

FILED

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

AUG 09 2018

Clerk, U.S. District Court
Texas Eastern

Cause No.: 4:18-CV-567

RUSTIN P. WRIGHT,	)	In a removal from the Sixth Judicial
Petitioner,	)	District Court of Lamar County, Texas
	)	TX state case number: 73540 (“ <i>In the</i>
v.	)	<i>Interest of A.G.F.W., a Minor Child</i> ”)
	)	TX Judge William Baird, presiding
STATE OF TEXAS, and	)	*CONSTITUTIONAL QUESTIONS
ASHLEY B. WOMACK,	)	*INJUNCTIVE RELIEF SOUGHT
Respondents.	)	*DEMAND FOR JURY TRIAL

Memorandum of Law Clarifying Established Federal Jurisdiction

Comes now Petitioner, Rustin P. Wright, providing for the convenience of this Court and all parties this memorandum of law, clarifying the instant matters are perfectly well established subject matter for the federal courts, and are even overwhelmingly so shown, by stating thusly:

INTRODUCTION

1. State “family law” matters *used to be* strictly state law issues prior to World War I, but into the Great Depression, the U.S. Federal Government began its initial federalization of certain family law matters throughout the 1920s and 1930s. After Governor Reagan signed the very first “no-fault divorce” law into effect in 1969 (coincidentally, his own memoir remark of the worst mistake he ever made while in any office), such “no-fault divorce” laws spread like wildfire all across the nation by still in the early 1970s. This was followed immediately during the latter half of the 1970s by the U.S. Federal Government’s full federalization of any and all formerly state law “family matters” by creating an entire plethora of nationalized “family law” agencies, units,

programs, funding schemes, and more apparatus, under and through massive enactments of laws by Congress ostensibly designed to help assist welfare needs and/or even combat welfare itself.

2. The same historical account of the federalization of family law, with various additional details, is available online provided courtesy of and verified by the American Bar Association¹.

3. Because this full federalization and nationalization of family law matters occurred during the latter 1970s, it is of no small coincidence that the overwhelming majority of federal case law cited below, which by now includes literally thousands and thousands of federal court victories by natural/biological parents regarding due process required within state child custody actions, exploded into favorable federal case rulings all across the country, beginning *in the late 1970s*.

4. The mere existence of thousands of thousands of such federal court victories by parents, at all three levels of the federal court system, in the District courts, in every Circuit, and in the Supreme, *in and of itself*, is already unquestionable, conclusive proof of such federal jurisdiction.

5. The Supreme Court has issued numerous rulings upon all manner of parental rights over the past 150+ years, and has also further clarified that all federal courts do have subject matter jurisdiction over the constitutionality of state child custody actions. “Parents have a fundamental right to the custody of their children, and the deprivation of that right effects a cognizable injury. See *Santosky v. Kramer*, 455 U.S. 745, 758-59, 102 S. Ct. 1388, 1397, 71 L. Ed. 2d 599 (1982).” *Troxel v. Granville*, 530 U.S. 57, 68-69, 147 L. Ed. 2d 49, 120 S. Ct. 2054 (2000).

6. Violations of parents’ federal constitutional and/or due process rights within any state action affecting child custody rights, according to the U.S. Supreme Court: **are** cognizable claims in the federal courts.

¹ American Bar Association – The Federalization of Family Law – Linda D. Elrod – http://www.americanbar.org/publications/human_rights_magazine_home/human_rights_vol36_2009/summer2009/the_federalization_of_family_law.html

LIBERTY AND PROPERTY RIGHTS

7. The three (3) most important constitutional rights of the average citizen, for self-evident and legally well-established reasons, are Life, Liberty and Property. State family court actions can routinely implicate and trigger due process rights of those latter two, Liberty and Property.

8. Also within the instant state case, for just one example, fundamental Liberty rights have been violated in two (2) common ways, including (1) wrongly interfering with this Petitioner father's well established Liberty associational rights to fully enjoy my parent-child relationship, and (2) otherwise restraining and/or impinging upon my protected personal natural freedoms.

9. Also within the instant case, for just one example, fundamental Property rights have been implicated regarding due process in two (2) common ways, since money is property, including (1) ordering any monies from me, *whatsoever*, in regards to an ostensible "child support" amount to be paid, and paid *only* by me, contrary to the fact that the state has never initiated any form of parental unfitness action against me, hence the state has never removed my pre-existing custody rights over my own children, hence the state has no validity pretending to now act as the parent itself over my children in dictating any terms of any kind to me, and (2) in enormous bleedings of false attorney fees from both of the parties' pockets, for simply yet *more* manifest injustice.

10. For another common example of the state's domestic relations courts, there is manifest gender discrimination routinely exhibited within the instant state action, along with the related violations of Equal Protection of the Law, both beyond dispute as issues in federal jurisdiction.

11. Abuse of power and process by state actors and their co-conspirators to falsely enjoin and wrongfully restrict persons are undeniably federal issues of due process and liberty interests, as unquestionably raising directly cognizable claims under *at least*, but not limited to, Article I, Article VI, Amendment IV, Amendment V, and Amendment XIV of the Federal Constitution.

12. The instant petition for removal filed under § 1443 expressly disclaimed and denied any attempt in seeking this 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.” This instant federal case, a removal tendered under 28 U.S.C. § 1443, was filed to prevent the lower state court from continuing to wantonly abuse both power and process, including, *inter alia*, both prior and present unconstitutional attempts and acts to falsely sanction this Petitioner, hence the gravamen of this removal are federal issues.

13. Validity of jurisdiction is an *established* federal question issue, the right to property not being taken without due process is an *established* federal question issue, and one or more liberty interests are likewise also unquestionably an area of *established* federal questions and issues.

14. The three claims are each well established in federal jurisprudence, unquestionably so.

CASE LAW ESTABLISHMENT OF FULL FEDERAL JURISDICTION

15. Notwithstanding that this removal action has absolutely nothing to do with seeking relief from a federal court over strictly state law matters, i.e., this removal clearly does *not* seek to have a federal court either *issue or modify a divorce decree*, this removal clearly does *not* seek to have a federal court either *issue or modify any child custody decree*, this removal clearly does *not* seek to have a federal court either *issue or modify any child support amount*, and this removal also clearly does *not* seek to have any federal court either *issue or modify any order for child visitation*, all such matters actually can and do, in fact, fall under proper federal subject matter jurisdiction, given appropriate contexts. If a divorce judgment was unconstitutionally obtained, it should be regarded as a legal nullity, and that due process issue is certainly cognizable within the federal courts. *See, e.g., Catz v. Chalker*, 142 F.3d 279 (6th Cir. 1998). The constitutional validity of child custody decisions are quite often, actually, litigated within the federal courts.

See, e.g., Wallis v. Spencer, 202 F.3d 1126, 1136 (9th Cir. 2000) (“Parents and children have a well-elaborated constitutional right to live together without governmental interference.”); J.B. v. Washington County, 127 F.3d 919, 925 (10th Cir. 1997) (“We recognize that the forced separation of parent from child, even for a short time, represents a serious infringement upon both the parents’ and child’s rights.”); Wooley v. City of Baton Rouge, 211 F.3d 913, 923 (5th Cir. 2000) (“a child’s right to family integrity is concomitant to that of a parent”); Morris v. Dearborne, 181 F.3d 657, 672 (5th Cir. 1999) (making knowingly false statements of child neglect violates clearly established constitutional right to familial relations); Smith v. City of Fontana, 818 F.2d 1411, 1418 (9th Cir. 1987) (“We now hold that this constitutional interest in familial companionship and society logically extends to protect children from unwarranted state interference with their relationships with their parents.” – citing the same in Kelson v. City of Springfield, 767 F.2d 651 (9th Cir. 1985)); Croft v. Westmoreland County Children and Youth Services, 103 F.3d 1123, 1125 (3rd Cir. 1997) (“We recognize the constitutionally protected liberty interests that parents have in the custody, care and management of their children.”); and etc., etc., etc., even *ad nauseam*. The federal courts have subject matter jurisdiction over constitutional validity of child support payments, and those can be unquestionably challenged in any federal court pursuant to 45 CFR 303.100(a)(3) and 15 U.S.C. § 1673(c) of the Consumer Credit Protection Act (CCPA), because any order for garnishment of wages for purposes of support must comply with § 303(b) of the Act. See, e.g., Voss Products, Inc. v. Carlton, 147 F.Supp.2d 892 (E.D. Tenn. 2001); Marshall v. District Court for Forty-First Judicial District of Michigan, 444 F. Supp. 1110 (E.D. Mich. 1978); and etc., etc.

16. In short, it is *very well* established that the federal courts do have proper subject matter jurisdiction over all these “strictly” state law matters of domestic relations, the various abstention

doctrines (e.g., Younger, Burford, Thibodaux, Rooker-Feldman, Pullman, DRE, Colorado River, etc.) *rarely if ever apply* (usage of abstention is well established as “the exception, not the rule”), and further, this removal case was filed under a federal statutory right to relief (§ 1443) which is *expressly* designed and provided by Congress for *precisely* the outrageously manifest violations of clear and fundamental rights herein (validity of jurisdiction, liberty interests, property rights), i.e., statutory authority to intervene into the state court case, hence such doctrines do not apply.

17. Indeed, this Petitioner is perfectly now within my *federal* rights to bring a *federal* court tort action for civil damages over the past several years’ worth of undue interference with the parent-child relationship rights I was *supposed* to have the entire time, because such *federal* tort actions have been very well established for decades, and – yet still – the various abstention and avoidance doctrines just simply do not and rarely apply, so parents **win** all such cases. *See, e.g., Lloyd v. Loeffler*, 539 F.Supp. 998 (E.D. Wisc. 1982), *Wasserman v. Wasserman*, 671 F.2d 832 (4th Cir. 1982), and *Erspan v. Badgett*, 647 F.2d 550 (5th Cir. 1981), as well as *McIntyre v. McIntyre*, 771 F.2d 1316 (9th Cir. 1985), and *Hooks v. Hooks*, 771 F.2d 935 (6th Cir. 1985), *DiRuggiero v. Rodgers*, 743 F.2d 1009 (3rd Cir. 1984), *Bennett v. Bennett*, 682 F.2d 1039 (D.C. Cir. 1982), *Raftery v. Scott*, 756 F.2d 335 (4th Cir. 1985); and, etc., etc., etc., even *ad nauseam*...

SUMMARY AND CONCLUSION

18. The U.S. Supreme Court has always maintained “the virtually unflagging obligation of the federal courts to exercise the jurisdiction given them” by Congress. *See, Colorado River Water Conservation District v. United States*, 424 U.S. 800, 813 (1976), which is a seminal case that this Court is surely well familiar with on jurisdictional duty, and, indeed, the Supreme Court has “**often** acknowledged that federal courts have a **strict duty** to exercise the jurisdiction that is conferred upon them by Congress.” *Quackenbush v. Allstate Insurance Company*, 517 U.S. 706,

716 (1996) (emphasis added). This constitutional due process liberty interest case, a removal filed under *express* statutory authority, that is *precisely* on point for the congressional target of the enacted statute, with its *own* statutorily-provided jurisdiction, is a prime example of that very “unflagging obligation” in duty. Indeed, there could hardly be another case so directly on point.

19. The federalization of all former state domestic relations cases, beginning in the 1920s and 1930s, culminating with total nationalization of all state family law matters during the 1970s, squarely places these issues fully within the entitled invoking of federal jurisdiction, as is clearly demonstrated by the mere existence of thousands of parental rights victories in the federal courts, especially beginning in matching numerosity explosion of such existence during that same time.

20. The rights issues regarding due process, liberty, property, equal protection, and gender discrimination are all very well-established federal question issues within federal jurisdiction.

21. Federal constitutional provisions, federal statutes, and plethora of federal case law affirm also that these are all very well-established federal question issues within federal jurisdiction.

WHEREFORE, your Petitioner, Rustin P. Wright, now provides plethora of well-established authorities from the Federal Constitution, from federal statutes, and from rulings by sister federal courts, by various Circuit Courts of Appeal, and also from the U.S. Supreme Court, reaffirming federal jurisdiction, for the convenience of this Honorable Court and likewise for all parties, and then further moves for all other relief that is true, lawful, just, and proper within these premises.

Respectfully submitted,



Rustin P. Wright
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Email: rustinwright@gmail.com
Pro Se Petitioner Party of Record

CERTIFICATE OF SERVICE

I hereby certify: that on this 9th day of August, 2018, a true and complete copy of the above *memorandum of law clarifying established jurisdiction*, by depositing the same via first class postage prepaid mail, USPS or equivalent postal carrier, has been duly served upon each of:

(Statutory party United States)
Attorney General Jeff Sessions
c/o U.S. Department of Justice
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Respondents.)	*DEMAND FOR JURY TRIAL

Affidavit of Rustin P. Wright upon Widespread Corruption

Now hereby I the affiant, Rustin P. Wright, do declare under penalty of perjury that the following facts are true and correct to the best of my information and belief:

FACT: I am an undersigned Petitioner in this action, a victim of the crimes herein and below enumerated, and also therefore with personal direct knowledge upon the same matters.

FACT: The State of Texas, the Texas state bar association and particularly all “family law” related training and disciplinary units, agencies, committees, chairpersons, directors thereof, along with all county bar associations and their officers, all quasi-governmental-professional entities related to the Texas state family law system, and necessarily all such Texas state domestic relations judges along with all such family law attorneys who practice before the same judges daily in routine, have all always known, each and every one of them, both expressly and implicitly, that no state court, nor any other part and/or officer and/or other actor of the state apparatus, may ever remove, take away, suspend, interfere with, diminish or otherwise impact, change and/or otherwise impinge, alter, or even so much as harass, in any way or amount, the

protected superior legal status and all associated fundamental constitutional rights of every pair of fit natural parents to their equally enjoyed and equally vested rights regarding their own care, custody, control and management of their any natural minor children, without first the state and its officially-designated officers proving, and that only achievable lawfully if proven by clear and convincing evidence admitted under fully valid due process protection procedures, that either such natural parent is actually guilty of some very serious form and/or effect of child abuse, neglect, and/or abandonment.

FACT: Each and every one of the above same entities and legal professionals has long known and well knows that for decades within Texas there have been clear and plainly established statutory causes of action with related procedures for termination of parental rights (“TPR”) cases regarding alleged serious acts of abuse, neglect and/or abandonment by parents of their natural children, i.e., under the state’s *parens patriae* jurisdictional authority presumed upon good cause shown for resolving such situations to the safety and well-being interests of such personally-affected minor children.

FACT: Each and every above same “family law” court officer, i.e., all such Texas state judicial officers described herein, as well as all such state-licensed “family law” attorneys described herein, are each and all fully well aware that they have absolutely no lawful business or any other bona fide interest of any kind, whatsoever, attempting to in any way either impact or otherwise disturb the pre-existing and superior constitutional rights and interests of any natural parent to the care, custody, control and management of his/her any natural minor children - no valid business or any lawful interest whatsoever - except and solely limited to and via the above same well established actions at law with related procedures for such “TPR” cases.

FACT: Each and every above same “family law” court officer, i.e., each such Texas state judicial officer described herein, as well as each such state-licensed “family law” attorney described herein, further well knows, and not a single one of them may even attempt to deny, that they each and all understand fully that the clear and convincing evidentiary standard is required at minimum within the context of any action at law supposing to impact the custody of any minor, and accordingly they each and all understand fully that the mere preponderance evidentiary standard being used by and within their same Texas “family law” courts is most certainly not constitutionally sufficient for any proposed impact to any natural parent’s child custody rights, i.e., they well know that every such case processed under the wrong evidentiary standard is constitutionally void and of no true legal effect whatsoever, yet they all nevertheless still continue every day to criminally conspire with creating yet more of exactly the same fatally insufficient and constitutionally void cases, along with further knowingly fictitious and fraudulent creations of multiple if not numerous false state records per and within each and every such individually different said domestic relations case (their willfully ongoing false creations of knowingly fraudulent and knowingly unconstitutional court orders, i.e., multiple knowingly criminal creations of fraudulent state records within each and every such “family law” case), and we’re talking about thousands upon thousands of new, additional fraudulent state records created knowingly falsely every business week, i.e., also fraudulently and endlessly costing yet millions upon even more millions of frivolously wasted taxpayer dollars.

FACT: Each and every above same “family law” court officer, i.e., all such Texas state judicial officers described herein, as well as all such state-licensed “family law” attorneys described herein, further well knows, and not a single one of them may even attempt to deny, that both natural parents are absolutely equal in the eyes of the law, that both are constitutionally

presumed to be and must be treated as fit and equal parents in all respects at all times unless one or both were first proven seriously unfit under full due process as above described, and therefore necessarily also that within any question of the care, custody, control and management of minor children between every such fit pair of natural parents coming before any such state court for any reason that the only constitutionally-compliant act by such state court in regards to such children is simply to recognize, uphold and enforce those equally-shared rights and interests of both natural parents equally in all respects, specifically requiring that both such legally-fit and legally-equal natural parents shall equally share their child/ren in all physical time possession rights, all decision-making rights, and just as equally within all other legal responsibilities, rights, and interests, i.e., absolutely equal and fully-shared retention of all said same pre-existing and superior-to-the-state parental rights to their same child/ren.

FACT: Each and every above same “family law” court officer, i.e., each such Texas state judicial officer described herein, as well as each such state-licensed “family law” attorney described herein, further well knows, and not a single one of them may even attempt to deny, that the Texas state “family law” industry of all such judges and attorneys described herein are absolutely guilty *en masse* of knowingly defrauding away the fundamental constitutional rights and interests of approximately one-half of all such natural parents entering their state “family law” courts within the above-described manners, i.e., absolutely guilty, in each and every such different individual state “family court” case, of criminally conspiring in that creation of yet another wholly false, utterly fictitious and fraudulent state court “order” manifestly pretending to “grant” or “award” custody of any child or children to only one of the both same such fit and equal natural parents, as neither the state nor any such court or state judicial officer has themselves any such actual legal custody of said children to even give away (“award” or “grant”)

to anyone else, in the first place, let alone that both such natural fit parents already and both have full, equal and complete custodial rights of their child/ren.

FACT: Each and every above same “family law” court officer, i.e., each such Texas state judicial officer described herein, as well as each such state-licensed “family law” attorney described herein, further well knows, and not a single one of them may even attempt to deny, that within some 97-98% of all such Texas domestic relations cases there have not even been any allegations of any actual serious child abuse, neglect or abandonment by or against either of the two given natural parents involved, hence in all such cases there has never been even the first iota of any constitutional jurisdiction or basis to even begin to question the permanent retention by either and/or both such natural parents of their respective child custodial rights shared fully equally between them, and hence each and every such judge and attorney further knows fully and all too well, and not a single one of them may attempt to deny, that they knowingly are criminally conspiring to completely defraud all the rights and interests - and monies - of *both* same parents *and* their child/ren involved, by each time arbitrarily and capriciously and utterly falsely “awarding” or “granting” somehow magical and sudden “primary” (disparately superior) child custody rights and interests of and by one of the given parents over and above the other equally-fit and equally-entitled natural parent.

FACT: Each and every above same “family law” court officer, i.e., each such Texas state judicial officer described herein, as well as each such state-licensed “family law” attorney described herein, further well knows, and not a single one of them may even attempt to deny, that they know that actually adhering to their own ethical duties for constitutional compliance with upholding equal rights and equal justice in equal fashion to both equally fit natural parents in those 97-98% of all such cases wherein no serious parental unfitness exists would mean also

that in the same 97-98% of cases there would be nothing at all to do with respect to any child custody rights, since the only possible lawful and constitutionally-required result in and for each and all such cases is automatic implementation of fully true and equally-shared (“50/50”) child custody without any falsely-created ongoing transfers of wealth disguised in the form of so-called “child support” payments by their falsely-targeted-and-victimized, so-called “noncustodial” parent, and hence that without anything to do anymore in 97-98% of all such cases, so would go away likewise some 97-98% of their falsely and fraudulently created billable hours, i.e., that very same 97-98% of their collectively conspired unjust enrichment schemes being criminally foisted upon all of the good parents, children, people and citizens of not just all across Texas, but obviously all across the rest of the nation as well.

FACT: Each and every above same “family law” court officer, i.e., each such Texas state judicial officer described herein, as well as each such state-licensed “family law” attorney described herein, further well knows, and not a single one of them may even attempt to deny, that said judges knowingly and willfully and routinely allow the same said attorneys to “drum up” their business and thereby-falsified billable hours by unconstitutionally engaging in any and all endless manners of frivolously irrelevant issues with respect to “arguing” about “which” parent should be “awarded” or “granted” custody of their child/ren in the context of non-existent parental unfitness (let alone wholly frivolously under the mere and fatally insufficient preponderance evidentiary standard), i.e., each and every such judge and attorney in the State of Texas is criminally guilty beyond any shadow of doubt in regards to all of these ongoing acts of felony barratry routinely committed by all such “family law” attorneys on a daily basis, and culpable within those daily conspiracies to commit the same racketeering enterprise crimes upon the entire general public *en masse*, thereby also perpetrating daily fraud upon the United States

of America via willfully falsified claims for Title IV-D reimbursement, i.e., criminal conspiracy to defraud the United States daily, as an actual *de facto* established policy, practice and pattern.

FACT: Each and every above same “family law” court officer, i.e., each such Texas state judicial officer described herein, as well as each such state-licensed “family law” attorney described herein, further well knows, and not a single one of them may even attempt to deny, that no judge may ever preside over any case in which the judge has the slightest any pecuniary interest, which is exactly what they instead criminally conspire in and perpetrate daily, in very large measure indeed, as the direct and knowing daily corruption of fundamental due process occurring within each and every single action to either create and/or enforce any Title IV-D child support lien falsely and fraudulently created within and by the very same given County, as they all also already know that the same judges (as well as that County’s clerk and prosecutor, and the County itself) each get their own “cut of the pie” of all such Title IV-D monies collected routinely from their crime victims, i.e., collected from the very same so-called and falsely-created “noncustodial” parents whom they relentlessly perpetrate egregiously false and malicious prosecutions against to criminally line their own dishonest pockets deeper and deeper with, and within the same additional racketeering enterprise crimes inflicted upon the entire general public *en masse*, each and every same such judge and attorney well further knows that they are likewise simultaneously defrauding the Title IV-D federal reimbursement program by each and every corresponding false claim therefore submitted to the federal government for such falsified reimbursement purpose, i.e., each and every such judge and attorney *well knows* they are all knowingly defrauding the United States and all federal taxpayers on a routine and daily basis.

FACT: Not only are the raw and sheer number of above described knowing acts of various state and federal felonies perpetrated by each and every same judge and attorney statewide easily

well into the thousands of individually chargeable crimes per any given business week, all such judges and attorneys are clearly also “bottomless pit” deep into refusing to obey many if not most of the various provisions of their mandatory ethics rules in general, not to mention also uniformly refusing to obey the particular mandatory ethics rule to withdraw from any case prior to and instead of aiding or abetting or even perpetrating any crime whatsoever, not to also mention their same equally criminal conspiracy in *de facto* pattern, practice and/or policy to likewise uniformly conceal and cover up all such manifest crimes and overwhelmingly egregious professional misconduct against their own ethics rules by refusing to report such manifest misconduct by other legal professionals to the various proper authorities including both, to professional disciplinary authorities, and also to state and/or federal law enforcement authorities.

FACT: Within ****each and every**** such clearly false and fraudulent, constitutionally-repugnant Texas “family law” case altering pre-existing child custody rights and/or interests of any natural parent without even the existence of any such actual serious parental unfitness even alleged, let alone actually first proven under the required full due process aspects, each and every same such Texas judge and attorney complicit therein is obviously also therefore necessarily and 100% conclusively guilty under criminal law for no less than ****at least**** one (1) Count of knowingly, willfully, and intentionally violating each and every single one of the following penal proscriptions, and typically guilty of multiple Counts of most of the following same, and further typically guilty of other assorted crimes in each individual case, i.e., literally guilty of an entire proverbial “pirate’s bounty” of numerous state and federal felony and misdemeanor charges:

- 1) *Always in every case* at least one **felony** Count of FALSE STATEMENT TO OBTAIN PROPERTY, in violation of Texas Penal Code, Title 7, Section 32.32;

2) *Always in every case* at least one **felony** Count of SECURING EXECUTION OF DOCUMENT BY DECEPTION, in violation of Texas Penal Code, Title 7, Section 32.46;

3) *Always in every case* at least one **felony** Count of BRIBERY, in violation of Texas Penal Code, Title 8, Section 36.02;

4) *Always in every case* at least one Class A **misdemeanor** Count of IMPROPER INFLUENCE, in violation of Texas Penal Code, Title 8, Section 36.04;

5) *Always in every case* at least one **felony** Count of TAMPERING WITH WITNESS, in violation of Texas Penal Code, Title 8, Section 36.05;

6) *Always in every case* at least one **felony** Count of OBSTRUCTION OR RETALIATION, in violation of Texas Penal Code, Title 8, Section 36.06;

7) *Always in every case* at least one **felony** Count of either PERJURY or AGGRAVATED PERJURY, in violation of Texas Penal Code, Title 8, Sections 37.02 or 37.03;

8) *Always in every case* at least one **felony** Count of TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE, in violation of Texas Penal Code, Title 8, Section 37.09;

9) *Always in every case* at least one **felony** Count of TAMPERING WITH GOVERNMENTAL RECORD, in violation of Texas Penal Code, Title 8, Section 37.10;

10) *Always in every case* at least multiple **felony** Counts of BARRATRY, in violation of Texas Penal Code, Title 8, Section 38.12, and further noting that sub-section (i) thereunder expressly reminds that “*Final conviction of felony barratry is a **serious crime for all purposes and acts**, specifically including the State Bar Rules and the Texas Rules of Disciplinary Procedure.*” (emphasis added);

11) *Always in every case* multiple **felony** Counts of ABUSE OF OFFICIAL CAPACITY, in violation of Texas Penal Code, Title 8, Section 39.02;

12) *Always in every case* multiple Class A **misdemeanor** Counts of OFFICIAL OPPRESSION, in violation of Texas Penal Code, Title 8, Section 39.03;

13) *Always in every case* at least one **felony** Count under 18 U.S. Code § 3 - ACCESSORY AFTER THE FACT (1/2 of the other sentence for **each** act);

14) *Always in every case* at least one **felony** Count under 18 U.S. Code § 4 - MISPRISION OF FELONY (3 years for **each** act);

15) *Always in every case* at least one **felony** Count under 18 U.S. Code § 241 - CONSPIRACY AGAINST RIGHTS (10 years for all basics for **each** act);

16) *Always in every case* at least one **felony** Count under 18 U.S. Code § 242 - DEPRIVATION OF RIGHTS UNDER COLOR OF LAW (1 year for all basics for **each** act);

17) *Always in every case* at least one **felony** Count under 18 U.S. Code § 371 - CONSPIRACY TO COMMIT OFFENSE OR TO DEFRAUD UNITED STATES (5 years for **each** act);

18) *Always in every case* at least one **felony** Count under 18 U.S. Code § 880 - RECEIVING THE PROCEEDS OF EXTORTION (3 years for **each** act);

19) *Always in every case* at least one **felony** Count under 18 U.S. Code § 1001 - STATEMENTS OR ENTRIES GENERALLY (5 years for **each** act);

20) *Always in every case* at least one **felony** Count under 18 U.S. Code § 1002 - POSSESSION OF FALSE PAPERS TO DEFRAUD UNITED STATES (5 years for **each** act);

21) *Always in every case* at least one **felony** Count under 18 U.S. Code § 1341 - FRAUDS AND SWINDLES (20 years for **each** act of “mail fraud”) (Note: See 18 U.S. Code § 1346 for the definition of “scheme or artifice to defraud” which clarifies, “For the purposes of this chapter, the term “scheme or artifice to defraud” **includes a scheme or artifice to deprive another of the intangible right of honest services.**”) (emphasis added);

22) *Always in every case* at least one **felony** Count under 18 U.S. Code § 1343 - FRAUD BY WIRE, RADIO, OR TELEVISION (20 years for **each** act of “wire fraud”) (Note: See 18 U.S. Code § 1346 for the definition of “scheme or artifice to defraud” which clarifies, “For the purposes of this chapter, the term “scheme or artifice to defraud” **includes a scheme or artifice to deprive another of the intangible right of honest services.**”) (emphasis added); and,

23) *Always in every case* at least one **felony** Count under 18 U.S. Code § 1964 - CIVIL REMEDIES (RICO jurisdiction of same matters) (against all co-conspirators);

Think some of these might not apply? Think again: Every single element of each above state and federal felony and misdemeanor offense by the same state judges and attorney officer-conspirators is **already** proven conclusively in black-and-white... indeed, *by their own hands*.

Pursuant to Texas Penal Code, Title 2, Chapter 7, *Criminal Responsibility for Conduct of Another*, also to Texas Penal Code, Title 4, Chapter 15, *Preparatory Offenses*, and to the various equal and equivalent sections under Title 18 of the United States Code, all such same state judges and attorneys, as joint tortfeasors in conspiracy, are all already guilty and liable for affirmative acts towards and/or also neglects to prevent aiding, abetting, and/or attempting to conceal the various felony and misdemeanor crimes perpetrated *by any other officer* of any of the

same courts against various and multiple sections of the Texas Penal Code (state crimes herein) and also of such various crimes against Title 18 of the United States Code (federal crimes herein), because within a criminal conspiracy the law is well-established that any contributing act performed by any individual of the conspiracy is chargeable unto the other individuals within the same conspiracy regardless whether they even knew of the given separate act, as well as also being additionally guilty and liable in regards to all of their own affirmative individual and/or joint criminal acts and/or omissions perpetrated in such crimes and related matters, to say nothing of serious causes of action like abuse of office, abuse of power, official misconduct, false and malicious prosecution, gross negligence, tortious interference with rights, violations of civil rights, intentional inflictions of emotional distresses, breaches of duties to prevent harm, breaches of fiduciary duties, and so forth... and of which any two (2) or more particular types of triggering predicate acts (and there are *many* such predicate acts involved herein) shall and do also invoke RICO/Racketeering charges as mentioned above.

Naturally also, each and every judge ever having so acted fraudulently with each such state court case should and must now by law be removed from office pursuant to any of the alternative provisions mandated under Article XV of the Texas Constitution, *see also* Texas Government Code, Section 24.021, Section 33.038, and etc., *see also* Article V, Section 1-a(6) and Section 24 of the Texas Constitution, and likewise, all of the instant state court clerks could also by law be similarly removed from office pursuant to Article V, Section 9 and Section 24 of the Texas Constitution, *see also* Texas Government Code, Section 51.322 and etc., while obviously also all of the willfully dishonest and criminally-acting attorneys therein, including all of the individual attorneys herein, should and must be law be disbarred permanently and forever from the practice of law (and with the standard reciprocal notices sent unto the state bar associations of all other 49

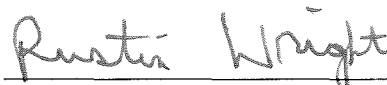
sister States and Commonwealths as well as the District of Columbia) pursuant to Texas Government Code, Section 82.061 and Section 82.062, as well as per others.

FACT: I the undersigned Affiant am a direct victim of all of the same above detailed racketeering and other crimes against the well-established law and rights as perpetrated within and regarding my own state case history by the individual state court officers themselves engaged therein – indeed, even much worse than the standard criminality – and therefore I am entitled to have corresponding criminal prosecutions initiated forthwith against them each and all, and further to be reasonably compensated for all of the many egregious injuries falsely inflicted upon my parent-child relationship rights, my other constitutional rights, my person, my name and reputation, my property, my monies, my credit rating, and so forth, including for all consequential damages, losses of use, loss of economic advantage and/or opportunity, and so forth, and further that all such damages are trebled due to such manifest fraud, plus punitive and/or other special damages awarded, along with being actually made constitutionally whole again by this Court, i.e., to compel the full and immediate replevin of all such false “child support” thefts of my wealth, income and monies, plus returned with interest as by law provided, and likewise compel all reasonably available physical restoration of all of my physical parenting time that I was always constitutionally entitled unto from the very moment in original inception, i.e., to immediately compel the corresponding total such same “make-up” amount of all of my falsely stolen physical parenting time in accelerated fashion to, as much as is reasonably possible, restore all or at least most of that fully-equal total of all such parenting time I have been falsely deprived of, starting immediately now and continuing in either majority or exclusive possession as reasonably necessary without pause until all such missing parenting time is fully restored in entirety or until the date there is no longer a minor child herein due to reaching

adulthood, whichever occurs first, and/or I am entitled to the \$110k-\$130k/year in civil damages for deprivation of parent-child relationship as further detailed and duly claimed within my formal Notice of Petition; and Verified Petition for Warrant of Removal (“the petition for removal”).

Affiant sayeth further naught.

Respectfully submitted,

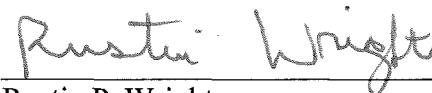


Rustin P. Wright
10603 Memphis Drive
Frisco, TX 75035
Tel: (469) 569-2435
Email: rustinwright@gmail.com
Pro Se Petitioner Party of Record

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.

Duly executed at Frisco, Texas, upon this ___9th___ day of August, 2018.



Rustin P. Wright

CERTIFICATE OF SERVICE

I hereby certify: that on this 9th day of August, 2018, a true and complete copy of the above *affidavit on widespread corruption*, by depositing the same via first class postage prepaid mail, USPS or equivalent postal carrier, has been duly served upon the following:

(Statutory party United States)
Attorney General Jeff Sessions
c/o U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

(Respondent State of Texas)
State of Texas
c/o Attorney General Kenneth Paxton
P.O. Box 12548
Austin, TX 78711-2548

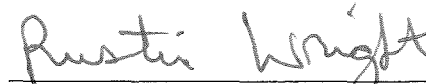
(Respondent Ashley)
Ashley B. Womack
150 Carter Road
Springtown, TX 76082-6577

(state court counsel of Respondent Ashley)
Jennifer M. Gibo, #24032343
Law Office of Jennifer Gibo
109 1st Street SE
Paris, TX 75460

(Statutory party United States)
U.S. Attorney Joseph D. Brown
Office of the U.S. Attorney
350 Magnolia Avenue, Suite 150
Beaumont, TX 77701

Linda A. Acevedo
Chief Disciplinary Counsel
State Bar of Texas
14651 N. Dallas Parkway, Suite 925
Dallas, TX 75254

State Commission on Judicial Conduct
P.O. Box 12265
Austin, TX 78711-2265



Rustin P. Wright

FILED

AUG 09 2018

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

Clerk, U.S. District Court
Texas Eastern

Cause No.: 4:18-cv-567

RUSTIN P. WRIGHT,	)	In a removal from the Sixth Judicial
Petitioner,	)	District Court of Lamar County, Texas
	)	TX state case number: 73540 (<i>"In the</i>
v.	)	<i>Interest of A.G.F.W., a Minor Child"</i>)
	)	TX Judge William Baird, presiding
STATE OF TEXAS, and	)	*CONSTITUTIONAL QUESTIONS
ASHLEY B. WOMACK,	)	*INJUNCTIVE RELIEF SOUGHT
Respondents.	)	*DEMAND FOR JURY TRIAL

Verified Affidavit of Rustin Wright on Local Bias and Prejudice

I, the undersigned affiant in this matter, Rustin P. Wright, hereby affirm under the penalties for perjury the truth of the matters set forth herein below to the best of my personal knowledge:

1. I have been an unwilling party and civil rights victim of and by the above encaptioned Lamar County court case, along with direct predecessors from judge transfers, since the original filings by Respondent Womack in 2005.

2. From the beginning in 2005, it has often appeared that I have been unfairly discriminated against and violated by these state court judges in said cases, and unfairly discriminated against and violated by opposing counsel, simply because of my male gender, regardless of representing myself *pro se* or when I employ multiple paid attorneys, hence there is also class discrimination.

3. Respondent Womack and I conceived a child born in December of 2004, A.G.F.W., and by the very next month, January of 2005, Womack had initiated the original of this case, a paternity action for determinations of custody, support and visitation "allotments" to each of us parents.

4. I am the natural and biological parent of A.G.F.W., the same as Respondent Womack, and my full legal custody rights, in equal share with Respondent Womack, were established at and by the moment of the birth of A.G.F.W., not randomly later by some judicial court process on paper, and at the very moment that Respondent Womack either named and/or acknowledged me to be the father of A.G.F.W., she was legally acknowledging my associated *equal* child custody rights.

5. However, to the direct contrary, ever since this original case was filed in January 2005, the Respondent has unconstitutionally and also fraudulently deprived both myself and A.G.F.W. from our entitled enjoyment of each other's rights of mutual and familial association, and of our well established liberty rights, in multiple times and ways, whether Respondent had unilaterally acted via her own affirmative violations of law and rights and decency, or whether she had acted in unethical concert with others, including opposing attorneys and the judges of Lamar County, with never-ending fictitious state court processes in continuing to extort my monies, not only needlessly to another defense lawyer, but also in routinely ordering me to pay opposing counsel.

6. While Respondent Womack's false damages were achieved in effecting several *de facto* terminations of my parent-child relationship, none with valid cause, and while the Lamar County courts and judges have *still* done absolutely nothing to ever prevent Respondent Womack from unilaterally depriving my parenting rights, let alone properly sanctioning her, and while all the above allegations are demonstrated proven by the various contemporaneous filings and Exhibits, the real question is: Why does all this extreme bias and prejudice even exist, in the first place?

7. Shortly after A.G.F.W. was born, the Respondent (*nee* Forrest) began dating and also soon thereafter married James "Jimmy" Womack, then already a long-time, upward moving member of the Paris Police Department. Paris, Texas (est. 2013 population = 24,912, rate declining) is the seat of Lamar County (est. 2013 population = 49,496, rate increasing). The City of Paris has

one-half of the entire County's population, contains the County's courthouse and other City and County government facilities, houses all of the politicians of the City and the County, and so on.

8. After both growing up in and around Paris, Texas, Respondent and her husband, Jimmy Womack, recently moved from Paris, Texas (approx. 1.5 hr child one-way exchange drive from Frisco, Texas) about three (3) hours away to Weatherford, Texas (approx. 2-3 hrs child one-way exchange drive from Frisco, depending upon DFW metro traffic rush at 4-6pm on Fridays...), after Paris Police Department Lt. Jimmy Womack, a veteran of two decades with the PPD, could not advance further except to finally take a new residential area with a position as Police Chief.

9. However, at all material and relevant times herein, Lt. Jimmy Womack was a high-ranking PPD officer with inter-agency activities involving both City and County facilities and personnel located within such local government activities and facilities, as he also freely confirms online¹.

10. I generally researched for the name "Womack" in and around Paris, Texas and/or Lamar County, Texas, and found that the "Womack" surname is quite very common in this local area, with numerous present and historical obituaries for any given Womack, multiple Womack names serving in some City or County capacity, multiple within local sports and schools, and so forth, examples include that Mary Beth Womack is/was a Member of the local Chamber of Commerce.

11. I already knew that Respondent's parents have owned and ran their own Forrest Signs & Graphics for many years, located right downtown on Main Street of Paris, Texas, and that they have routinely made the political campaign signs and banners for most of the candidates who've ever run in any local City/County elections, just some examples including these² and these³, as well as for numerous other local government needs, including the PPD police cruiser graphics⁴.

¹ LinkedIn – Jimmy Womack – <https://www.linkedin.com/pub/jimmy-womack-ms-lcc/48/23b/bb8>

² eParisExtra – Paris City Council's five candidates spend \$8,930 on campaign material through April 14 – <https://www.eparisextra.com/paris-texas-news/4192/paris-city-councils-five-candidates-spend-8183-on-campaign-signs-and-cards-through-april-14-reporting-period>

12. In other words, Respondent grew up around the local politicians and government officers, including the Lamar County judges, vis-à-vis her parents' signs & graphics business, and so it is reasonable to assume that Respondent was already well known personally and socially by the Lamar County judges, not to mention other court personnel, and not to also forget the leveraged personal familiarity Respondent has with other local government officers and powers-that-be.

13. As if not enough prejudicial influence upon the state court proceedings, after Respondent married also into the local Womack family, Respondent gained even more heavily biased favor by natural tendencies of the connections that the Womack family has on local government units.

14. In short, throughout all the years of the instant state court case, Respondent has illegally enjoyed a very heavily biased and prejudicial animosity against me by the Lamar County courts, i.e., that I never stood any chance of basic justice within the Lamar County courts, simply due to the overwhelming amount of personal and social favor that Respondent has by both her families, and this is precisely why both I and my son have been continually and repeatedly violated in our mutual rights to each other, why Respondent Ashley Womack is continually and repeatedly just allowed to do whatever she wants, regardless of those being violations of not only law but also of previous relevant orders *by the same courts*, why conclusive proof of a non-injury to A.G.F.W. was years ago fraudulently disallowed into state court evidence, and instead used to continuously extort lucrative payments of otherwise unnecessary and endless attorney fees – for both sides – to say nothing of raw inability to foresee any remote possibility in ever obtaining basic justice.

15. Upon significant information and belief, including not only regarding the above matters of serious concern, but also of even further and related matters therewith, I am fully convinced that it is impossible for me to obtain any fair hearings or trials in the Lamar County courts, and

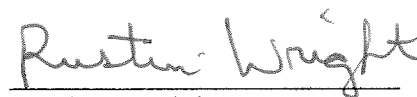
³ State of Texas Ethics Commission – Specific-Purpose Committee Campaign Finance Report – <http://bbs.ethics.state.tx.us/public/444347.pdf>

that it is also impossible for me to obtain any fair or reasonable justice via the same courts, because of manifest bias and prejudice already demonstrating lack of fair and impartial tribunals, an absolute refusal to obey any and all legal authorities, and a general atmosphere of corruption, that it will also be and is utterly impossible for me to ever have even a remotely fair jury trial of any kind in the Lamar County courts, and that other citizens may be likewise suffering wrongly.

16. Moreover, Lamar County has not had any possible lawful jurisdiction whatsoever since at least November 6th of 2014 when the very same rogue state court ordered case transfer out and away from itself.

17. I fully believe and hereby expressly state and claim that I have been grievously violated in both law and rights numerous times by Respondent Womack, her various counsel, the courts and judges of Lamar County, the County of Lamar, and other related parties, that I have suffered pain and anguish due to these same civil and criminal violations against both myself and my son, and that I am entitled therefore to the jurisdiction and power of this federal Court to alleviate and remedy the problems complained of, and further that I am also entitled to just and reasonable forms and amounts of compensation from these liable and guilty parties, and to a trial by jury, and to any and all other form(s) of prospective and declaratory relief applicable in the premises.

18. Affiant sayeth further naught.

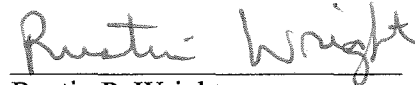

Rustin P. Wright

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.

⁴ Forrest Signs & Graphics – Online Gallery – <http://www.forrestsigns.com/gallery.cfm>

Executed at Frisco, Texas, this ___9th___ day of ___August___, 2018.


Rustin P. Wright

CERTIFICATE OF SERVICE

I hereby certify: that on this ___9th___ day of August, 2018, a true copy of the above *verified affidavit upon local bias and prejudice*, by depositing the same via first class postage prepaid United States mail, properly addressed, has been duly served upon each of the following:

(Statutory party United States)
Attorney General Jeff Sessions
c/o U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

(Respondent State of Texas)
State of Texas
c/o Attorney General Kenneth Paxton
P.O. Box 12548
Austin, TX 78711-2548

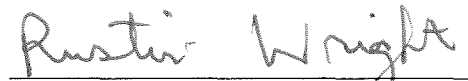
(Respondent Ashley)
Ashley B. Womack
150 Carter Road
Springtown, TX 76082-6577

(state court counsel of Respondent Ashley)
Jennifer M. Gibo, #24032343
Law Office of Jennifer Gibo
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(Statutory party United States)
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Rustin P. Wright