitted to: (a) being formerly a patient in a mental hospital; (b) wild and dangerous substance abuses of serious narcotics *while pregnant with A.G.F.W.*, including both Ecstasy and Cocaine; and (c) also performing as a "stripper" for roughly a year at St. James Cabaret in Houston, TX.

45. Coincidentally, or at least very interestingly, while formerly acting as the Mayor of Paris, Texas, Defendant Clifford had been busted for solicitation of and involvement with a prostitute.

46. The eventual result of Defendant Ashley's custody modification action was the binding Agreed Order in Suit to Modify Parent-Child Relationship (*see* Docket #1-6: Ex. C, 03/24/10), which included preclusion of any further litigation until A.G.F.W. first reached ten years of age, along with requirements for Ashley's timely advance notice of summer parenting time periods.

47. However, Defendant Ashley was apparently unhappy that Plaintiff A.G.F.W. enjoyed his various activities with Plaintiff Rustin more than her limited offerings in Paris, Texas, at which point she apparently decided to breach the contract of said Agreed Order and file in court again.

48. Using Defendant Bell to unilaterally breach said contract, Defendant Ashley had Bell file an utterly false, meritless, and baseless action for permanent injunction against Plaintiff Rustin, securing a hearing with Defendant Clifford for June 6, 2011, all ostensibly based upon Ashley's legally-insufficient "emergency" of a "neck injury" that she alleged – and without **any** evidence, whatsoever – had happened *some six (6) months earlier* to A.G.F.W. in his regular martial arts activities (never mind there had apparently been no "emergency" of any same in the meantime).

49. Defendant Clifford was all too eager to completely violate Plaintiff Rustin's due process for Defendant Ashley, and as fast as possible for her, issuing a temporary injunction upon her legally-insufficient application, *even prior to* notice and hearing – said temporary injunction by Defendant Clifford, as well as Plaintiff Rustin's subsequent motion to dissolve same, also then “magically disappeared” from the record. *See* footnote 2 on Docket 1-19: Ex. O, at bottom of 2.

50. Nevertheless, Defendants Clifford, Bell, and Ashley conspired to also stretch the same meritless “temporary” injunction into an incredible six (6) months, and then also make the same permanent as of December 6, 2011 (see Docket 1-7: Ex. D), yet it is believed there is not even such a thing within the Texas family law code as a permanent injunction for this situation/issue.

51. On August 1, 2012, Plaintiff Rustin's counsel filed their Motion to Modify Permanent Injunction, noting *there had never been* any “neck injury” to Plaintiff A.G.F.W., as was duly attested to by multiple doctors who had physically examined A.G.F.W. *See* Docket 1-8: Ex. E.

52. Yet, not only was this motion illegally denied by Defendant Clifford, but apparently also he and Defendants Bell and Ashley conspired to further obstruct justice by ignoring requests for findings of fact and conclusions of law required to proceed on appeal of the same, and then once finally acquiescing (months later) to such multiple requests made by Plaintiff Rustin's counsel, to also “fudge” those findings and conclusions by purposefully omitting and mischaracterizing several critical matters, most notably who had testified, and what exactly they had testified to.

53. Due to the above conspiracy to obstruct justice by Defendants Clifford, Bell and Ashley described in ¶¶ 51-52, the subsequent appeal to the Texas Sixth Court of Appeals was defrauded.

54. Plaintiffs further hereby incorporate by reference all facts and allegations contained in, by, and through the prior filed Verified Affidavit of Rustin Wright on Local Bias and Prejudice, the same as if all of the same facts and allegations had been fully set forth herein.

55. Reminding, said Agreed Order (Docket #1-6: Ex. C), a legally-binding contract, included preclusion of any further court litigation until A.G.F.W. first reached ten years of age, along with requirements for Defendant Ashley's timely advance notice of summer parenting time periods.

56. However, for those 2013 summer periods, Defendant Ashley failed to give such required advance notice to Plaintiff Rustin, and so Ashley was duly informed of her forfeiture, at which point she apparently decided to breach the contract of said Agreed Order and file in court *again*.

57. Plaintiffs further hereby incorporate by reference all facts and allegations contained in, by, and through the prior filed Notice of Petition; and Verified Petition for Warrant of Removal, the same as if all of the same facts and allegations had been fully set forth herein (*Note: Within said filing, all references to "Petitioner" are properly to Plaintiff Rustin the removal petitioner, and all references to "Respondent" are properly to Defendant Ashley the removal respondent*).

58. This time utilizing Defendant Gibo to unilaterally breach said contract again, Defendant Ashley hired Gibo to file, May 17, 2013, an (estopped) repeat of the very same utterly false, meritless, and baseless action for both temporary and permanent injunctions against Plaintiff Rustin, along with an equally contract-breaching action for modification of the parenting time terms long established prior, once again based upon Ashley's legally-insufficient "emergency" claim of the exact same false "neck injury" that: (a) had never even happened, as already well proven by that time within the existing court record itself; and (b) was certainly no emergency, since her intentionally fraudulent allegation of "neck injury" was predicated from *years* earlier.

59. Upon the knowingly false filings described within ¶ 58 above, Defendants Ashley, Gibo and Clifford did then knowingly, intentionally and willfully conspire to clearly violate Plaintiff Rustin's due process rights by conducting an entire flurry of unlawful *ex parte* proceedings, all of which is more fully detailed, with Exhibits, in the instant petition for removal. *Id.* at 10-12.

60. Defendants Ashley, Gibo and Clifford therein did then also knowingly, intentionally and willfully conspire to violate clearly established laws, rules and regulations by multiple issuances of such knowingly meritless temporary restraining orders, let alone also done illegally *ex parte*.

61. Even worse than most of the other shenanigans throughout the entire lower state court process, is the fact that that particular court hasn't even had *any* jurisdiction whatsoever over this case since November of 2014, when it – itself – ordered transfer of the case to another different court (Docket 1-20: Ex. P), yet nevertheless routine violations of rights and law, abuse of power and process continues on, with Defendants Ashley and Gibo allowed to run amok within a void court, assisted knowingly by Defendants Clifford and Biard who are perfectly aware of the same.

62. Sometime in June of this year, Defendant Ashley both willfully planned to and did move her residence in direct defiance and violation of longstanding geographic restriction terms of the parties' binding Agreed Order (Docket #1-6: Ex. C), without the required notices of any kind provided to either Plaintiff Rustin or his state counsel, or even to the (void) state court itself, but that same highly biased and prejudiced state court, as usual, never actually enforces anything on the criminally repetitive Ashley – not even its own orders – but instead just continues to conspire with Ashley and Gibo in defrauding all rights, laws, due process, decency and justice (and even the state court's very own orders) (cf. *id.* to Docket 1-21: Ex. Q, dated 08/20/15, knowingly and intentionally issued by Defendant Biard, and which same triggered the instant removal herein).

63. Just recently, on September 23, 2015, Defendant Biard – knowing full well his state court was divested of jurisdiction, power and authority upon and within this removed case – willfully and intentionally acted *ultra vires* jurisdiction to “grant” a motion to withdrawal that had been filed previously by this undersigned's longtime counsel in the state court matter. The motion itself was fraudulent and unethical in multiple ways, including some being clearly fraudulent

directly upon the motion's face, and it was also filed in violation of timeliness rules – both of which matters were presumed seen and known easily and well by Defendant Biard, in addition to also well knowing that he no longer held any jurisdiction in the removed case. Hence, Defendant Biard is conclusively guilty and liable for a small plethora of ethics violations, constitutional rights violations, and other due process violations, by the perpetration of that very same act.

64. Repeating, the Lamar County court system has become, apparently very long ago, a fully wanton criminal enterprise with the officers and professionals in daily power thereof manifestly abusing process, law, litigants, and even incidental parties, in egregious patterns and practices of rights violations, also using unlawful threats and other false intimidation tactics, including willfully false deprivations of liberty rights to illegally coerce, flagrant obstructions of justice, extortionate schemes for unjust enrichment, outlandish and flagrantly obvious bias and prejudice, gross class and gender discriminations, engaging in repetitively-unlawful *ex parte* actions to obtain fraudulent orders *against* the law, and etc., i.e., generally so much crime, committed so often, it conclusively shocks the conscience of any reasonable person. Indeed, upon belief and information, Plaintiffs have sufficient cause for official investigations into patterns and practices of widespread, systemic violations of basic federal rights by the Lamar County court systems.

65. Related, “where there is smoke, there is fire”, meaning that with *so many* numerous acts of absolutely outrageous and illegal conduct committed within just this one Lamar County court case, also by *multiple* county judges acting in criminal concert repetitively with any of *multiple* locally-based attorneys, that there must also surely be strong and well established patterns and practices of the same outrageous and illegal conduct committed within many other such cases, and that therefore, upon belief and information, Defendants Lamar County and Texas have also received a corresponding number of official complaints entered by many other violated citizens,

too, hence upon the same belief and information, Defendants Lamar County and Texas have already been well aware of the same patterns and practices of routinely illegal conduct within the Lamar County court system, and hence by rarely conducting appropriate investigations or any criminal prosecutions therein, are established as fully guilty and liable for onerous and numerous neglects to prevent the very same outrageous patterns and practices of routinely illegal conduct.

66. Indeed, apparently it took no less than eleven (11) separate official complaints, spanning over several *years*' worth of Defendants Lamar County and Texas utterly failing to otherwise accordingly act upon their established duties, before Defendant Clifford was finally adjudged guilty of numerous serious ethics violations, by the recent (September 5, 2015) decision of the Texas State Commission on Judicial Conduct, Public Reprimand CJC Nos. 14-0557-DI, et al., a true copy of which is freely available online for the convenience of this Honorable Court and all parties at <http://media.graytvinc.com/documents/Hon.+Eric+Clifford+Public+Reprimand.pdf> and which is also incorporated by reference the same as if it had been fully set forth herein (H.I.).

67. Indeed further, a closer examination of said Public Reprimand reveals that several of the unethical acts perpetrated by Defendant Clifford therein also constitute black-and-white guilt of a variety of state and federal felony crimes, and yet Defendants Lamar County and Texas have let Clifford *still* remain on the bench, i.e., they have *knowingly* festered *even more* abuses of power within Defendant Lamar County's courts, they have *knowingly* festered *even more* patterns and practices of civil, constitutional, due process and other rights violations, and so forth and so on, in clearly wanton derelictions of established duties to prevent exactly the same upon all citizens.

68. Indeed further, Plaintiff Rustin's former counsel, Julie Wolf, has filed multiple letters with Defendant Texas' duly-authorized investigatory agents, officially complaining of serious ethics violations by Defendant Gibo herein (*see* also related Docket 1-18: Ex. N, which was also



provided directly to Defendant Clifford), and yet Texas still wantonly allows Gibo to continue her routinely outrageous patterns and practices of highly illegal behavior within Lamar County.

69. All Defendants have proximately caused the Plaintiffs to suffer deprivation of substantive due process, equal protection rights, privileges and/or immunities secured by the Constitution and/or laws of the United States, and substantive rights, privileges or immunities secured by the Constitution of the United States, the Constitution of the State of Texas, and the laws of the State of Texas, by their interferences with the rights of Plaintiffs, and the acts and omissions of and by all Defendants have violated clearly established laws, rules, and regulations.

70. The acts, commissions and/or omissions of all Defendants in this case were performed under color of law and deprived Plaintiffs of their First, Fourth, Fifth, Ninth, and Fourteenth Amendment rights under the United States Constitution to due process, equal protection, and freedom from interference with their fundamentally secured rights as a parent and child, and as private individuals, without cause and without due process of law.

71. The acts and omissions of all individual Defendants were maliciously, intentionally, knowingly and willfully designed to deprive Plaintiffs of their rights, privileges and immunities.

72. The acts and omissions of all individual Defendants were so gross and culpable in nature that they constitute malice, reckless indifference and/or wanton disregard for law and the rights, lives, liberties and property of Plaintiffs, thereby entitling Plaintiffs to punitive damages, and the recovery of punitive damages is permitted under the federal civil rights statutes for reckless and callous indifference to federally protected rights of others, and is thus appropriate in this case.

73. By engaging in various schemes or artifices to deprive Plaintiffs of the intangible right of honest services, and by transmitting their corresponding papers via the mail to Plaintiff Rustin and/or his counsel, the individual Defendants have all engaged in violations of 18 USC § 1341.

74. All of Plaintiff A.G.F.W.'s constitutional and other injuries and related rights to remedy or remedies thereof are properly raised herein through and by his natural parent, Plaintiff Rustin.

75. In the constitutional republic of the United States of America, nobody is above the law, there is no form of nobility whatsoever, and therefore there is no such thing as immunity to law.

#### COUNT I – VIOLATIONS OF FUNDAMENTAL PARENTING RIGHTS

[DEFENDANTS: ASHLEY, BELL, CLIFFORD, GIBO, AND LAMAR COUNTY]

76. Plaintiffs now reallege each and every above paragraph and allegation, as well as those incorporated by reference, for all purposes as though the same had been fully set forth herein.

77. As a direct and proximate result of Defendants' above-described actions, Plaintiffs have suffered deprivations of their parent-child relationship, impairments of their mutual obligations under Article 1, Section 10 of the U.S. Constitution, deprivations of their federal 1<sup>st</sup> Amendment rights to free assembly, familial association, and society and companionship, all done without due process in further violations of their 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendment rights, unreasonable seizures of the same without due process in further violations of their 4<sup>th</sup> and 5<sup>th</sup> Amendment rights, with all the same fully actionable through 42 USC § 1983, and 18 USC §§ 241 and 242.

WHEREFORE, Plaintiffs pray for judgment upon this Count as follows:

- a) General damages in the amount of \$7,500,000 USD individually, jointly and severally against each of the above-listed Defendants herein, including for pain and suffering;
- b) Punitive and/or special damages according to proof against each individual Defendant;
- c) Appropriate injunctive and declaratory relief pursuant to F.R.Cv.P. Rules 57 and 65 and/or the same relief pursuant to and under 28 USC §§ 2201 and 2202, not the least of which includes declaring Defendants' actions null and void for lack of due process, and that Defendants' actions constitute fraud and/or constructive fraud for treble damages;

- d) An Order that Defendants pay all costs and expenses of suit incurred herein; and,
- e) All such other and further relief as the Jury and/or Court deems just and proper.

COUNT II – FALSIFIED RESTRAINTS AGAINST LIBERTY

[DEFENDANTS: ASHLEY, BELL, CLIFFORD, GIBO, AND LAMAR COUNTY]

78. Plaintiffs now reallege each and every above paragraph and allegation, as well as those incorporated by reference, for all purposes as though the same had been fully set forth herein.

79. As a direct and proximate result of Defendants' above-described actions in variety of several falsified injunctions and restraining orders, Plaintiffs have suffered false and malicious prosecutions, abuses of process, tortious breaches of contract, and multiple interferences with 1<sup>st</sup> Amendment rights to petition for redress, all done without due process in further violations of their 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendment rights, also unreasonable seizures of the same without due process in further violations of their 4<sup>th</sup> and 5<sup>th</sup> Amendment rights, with all the same issues fully actionable through 42 USC § 1983, and also by and through 18 USC §§ 241 and 242.

WHEREFORE, Plaintiffs pray for judgment upon this Count as follows:

- a) General damages in the amount of \$5,000,000 USD individually, jointly and severally against each of the above-listed Defendants herein, including for pain and suffering;
- b) Punitive and/or special damages according to proof against each individual Defendant;
- c) Appropriate injunctive and declaratory relief pursuant to F.R.Cv.P. Rules 57 and 65 and/or the same relief pursuant to and under 28 USC §§ 2201 and 2202, not the least of which includes declaring Defendants' actions null and void for lack of due process, and that Defendants' actions constitute fraud and/or constructive fraud for treble damages;
- d) An Order that Defendants pay all costs and expenses of suit incurred herein; and,
- e) All such other and further relief as the Jury and/or Court deems just and proper.

### COUNT III – VIOLATIONS OF EQUALITY

[DEFENDANTS: ASHLEY, BELL, CLIFFORD, GIBO, BIARD, AND LAMAR COUNTY]

80. Plaintiffs now reallege each and every above paragraph and allegation, as well as those incorporated by reference, for all purposes as though the same had been fully set forth herein.

81. As a direct and proximate result of Defendants' above-described actions, Plaintiff Rustin has suffered numerous unlawful gender discriminations in direct violation of 42 USC § 2000b-2, and both Plaintiffs have suffered violations of their directly related rights to equal protection of the laws and violations of their equal privileges and immunities, all in contravention of their 14<sup>th</sup> Amendment rights, all of the same done without due process in further violations of their 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendment rights, with all of the same issues fully actionable through 42 USC §§ 1981 and 1983, and also by and through 18 USC §§ 241 and 242.

WHEREFORE, Plaintiffs pray for judgment upon this Count as follows:

- a) General damages in the amount of \$5,000,000 USD individually, jointly and severally against each of the above-listed Defendants herein, including for pain and suffering;
- b) Punitive and/or special damages according to proof against each individual Defendant;
- c) Appropriate injunctive and declaratory relief pursuant to F.R.Cv.P. Rules 57 and 65 and/or the same relief pursuant to and under 28 USC §§ 2201 and 2202, not the least of which includes declaring Defendants' actions null and void for lack of due process, and that Defendants' actions constitute fraud and/or constructive fraud for treble damages;
- d) An Order that Defendants pay all costs and expenses of suit incurred herein; and,
- e) All such other and further relief as the Jury and/or Court deems just and proper.

### COUNT IV – CONSPIRACIES TO INTERFERE WITH RIGHTS

[DEFENDANTS: ASHLEY, BELL, CLIFFORD, GIBO, AND BIARD]

82. Plaintiffs now reallege each and every above paragraph and allegation, as well as those incorporated by reference, for all purposes as though the same had been fully set forth herein.

83. As a direct and proximate result of all the individual Defendants' above-described actions in conspiring at various and numerous times to interfere with their rights, Plaintiffs have suffered all of the wrongdoings described and included within Counts I through III above, with all of the same issues fully actionable through 42 USC § 1985, and also by and through 18 USC § 241.

WHEREFORE, Plaintiffs pray for judgment upon this Count as follows:

- a) General damages in the amount of \$3,750,000 USD individually, jointly and severally against each of the above-listed Defendants herein, including for pain and suffering;
- b) Punitive and/or special damages according to proof against each individual Defendant;
- c) Appropriate injunctive and declaratory relief pursuant to F.R.Cv.P. Rules 57 and 65 and/or the same relief pursuant to and under 28 USC §§ 2201 and 2202, not the least of which includes declaring Defendants' actions null and void for lack of due process, and that Defendants' actions constitute fraud and/or constructive fraud for treble damages;
- d) An Order that Defendants pay all costs and expenses of suit incurred herein; and,
- e) All such other and further relief as the Jury and/or Court deems just and proper.

#### COUNT V – NEGLECTS TO PREVENT INJURIES TO RIGHTS AND INTERESTS

[DEFENDANTS: BELL, CLIFFORD, GIBO, BIARD, LAMAR COUNTY, AND TEXAS]

84. Plaintiffs now reallege each and every above paragraph and allegation, as well as those incorporated by reference, for all purposes as though the same had been fully set forth herein.

85. As a direct and proximate result of these individual Defendants above-described actions in routinely aiding and abetting each others' fraud upon the court, general fraud, and constructive fraud, routinely resulting in the numerous deprivations and violations of the Plaintiffs rights and

interests described within all other Counts contained herein, by derelictions of their legal duties under professional conduct rules (ethics rules) to promptly report each other to the appropriate authorities, and thereby also necessarily and affirmatively neglecting to prevent all of the same injuries caused and inflicted on Plaintiffs by those other individual Defendants herein, and by the two governmental entity Defendants failing to otherwise accordingly act upon their established duties as more fully described within ¶¶ 64-68, *supra*, Plaintiffs have suffered all of those same numerous deprivations and violations of their rights and interests described in all other Counts contained herein, with all and the same issues fully actionable through 42 USC § 1986.

WHEREFORE, Plaintiffs pray for judgment upon this Count as follows:

- a) General damages in the amount of \$2,500,000 USD individually, jointly and severally against each of the above-listed Defendants herein, including for pain and suffering;
- b) Punitive and/or special damages according to proof against each individual Defendant;
- c) Appropriate injunctive and declaratory relief pursuant to F.R.Cv.P. Rules 57 and 65 and/or the same relief pursuant to and under 28 USC §§ 2201 and 2202, not the least of which includes declaring Defendants' actions constitute fraud and/or constructive fraud for the purposes of awarding treble damages to Plaintiffs;
- d) An Order that Defendants pay all costs and expenses of suit incurred herein; and,
- e) All such other and further relief as the Jury and/or Court deems just and proper.

COUNT VI – UNLAWFUL SEIZURES OF PROPERTY (CHILD SUPPORT)

[DEFENDANTS: ASHLEY, BELL, CLIFFORD, GIBO, AND LAMAR COUNTY]

86. Plaintiffs now reallege each and every above paragraph and allegation, as well as those incorporated by reference, for all purposes as though the same had been fully set forth herein.

87. As a direct and proximate result of Defendants' above-described actions, Plaintiffs have suffered unlawful seizures of Plaintiff Rustin's monies over the years, whether by direct takings, unjust enrichments, and/or by conversions, also all done in wanton violations of fundamental due process, in contravention of Plaintiffs' rights under the 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendments, with all of the same actionable through 42 USC § 1983 and also by and through 18 USC §§ 241 and 242.

WHEREFORE, Plaintiffs pray for judgment upon this Count as follows:

- a) Replevin of all said monies wrongfully seized, taken and/or otherwise deprived;
- b) General damages in the amount of \$1,500,000 USD individually, jointly and severally against each of the above-listed Defendants herein, including for pain and suffering;
- c) Punitive and/or special damages according to proof against each individual Defendant;
- d) Appropriate injunctive and declaratory relief pursuant to F.R.Cv.P. Rules 57 and 65 and/or the same relief pursuant to and under 28 USC §§ 2201 and 2202, not the least of which includes declaring Defendants' actions null and void for lack of due process, and that Defendants' actions constitute fraud and/or constructive fraud for treble damages;
- e) An Order that Defendants pay all costs and expenses of suit incurred herein; and,
- f) All such other and further relief as the Jury and/or Court deems just and proper.

#### COUNT VII – DEFRAUDING AND EXTORTION OF PROPERTY (ATTORNEYS FEES)

[DEFENDANTS: ASHLEY, BELL, CLIFFORD, GIBO, AND BIARD]

88. Plaintiffs now reallege each and every above paragraph and allegation, as well as those incorporated by reference, for all purposes as though the same had been fully set forth herein.

89. As a direct and proximate result of Defendants' above-described actions in multiplicity of false and malicious prosecutions, frivolous litigations, and such related issues causing fraudulent financial burden needlessly on Plaintiff Rustin to have to hire and pay various counsel to defend

against such same and numerous invalid actions, Plaintiffs have suffered a direct financial loss of between \$45,124.65 to \$55,123.65 of Plaintiff Rustin's monies just since 2011, and much more from before that time, as well as also suffering prospective economic advantage needlessly, due to said losses, also all done in wanton violations of fundamental due process, in contravention of Plaintiffs' rights under the 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendments, with all of the same as actionable through 42 USC § 1983 and also by and through 18 USC §§ 241 and 242.

WHEREFORE, Plaintiffs pray for judgment upon this Court as follows:

- a) Replevin of all said losses wrongfully incurred and/or otherwise deprived;
- b) General damages in the amount of \$1,500,000 USD individually, jointly and severally against each of the above-listed Defendants herein, including for pain and suffering;
- c) Punitive and/or special damages according to proof against each individual Defendant;
- d) Appropriate injunctive and declaratory relief pursuant to F.R.Cv.P. Rules 57 and 65 and/or the same relief pursuant to and under 28 USC §§ 2201 and 2202, not the least of which includes declaring Defendants' actions null and void for lack of due process, and that Defendants' actions constitute fraud and/or constructive fraud for treble damages;
- e) An Order that Defendants pay all costs and expenses of suit incurred herein; and,
- f) All such other and further relief as the Jury and/or Court deems just and proper.

NOTICE DEMAND UPON ALL DEFENDANTS TO CEASE AND DESIST ALL ILLEGAL ACTIONS HEREIN, AND TO IMMEDIATELY AND APPROPRIATELY CORRECT SAME

90. Further, each and every Defendant herein is now formally noticed and demanded to now and immediately cease and desist all activities herein being illegally perpetrated upon Plaintiffs, while Defendants Lamar County and Texas are also formally demanded to immediately correct



the same injustices, by promptly effecting such remedial measures including, but not limited to: the suspensions and/or full and permanent divestiture of the professional licenses of Defendants Clifford, Bell and Gibo; the vigorous implementations and prosecutions of appropriate criminal charges under state law against Defendants Ashley, Clifford, Bell, and Gibo; the full erasure and permanent closure of any and all “child support” civil debt against the name and credit rating of Plaintiff Rustin, who has never been so much as even alleged unfit, *let alone* proven the same, and therefore *cannot* be arbitrarily reclassified into any noncustodial parent status of owing any such civil debt to anyone whatsoever; and a reasonable disciplinary investigation into the ethics matters described herein regarding the various willful actions and omissions by Defendant Biard.

91. Defendants Lamar County and Texas are further notified and demanded to confirm each of their same above effects in writing to Plaintiff Rustin within no later than fourteen (14) days next from today’s date or else be automatically and formally deemed in willful conspiracy with said individual Defendants to knowingly aid and abet their nefarious actions, and therefore also such same further violations amended by right into the causes of action currently at bar herein.

92. By way of clarification for Defendant Ashley, she is further notified and demanded to immediately and fully respect the Plaintiffs’ fundamental constitutional rights to companionship and society with each other in an absolutely equal-shared basis with herself, beginning no later than seven (7) days next from today’s date, or else be automatically deemed agreeable and liable for an additional \$25,000 USD in damages payable to Plaintiff Rustin for each one (1) day or any portion thereof that she still continues to ignore, neglect, deny, refuse, prevent, and/or otherwise interfere with the very same fundamental rights of Plaintiffs Rustin and A.G.F.W. to each other, with such further violations amended by right into the causes of action currently at bar herein.

93. Moreover, Defendants Clifford, Bell, Gibo, and Biard are hereby formally instructed to immediately obey and comply with their respective professional legally-binding duties to report the same above-described violations of judicial and/or attorney ethics rules of the State of Texas, as correspondingly appropriate in regards to each of the other three (3) Defendant professionals, and to confirm the same in writing to Plaintiff Rustin within no later than fourteen (14) days next from today's date or else be automatically and formally deemed in willful conspiracy with said other individual Defendants to knowingly aid and abet their nefarious actions, and therefore also such same further violations amended by right into the causes of action currently at bar herein.

Respectfully submitted,

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Rustin P. Wright  
10603 Memphis Drive  
Frisco, TX 75035  
Tel: (469) 569-2435  
Email: rustinwright@hotmail.com  
*Pro Se Plaintiff Party of Record*

VERIFICATION

I hereby declare, verify, certify and state, pursuant to the penalties of perjury under the laws of the United States, and by the provisions of 28 USC § 1746, that all of the above and foregoing representations are true and correct to the best of my knowledge, information, and belief.

Executed at Frisco, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Rustin P. Wright

CERTIFICATE OF SERVICE

I hereby certify: that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, a true copy of the above *verified complaint*, by depositing the same via first class postage prepaid certified mail, return receipt requested, has been duly served upon each of the following:

Ashley B. Womack  
125 Ellis Creek Drive  
Weatherford, TX 76085-1631

Brandon Y. Bell, #24045474  
38 1st Street NW  
Paris, TX 75460

Jennifer M. Gibo, #24032343  
Law Office of Jennifer Gibo  
109 1st Street SE  
Paris, TX 75460

Eric S. Clifford, #04382300  
Lamar County Courthouse  
119 North Main Street  
Paris, TX 75460

John W.T. Biard, # 24034327  
Lamar County Courthouse  
119 North Main Street  
Paris, TX 75460

Commissioners' Court of Lamar County  
c/o County Judge M.C. Superville, Jr.  
119 North Main Street  
Paris, TX 75460

Governor Gregory W. Abbott  
Office of the Governor  
1100 San Jacinto Blvd., Ste. 151B  
Austin, TX 78701

Attorney General Warren K. Paxton, Jr.  
Office of the Attorney General  
300 West 15th Street  
Austin, TX 78701

\_\_\_\_\_  
Rustin P. Wright