

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

Cause No.: _____

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

Notice of Petition; and, Verified Petition for Warrant of Removal

Comes now the Petitioner, Rustin P. Wright, and in support of this action for removal of the above-encaptioned state court cause into the jurisdiction of this United States District Court, and upon the various federal questions involved, herein alleges, states and provides the following:

JURISDICTION AND VENUE

1. This Court now has proper jurisdiction over this cause of action pursuant to, but not limited to, the following statutory authorities: 28 USC §§ 1443 and 1446(b) [**constitutional challenge to state statutes** under special Section 1443 civil rights removal], as well as 28 USC §§ 1331, 1343 and 1367 [**standard federal questions**, and federal supplemental jurisdiction over intertwined state law claims], further pursuant to the **Federal Consumer Credit Protection Act**, 15 USC §§ 1601, et seq., and yet also again, as further independent jurisdiction under the **False Claims Act**, 31 USC § 3729, et seq. Moreover, this Court is an Article III court with the express authority to hear and adjudicate any questions arising under the Constitution, Laws, and Treaties of the United States, including but not limited to 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. *See also* the Article VI Supremacy Clause of the Constitution of the United States of America, as lawfully amended (*hereinafter* “Federal Constitution”).

2. Venue is quite and solely proper, as removal over numerous state violations of various federal rights, both as perpetrated and as threatened to perpetrate, within Lamar County, Texas, venue is also quite and solely proper as for violations of the Federal Consumer Credit Protection Act, both as perpetrated and as threatened to perpetrate, within Lamar County, Texas, and venue is also quite and solely proper as for violations of the False Claims Act in defrauding the United States, again both as perpetrated and as threatened to perpetrate, within Lamar County, Texas.

PARTIES

3. Your Petitioner, Rustin P. Wright, is a resident and citizen of the State of Texas, also is a victim of all the described and enumerated federal and state crimes herein perpetrated by the individual Respondents State of Texas and Ashley Womack, in plain and willful conspiracy with Lamar County judicial, attorney, clerk and related other actors of Respondent State of Texas to intentionally violate and deprive fundamental rights, natural rights, rights of equality, and etc., i.e., willful, knowing and intentional conspiracies to perpetrate multiple violations of civil rights.

4. Respondent State of Texas is the sole and proper party, by and through its duly elected Attorney General, to engage this matter in discussion and any defense of its own state statutes being facially challenged herein. *See* the formal Notice of Constitutional Questions to Texas State Statutory Schemes filed contemporaneously herein. **NO** other party, whether actual party listed within this Parties section, nor any other interested and/or third party, intervenor, amicus, next friend, nor any other sort, may lawfully attempt to either circumvent, act as impostor for, or

otherwise speak in the stead of the exclusive role and authority herein by the Attorney General of the State of Texas upon all matters clearly affecting the public interest as a whole and also statewide, and any and all such attempts should and must be vigorously sanctioned in full extent.

5. Respondent Ashley Womack is a resident and citizen of the State of Texas, she is the other natural but adverse parent of this undersigned Petitioner's natural minor child, she is a civil and criminal respondent party within the removed state case as defrauding myself and my minor child, and for conspiring to criminally defraud the United States (willful false claims), and she may attempt under opportunity herein to defend her wanton, willful, knowing and intentional acts, behaviors, and conspiracy to perpetrate criminal and civil violations of the undersigned Petitioner's well known and well established fundamental, natural, equal and other federal rights.

INTRODUCTION

6. Your Petitioner complains of various willful, systemic deprivations of fundamental rights guaranteed by the Federal Constitution, and/or by federal law, and which deprivations are civil violations of 42 USC § 1983, and that are also criminal violations of 18 U.S.C. §§ 241 and 242.

7. Within the proceedings of the state court in question, Petitioner has duly advised the state judge, all other named parties, and various third parties, that certain actions and judicial events either are now existing, and/or all have been done, in clear, unambiguous violations of basic due process, state law, state procedure, the Federal Constitution, federal statutory law, and/or against the relevant rulings held by the several federal Circuit Courts of Appeals and the Supreme Court.

8. Your Petitioner does 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 contemporaneous

Memorandum of Law Clarifying Established Federal Jurisdiction, which your Petitioner now and hereby also incorporates fully by reference the same as if it had been set forth fully herein. (H.I).

9. This petition for warrant of removal inures to the very essence of the enactment and clearly expressed purposes of 28 USC § 1443 by Congress, i.e.: to provide a statutory remedy for relief via removal to a United States District Court when a state court litigant “*is denied or cannot enforce in the courts of such State a right under any law providing for the equal rights of citizens of the United States, or of all persons within the jurisdiction thereof*” for the precise, expressly-mandated, clear and unambiguous letter, spirit and intent of said statute – which is, in fact, direct statutory authorization for the federal court to intervene into the state court matter, for the Congressionally-enacted assurance of adequate forums to bring constitutional challenges in.

TIMELINESS OF REMOVAL

10. The relevant portion of 28 USC § 1446(b) providing for this removal is restated here:

“If the case stated by the initial pleading is not removable, a notice of removal may be filed within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable.”

11. Within the instant Lamar County proceedings, said Respondents collectively conspired to unconstitutionally remove my pre-existing and equally shared parental rights to my child, all without ever once first proving me seriously unfit under clear and convincing evidence, so as to initiate and grow false and fraudulently-obtained liens against me in the disguise of so-called “child support” debt, and this manifest injustice has continued since said case began. **Exhibit A.**

12. Within the instant Lamar County proceedings, Respondents and their related state actors, also previously knowing that the Federal Consumer Credit Protection Act (“CCPA”) was violated by ordering amounts of child support against me in excess of federal statutory maximum limits, were fully aware of the same, and yet still illegally enforced said fraudulent liens in direct

violations of the CCPA, which expressly prohibits all same as **void** state actions, see 15 USC § 1673(c), as illegal enforcements of “contempt” and similar criminally-false threats against me, and have further used those same illegal actions in criminal intimidation to extort my monies.

13. The entire true, bona fide factual and legal situation is as clearly detailed and precisely documented by my recent formal Demand Letter sent to (and even spontaneously filed into the same ridiculously-long-void state court “case” by) Lamar County Clerk Shawntel Golden (see <http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Demand-Letter-to-Lamar-Count-Clerk-Shawntel-Golden-Copy.pdf> for details), i.e., that:

-- by binding Agreement and then also by binding Order of the (very same) court, the exclusive “legal residence” of Ayden would only be either Lamar County or Collin County;

<http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Exhibit-A-Agreed-Order-Specifying-Geographic-Restriction-1.pdf>

-- the (very same) court, reminding again, then ordered transfer out and away from itself in November of 2014;

<http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Exhibit-B-Order-Transferring-Suit.pdf>

-- in June of 2016, I had to remind Respondent Ashley and everyone in Lamar County that they clearly had **no** further jurisdiction, after Ashley had already by then moved far away from Lamar County, leaving Collin County as the sole remaining “legal residence” of A.F.G.W. per both Agreement and Order prior, and that any future proceedings must be transferred to Collin County venue pursuant to Texas law;

<http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Exhibit-C-Notice-of-Total-Lack-of-Jurisdiction.pdf>

-- and that clearly Lamar County had been legally precluded from any jurisdiction from the original outset over a decade ago, due to the parents of Respondent Ashley having long and closely established directly prejudicial relationships as the local printing company supplying all campaign, election and assorted other materials to all of the local government officers for years;
<http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Exhibit-D-Verified-Affidavit-of-Rustin-Wright-on-Local-Bias-a.pdf>

-- that further, besides and in addition to sole “legal residence” of my son A.G.F.W. being here in Collin County anyway, when Respondent Ashley moved away from Lamar County years ago and so no parties remained in Lamar County, Texas law independently required mandatory transfer of jurisdictional venue out of Lamar County;

<http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Exhibit-E-Proof-of-Residences-in-Weatherford-TX-and-Springto.pdf>

-- that based upon all of the above and more, I already long ago filed within the (very same) case/court my 3-alternatives motion to dismiss the entire case for total lack of jurisdiction, to change venue as required by both legal parameters above described, and/or to set mandatory evidentiary hearing for change of venue away from Lamar County because of the above extreme bias and prejudice, ANY of which motions (let alone all three of them) automatically by law “stayed” all court proceedings until those particular matters are properly addressed first (but which they have all unlawfully ignored);

<http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Exhibit-F-Motion-to-Discard-or-in-the-Alternatives-for-Mand.pdf>

-- and finished out that same Demand Letter by expressly detailing numerous Texas and federal felony crimes they were absolutely guilty of already, therefore also rightfully demanding by law that Lamar County Clerk Shawntel Golden STRIKE all such void material from the case docket; <http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Demand-Letter-to-Lamar-Count-Clerk-Shawntel-Golden-Copy.pdf>

14. And, there are plenty more additionally detailed Texas state and federal felony and misdemeanor crimes, including both federal and state RICO/Racketeering charges, that Ashley and her Lamar County conspirators are all now actually facing, for real, which was also duly advised them all prior:

<http://patriotsforparentalequality.com/wp-content/uploads/2018/08/Verified-Criminal-Complaint.pdf>

15. Moreover, because A.G.F.W.'s sole and exclusive legal residence is *here* in Collin County, various and multiple areas of Texas law, particularly of the Texas Education Code, but also related portions of the Texas Family Code, as well as similar sections under the Texas Juvenile Code, etc., ALL such Texas statutes *not only* expressly command that A.F.G.W.'s *lawfully-required school* is where his "legal residence" is, right *here* in Collin County, but *also* provide for immediate arrests of anyone interfering or even attempting to interfere with A.F.G.W.'s full attendance at his proper and required Texan school, which again is only, exclusively, and solely right *here* in Collin County, and those laws even provide for local jurisdiction over new cases filed to compel his very same required school attendance here.

16. And that is precisely what is already underway - within just the next couple few business days, we are (I am) filing that statutory registration of venue transfer as that "new" case right

here in Collin County where it belongs and belonged years ago (for any normal whichever Collin County judge to set and hold an emergency hearing as soon as reasonably possible).

17. A.G.F.W.'s proper and legally-required school here in Collin County starts a week *before* the start of his prior school in Parker County that his mother, Respondent Ashley Womack, is currently attempting to defraud about. And A.F.G.W. himself is insisting to testify here in Collin County court *before* school starts here, and get "his" new and proper court orders entered to protect his rightful schooling here in Collin County... Respondent Ashley actually is, in fact, going to get her prompt hearing soon, you betcha, but it's just not going to be the typical kind of faux hearing and court orders that she has always been used to expecting and getting again and again from her parents' long and personal and close judicial influence... she is the person actually in deep trouble here, and it's all her own dishonest, disturbed diva style fault.

18. Just over the past several days, I received in various manners the attached **Exhibit B** which demonstrates more continuing threats against clear federal rights and federal laws by an absolutely criminally rogue county court system which has had no jurisdiction *for years now...*, again violating the federal Consumer Credit Protection Act and the federal False Claims Act. However, again, there is no state court of Texas or anywhere else that has obtained any actually proper and constitutionally valid jurisdiction over my natural parent-child relationships, hence there has never been any valid authority by any court to order me to pay "child support" – hence any "child support" lien falsely registered against me is exactly that, a fraudulent lien existing in direct violation of law – and felony criminal charges for every perpetrator involved in the same.

19. My own personal receipt of that recent related paperwork clearly triggered removal right under 28 USC § 1446(b), as "after receipt" [through any method] of [any formatted documentary information] so that an ascertainment of the ability to remove then suddenly became known, and

so therefore I removed again as promptly as humanly possible under the circumstances via filing this entire removal package without the assistance of licensed professional counsel.

20. Therefore, your Petitioner is well within required removal time, and further fears the state court transpiring against numerous laws and rights during the immediately upcoming thirty (30) days, as before, all as is further detailed and documented via the individual Counts as are initially presented herein, along with any included Exhibits where needed, so that the present number of grounds for removal therefore is already a serious number indeed, but yet the same will be even further augmented by pending amendment pursuant to F.R.Cv.P., Rule 15, all as also provided for, and reserved by, the undersigned Petitioner's Notice of Pending Amendment, et seq. (H.I.).

21. Accordingly, this instant petition for removal is well within the timeliness required under 28 USC § 1446(b) presently, and it would also *be again* timely filed herein (if and as needed), that is to say, that the United States Supreme Court has already discussed and approved in unison with the U.S. Solicitor General and other prominent attorneys that removal must be allowed into the designated federal trial court (this Court) until the federal court finally holds the merit phase, because under special Section 1443, "initial/removal" jurisdiction is established by statute, but final "retention" federal jurisdiction **cannot** be determined until fact-finding determines whether or not the challenged state statutes are in fact routinely violating civil rights, and if that be the case, then the federal court does have Section 1443 jurisdiction, or if that not be the case, then the federal court does not have Section 1443 jurisdiction, hence automatically proceeding fully into the merits phase, with discovery, etc., is actually **required** for Section 1443 removal cases.

REGARDING INCLUSION OF ORIGINAL PLEADINGS,
THE COMPLETE RECORD OF STATE PROCEEDINGS,
AND, THE REQUESTED PRELIMINARY PROCEDURES

22. This is a removal under 28 USC § 1443, *quite different* from all other types of removal available under Chapter 89 of Title 28, and since it is *not* about any question of “most proper *original jurisdiction*” within the context of comity and federalism, whatsoever, *there is no basis, need, or cause for inclusion of original state court pleadings* within the filing package for this removal to the United States District Court, *nor any need for inclusion of the entire state court record*. Further, these issues are addressed by pertinent motion for relief. Please *see* Petitioner’s Notice Distinguishing Between the Two Basic Types of Removal; and, Motion for Issuance of Preliminary Relief in the Alternatives. See *id.* at 7-9 regarding requested preliminary relief(s).

INCORPORATION OF PRIOR PLEADINGS IN STATE COURT

23. Regardless, Petitioner incorporates fully by reference all pleadings, papers, and effects heretofore filed or otherwise lodged in the state proceedings the same as if set forth herein (H.I), and the same also exist in direct support of establishing the basics herein, such as proper legal standing to invoke and prosecute the federal constitutional challenges to Texas state statutes, and further as a victim of numerous crimes perpetrated by the Respondents and their local agents.

PROHIBITED REMOVALS OF STATE COURT CASES

24. Petitioner notes and emphasizes for the Court’s and parties’ convenience, *and in being duly advised of Rule 11 ethics before making any response*, that 28 USC § 1443 provides for the removal of *any* type of state court case for violation(s) of equal civil rights, with the sole exceptions being *only* the following four (4) types of circumstances, pursuant to 28 USC § 1445:

- a) a civil action against a railroad or its receivers or trustees that arises under certain laws;
- b) a civil action against a carrier or its receivers or trustees that arises under certain laws;
- c) a civil action arising under the workmen’s compensation laws; and,
- d) a civil action arising under section 40302 of the Violence Against Women Act of 1994.

25. Accordingly, since none of the matters herein has anything even remotely to do with any of the four exceptions, the instant three (3) constitutional challenges to state statutes raised are each (and independently) perfectly proper causes for removal upon their own individual merits.

OVERVIEW OF STATE ACTOR + THIRD PARTY VIOLATIONS OF FEDERAL RIGHTS

26. Within the instant farce state court proceedings of Lamar County never-ending, your Petitioner has been, and is 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) various other violations of constitutionally-protected rights and interests.

27. In short, the state family court system may already be, or has become, a fully wanton criminal enterprise with the officers and professionals in daily power thereof absolutely and 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, rampant and flagrant obstructions of justice, extortionate schemes for unjust enrichment of their floozy and equally fraudulent leeches, 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 shocks conscience, more fully detailed by the Petitioner's contemporaneous Affidavit of Widespread Corruption, incorporated herein by reference for all purposes the same as if it had been fully set forth (H.I.).

28. Again, to fully clarify the nature of this proceeding, your Petitioner does *not* seek this Court to “issue or modify any decrees” regarding state law matters of divorce, child custody, or support, *nor anything involving fact or evidence details*, but instead *only* to enforce due process, equal and civil rights, true constitutional rights, and other federal rights, statutory and otherwise.

29. Your Petitioner has been outrageously harassed by the same local county courts and the related court administration systems, also repeatedly violating my most basic due process rights, by willfully, knowingly and intentionally conspiring in various commissions of criminal acts and behaviors, all shockingly done in an intentional conspiracy to aid and abet grand scale larceny.

30. Indeed, upon belief and information, this Petitioner has quite sufficient cause and grounds to also consider the demanding of various official investigations into patterns and practices of widespread, systemic violations of basic federal rights by these same local county court systems.

BACKGROUND FACTS AND ALLEGATIONS OF GENERAL LAW

31. The clear right to one’s own direct flesh and blood is the second oldest fully-recognized right in all of human existence, save only the individual self-preservation right to life itself.

32. The variously enumerated basic rights under the Federal Constitution, e.g., the First Amendment right to free speech, the Second Amendment right to arm and defend yourself and your own family, and so forth, are generally all “self-evident” rights, that is to say various rights of We The People, the general citizenry, that are each of such innate and fundamental character and magnitude, that they are constitutionally then formally protected as recognized parameters necessary for the basic structure of our civilized society as a Republic with rule of equal and just laws, and not of laws subject to the fleeting whims of fickle mankind in perpetrating preference, prejudice and bias for and/or against any particular parties for any reason, nor subject to laws

fatal on their faces for being contrary in any way to the basic maxims constitutionally established and enshrined - of the People, by the People, and for the People.

33. Most people would presume, in today's modern civilized equal rights society, that food, clothing and shelter are considered rights *per se*. Indeed, consider the vast number of many governmental programs now in existence at all levels for such basic items and issues. Yet, go back just a few hundred years, and such "necessities" as want for food, clothing and shelter were certainly not yet well established "rights" at that time, but the needs were handled primarily by various sources of private charity and/or self-ingenuity, IF the needs were met at all, but still the self-evident right to one's own flesh and blood was ever present, unquestioned in all situations.

34. Go back just a couple or few millennia, and you're lucky if such basics of food, clothing and/or shelter *even exist at all within reasonable access*, let alone any fanciful dreams of wishful "rights" to such basic items, yet there was still your own flesh and blood, right there with you the whole entire time, as not only an unquestionable and self-evident right, but even as an implicit duty and responsibility, both to your mate/partner/spouse (who *is not* supposed to be a direct blood relation to the other mate/partner/spouse) and to your own flesh and blood offspring (which *is* a *direct blood* relationship, of crucial distinction herein), i.e., your own minor children.

35. From time immemorial, the right to one's own flesh and blood has always been the second oldest right in human existence (regardless of the many variants of civilizations and their many varied systems of law...), save only that individual primary right to preservation of one's own life itself. This is universal, the self-evident right to children precedes mere common law or any other formally written-down "laws" of the United States, and of the Colonies before that, and also of the ancient "laws" of England even post Magna Carta, precedes the establishments of

written “laws” by the long-lived Byzantine Empire prior to that, of the Romans and Greeks and Egyptians before them, and of the Sumerians even well before *any* of those early civilizations.

36. The self-evident right of preservation and protection from any interference or harm to your own parent-child relationship by any type of self-professed ruling authority (“government” – regardless of the form or type), especially when there is no actual, valid basis of any proper kind, *is*, by definition of nature and human existence itself, the second oldest indisputable “natural” or “organic” right, save only that primary right to self-survival... irrespective of any sets of “statutes” that must, in fact, fall directly flat on their constitutionally repugnant faces for even ostensibly attempting to pretend otherwise in any manner, shape or form. The RIGHT to one’s own direct flesh and blood (“natural”) minor children is sovereign and absolute, superior to the State of Texas in **all** respects, and CANNOT be interfered with, whatsoever, save *only* on exception for due process finding in clear and convincing evidence of *serious* parental unfitness.

37. 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 each such living child; There is no magical difference between the pre-existing, full legal and physical child custodial rights enjoyed and retained by a given 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 a given 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 pre-existing, well-established, superior child custodial rights in full force, yet

of course that 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 upon the same.

38. 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 then *only* 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.

39. These fundamental rights of natural parents, and equally shared betwixt both such natural parents, to the uninterrupted care, custody, control and management of their minor child, and those same natural “organic” rights of each and both natural parents also fully endowed and vested within both of them equally from the very moment of live birth of each such said child, simply may not be intruded upon by the State (*see also* Invasion of Privacy), without valid cause.

40. Our Supreme Court, fully recognizing all of the above history underpinning these same fundamentals, has – more than once – opined that parental rights are “superior” to the “mere” enumerated rights of our Federal Constitution, hence they are clearly entitled to *at least* that full amount of all due process protection elements and procedures that any actually-enumerated such

right is well established in entitlement thereof, and has consistently ruled that federal courts **do** have valid and proper subject matter jurisdiction – as well as the attendant duty to exercise that federal jurisdiction – upon claims of state unconstitutionality over those natural parental rights.

41. Our Supreme Court has **expressly** ruled and commanded: “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). 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, exactly and precisely as we now have at bar herein, which exercise of jurisdiction is *required*, and which exercise of jurisdiction to **directly intervene** into the state court matter complained of is expressly provided by primal statutory authority itself herein, to-wit: 28 USC § 1443.

THE STATE OF TEXAS DIRECTLY VIOLATED CLEAR FUNDAMENTAL RIGHTS IN
PRE-DEPRIVATION OF ALL THE SAME WITHOUT ANY DUE PROCESS WHATSOEVER

42. The State of Texas has never even alleged (let alone proven) any “unfitness” by me, ever, nor has any department, agency, unit or any actor of the State ever even remotely alleged any such aspect or idea, let alone ever proven it under required clear and convincing due process.

43. 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*

cases, 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 parents of their superior rights without even telling them that is what is actually going on, (b) in order to falsely reclassify those same unsuspecting parents into so-called “noncustodial” parents, (c) so as to begin generating yet more financial windstreams.

44. 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.

45. To be sure, the civil courts of Texas have valid subject matter jurisdiction over people that choose to divorce, in order to process a peaceful, lawful separation of parties and involved assets and debts, as well as compelling execution of necessary instruments to effect those goals, because that is a civil court process constitutionally allowed between **non-blood** relationships.

46. However, just because two separate non-blood parental parties divorce and/or otherwise legally separate, that does not provide any Texas civil court with subject matter jurisdiction over the parent-child relationships of either same natural parent, *without first finding unfitness*.

47. Again, Petitioner will readily concede that the state civil courts obviously have clear and valid subject matter jurisdiction over two or more parties in dispute regarding separation of *their own non-blood relationships*, i.e., such as a dissolution of marriage (inapplicable herein), but no state civil court has ever obtained proper subject matter jurisdiction over the **direct blood** relationship between any parent and his/her minor child, *unless and until* due process is *first* met.

THE STATE OF TEXAS MAY *NOT* USE PREPONDERANCE AS THE EVIDENTIARY STANDARD OF PROOF TO IMPACT CUSTODIAL RIGHTS OVER MINOR CHILDREN

48. Petitioner realleges all paragraphs above by reference the same as if fully set forth herein.

49. Besides repugnant custody alterations without fitness tests, *the evidentiary standard* fails.

50. The State of Texas already well knows, and has well known for a lengthy established period *in minimum of at least decades now*, that it may not terminate the custodial rights of the given natural parent to his/her natural children without first finding serious, clear and convincing evidence of parental unfitness. These actions are familiarly known as “TPR cases” (termination of parental rights cases), i.e., most often publicly referred to as “CPS cases” (child protection services cases), which are one and the very same thing – as any competent legal professional readily knows. Even first-semester law students well instinctively know these very basic things.

51. Yet, here’s the thing... The judicial officers and attorneys daily engaged within state “family” courts having involvement with domestic relations matters *already know full well* that they cannot simply usurp a given parent’s custodial rights within their active divorce and other similar cases betwixt two competing natural parents (“custody, support, and visitation” cases),

because both yesterday and tomorrow, either in the exact same courtroom, or the one next door, or downstairs, or around the corner, they are also processing these TPR cases in which they all are already well aware about the need for sustaining *clear and convincing evidence of unfitness*.

52. The instant state court “child custody case” began wholly unconstitutionally in Lamar County as agents of the State of Texas removing my superior natural parental rights to my children without ever once having any basis against me and my parent-child relationship, not one single allegation of unfitness, whatsoever, let alone *proving* any such thing, and they have continued those equally unconstitutional deprivations of my rights (liberty) and of my monies (property) since inception of the state case for Respondents’ fraudulent and unjust enrichments.

53. Accordingly, this conclusively demonstrates that your Petitioner’s fundamental rights to the constitutionally-guaranteed *retention* of my natural child custody rights (and of all attendant rights thereto), were defrauded **knowingly, willfully and intentionally** by the legal professionals criminally conspiring within the instant state court case complained of, to-wit: the state court judges, the family law attorneys familiar to the county, and their any various other leeches like any “guardian ad litem” or “parenting coordinator” who collude in such ongoing conspiracies.

STATE JUDGES ARE DISQUALIFIED FROM THEIR OWN TITLE IV-D MATTERS

54. Next, and independently, as regards any origination of child support orders in the first place, and as further regards any enforcement of child support orders originated within the same Lamar County, every judge and court of the same county is absolutely precluded by law from doing either of the same, since no judge may hear or address any matters in which the same judge has either a direct pecuniary interest (and that includes any involved business) and/or other working relationship with any beneficiary to such pecuniary interests, i.e., the other county officials, county agents, county units, and of course also the actual given County itself.

55. In 1975, the federal government determined that the best way to help women and children move from public assistance to self-sufficiency was to help them collect child support from the fathers. To ensure that states followed through with this idea, a state's receipt of welfare funding (under Title IV-A of the Social Security Act) was tied to its creation and operation of a child support enforcement program (under Title IV-D of the Social Security Act; hence the name "IV-D".) [S. REP. NO. 1356, 93d Cong., 2nd Sess. (1974)].

56. Nationwide, the child support program is governed almost exclusively by federal regulations. Title IV-D, 42 U.S.C. §651, et seq., spells out in great detail the standards state programs must meet to qualify for funding; The Texas OAG has contracted with counties to provide IV-D services for all divorce cases in the county, usually handled through the local domestic relations office. The district judges in those counties have enacted a local rule declaring that all divorce decrees entered after a certain date will be treated as IV-D cases. The parties may opt out of this referral, see TFC § 231.0011(c). The unadvised parties herein did not opt out.

57. TFC § 231.101, et seq., authorizes counties to enter into various agreements regarding Title IV-D services, and under a complicated formula, establishes various portions of the Title IV-D financial collections stream to be paid out in various percentages to the given county itself, the clerk of the county, the prosecutor of the county, and the judges of the county, whether by direct apportionment into their own salaries, budgets and/or otherwise. See also, enacted S.B. No. 1139, for various details and figures thereupon.

58. The contractual arrangements of Title IV-D ostensibly authorize counties to enter into various agreements regarding Title IV-D services, and under a complicated formula, establishes various portions of the Title IV-D financial collections stream to be paid out in various percentages to the given county itself, the clerk of the county, the prosecutor of the county, and

the judges of the county, whether by direct apportionment into their own salaries, budgets and/or otherwise. In short, it repugnantly creates a direct mercenary system, inducing rights violations by the same state actors on a truly massive scale against the unsuspecting and innocent citizenry.

59. As such, Texas family court judges have direct pecuniary interests as to the collection (“enforcement”) of *their very own* child support orders, the same going for every judge of their county likewise, hence court rules *preclude* any judge in their own county from - at least - presiding over any such child support matters, if not also completely from the entire given case.

60. The laws, rights and standards of the State of Texas are directly on par with sister States in concurring legal maxims involving conflicts of any fiduciary and/or other interests by judicial officers in respect to precluding cases they are NOT constitutionally or otherwise “lawfully” allowed to be engaged in. To disqualify a judge, typically the said interest should be direct and pecuniary. “[T]he interest which disqualifies a judge is that interest, however small, which rests upon a direct pecuniary or personal interest *in the result of the case* presented to the judge or court.” Cameron v. Greenhill, 582 SW2d 775, 776 (Tex. 1979). (emphasis added)

61. In Nalle v. City of Austin, 22 SW 668 (Tex. 1893), the Texas Supreme Court determined that the district judge who presided over the suit was indeed disqualified because he lived in and paid taxes to the City of Austin. The suit was brought by a property owner to enjoin collection of taxes and to cancel \$900,000 in bonds already issued. The injunction effectively prevented the tax levy. The Supreme Court said every property holder not only has an interest but a direct pecuniary interest in the result. By living and paying taxes in Austin, the judge was disqualified. A judge who is a stockholder in a corporation is disqualified from hearing a case in which that corporation is a party – Pahl v. Whitt, 304 SW2d 250 (Tex. App. – El Paso 1957, no writ history). The employment of the judge’s wife by the defendant corporation was a direct

pecuniary interest amounting to disqualification – *Gulf Maritime Warehouse v. Towers*, 858 SW2d 556 (Tex. App. – Beaumont 1993, denied).

62. A trial judge’s entry in the lawsuit by filing an answer and seeking attorney fees against the party filing a recusal motion created a direct pecuniary interest sufficient to disqualify – *Blanchard v. Krueger*, 916 SW2d 15 (Tex. App. – Houston [1st Dist.] 1995, no writ history). A trial judge whose pay was tied to the conviction rate in a drug impact court had a pecuniary interest and was disqualified – *Sanchez v. State*, 926 SW2d 391 (Tex. App. – El Paso 1996, Ref.).

63. The point is – judges may **never** engage in any matters involving conflicts of interest.

64. Because Texas family court judges, like the pending matters at hand, may also involve enforcement action over an alleged child support arrearage matter within the same county case aligned and interplexed with their own Title IV-D financial interests, the judges of the given County are *clearly precluded by law* from presiding in *their local own* such child support cases.

65. Lamar County, also the judges of the instant state court, with the opposing counsel and of course her client, Respondent Ashley, and certain other state and/or local governmental actors necessarily involved in such civil and/or criminal conspiracy, have already been defrauding large sums of money from me (Property rights – an established federal question), and *that* based upon *also* defrauding me of my well associated rights of “parenting time” and other “care, custody, control and management” rights to and with my own flesh and blood minor children (involving the various Liberty rights akin to those same direct blood relationships), along with certain other forms and methods of harassment and abuse of power over myself and my parent-child relationships, all without *ever* having **any** constitutionally-valid jurisdictional basis, nor any actual constitutionally-valid merit, in any of that, in the first place.

VIOLATIONS OF THE CONSUMER CREDIT PROTECTION AND FALSE CLAIMS ACTS

66. The Federal Consumer Credit Protection Act (“CCPA”), *see* 15 USC §§ 1601, et seq., controls and limits the maximum allowable regular (*cyclic*, i.e., weekly, bi-weekly, bi-monthly, monthly, etc.) amount of “child support” orders (actually, any and all “family support” orders) to expressly ONLY no more than certain maximum percentages of the ostensible obligor’s **actual disposable income**, i.e., the person’s actual, *real*, existing regular income, whatever that is, be that actual disposable income anywhere from ZERO dollars per regular cycle (i.e., unemployed) to apparently no maximum limit (theoretically even a million dollars weekly or infinitely more).

67. There is absolutely no toleration for the wanton practice of state courts attempting to use “imputed” income, i.e., imaginary, fictitious, wishful-thinking “fantasy” income, but ONLY the ostensible obligor’s *actual, real disposable income* may be used to consider garnishment levels in direct percentage, which maximum limit is spelled out in 15 USC § 1673 – a very short statute commonly imprinted upon virtually every child support “income withholding” order in America.

68. To the point herein, the instant state court, the instant judicial officer of the same, and the above-referenced individual and corporate Respondents, over the long course of the instant state case now removed, have all knowingly and also repeatedly violated the federal maximum amount and percentage limits of such “child support” orders and their related garnishment orders that they have knowingly and fraudulently created and issued against your Petitioner and my property (my money), i.e., knowingly and repeatedly violated the very well established and statutory maximum limits clearly enumerated under and within 15 USC § 1673(b)(2). They all knew that they were issuing fraudulent and void orders indicating amounts of garnishment well and way beyond the maximum limits of express federal law, particularly, for example, when I

was either unemployed or otherwise earning less than normally desired and expected (see “The Great Recession” for further details...), and yet Respondents are still maintaining that fraud.

69. Accordingly, each and every such above related child support “order” issued knowingly above and beyond the maximum limits of law are entirely null and **void**, expressly by law. *Id.* There is no lawful “civil debt” of such supposed “child support” (expressly fraudulent) “lien” lawfully held against me, and there never has been. It simply does not lawfully exist, at all, pursuant to the express mandate of federal statutory law – the supposed “civil debt” of supposed “child support” simply does not exist, because the state court conspirators got far too greedy and knowingly exceeded the absolute maximum limits of law in “deciding” what amounts of wholly false, fictitious and fraudulent “liens” in the equally false disguise of “child support” obtained by them only after initially defrauding my entire litany of established fundamental rights to retain full custody rights to my minor children in complete absence of any serious parental unfitness.

70. And then yet further, each and every such same act was, and is, also yet another solid proof in additional evidenced act of not only the various other aforementioned state and federal felony crimes, but obviously and indisputably again as yet another separate act perpetrated in their ongoing criminal conspiracy to wantonly and willfully defraud the United States and the Federal Government, i.e., each separate and additional act of making knowing False Claims for unlawfully seeking federal reimbursements under the same aforementioned Title IV-D scheme, that same (gargantuan...) pecuniary “windfall” scheme that state court (county) judges, clerks, and prosecutors, and/or their own personal budgets, all (grossly unethically) receive shares from, because they already knew and know that child support orders cannot exist without a disparate child custody arrangement, i.e., they **MUST** falsely reclassify one-half of the parents passing through their doors as supposed “abandoning” parents (“noncustodial”) as the prerequisite fraud.

RECAP

71. Therefore, your Petitioner has been unlawfully and directly subjected to a minimum of three (3) independent causes of action for direct removal under special civil rights Section 1443, i.e., false deprivation of parent-child relationships without (any) due process (whatsoever), the additional constitutional infirmity of failing to use the clear and convincing evidentiary standard in all matters allegedly pertaining to any action prospecting to impact the custody of any one or more minor children, and the equally-as-clear constitutional violations regarding the manifestly express Title IV-D conflicts of interest of state judicial officers precluding their involvements.

72. *Each* of the same three (3) constitutional questions is also an *independent* removal basis.

73. Furthermore, your Petitioner complains for the instant federal civil rights torts and direct federal court jurisdiction over those independent claims, and demands replevin or other refund of all Property (monies) taken without due process thereunder, further claiming civil damages for potential threats of jailing this Petitioner without jurisdiction (1st, 4th and 14th Amendments).

74. Accordingly, this Petitioner is most certainly entitled by law to full and complete restoral and remedy for **all monies**, including no less than all guise of “child support”, all the costs and expenses – including all attorneys’ fees – incurred as a result of all the false and malicious acts of categorically frivolous prosecutions and related abuses of power fraudulently inflicted upon both myself and my child (A.G.F.W.) by the Respondents and their criminal conspirators in said case, also both the direct and consequential financial damages to my person and estate caused and/or induced by the Respondents and their various said co-conspirators in both person and entity form, and most certainly not to ignore the absolutely equal entitlement of law to full and complete remedy for the lost physical/tangible elements of my falsely-deprived parent-child relationships, that is to say compelled additional parenting time beyond the basic 50/50

requirement, routinely exercised until such time as proper overall time balance of divided parenting time betwixt the parties is finally restored to an equitable status quo – and that such “makeup time” must begin promptly, that is to say since Respondent Ashley unconstitutionally enjoyed the vast majority of my child’s life by said long-ongoing violations of my equal rights for the former and previous entire period, I am constitutionally entitled to be made whole again, which is to say that not only am I entitled to function as primary custodian role with “50/50” time throughout the remainder of my child’s minority age, but I am also entitled to an extra ongoing amount of “parenting time” beyond that in pro-rated measure to compensate for all of the lost parenting time that I have been falsely deprived out of by the guilty Respondents.

75. In other words, I am entitled to have corresponding criminal prosecutions initiated forthwith against the individual Respondent Ashley and her immediate co-conspirators within the instant state court case, and I am further entitled by law to be reasonably compensated for all of the many egregious injuries they have 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 should be trebled due to such manifest fraud, plus punitive and/or other special damages awarded, along with me being actually made constitutionally whole again by this Court, i.e., to compel the full and immediate return of all such false “child support” thefts of my wealth, income and monies, plus with interest and penalties 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. I am not only 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”), but I am also therefore further entitled to an aggravated amount in such civil damages, as well as special and/or punitive damages, for Respondents’ fraudulent inducement of deprivations of parent-child relationship.

COUNTS I THROUGH X – Gender Discrimination, Violations of Equal Protection,

Violations of Pre-Deprivation Due Process, and other Constitutional Violations

[AGAINST ALL RESPONDENTS, AND OTHER PARTIES TO BE NAMED / SERVED]

76. Petitioner realleges all paragraphs above by reference the same as if fully set forth herein.

77. From the very beginning, although my equivalent paternity and custodial rights regarding all aspects of and to my natural children were therefore already legally established, both as above-described, and although those custodial rights are very well established as superior to the State’s **any** interest (which must *also* pass strict scrutiny, least intrusive, and such other constitutional hurdles), neither Respondent State of Texas nor Respondent Ashley nor anyone else has ever alleged any form or manner of serious parental unfitness *against me*, hence have never actually or validly initiated, let alone *proven* under due process procedures, any form or manner of unfitness deprivation action against me (“termination of parental rights”), hence have

never removed any part of my absolutely same and equal share of all such pre-existing custody rights to my natural child with Respondent Ashley in full like and equal kind... *whatsoever*.

78. Hence, clearly your Petitioner was unconstitutionally reclassified by Respondent State of Texas' actors and agents, vis-à-vis by the biased and prejudiced local county court systems and also by their variously aforementioned officers in full defiance of both the Federal Constitution and the Texas Constitution, arbitrarily and capriciously, as an utterly fictitious and so-called "noncustodial" parent, in full dearth of required pre-deprivation due process *whatsoever* before just unilaterally *removing and/or terminating* my custody rights, and then further issuing and executing all secondary false forms of likewise unconstitutional actions, including both in terms of financial (Property rights) issues, as well as the familial, associative, injunctive and other violations of Liberty rights issues, with a litany of other intertwined matters due to all the underlying wrongdoing by said adverse parties as acting in concert with other state actors by and through the substantive "conspiracy" elements in pending amendment via Section 1983 and other authorities. *See again, my Notice of Pending Amendment of Petition, et seq.*

79. So, the instant state court both: (a) never had any actual constitutionally-compliant jurisdiction over either of the parental parties' respective child custodial rights, in the first place; and (b) its various "orders" amount to nothing more than proof of fraud, proof of blatant gender discrimination, proof of total disdain for equal protection of the laws, proof of total disregard for equal privileges and immunities, and legally admissible solid proof (state court records) of also unilaterally *elevating* Respondent Ashley's "equal" rights, but then further simultaneously and unilaterally *demoting* the exact same "equal" rights of your Petitioner.

80. This arbitrary, lawlessly disparate treatment and blatant gender discrimination originally continued throughout upon this Petitioner, under repetitively meritless, frivolous actions filed by

Respondents and their attorneys subsequently rubber-stamped by the instant state court in like meritless fashion, also even willfully and intentionally performing additionally-unlawful acts.

81. The cause of action and civil damages for deprivation of parent-child relationship is well established in both the federal and state court systems. Within the federal system, the damages awarded are typically between \$110k to \$130k per child, per year. Within the state courts, these damages awarded are typically only between \$40k to \$60k per child, per year. Your Petitioner now elects to prosecute this cause of action as fully established within the federal court system, which is why it is included and delineated amongst these federal set of Counts in the list below.

82. Specific, individually listed Counts I through X follow, each to be amended within time allowed by Rule 15(a); See also Notice of Pending Amendment of Petition into Full Complaint.

83. Your Petitioner is entitled to and claims civil damages for false and tortious deprivation of parent-child relationship in varying degrees and times over the aforementioned several years.

84. Your Petitioner is entitled to and claims civil damages under 42 USC § 1981.

85. Your Petitioner is entitled to and claims civil damages under 42 USC § 1983.

86. Your Petitioner is entitled to and claims civil damages under 42 USC § 1985.

87. Your Petitioner is entitled to and claims civil damages under 42 USC § 1986.

88. Your Petitioner is entitled to and claims civil damages under 42 USC § 2000b-2.

89. Your Petitioner is entitled to and claims civil damages under U.S. Const., Amend. I for violations of the rights to free assembly, to familial association, and to petition for redress.

90. Your Petitioner is entitled to and claims civil damages under U.S. Const., Amend. IV for unreasonable seizures (both of liberty and property), including potential threats to falsely arrest.

91. Your Petitioner is entitled to and claims civil damages under U.S. Const., Amend V for deprivations of both liberty and property without due process of law.

92. Your Petitioner is entitled to and claims civil damages under U.S. Const., Amend. XIV for violations of equal protection, equal privileges and immunities, and gender discrimination.

93. Your Petitioner is also entitled to and claims special and/or punitive damages.

94. Your Petitioner is also entitled to and claims trial by jury of peers upon all issues.

WHEREFORE, your Petitioner prays this Court issue a declaratory judgment finding that the original state court proceedings now removed were void for lack of pre-deprivation due process, that this Petitioner was never lawfully reclassified as a “noncustodial” parent, and that the State of Texas failed to first properly allege and adjudicate serious parental unfitness as a legal prerequisite to any such reclassification of my own natural parent-child relationships, also for appropriate civil damages awards by peer jury in favor of Petitioner, against the Respondents jointly and severally with additional liable parties yet to be formally served, and for all other relief that is true, just, lawful and proper within the premises.

COUNTS XI THROUGH XVII – STATE LAW CLAIMS UNDER 28 USC § 1367

[AGAINST ALL RESPONDENTS, AND OTHER PARTIES TO BE NAMED / SERVED]

95. Petitioner realleges all paragraphs above by reference the same as if fully set forth herein.

96. All of the state law, common law, and tort type claims are so interdependent and also so inextricably intertwined with all the above federal claims as to be exactly the same in reality, and inseparable from each other’s context, hence supplemental jurisdiction is well entitled and had.

97. The cause of action and civil damages for deprivation of parent-child relationship is well established in both the federal and state court systems. Within the federal system, the damages awarded are typically between \$110k to \$130k per child, per year. Within the state courts, these damages awarded are typically only between \$40k to \$60k per child, per year. Your Petitioner

now elects to prosecute this cause of action as fully established within the federal court system, which is why it is included and delineated amongst the federal set of Counts in the above section.

98. By falsely reclassifying your Petitioner as a so-called “noncustodial” parent, in order to create a legally-fictitious civil debt of child support and falsely order extractions of large sums of money in the guise of said support, your Petitioner is entitled to have the Respondents promptly refund, with interest and penalties attached, the entirety of all said payment transfers, and your Petitioner further therein additionally alleges fraud and/or constructive fraud clearly perpetrated against fundamental, constitutional, statutory and other rights, for purposes of treble damages.

99. Specific, individually listed Counts XI through XVII follow next, each to be amended within time allowed; *See also* Notice of Pending Amendment of Petition into Full Complaint.

100. Your Petitioner is entitled to and claims civil damages under replevin of all monies taken falsely and/or fraudulently, via ostensible orders for child support, and due to frivolous litigation.

101. Your Petitioner is entitled to and claims civil damages for fraud and wanton conduct.

102. Your Petitioner is entitled to and claims civil damages for infliction of emotional distress.

103. Your Petitioner is entitled to and claims civil damages for malicious prosecution.

104. Your Petitioner is entitled to and claims civil damages for gross negligence.

105. Your Petitioner is entitled to and claims civil damages for abuse of process.

106. Your Petitioner is entitled to and claims civil damages for potential threats of false arrest and wrongful imprisonment, separately as state law claims, in addition to the same civil rights claims under the Federal Constitution and other federal authorities as stated in the above section.

107. Your Petitioner is also entitled to and claims special and/or punitive damages.

108. Your Petitioner is also entitled to and claims trial by jury of peers upon all issues.

WHEREFORE, your Petitioner prays this Court exercise its supplemental jurisdiction in issuing certain supporting declaratory judgments towards such trial by peer jury on these issues, also for one or more appropriate civil damages awards by said jury in favor of Petitioner, against the Respondents jointly and severally with additional liable parties yet to be formally named and served, and prays for all other relief that is true, just, lawful and proper within the premises.

SUMMARY AND PRAYER

109. Petitioner reiterates that his request for removal to this Court is not just about a supported and reasonable *expectation* of the future manifest deprivations of his various civil rights within said state court, but also that recklessly unlawful patterns of the same are **now well established** by Respondent Ashley's and her co-conspirators' own hands, hence they are all irrefutably guilty by law, in literal black-and-white proof by their own hands of their crimes...

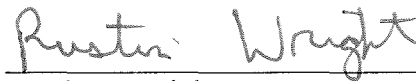
110. Without the immediate intervention, and the exercise of full jurisdiction and authority by this federal Court in retaining said lower state proceedings, at the very least with which to issue such appropriate declaratory and injunctive relief as to due process and equal civil rights, that this Petitioner may be otherwise subjected to manifestly *egregious* denials and inability to enforce in said state courts 'one or more rights under the laws providing for the equal rights of citizens of the United States', and will also be likewise unlawfully forced to suffer manifestly *irreparable* harm and due process injuries therein, without any further *reasonable* remedy at law.

111. This Petition and above basic emergency set of Counts will be soon amended into full version and served. *See again, Notice of Pending Amendment of Petition into Full Complaint.*

WHEREFORE, your undersigned Petitioner, Rustin P. Wright, now does pray for retaining the removal of the instant state court proceedings into, and under, the jurisdiction of this United States District Court, at a minimum for appropriate declaratory and injunctive relief, and/or to

further decide any supplementary matters regarding the state law claims as are inextricably intertwined, for trial by jury right on all issues so triable, for appropriate awards of civil damages in Petitioner's favor, to ORDER the Respondents to pay all costs, fees, and reasonable attorney expenses herein, and prays for all other relief that is true, just and proper within these premises.

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 *petition for removal*, 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)
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Law Office of Jennifer Gibo
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(Statutory party United States)
U.S. Attorney Joseph D. Brown
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State Bar of Texas
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Dallas, TX 75254

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



Rustin P. Wright

REGISTER OF ACTIONS

CASE No. 73540

IN THE INTEREST OF AYDEN GLEN FORREST WRIGHT, A MINOR CHILD §

§
§
§
§

Case Type: **Post Judgment: Action - Enforcement**
Date Filed: **05/17/2013**
Location: **6th District Court**

PARTY INFORMATION

Petitioner **WOMACK, ASHLEY BROOKE**
DL: TX03209726

DOB: 04/28/1979

Attorneys
JENNIFER GIBO
Retained
903-905-4964(W)

Respondent **WRIGHT, RUSTIN PEROT**
10603 MEMPHIS DRIVE
FRISCO, TX 75035
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DOB: 10/05/1977

JULIE WOLF
Retained
972-789-1664(W)

Joshua H. Northam
Retained
214-780-1400(W)

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

06/21/2018 **Order** (Judicial Officer: Biard, Will)

OTHER EVENTS AND HEARINGS

05/17/2013 **Case Filing Event**
05/17/2013 **CIVIL CASE INFORMATION SHEET**
05/17/2013 **MOTION FOR ENFORCEMENT**
05/17/2013 **MOTION TO MODIFY**
05/17/2013 **TEMP RESTRAINING ORDER-FAMILY LAW**
05/17/2013 **SERVICE**
05/17/2013 **SERVICE**
05/17/2013 **SERVICE**
05/17/2013 **Notice**
WRIGHT, RUSTIN PEROT Served 06/06/2013
Response Received 06/28/2013
05/17/2013 **Citation**
WRIGHT, RUSTIN PEROT Served 06/06/2013
Response Received 06/28/2013
05/17/2013 **Temporary Restraining Order**
WRIGHT, RUSTIN PEROT Served 06/06/2013
Response Received 06/28/2013
05/17/2013 **Post-Judgment: Enforcement (OCA)**
05/20/2013 **MOTION**
05/28/2013 **MOTION TO STRIKE**
05/29/2013 **ORDER RESETTING HEARING**
05/30/2013 **AMENDED ORDER**
05/30/2013 **AMENDED ORDER**
05/30/2013 **CLERK'S NOTE**
05/30/2013 **Hearing on Temporary Restraining Order (9:00 AM) (Judicial Officer Clifford, Eric)**
05/31/2013 **MOTION TO EXTEND TEMPORARY RESTRAINING ORDER**
05/31/2013 **ORDER TO EXTEND TEMPORARY RESTRAINING ORDER**
05/31/2013 **ORDER RESETTING HEARING**
05/31/2013 **APPLICATION FOR TEMPORARY RESTRAINING ORDER**
05/31/2013 **TEMP RESTRAINING ORDER-FAMILY LAW**
06/03/2013 **MOTION**
06/03/2013 **ORDER SETTING HEARING**
06/06/2013 **LETTER**
06/06/2013 **SERVED NOTICE OF HEARING**
06/06/2013 **SERVED TEMPORARY RESTRAINING ORDER**
06/06/2013 **SERVED CITATION**
06/06/2013 **OBJECTION**
06/06/2013 **Hearing on Temporary Restraining Order (1:30 PM) (Judicial Officer Clifford, Eric)**
06/07/2013 **ORDER SETTING HEARING**
06/07/2013 **Motion Hearing (10:00 AM) (Judicial Officer Clifford, Eric)**
Result: Reset
06/11/2013 **ORDER TO EXTEND TEMPORARY RESTRAINING ORDER**
06/12/2013 **ENTRY OF APPEARANCE**
06/12/2013 **NOTICE**

Exhibit A
Page 1 **of** 3

06/12/2013 MOTION TO EXTEND TEMPORARY RESTRAINING ORDER
 06/12/2013 ORDER TO EXTEND TEMPORARY RESTRAINING ORDER
 06/12/2013 Motion Hearing (1:30 PM) (Judicial Officer Clifford, Eric)
 06/25/2013 LETTER
 06/25/2013 ORDER SETTING HEARING
 06/25/2013 MOTION
 06/25/2013 MOTION
 06/28/2013 OTHER
 06/28/2013 CIVIL CASE INFORMATION SHEET
 06/28/2013 COUNTERPETITION
 06/28/2013 RESPONDENT'S ORIGINAL ANSWER
 06/28/2013 CERTIFICATE OF WRITTEN DISCOVERY
 06/28/2013 ANSWER
 06/28/2013 ANSWER
 06/28/2013 ANSWER
 06/28/2013 Hearing on Temporary Restraining Order (1:30 PM) (Judicial Officer Clifford, Eric)
 06/28/2013 Hearing (1:30 PM) (Judicial Officer Clifford, Eric)
 07/30/2013 RULE 11 AGREEMENT
 08/01/2013 LETTER SETTING JURY TRIAL DATE
 08/15/2013 CERTIFICATE OF WRITTEN DISCOVERY
 09/20/2013 CERTIFICATE OF WRITTEN DISCOVERY
 10/17/2013 LETTER SETTING JURY TRIAL DATE
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 12/16/2013 Pre-Trial Hearing (1:30 PM) (Judicial Officer Clifford, Eric)
 01/23/2014 Jury Trial (9:00 AM) (Judicial Officer Clifford, Eric)
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 07/16/2014 MOTION FOR MEDIATION
 07/21/2014 MOTION FOR CONTINUANCE
 07/21/2014 AMENDED MOTION TO MODIFY
 07/22/2014 NOTICE OF HEARING
 07/23/2014 Motion Hearing (1:30 PM) (Judicial Officer Harris, Bill)
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 08/01/2014 ORDER FOR CONTINUANCE
 09/05/2014 MOTION FOR SUBSTITUTION OF COUNSEL
 09/16/2014 ORDER ON MOTION FOR SUBSTITUTION OF COUNSEL
 10/23/2014 MOTION
 10/27/2014 LETTER
 10/29/2014 Motion Hearing (1:30 PM) (Judicial Officer Clifford, Eric)
 11/04/2014 START OF FILE #3
 11/05/2014 ORDER TO TRANSFER
 11/06/2014 LETTER
 11/11/2014 RESPONSE
 11/18/2014 ORDER
 02/20/2015 MOTION
 03/19/2015 Motion Hearing (1:30 PM) (Judicial Officer Harris, Bill)
 04/16/2015 NOTICE OF HEARING
 04/28/2015 NOTICE OF HEARING
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 06/26/2015 MOTION FOR TEMPORARY ORDERS
 06/26/2015 MOTION FOR ENFORCEMENT
 06/29/2015 NOTICE OF HEARING
 07/03/2015 MOTION
 07/06/2015 OBJECTION
 07/16/2015 ORDER TO APPEAR AND SHOW CAUSE
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 08/19/2015 PROPOSED ORDER
 08/20/2015 Hearing (10:00 AM) (Judicial Officer Biard, Will)
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 08/26/2015 RETURNED MAILED DOCUMENTS
 09/01/2015 MOTION FOR TEMPORARY ORDERS
 09/03/2015 MOTION FOR CONTINUANCE
 09/04/2015 NOTICE
 09/04/2015 NOTICE
 09/04/2015 OTHER
 09/04/2015 OTHER
 09/04/2015 MOTION TO WITHDRAW
 09/23/2015 ORDER GRANTING WITHDRAWAL

Exhibit A
 Page 2 of 3

06/06/2016 OTHER
 06/06/2016 OTHER
 07/07/2016 OTHER
 07/07/2016 LETTER SETTING JURY TRIAL DATE
 07/15/2016 RETURNED MAILED DOCUMENTS
 12/15/2016 Pre-Trial Hearing (9:00 AM) (Judicial Officer Biard, Will)
 01/03/2017 Jury Trial (9:00 AM) (Judicial Officer Biard, Will)
 09/08/2015 Reset by Court to 02/06/2017
 02/06/2017 Reset by Court to 01/03/2017

 01/03/2017 LETTER
 01/03/2017 MOTION TO DISMISS
 02/07/2017 ANSWER
 04/13/2018 TEMPORARY ORDERS
 04/17/2018 ORDER SETTING HEARING
 05/16/2018 Hearing (9:00 AM) (Judicial Officer Biard, Will)
 06/04/2018 NOTICE
 06/04/2018 OTHER
 06/21/2018 ORDER
 06/21/2018 DOCKET SHEET
 06/21/2018 MAILED FORM 165 TO AUSTIN
 06/21/2018 OTHER
 06/22/2018 INFO ENTERED INTO ST. DISBURSEMENT UNIT
 06/22/2018 ORDER
 07/05/2018 MAILED DEFAULT JUDGMENT NOTICE
 07/17/2018 LETTER
 08/02/2018 ISSUED ATTACHMENT
 08/02/2018 Issued Attachment
 WRIGHT, RUSTIN PEROT Unserved
 08/02/2018 Citation
 WRIGHT, RUSTIN PEROT Unserved
 08/02/2018 ISSUED CITATION
 08/02/2018 Citation
 WRIGHT, RUSTIN PEROT Unserved

FINANCIAL INFORMATION

Petitioner WOMACK, ASHLEY BROOKE			
	Total Financial Assessment		114.00
	Total Payments and Credits		114.00
	Balance Due as of 08/08/2018		0.00
05/17/2013	Transaction Assessment		114.00
05/17/2013	Payment	Receipt # 51881	(114.00)
		GIBO, JENNIFER M.	

Exhibit <u> A </u>
Page <u> 3 </u> of <u> 3 </u>

NO. 73540

IN THE INTEREST OF

A.G.F.W.

A CHILD

§ IN THE DISTRICT COURT

§

§ 6TH JUDICIAL DISTRICT

§

§ LAMAR COUNTY, TEXAS

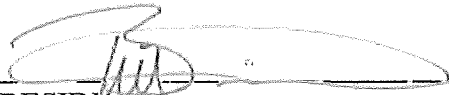
ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT

On August 2, 2018 there was presented to this Court a verified motion requesting a writ of attachment with respect to A.G.F.W., a child.

On the basis of the sworn statement in the petition and of the evidence and argument of counsel, the Court finds it necessary and proper to issue a writ of attachment immediately.

IT IS THEREFORE ORDERED that the clerk of this Court immediately issue a writ of attachment commanding any sheriff or constable within the state of Texas to take the body of A.G.F.W., a child, and to deliver the child safely into the possession of Ashley Brooke Womack at 8585 John Wesley Drive, #100, Frisco, Texas 75034. The person to whom the child is delivered is ORDERED to produce the child before this Court on August 9, 2018 at 1:30 pm m. in its courtroom, at which time and place a hearing shall be had to determine the right to possession of the child. IT IS FURTHER ORDERED that the clerk of this Court shall issue notice to Rustin Perot Wright of the time and place of the hearing.

SIGNED on 8/2/2018



JUDGE PRESIDING

Exhibit B
Page 1 of 5

Tess Anderson

NO. 73540

IN THE INTEREST OF

A.G.F.W.

A CHILD

§ IN THE DISTRICT COURT

§

§ 6TH JUDICIAL DISTRICT

§

§ LAMAR COUNTY, TEXAS

**TEMPORARY RESTRAINING ORDER
AND ORDER SETTING HEARING FOR TEMPORARY ORDERS**

The application of Petitioner, Ashley Brooke Womack, for temporary restraining orders was presented to the Court today. The child the subject of this suit is Ayden Glen Forrest Wright. Respondent is Rustin Perot Wright.

The Court examined the pleadings and affidavit of Petitioner and finds that Petitioner is entitled to a temporary restraining order.

IT IS THEREFORE ORDERED that the clerk of this Court issue a temporary restraining order restraining Respondent, and Respondent is immediately restrained, from:

Disturbing the peace of the child or of another party.

Withdrawing the child from enrollment in the school or day-care facility where the child is presently enrolled.

Hiding or secreting the child from Petitioner.

Making disparaging remarks regarding Petitioner or Petitioner's family in the presence or within the hearing of the child or on any form of social media.

Discussing any litigation concerning the child in the presence or within the hearing of the child or on any form of social media.

Consuming alcohol within the 12 hours before or during the period of possession of or access to the child.

Exhibit B
Page 2 of 5

Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time this suit was filed of, any health insurance policy insuring the child.

This restraining order is effective immediately and shall continue in force and effect until further order of this Court or until it expires by operation of law. This order shall be binding on Respondent; on Respondent's agents, servants, and employees; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise. The requirement of a bond is waived.

Respondent not to have possession of or access to the child until further order of this Court.

IT IS FURTHER ORDERED that the clerk shall issue notice to Respondent, Rustin Perot Wright, to appear, and Respondent is ORDERED to appear in person, before this Court in the courthouse at 119 North Main Street, Paris, Texas, on **August 9, 2018 at 1:30 p.m.**

The purpose of the hearing is to determine whether, while this case is pending:

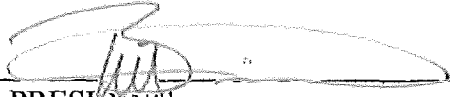
The preceding temporary restraining order should be made a temporary injunction pending final hearing.

The additional temporary injunction prayed for should be granted.

The Court should make all other and further orders that are pleaded for or that are deemed necessary for the safety and welfare of the child.

IT IS FURTHER ORDERED that any authorized person eighteen years of age or older who is not a party to or interested in the outcome of this suit may serve any citation, notice, or process in this case.

SIGNED on August 6, 2018 at 12:15 pm . M.



JUDGE PRESIDING

Exhibit B
Page 4 of 5

Tess Anderson

NO. 73540


EX PARTE § **IN THE DISTRICT COURT**
A.G.F.W., § **6TH JUDICIAL DISTRICT**
A CHILD § **LAMAR COUNTY, TEXAS**

ORDER SETTING HEARING ON WRIT OF HABEAS CORPUS FOR CHILD

On August 1, 2018 a verified Petition for Writ of Habeas Corpus with respect to A.G.F.W., a child, was presented to this Court. The Court finds it necessary and proper to immediately issue a writ of habeas corpus.

IT IS THEREFORE ORDERED by the Court that the clerk immediately issue a writ of habeas corpus directed to Rustin Perot Wright, Respondent, commanding Respondent to produce and have before this Court on August 9, 2018 at 1:30 p.m. A.G.F.W., a child, and to appear for a hearing to determine whether the child should be returned to Petitioner.

SIGNED on 8/6/2018



JUDGE PRESIDING

Exhibit B
Page 5 of 5

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
Rustin P. Wright

DEFENDANTS
State of Texas, et. al - see Attachment Sheet

(b) County of Residence of First Listed Plaintiff Collin
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address, and Telephone Number)
(pro se) see Notice of Appearance

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
Ken Paxton - see Attachment Sheet

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship and incorporation status. Includes options for Citizen of This State, Citizen of Another State, and Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal codes and checkboxes.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1443, 15 USC 1601; 31 USC § 3729
Brief description of cause:
Constitutional challenge to statutes, CCPA claims, False Claims Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: X Yes [] No

VIII. RELATED CASE(S) IF ANY

SEE NOTICE OF JUDICIAL DISQUALIFICATIONS
(See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Attachment to Civil Cover Sheet

Formal parties include *[persons to serve until their own counsel files an appearance]*:

1. This Petitioner [*Rustin P. Wright*];
2. Respondent State of Texas;
3. Respondent Ashley B. Womack; and,
4. Statutory Party United States.

Respondents:

State of Texas

Ashley B. Womack

Federal Statutory Party:

United States

United States

Party Service:

State of Texas
c/o Attorney General Kenneth Paxton
Office of the Attorney General
PO Box 12548
Austin, TX 78711-2548

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

Party Service:

Attorney General Jeff Sessions
c/o U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

U.S. Attorney Joseph D. Brown
Office of the U.S. Attorney
350 Magnolia Avenue, Suite 150
Beaumont, TX 77701

REGISTER OF ACTIONS

CASE No. 73540

IN THE INTEREST OF AYDEN GLEN FORREST WRIGHT, A MINOR CHILD

§
§
§
§
§

Case Type: **Post Judgment: Action - Enforcement**
Date Filed: **05/17/2013**
Location: **6th District Court**

PARTY INFORMATION

Petitioner **WOMACK, ASHLEY BROOKE**
DL: TX03209726

DOB: 04/28/1979

Attorneys
JENNIFER GIBO
Retained
903-905-4964(W)

Respondent **WRIGHT, RUSTIN PEROT**
10603 MEMPHIS DRIVE
FRISCO, TX 75035
DL: TX15964056

DOB: 10/05/1977

JULIE WOLF
Retained
972-789-1664(W)

Joshua H. Northam
Retained
214-780-1400(W)

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

06/21/2018 **Order** (Judicial Officer: Biard, Will)

OTHER EVENTS AND HEARINGS

05/17/2013 **Case Filing Event**
05/17/2013 **CIVIL CASE INFORMATION SHEET**
05/17/2013 **MOTION FOR ENFORCEMENT**
05/17/2013 **MOTION TO MODIFY**
05/17/2013 **TEMP RESTRAINING ORDER-FAMILY LAW**
05/17/2013 **SERVICE**
05/17/2013 **SERVICE**
05/17/2013 **SERVICE**
05/17/2013 **Notice**
WRIGHT, RUSTIN PEROT Served 06/06/2013
Response Received 06/28/2013
05/17/2013 **Citation**
WRIGHT, RUSTIN PEROT Served 06/06/2013
Response Received 06/28/2013
05/17/2013 **Temporary Restraining Order**
WRIGHT, RUSTIN PEROT Served 06/06/2013
Response Received 06/28/2013
05/17/2013 **Post-Judgment: Enforcement (OCA)**
05/20/2013 **MOTION**
05/28/2013 **MOTION TO STRIKE**
05/29/2013 **ORDER RESETTING HEARING**
05/30/2013 **AMENDED ORDER**
05/30/2013 **AMENDED ORDER**
05/30/2013 **CLERK'S NOTE**
05/30/2013 **Hearing on Temporary Restraining Order (9:00 AM) (Judicial Officer Clifford, Eric)**
05/31/2013 **MOTION TO EXTEND TEMPORARY RESTRAINING ORDER**
05/31/2013 **ORDER TO EXTEND TEMPORARY RESTRAINING ORDER**
05/31/2013 **ORDER RESETTING HEARING**
05/31/2013 **APPLICATION FOR TEMPORARY RESTRAINING ORDER**
05/31/2013 **TEMP RESTRAINING ORDER-FAMILY LAW**
06/03/2013 **MOTION**
06/03/2013 **ORDER SETTING HEARING**
06/06/2013 **LETTER**
06/06/2013 **SERVED NOTICE OF HEARING**
06/06/2013 **SERVED TEMPORARY RESTRAINING ORDER**
06/06/2013 **SERVED CITATION**
06/06/2013 **OBJECTION**
06/06/2013 **Hearing on Temporary Restraining Order (1:30 PM) (Judicial Officer Clifford, Eric)**
06/07/2013 **ORDER SETTING HEARING**
06/07/2013 **Motion Hearing (10:00 AM) (Judicial Officer Clifford, Eric)**
Result: Reset
06/11/2013 **ORDER TO EXTEND TEMPORARY RESTRAINING ORDER**
06/12/2013 **ENTRY OF APPEARANCE**
06/12/2013 **NOTICE**

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Page 1 **of** 3

06/12/2013 MOTION TO EXTEND TEMPORARY RESTRAINING ORDER
06/12/2013 ORDER TO EXTEND TEMPORARY RESTRAINING ORDER
06/12/2013 Motion Hearing (1:30 PM) (Judicial Officer Clifford, Eric)
06/25/2013 LETTER
06/25/2013 ORDER SETTING HEARING
06/25/2013 MOTION
06/25/2013 MOTION
06/28/2013 OTHER
06/28/2013 CIVIL CASE INFORMATION SHEET
06/28/2013 COUNTERPETITION
06/28/2013 RESPONDENT'S ORIGINAL ANSWER
06/28/2013 CERTIFICATE OF WRITTEN DISCOVERY
06/28/2013 ANSWER
06/28/2013 ANSWER
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04/28/2015 NOTICE OF HEARING
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06/11/2015 ORDER SETTING HEARING
06/16/2015 NOTICE OF HEARING
06/25/2015 Hearing (9:00 AM) (Judicial Officer Biard, Will)
06/26/2015 MOTION FOR TEMPORARY ORDERS
06/26/2015 MOTION FOR ENFORCEMENT
06/29/2015 NOTICE OF HEARING
07/03/2015 MOTION
07/06/2015 OBJECTION
07/16/2015 ORDER TO APPEAR AND SHOW CAUSE
07/28/2015 NOTICE OF HEARING
07/28/2015 NOTICE OF HEARING
08/06/2015 Hearing (3:30 PM) (Judicial Officer Biard, Will)
08/06/2015 Hearing (3:30 PM) (Judicial Officer Biard, Will)
08/06/2015 *08/06/2015 Reset by Court to 08/06/2015*
08/13/2015 Pre-Trial Hearing (9:00 AM) (Judicial Officer Biard, Will)
08/17/2015 NOTICE OF HEARING
08/19/2015 PROPOSED ORDER
08/20/2015 Hearing (10:00 AM) (Judicial Officer Biard, Will)
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09/03/2015 MOTION FOR CONTINUANCE
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09/04/2015 NOTICE
09/04/2015 OTHER
09/04/2015 OTHER
09/04/2015 MOTION TO WITHDRAW
09/23/2015 ORDER GRANTING WITHDRAWAL

Exhibit A
Page 2 of 3

06/06/2016	OTHER		
06/06/2016	OTHER		
07/07/2016	OTHER		
07/07/2016	LETTER SETTING JURY TRIAL DATE		
07/15/2016	RETURNED MAILED DOCUMENTS		
12/15/2016	Pre-Trial Hearing (9:00 AM) (Judicial Officer Biard, Will)		
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	09/08/2015 Reset by Court to 02/06/2017		
	02/06/2017 Reset by Court to 01/03/2017		
01/03/2017	LETTER		
01/03/2017	MOTION TO DISMISS		
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06/04/2018	OTHER		
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06/21/2018	DOCKET SHEET		
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06/22/2018	ORDER		
07/05/2018	MAILED DEFAULT JUDGMENT NOTICE		
07/17/2018	LETTER		
08/02/2018	ISSUED ATTACHMENT		
08/02/2018	Issued Attachment		
	WRIGHT, RUSTIN PEROT	Unservd	
08/02/2018	Citation		
	WRIGHT, RUSTIN PEROT	Unservd	
08/02/2018	ISSUED CITATION		
08/02/2018	Citation		
	WRIGHT, RUSTIN PEROT	Unservd	

FINANCIAL INFORMATION

	Petitioner WOMACK, ASHLEY BROOKE			
	Total Financial Assessment			114.00
	Total Payments and Credits			114.00
	Balance Due as of 08/08/2018			0.00
05/17/2013	Transaction Assessment			114.00
05/17/2013	Payment	Receipt # 51881	GIBO, JENNIFER M.	(114.00)

Exhibit <u> A </u>
Page <u> 3 </u> of <u> 3 </u>

NO. 73540

IN THE INTEREST OF

A.G.F.W.

A CHILD

§ IN THE DISTRICT COURT

§

§ 6TH JUDICIAL DISTRICT

§

§ LAMAR COUNTY, TEXAS


ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT

On August 2, 2018 there was presented to this Court a verified motion requesting a writ of attachment with respect to A.G.F.W., a child.

On the basis of the sworn statement in the petition and of the evidence and argument of counsel, the Court finds it necessary and proper to issue a writ of attachment immediately.

IT IS THEREFORE ORDERED that the clerk of this Court immediately issue a writ of attachment commanding any sheriff or constable within the state of Texas to take the body of A.G.F.W., a child, and to deliver the child safely into the possession of Ashley Brooke Womack at 8585 John Wesley Drive, #100, Frisco, Texas 75034. The person to whom the child is delivered is ORDERED to produce the child before this Court on August 9, 2018 at 1:30 pm m. in its courtroom, at which time and place a hearing shall be had to determine the right to possession of the child. IT IS FURTHER ORDERED that the clerk of this Court shall issue notice to Rustin Perot Wright of the time and place of the hearing.

SIGNED on 8/2/2018



JUDGE PRESIDING

Exhibit B
Page 1 of 5

Tess Anderson

NO. 73540

**IN THE INTEREST OF
A.G.F.W.
A CHILD**

**§ IN THE DISTRICT COURT
§
§ 6TH JUDICIAL DISTRICT
§
§ LAMAR COUNTY, TEXAS**

**TEMPORARY RESTRAINING ORDER
AND ORDER SETTING HEARING FOR TEMPORARY ORDERS**

The application of Petitioner, Ashley Brooke Womack, for temporary restraining orders was presented to the Court today. The child the subject of this suit is Ayden Glen Forrest Wright. Respondent is Rustin Perot Wright.

The Court examined the pleadings and affidavit of Petitioner and finds that Petitioner is entitled to a temporary restraining order.

IT IS THEREFORE ORDERED that the clerk of this Court issue a temporary restraining order restraining Respondent, and Respondent is immediately restrained, from:

Disturbing the peace of the child or of another party.

Withdrawing the child from enrollment in the school or day-care facility where the child is presently enrolled.

Hiding or secreting the child from Petitioner.

Making disparaging remarks regarding Petitioner or Petitioner's family in the presence or within the hearing of the child or on any form of social media.

Discussing any litigation concerning the child in the presence or within the hearing of the child or on any form of social media.

Consuming alcohol within the 12 hours before or during the period of possession of or access to the child.

Exhibit B
Page 2 of 5

Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time this suit was filed of, any health insurance policy insuring the child.

This restraining order is effective immediately and shall continue in force and effect until further order of this Court or until it expires by operation of law. This order shall be binding on Respondent; on Respondent's agents, servants, and employees; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise. The requirement of a bond is waived.

Respondent not to have possession of or access to the child until further order of this Court.

IT IS FURTHER ORDERED that the clerk shall issue notice to Respondent, Rustin Perot Wright, to appear, and Respondent is ORDERED to appear in person, before this Court in the courthouse at 119 North Main Street, Paris, Texas, on **August 9, 2018 at 1:30 p.m.**

The purpose of the hearing is to determine whether, while this case is pending:

The preceding temporary restraining order should be made a temporary injunction pending final hearing.

The additional temporary injunction prayed for should be granted.

The Court should make all other and further orders that are pleaded for or that are deemed necessary for the safety and welfare of the child.

IT IS FURTHER ORDERED that any authorized person eighteen years of age or older who is not a party to or interested in the outcome of this suit may serve any citation, notice, or process in this case.

SIGNED on August 6, 2018 at 12:15 pm . M.



JUDGE PRESIDING

Exhibit B
Page 4 of 5

Tess Anderson

NO. 73540


EX PARTE § **IN THE DISTRICT COURT**
A.G.F.W., § **6TH JUDICIAL DISTRICT**
A CHILD § **LAMAR COUNTY, TEXAS**

ORDER SETTING HEARING ON WRIT OF HABEAS CORPUS FOR CHILD

On August 1, 2018 a verified Petition for Writ of Habeas Corpus with respect to A.G.F.W., a child, was presented to this Court. The Court finds it necessary and proper to immediately issue a writ of habeas corpus.

IT IS THEREFORE ORDERED by the Court that the clerk immediately issue a writ of habeas corpus directed to Rustin Perot Wright, Respondent, commanding Respondent to produce and have before this Court on August 9, 2018 at 1:30 p.m. A.G.F.W., a child, and to appear for a hearing to determine whether the child should be returned to Petitioner.

SIGNED on 8/6/2018



JUDGE PRESIDING

Exhibit B
Page 5 of 5

Court Name: Eastern District of Texas
Division: 1
Receipt Number: TXE100016937
Cashier ID: mp
Transaction Date: 08/09/2018
Payer Name: RUSTIN P WRIGHT

CIVIL FILING FEE
For: RUSTIN P WRIGHT
Amount: \$400.00

CREDIT CARD
Amt Tendered: \$400.00

Total Due: \$400.00
Total Tendered: \$400.00
Change Amt: \$0.00

CIVIL FILING FEE FOR 4:18CV567
WRIGHT V STATE OF TEXAS

ORIGINAL MUST BE RETAINED FOR
RETURN OF CRIMINAL BOND

COURTS/USDC-TX-E-B
300 WILLOW ST
BEAUMONT, TX 77701
(903) 590-1007

SALE

MID: 000025552018
TID: 007 REF#: 00000082
Batch #: 221001 RRN: 520100002
08/09/18 13:34:21
AVS: Y CVC: M
ORDER#: 00000082
APPR CODE: 02125Z
MASTERCARD Manual CNP
*****6420 **/**

AMOUNT \$400.00

APPROVED

CUSTOMER COPY