

MAY 17 2024

No. 23A1039

In the

Supreme Court of the United States

Daniel Scott Robinson

Applicant,

v.

Supreme Court of Hawaii

Respondent.

On Application For Stay Of Proceedings, On Petition For A Writ Of Certiorari To
The Supreme Court of Hawai'i

APPLICATION FOR STAY OF PROCEEDINGS PENDING APPEAL TO THE
SUPREME COURT OF THE UNITED STATES

To the Honorable Elena Kagan
Associate Justice of the Supreme Court of the United States
and Circuit Justice for the Ninth Circuit

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MAY 21 2024

PARTIES TO THE PROCEEDINGS

Parties to the proceedings below are as follows:

Applicant Daniel Scott Robinson is the applicant in the Hawaii State Supreme Court.

Respondents are Hawaii State Supreme Court, Hawaii Intermediate Court of Appeals, Hawaii 3rd Circuit Family Court, Judge Jeffrey NG, Judge Mahilani Hiatt, Deputy Attorney General Lynn Youmans, Hawaii Department of Human Services Hearing officer Lane Yoshida, Hawaii Department of Human Services Child Welfare Services, Social Worker Cheryl De Lima, Tamara Louise Robinson

RELATED CASES

- In Re Daniel Scott Robinson No. SPCW-24-0000004, Hawaii State Supreme Court, Judgement entered February 2nd, 2024.
- DR V TR No. CAAP-24-0000066, Hawaii Intermediate Court of Appeals, Judgement entered February 7th, 2024.
- TR v DR No. CAAP-23-0000617, Hawaii Intermediate Court of Appeals, No judgement entered.
- Daniel Scott Robinson v. DEPARTMENT OF HUMAN SERVICES Child Welfare Services Branch, State of Hawaii, Administrative Hearing August 6th, 2023, with hearing officer Lane Yoshida, and Hawaii Deputy Attorney General Lynn Youmans, Judgement Mailed October 23rd, 2023.
- TR v DR No. CAAP-23-0000525, Hawaii Intermediate Court of Appeals, No judgement entered.

- Daniel Scott Robinson vs Tamara Louise Robinson, No. 3FDA-23-0000660, Hawaii 3rd Circuit Family Court, Judgement entered November 1st, 2023.
- Tamara Robinson, OBOM vs Daniel S. Robinson, No. 3FDA-23-0000643, Hawaii 3rd Circuit Family Court, Judgement entered November 1st, 2023.
- Daniel Scott Robinson v. Department of Human Services, Child Welfare Services Branch, State of Hawaii, Department of Human Services Administrative Hearing, Judgement mailed October 23rd, 2023.
- Daniel Scott Robinson vs Tamara Louise Robinson, No. 3FDV-22-0000801, Hawaii 3rd Circuit Family Court
- Tamara Louise Robinson vs Daniel Scott Robinson, No. 3FDV-22-0000786,

CORPORATE DISCLOSURE STATEMENT

As required by this Court's Rule 29.6, Applicants hereby submit the following corporate-disclosure statement.

Applicant Daniel Scott Robinson has no corporate disclosures to make and is an individual pro se litigant.

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**TO THE HONORABLE ELENA KAGAN, ASSOCIATE JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE
FOR THE NINTH CIRCUIT:**

Per 28 U.S.C. § 2101(f), and Rules of the Supreme Court of the United States Rule 22, the applicant hereby humbly requests a stay of proceedings in case No. 3FDV-22-0000801 which is the case of origin in U.S. Supreme Court application No. 23A950 for a petition for Writ of Certiorari to the U.S. Supreme Court. In this case 3 Notices of Unconstitutionality and more than 6 Motions for Stay of Proceedings have been completely ignored.

On February 7th, 2024, the Hawaii State Supreme Court cited an H.B.O. T.V. series (the Wire) and pop culture by invoking the “spirit of Aloha” and stating that “the thing about the old days, they the old days” as reasoning for publicly defying U.S. Supreme Court precedent in Hawaii State Supreme Court case SCAP-22-0000561.

The applicant believes that just as the Hawaii State Supreme Court ignored the law in the above case that the Hawaii State Judiciary ignored the law in this case and is no longer a court of law but a court of public opinion and pop culture in which the law is ignored. The applicant in this case will be requesting that the Hawaii State Judiciary be taken under Federal Receivership in his Petition for Writ of Certiorari due to its inability to follow the law. And the Hawaii state Judiciary is doing everything it can to stop this application for petition for Writ of Certiorari because of that.

This case is of national importance because it involves the “best interests” used in 26 states, and in this case, the “best interest” was used to retaliate against the applicant after he filed 2 of Notices of Unconstitutionality, and presented evidence of what he believes is the state of Hawaii in violation of 18 U.S.C. § 371 to defraud the Federal Government and obstruction of justice 18 U.S.C. 1503 in which the applicant believes the Hawaii State Supreme Court and Intermediate Court of Appeals then purposely obstructed justice in case No. SCPW-24-0000004 and case No. CAAP-24-0000066 in order to hide the state judiciaries crimes in violation of 18 U.S.C. § 242, 18 U.S.C. § 241, 18 U.S.C. § 371, 18 U.S.C. § 96, 18 U.S.C. 1503, 18 U.S.C. § 1512, 18 U.S.C. 1513.

The Hawaii State Supreme Court refused to hear the 3 Notices of Unconstitutionality and many Motions for Stay due to the state flat out admitting in state documents Hawaii SB2716 (2010), as well as the Child and Family Service Plans (CFSP), Annual Progress Services Report (ASPR), and April, 2024 State Audit of the Department of Human Services’ Child Welfare Services Branch that it is in violation of federal and constitutional law and federal grant funding requirements.

Under these unconstitutional laws the state of Hawaii has taken more than 10,000 children without a warrant in violation of the 1st, 4th, 5th, 6th, 14th amendments and 18 U.S.C. § 241, and 18 U.S.C. § 242 and destroyed tens of thousands of families using a set of 3 illegal laws that were enacted according to state documents in violation of 18 U.S.C. 371 to what the applicant believes is

gather \$50,000,000/year in federal grant funding while violating the 1st, 4th, 5th, 6th, and 14th amendments as well as 42 U.S.C. §471, 42 U.S.C. § 472, and 42 U.S.C. § 5106. Proof of this is in that these laws have done nothing but destroy families while enriching the state.

The applicant believes the State Supreme Court refused to hear the Notices and Motions because it does not want to change the law so it can continue to fraudulently gather billions of dollars in federal Social Security Act Title IV-A, B, D, and E grant funding and protect itself from lawsuits in violation of the above stated federal and constitutional statutes and amendments.

Put plainly, the Hawaii State Supreme Court case No. SCPW-24-0000004 and Intermediate Court of Appeals case No. CAAP-24-0000066 denied a Notice of Unconstitutionality and granted a Petition for Writ of Certiorari and wrongly found that they did not have "jurisdiction" in case No. 3FDV-22-0000801 due to the orders being "appealed from" were not "final orders". However, the orders being "appealed from" in case 3FDV-22-0000801 were carried over from case No. 3FDA-23-0000643 in which the applicant was found innocent "with prejudice" on November 1st, 2023, and therefore those orders were part of a case in which "final orders" were determined.

On November 22nd, 2023, Judge Jeffrey NG reordered orders from case 3FDA-23-0000643 in which the applicant had been found innocent "with prejudice" on November 1st, 2023, into case No. 3FDV-22-0000801. On December 21st, 2023, the applicant filed a notice of unconstitutionality in the Hawaii 3rd Circuit Family

Court in case 3FDV-22-0000801 accusing the court of obstruction of justice and providing evidence of corruption due to orders filed by Judge Jeffrey Ng re-ordered on November 16th, 2023, and filed on November 22nd, 2023. The Hawaii 3rd Circuit court refused to allow the applicant to file the notice of unconstitutionality and forced the applicant to send the Notice to the Hawaii State Supreme Court by U.S.P.S. mail.

The clerk for the State Supreme Court called the applicant and told the applicant to send them a letter explaining exactly what the applicant wanted. The applicant then sent a 2-page letter filed in the Hawaii State Supreme Court case No SCPW-24-0000004 filed on January 2nd, 2024, stating that he was seeking to file a Notice of Unconstitutionality. However, the Hawaii State Supreme Court refused to allow a Notice of Unconstitutionality and instead filed the applicants Notice of Unconstitutionality as a Petition for Writ of Certiorari. The applicant believes they did this to try and stop him from proving that Hawaii Revised Statutes (HRS) 587A, 586, and 571-46 are unconstitutional and to stop him from providing evidence of violation of the above-mentioned federal and constitutional laws.

The applicant then submitted a Motion for Stay of Orders on January 28th, 2024, in Hawaii State Supreme Court case No SCPW-24-0000004 with over 700 pages of state documents of what the applicant believes is evidence of the above stated violations of federal and constitutional law which was completely ignored. And then shortly after on February 2nd, 2024, the Hawaii State Supreme Court handed down a decision in case SCPW-24-0000004 in which it stated that it had no

“jurisdiction” over the applicant s case and sent his case to the Intermediate court of appeals, case No. CAAP-24-0000066.

On February 7th, 2024, the Intermediate Court of Appeals stated that they too had no jurisdiction due to the orders “appealed from” in case No. 3FDV-22-0000801 not being “final orders” and therefore not appealable. Neither the Hawaii State Supreme Court or Intermediate Court of Appeals even looked at the evidence of corruption or unconstitutionality. The applicant believes they simply found an illegal reason to ignore it by stating they had no jurisdiction over the applicant’s case which is a lie, and the applicant believes a violation of the above stated federal and constitutional laws.

However, again, the orders that the applicant filed a Notice of Unconstitutionality and “appealed from” filed in case No. 3FDV-22-0000801 on November 22nd, 2023, where in fact originally ordered by Judge Mahilani Hiatt in case 3FDA-23-0000643 on August 15th, 2023, in which a “final order” determined that the applicant was innocent of any wrongdoing “with prejudice” on November 1st, 2023. And the Hawaii State Supreme Court and Intermediate Court of Appeals did in fact have jurisdiction but stated they did not in order to protect Judge Jeffrey NG and cover up the evidence that the applicant provided of Hawaii states violation of federal and constitutional law stated above.

In case 3FDA-23-0000643 the applicant had the plaintiff’s lawyer kicked off the case for violating rules of judicial conduct 1.7, a falsified determination of being a “threat” of “harm” written against the applicant that contained absolutely no

evidence by the Hawaii Department of Human Services Child Welfare Services reversed, and in which the applicant was eventually found “Not to be a threat”, and the applicant had “action taken” against Judge Mahilani Hiatt for judicial misconduct by the Hawaii Commission on Judicial Conduct.

Judge Jeffrey NG then simply reordered the illegal orders from case No. 3FDA-23-0000643 into case No. 3FDV-22-0000801 two weeks later which he stated he would do at the trial in case No. 3FDA-23-0000643 in what the applicant believes was as an act of obstruction of justice and retaliation against the applicant for what the applicant believes is his uncovering of the Hawaii Judiciaries, and Hawaii states corruption and unconstitutional laws.

Therefore, the applicant believes the orders and judgements by Judge Jeffrey NG on November 16th, 2023, the Hawaii State Supreme Court decision on February 2nd, 2024, and Intermediate Court of Appeals decision on February 7th, 2024 were in fact a cover up, fraud, and an act of obstruction of justice and retaliation in order to try and stop the applicant from exposing the corruption of the Hawaii State Judiciary.

The Hawaii State Supreme Court and Intermediate Court of Appeals simply tried to make the applicant go away not knowing that he would find a possible audience with the U.S. Supreme Court as he possibly very humbly has in U.S. Supreme Court application No. 23A950.

The applicant also filed Notices of Unconstitutionality in case number 3FDA-23-0000643 which was wrongly filed as Hawaii Intermediate Court of Appeals case

No. CAAP-23-0000525 and in the case of Daniel Scott Robinson v. DEPARTMENT OF HUMAN SERVICES, Child Welfare Services Branch which was wrongly filed as Hawaii Intermediate Court of Appeals case No. CAAP-23-0000617.

And in all these cases the applicant has filed more than six Motions for Stay of Orders or Proceedings and in all cases the Notices of Unconstitutionality were wrongly filed and Motions for Stay of Orders, or Proceedings were completely ignored.

This court is likely to grant certiorari in this case and the applicant will likely prevail on the merits, including through possible summary reversal. The Hawaii State Supreme Court did not even attempt to grapple with the unconstitutionality of the laws questioned, the state of Hawaii's own admission that the laws are unconstitutional, the abuse of discretion, the obstruction of justice, retaliation, or witness tampering that was presented to them.

Considerations of irreparable harms call for a stay. Absent a stay, the applicant will suffer irreparable harm from the violation of his rights and the loss of the federal and constitutional protections, in which protections the applicant has unsuccessfully sought to stop certain States' abuses. Now the Hawaii state judiciary will return to their abusive practices, infringing upon the applicants as well as other citizens constitutionally protected rights while ignoring the state, federal and constitutional laws. A stay will not impose harm of the State of Hawaii or the respondents, as they can always litigate the laws legality of the constitutional protections without having to do the work of proving any legal deficiency.

OPINIONS BELOW

The Hawaii State Supreme court decision filed on February 2nd, 2024, IN RE DANIEL SCOTT ROBINSON and the Hawaii Intermediate Court of Appeals decision filed on February 7th, 2024, D.R., Plaintiff- applicant, v. T.R., Defendant- Appellee. Orders by Judge Jeffrey NG in case No. 3FDV-22-0000801 filed on November 22nd, 2023 , final order by Judge Jeffrey NG in case No. 3FDA-23-0000643 filed on November 1st, 2023 Appendix D, and original orders by Judge Hiatt in case No. 3FDA-23-0000643 filed on August 15th, 2023.

JURISDICTION

The Hawaii State Supreme Court entered its decision on February 2nd, 2024, , and the Hawaii Intermediate Court of Appeals entered its decision on February 7th, 2024. A Motion for Stay Pending Appeal was submitted on February 13th, 2024, which was completely ignored by the courts. The Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States, and Circuit Justice for the Ninth Circuit granted a Time Extension on April 24th, 2024, Until July 1st, 2024. A second Motion for Stay of Proceedings Pending Appeal was filed on May 2nd, 2024, in the Hawaii 3rd Circuit Court since the above mentioned Hawaii State Supreme Court Case has been closed and this Motion for Stay of Proceedings Pending Appeal again was completely ignored. This Court has jurisdiction under Federal Rules of Appellate Procedure Rule 8. Stay or Injunction Pending Appeal, as well as 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

The constitutional rights already defined in the 1st, 4th, 5th, 6th, and 14th amendments that allow a citizen to have familial association, be free from warrantless seizures, not have justice obstructed, defend themselves and their families as pro se litigants, right to a jury trial, have the fundamental right of parents to direct the care, upbringing, and education of their children as well as the right to not have justice obstructed.

“Public Law”, or Federal code, already defined in the Social Security Act Title IV-E Section § 472 and § 471 as well as in 42 U.S.C. Section § 5106 when a court may act in the “best interest” of a child. And per the stated codes it is not unless a parent commits murder or “serious bodily injury”.

The 10th amendment also states that “any powers that are not specifically given to the federal government, nor withheld from the states, are reserved to those respective states, or to the people at large.” In this case, the state of Hawaii abused its power and discretion and enacted 3 statutes, Hawaii Revised Statute (HRS) §587A, HRS §586, and HRS §571-46 that states that the state of Hawaii could use “Public Law” to act in the ‘best interest” of children when there is a simple “threat” of “harm” using nothing more than “hearsay” in violation of the above mentioned federal and constitutional provisions.

This has allowed the State of Hawaii to seize more than ten thousand children without warrants and separate tens of thousands of children from parents using nothing more than “hearsay” and or false allegations.

STATEMENT

In 2010 the Hawaii state legislature passed Hawaii SB2716 which became Hawaii Revised Statute 587A, the Child Protective Act, in order to gather \$40,000,000/year in federal grant funding from the federal Health and Human Service Social Security Act Title IV-E grant funds. In doing so, it granted the state of Hawaii the right to seize a child from a family under a “threat” of “harm” for up to ninety days without a court order using nothing more than “hearsay” or false allegations alone in violation of the above mentioned federal and constitutional provisions.

HRS §587A became the basis for HRS § 571-46 which allowed the Hawaii Family Court system to act in the “best interest” of a child and remove a parent’s 1st, 4th, 5th, 6th, and 14th amendment rights based on “hearsay” or false allegations alone. And in turn remove a child from a parent’s custody without any “findings of fact” or “Conclusions of Law” and without any actual evidence being presented in violation of the above stated federal laws or constitutional amendments.

This law also became the basis for Hawaii Revised Statute 586, the temporary restraining order law, in which any parent could make any accusations at all against another parent, and the accused parent would lose custody of a child without any evidence being presented based on the “best interest” of a child. Since 2010 more than ten thousand children have been taken from parents under these laws without a warrant. And tens of thousands of children have been separated

from their parents without any evidence of the parent's wrongdoing based on "hearsay" alone in violation of the above federal and constitutional provisions.

Due to these laws' subjectivity, "vagueness", and contradiction with laws such as HRS § 703-309 as well as the 1st, 4th, 5th, 6th, and 14th amendments it makes it impossible for defendants to defend themselves, their rights, and most importantly their rights to their children, or rights to raise their children. And it makes it impossible for a parent to know if and when they have crossed a legal line. It allows judges to abuse their discretion, and it allows state agencies to write whatever reports they like without any evidence other than hearsay and remove children from a home in violation of the above stated federal and constitutional provisions.

However, the state has stated in the enactment of the laws themselves in Hawaii SB2716 (2010) that the laws were enacted not to protect children but to gather federal funding. The state admitted in the internal senate memos in the enactment of Hawaii SB2716 (2010) which became HRS 587A that it was enacted strictly to gather federal funding.

The state has also stated in reports to the federal health and human services through Child and Family Service Plans (CFSP) and Annual Progress and Services Reports (APSR) as well as the April 2024 State Audit of the Department of Human Services' Child Welfare Services Branch that it is in violation of federal and constitutional law and federal grant funding requirements. And the state has stated once again in past senate bills that were not passed that it is out of compliance with the 14th amendment. *And yet, the state continues to remove children*

from homes without a warrant and separate parents from their children using nothing more than hearsay in violation of the above federal and constitutional laws.

The state of Hawaii stated that they are using “public law” to act in the “best interests” of children. Yet, just as the state of Hawaii erred in the Hawaii State Supreme Court case SCAP-22-0000561 by stating that it is using “Public Law” to refute U.S. Supreme Court Precedent, the State of Hawaii does not realize that “Public Law” is for the good of all public, throughout the country, and not just the state of Hawaii.

Since the enactment of these laws the state of Hawaii has used the 11th, amendment, “absolute immunity”, and “qualified immunity” of judges, state senators, and other government officials in order to shield itself from lawsuits. And as in this case, the state judiciary will stop at nothing to make sure that it protects its own officials from lawsuits and or any liability by retaliating against citizens.

While all these laws have gone unchallenged for 14 years, the state of Hawaii has continued to what the applicant believes is receive billions of dollars in federal Health and Human Services Social Security Title IV-A, B, D and E grant funding in violation of the above constitutional amendments as well as 42 U.S.C. § 472, 42 U.S.C. § 471, 42 U.S.C. 5106, and 18 U.S.C. 371. That is why the State of Hawaii is trying to stop the applicant from challenging these laws.

The applicant in this case presented thousands of pages of state documents in what he believes is evidence of what the applicant believes is racketeering, obstruction of justice, retaliation, and witness tampering in the Hawaii 3rd Circuit

Family court to Judge NG, the Hawaii State Supreme Court, as well as the Hawaii Intermediate Court of Appeals and it goes completely ignored.

REASONS FOR GRANTING THE MOTION FOR STAY OF PROCEEDINGS

This Court may grant a stay of the Hawaii Third Circuits proceedings in case No 3FDV-22-0000801, if there is “(1) a reasonable probability that four justices will consider the issue sufficiently meritorious to grant certiorari; (2) a fair prospect that a majority of the Court will vote to reverse the judgment below; and (3) a likelihood that irreparable harm will result from the denial of a stay.” Applicant humbly believes he has plainly satisfied these standards here and very humbly request a Stay of Proceedings.

I. This Court Should Issue A Stay Pending Appeal

The ability of a court to act in the “best interests” of a child in violation of federal and constitutional protections is used in 26 states. It is clearly a matter of national importance which this Court has not heard for more than 3 decades. During that time the states have abused their discretion and used the 10th and 11th amendments to enact unconstitutional laws and unjustly shield themselves from lawsuits while separating millions of children from their families in order to what the applicant believes is fraudulently gather federal grant funding in violation of citizens federal and constitutional rights.

Given the Hawaii State Supreme Courts public rebuke of the U.S. Supreme Court Precedent in Hawaii State Supreme Court case SCAP-22-0000561 the Hawaii State Judiciary believes that it is above the law and that it can create whatever law

it likes so long as it pleases the state without regard for Federal or Constitutional law or Supreme Court Precedent. The State of Hawaii in this case enacted 3 public laws that they themselves openly admit are unconstitutional and yet they still continue to persecute citizens under these unconstitutional laws while removing their constitutional rights to defend themselves.

The state of Hawaii has in Hawaii State Supreme Court case SCAP-22-0000561 and in this case has shown that it is willing to publicly remove a citizen's rights and retaliate against them for daring to legally defend themselves and hold the Hawaii State Judiciary accountable for their actions. If the Hawaii State Judiciary is not stopped here and now it will only embolden them to further break the law, abuse their discretion, and retaliate against citizens.

Even if this Court allows a Stay of Proceedings in case 3FDV-22-0000801 it is unlikely that the Hawaii court will obey the orders of this Court and will as they did in Hawaii State Supreme Court case SCAP-22-0000561 simply use pop culture and T.V. shows to again challenge the rule of law.

Given that the majority of citizens who are persecuted under these unconstitutional laws are minorities, have no more than a high school diploma, work minimum wage jobs, and have no time or financial ability to challenge these laws, it is unlikely that another challenge to these laws will make it to this Court. Which again will only embolden the State of Hawaii and other 25 states to continue breaking the law and creating more unconstitutional laws.

A. This Court Is Likely To Grant Review, And Reverse, On the Question Of Whether the Hawaii State Judiciary Violated U.S. Supreme Court Precedent, State, Federal, and Constitutional Law By Not Allowing The Applicant To File A Notice of Unconstitutionality In Order To Stop The Applicant From Questioning Unconstitutional Laws and Activities?

AND

How Can A State Enact State Public Laws In Order To Gather Federal Grant Funding That It Admits Are In Violation Of Federal Public Law And Constitutional Provisions When The State Openly Admits It is Not In Compliance With Federal Grant Funding Requirements Or The Laws It Was Created To Comply With?

AND

How Can A State Then Use Those Openly Admitted Unconstitutional Laws To Remove Citizens Federal and Constitutional Protections To Prosecute Citizens And Act In The “Best Interest” Of Citizens Even Though The State Admits That The Laws It Created Are Unconstitutional And Actually Break The Law?

The Hawaii State Supreme Court on three separate occasions refused to allow a notice of unconstitutionality in cases 3FDA-23-0000643, in Daniel Scott Robinson v. DEPARTMENT OF HUMAN SERVICES Child Welfare Services Branch, State of Hawaii, Administrative Hearing August 6th, 2023, and in case No. 3FDV-22-0000801 in violation of Federal Rules of Civil Procedure Rule 5.1 as well

as Haw. Rev. Stat. § 602-58, and Haw. Fam. Ct. R. 24(d). The Hawaii State Judiciary refused to even acknowledge more than six Motions for Stay in violation of Federal Rules of Appellate Procedure Rule 18, and Haw. R. App. P. 8.

The State of Hawaii enacted 3 unconstitutional laws that it openly admits are in violation of federal and constitutional statute and yet continues to use those laws to remove citizens rights based on nothing more than hearsay. In doing so the State of Hawaii has openly admitted that it has committed tens of thousands of violations of 18 U.S.C. 241 and 242 over a fourteen-year period since those laws were created and yet continues to do so, so it can gather federal grant funding and by violating citizens' rights.

How then can the state of Hawaii knowing that it is violating citizens' rights continue to use those laws to act in the "best interest" of the children and families those laws were created to protect knowing that they are violating citizens' rights by using the laws?

Due to this case presenting questions of national importance and the Hawaii State Judiciary refusing to follow State, Federal, Constitutional, law or even Judicial Rules of Conduct it is likely that four Justices will consider the issue sufficiently meritorious to grant certiorari.

B. A Fair Prospect That A Majority Of The Court Will Vote To Reverse The Judgement.

The Hawaii State Judiciaries refusal to follow the law in violation of state, federal, and constitutional law in order to fraudulently gather federal grant funding

is of importance to all the Supreme Court Justices and the nation. On the one hand, tens of thousands of families are being separated. On the other hand, billions of dollars of federal funds that could have been used for other purposes such as education, homelessness, or military spending has been wasted. And this is all done by a State that openly defies the rule of law and itself admits that it is not willing to follow the law.

The reversal of these orders and laws is of utmost national importance in order to uphold the rule of law, stop fraudulent grant applications, and keep families together, which are the bedrock and foundation of this society.

C. A Likelihood That Irreparable Harm Will Result From The Denial Of A Stay.

If the State of Hawaii is not stopped from being allowed to enact unconstitutional laws that itself admits are unconstitutional then the applicant and citizens will suffer irreparable harm to their families and constitutional rights. If this Stay is not granted, another application such as this may take another decade before a citizen has the ability to reach the U.S. Supreme Court and seek relief from these injustices.

CONCLUSION

The applicant very humbly requests a Stay of Proceedings in case No. 3FDV-22-0000801 until August 1st, 2024, so the applicant can file a petition for Writ of Certiorari and this Court can decide whether to grant or deny a petition for Writ of Certiorari.

I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Dated this 17th, of May 2024 Hilo, Hawaii

/s/ Daniel Scott Robinson

Daniel Scott Robinson Pro Se Litigant

Respectfully Submitted,

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APPENDIX

A

Electronically Filed
Supreme Court
SCPW-24-000004
02-FEB-2024
09:37 AM
Dkt. 19 ODDP

SCPW-24-000004

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN RE DANIEL SCOTT ROBINSON

ORIGINAL PROCEEDING
(CASE NO. 3FDV-22-0000801)

ORDER DENYING PETITION AND DISMISSING APPLICATION FOR TRANSFER
(By: Recktenwald, C.J., McKenna, Eddins, Ginoza, and Devens, JJ.)

Upon consideration of the documents filed by Daniel Scott Robinson (Robinson) on January 2, 2024, and the record, Hawai'i Revised Statutes (HRS) § 602-58 (2016) allows a transfer of an appeal within the jurisdiction of the Intermediate Court of Appeals (ICA) to this court. For this to possibly happen, the appeal must first be filed in the ICA. A record on appeal is then filed in the ICA case following the filing of the notice of appeal. An application for transfer may be filed in this court no earlier than ten days after the filing of the record on appeal and no later than twenty days after the last brief is filed or could have been filed. Hawai'i Rules of Appellate Procedure (HRAP) Rule 40.2(a)(2) (2012). Thus, it is ordered:

1. Robinson's request to transfer an appeal from the ICA to this court is dismissed without prejudice to re-filing a transfer application no earlier than ten days after the filing of the record on appeal and no later than twenty days after the last brief is filed or could have been filed.

2. To the extent the relief sought could be construed as a petition for a writ of mandamus, the petition is denied because Robinson has not demonstrated a clear and indisputable right to relief nor a lack of alternative means to seek relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999).

3. The appellate clerk shall file Robinson's documents as a new appeal in the ICA, as appropriate, including the request to proceed in forma pauperis and motion for stay. A copy of this order shall be filed in the new appeal.

4. The request to proceed in forma pauperis in this original proceeding is dismissed as moot.

5. The motion for stay is dismissed without prejudice to consideration by the ICA.

DATED: Honolulu, Hawai'i, February 2, 2024.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens



APPENDIX

B

**Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000066
07-FEB-2024
07:56 AM
Dkt. 8 ODSLJ**

NO. CAAP-24-0000066

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

D.R., Plaintiff-Appellant, v.
T.R., Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(CASE NO. 3FDV-22-0000801)

ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION

(By: Leonard, Acting Chief Judge, Nakasone and McCullen, JJ.)

Upon review of the record, we conclude that the court lacks appellate jurisdiction over self-represented Plaintiff-Appellant D.R.'s appeal from the Family Court of the Third Circuit's November 22, 2023 "Order from November 16, 2023," as it is not a final, appealable decree, order, or judgment. See Hawaii Revised Statutes § 571-54 (2018); Hall v. Hall, 96 Hawai'i 105, 111 n.4, 26 P.3d 594, 600 n.4 (App. 2001) (holding that a post-judgment order is an appealable final order if it finally determines the post-judgment proceeding), aff'd in part, and vacated in part on other grounds, 95 Hawai'i 318, 22 P.3d 965 (2001).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for lack of appellate jurisdiction.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, February 7, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge

APPENDIX

C

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

Electronically Filed
THIRD CIRCUIT
3FDV-22-0000801
22-NOV-2023
08:15 AM
Dkt. 118 ORD

DANIEL SCOTT ROBINSON,

Plaintiff,

vs.

TAMARA LOUISE ROBINSON,

Defendant.

3FDV-22-0000801

ORDER FROM NOVEMBER 16, 2023

HEARING: NOVEMBER 16, 2023

JUDGE: JEFFREY W. NG

ORDER FROM NOVEMBER 16, 2023

On November 16, 2023, at Status Hearing was held before the Honorable Jeffrey Ng. Plaintiff Daniel Scott Robinson ("Plaintiff") and Defendant Tamara Louise Robinson ("Defendant") were both present in court and appeared pro se.

Based upon the arguments of the parties, the Court issues the following Order:

IT IS HEREBY ORDERED AS FOLLOWS:

1. Plaintiff can call D.R. (M, 2008) daily at 7:00 pm but D.R. (M, 2008) can decide if he wants to talk to Plaintiff.
2. Another status conference is set for February 28, 2024 at 1030 am.
3. Between November 16, 2023 and February 28, 2024, visits between Plaintiff and D. R. (M, 2008) are therapeutically driven between Plaintiff's therapist Aaron Collins and D.R.'s (M, 2008) therapist Cheryl Jorgensen.
4. Visits between Plaintiff and the other children remain as previously ordered.
5. Plaintiff withdraws all currently pending motions.
6. The entire family is ordered to engage in therapy.

IT IS FURTHER ORDERED that all prior consistent orders remain in full force and effect.

Dated: Hilo, Hawaii, November 20, 2023.



JUDGE OF THE ABOVE-ENTITLED COURT
JEFFREY W. NG



APPENDIX

D

Electronically Filed
THIRD CIRCUIT
3FDA-23-0000643
01-NOV-2023
03:06 PM
Dkt. 118 ODTRO

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

Tamara Robinson, OBOM

Petitioner(s),

vs.

Daniel S. Robinson

Respondent(s).

FC-DA NO. 3FDA-23-643

**ORDER DISSOLVING TEMPORARY
RESTRAINING ORDER**

Hearing Date: November 1, 2023

Judge: Jeffrey Ng

Date TRO for Protection Issued: July 14, 2023

Date Extension Granted:

Date TRO for Protection Dissolved/Vacated: November 1, 2023

ORDER DISSOLVING TEMPORARY RESTRAINING ORDER



The petition for an extension of the temporary restraining order (TRO) for protection was heard by the court on the date indicated above



A request for review of the temporary restraining order for protection was heard by the court on the hearing date indicated above



Petitioner was was not at the hearing



Respondent was was not served and was was not present at the hearing

The matter has been submitted on the pleadings. The court has considered all of the facts and evidence and is fully advised in the matter.

IT IS HEREBY ORDERED that the temporary restraining order for protection granted on the

- date temporary restraining order for protection issued
- date extension granted
- date extension amended as indicated above be dissolved and vacated.

be dissolved and vacated for the following reason:

- a request by the parties.
- lack of prosecution.
- insufficient evidence.
- expires on its own terms.
- Case dismissed ^{with} without prejudice.

Dated: Hilo, Hawaii, November 1, 2023



JUDGE OF THE ABOVE ENTITLED COURT
JEFFREY W. NG

Order Dissolving Temporary Restraining Order For Protection

APPENDIX

E

Petitioner
Petitioner's Attorney
Respondent
Respondent's Attorney
Other: _____

Electronically Filed
THIRD CIRCUIT
3FDA-23-0000643
15-AUG-2023

IN THE FAMILY COURT OF THE THIRD CIRCUIT
STATE OF HAWAII

03:27 PM
Dkt: 31 ATRO

TAMARA ROBINSON OBOMS
Petitioner,

vs

DANIEL S ROBINSON
Respondent.

3FDA-23-0000643

**AMENDED TEMPORARY
RESTRAINING
ORDER**

Hearing Date: August 15, 2023
Assigned Judge: Mahilani Hiatt

Order Expires: January 10, 2024

AMENDED TEMPORARY RESTRAINING ORDER

Pursuant to §586-5 of the Hawaii Revised Statutes ("H. R. S."), a return hearing on the Petition for an Order for Protection ("the Petition") was held on the date indicated above. The following were present in court:

- Petitioner
- Respondent
- Others: Cheryl De Lima and Mark Morikawa, CWS
- Petitioner's Attorney Kathleen Lucero
- Respondent's Attorney

After full consideration of the facts and evidence presented pursuant to this action, the Court makes the following findings:

- A. The Court has subject matter jurisdiction over this action.
- B. The Court has personal jurisdiction over Respondent.
- C. The Temporary Restraining Order filed July 14, 2023 shall be amended as follows for good cause.

THEREFORE, IT IS HEREBY ORDERED that this Amended Temporary Restraining Order is issued pursuant to H. R. S. §586-4 and shall remain in effect until the expiration date noted in the caption above as follows:

I. GENERAL ORDERS:

All of these orders apply to the parties and anyone acting on behalf of them.

A copy of this Amended Temporary Restraining Order shall be released to the appropriate law enforcement and school authorities as well as other persons who have a need to review or possess a copy of this Amended Temporary Restraining Order in order to enforce the terms and conditions of this Amended Temporary Restraining Order.

The protected party shall promptly report any violation of these orders to the Hawaii County Police Department and/or Military Police Department.

All paragraphs initialed and all blocks checked by a judge shall also be ordered.

PROTECTED MINOR(S):

II. THREATS AND ABUSE:

Respondent Petitioner shall not threaten, physically abuse, or psychologically abuse ~~the other party, the protected minor(s), or anyone living with the other party.~~ This includes, but is not limited to, the use or attempted use of any physical force against, or any harassment of, ~~the other party, the protected minor(s), or any person who resides with the other party.~~

Respondent Petitioner shall not maliciously damage or otherwise disturb the property of ~~the other party, the protected minor(s), or the property of anyone living with the other party.~~

Respondent Petitioner shall not take, conceal, remove, threaten, physically abuse, or otherwise dispose of the following animal(s) belonging to the household [name(s) & species of the animal(s)]: _____

III. CONTACT BETWEEN PARTIES AND OTHERS:

N. Respondent Petitioner is/are prohibited from personally contacting ~~the other~~
party and the protected minor(s). No contact also includes, but is not limited to, no
telephoning, writing, electronically communicating (for example: no recorded message,
pager, email, text message, instant message, etc.), or communicating through third
parties.

N. Respondent Petitioner is/are prohibited from coming or passing within 100 yards
of any residence, place of employment, or school of ~~the other party and~~ the protected
minor(s). Do not violate this Amended Temporary Restraining Order even if the other
party invites you over.

N. Respondent Petitioner is/are prohibited from coming or passing within 100 feet of
~~the other party and~~ the protected minor(s) at all other neutral locations. If the parties
run into each other, the prohibited party must leave immediately.

N. Petitioner Respondent is/are prohibited from soliciting or aiding the other party in
violating this Amended Temporary Restraining Order.

N. Notwithstanding these orders of no contact, the parties may have LIMITED contact with
each other under the following conditions and for the following purposes:

- In a public place where other adults are present.
- Telephoning, writing, emailing, texting, and by other electronic methods.
- When the parties' attorneys are present
- Attending courtroom proceedings
- Serving legal documents by mail or through a process server or counsel.
- Discussing divorce and/or paternity related issues.
- Discussing the welfare of the child(ren), including visitation arrangements.
- To engage in mediation.
- To engage in conjoint counseling or therapy.
- Other reasons: _____

Respondent Petitioner is/are prohibited from contacting the following persons:

IV. TEMPORARY CUSTODY AND VISITATION

Petitioner Respondent shall have temporary legal and physical custody of the parties' minor child(ren) the protected minor(s):

<u>Name</u>	<u>Sex</u>	<u>Age</u>

Respondent Petitioner shall not have any contact with the parties' minor child(ren) the protected minors, including, but not limited to, at their home, school, child care provider, or baby sitter.

Respondent Petitioner shall have visitation with the parties' minor child(ren) the protected minors as follows:

Supervised visits weekly at the YMCA Visitation Center, with the dates, times and conditions of the visits at the discretion of the YMCA staff.

Pursuant to the attached exhibit.

Visitation schedule:

*as therapeutically determined during
i.e. when minor child's therapist/
counselor finds that it is appropriate
and therapist/counselor should
determine what type of visitation.*

Respondent Petitioner shall not consume or be under the influence of alcohol and/or prohibited drugs or substances for 24-hours prior to and during visits with and/or custody of the minor child(ren) the protected minors.

Respondent Petitioner shall not remove the minor child(ren) the protected minors from the County of Hawaii until further order of the Court of by written agreement between the parties.

V. SERVICES AND DOMESTIC VIOLENCE INTERVENTION:

If services are ordered as noted below, the ordered party shall attend each and every session unless excused by the therapist and/or until clinically discharged. The service providers/programs indicated below must be contacted by the ordered party within one week of today's hearing or after service of this Amended Temporary Restraining Order. The ordered parties are responsible for the costs of all ordered programs identified below may cause a referral to be made to the Department of the Prosecuting Attorney for criminal charges for non-compliance with a court order.

____. Respondent Petitioner shall attend and fully participate in a domestic violence intervention program.

____. Respondent Petitioner shall obtain and complete a Substance Abuse Mental Health assessment and follow any specific recommendation for treatment until further order of the Court.

____. Respondent Petitioner shall fully cooperate and participate in treatment and counseling with _____

VI. RESIDENCE OF THE PARTIES AND RETRIEVAL OF PERSONAL BELONGINGS:

____. Respondent Petitioner shall vacate the residence and premises located at _____

immediately. no later than _____ a.m. p.m. on _____, 20 ____.

____. Petitioner Respondent is awarded exclusive occupancy of residence located at _____

____. Respondent Petitioner may, with police escort, pick up such personal belongings as are mutually agreed upon at the residence. The other party must be notified at least 24 hours in advance of the date and approximate time of the pickup. The visit is limited to 15 minutes to remove essential personal items only. To arrange for a police escort and schedule the pickup, please call your district police station.

VII. FIREARMS AND ELECTRIC GUNS RESTRICTIONS/PROHIBITIONS

Pursuant to H. R. S. §134-7(f), Respondent Petitioner, and/or anyone acting on his/her behalf, are prohibited from possessing, controlling, or transferring ownership of any firearm, ammunition, and electric gun, or firearm permit or license for the duration of this Amended Temporary Restraining Order or extension thereof. All firearm permits or licenses are hereby revoked. The prohibited party shall immediately turn over all firearms, ammunition, electric guns, permits and/or licenses to a police officer or to the Hawaii County Police Department (349 Kapiolani St., Hilo, HI 96720 or 74-5221 Queen Kaahumanu Hwy., Kailua-Kona, HI 96745) for the duration of this Amended Temporary Restraining Order or extension thereof. Respondent Petitioner shall provide a copy of this Amended Temporary Restraining Order to his/her chief, commanding officer or administrator whose name and address are as follows:

Information on the person who is ordered to surrender all firearms/permits, etc.

Name: _____

Address: _____

Year of Birth: _____ Telephone No.: _____

WARNING: Possession, transportation, or receipt of firearms while this Amended Temporary Restraining Order is in effect may be a felony under federal law punishable by up to 10 years in prison and/or a \$250,000.00 fine. 18 U. S. C. §§922(g)(8), 2261.

VIII. FUTURE HEARINGS:

Both parties shall appear before this Court for a continued return hearing an evidentiary hearing, which is scheduled for 11 / 1 / 23, at 1:00 pm. A bench warrant may be issued for the arrest of any party who fails to appear as ordered.

IX. ADDITIONAL ORDERS:

Additional Orders:

Additional Orders:

X. CHANGES TO THIS ORDER

N The parties cannot change this Amended Temporary Restraining Order by themselves. Only the Court can change this Amended Temporary Restraining Order. These orders can be modified by stipulation approved by the Court or after a hearing on a motion that has been filed and served.

XI. CERTIFICATION

N The terms and conditions of this Amended Temporary Restraining Order were explained by the Court to the parties in open court. The parties acknowledged that they understood the terms and conditions of this Amended Temporary Restraining Order and the possible criminal sanctions for violating it.

The terms and conditions of this Amended Temporary Restraining Order were explained by the Court to the petitioner in open court. The petitioner acknowledged that he/she understood the terms and conditions of this Amended Temporary Restraining Order and the possible criminal sanctions for violation of it. The Respondent was not present in court and will be served with this Amended Temporary Restraining Order by a police officer or court officer.

THIS AMENDED TEMPORARY RESTRAINING ORDER IS ENFORCEABLE IN ALL 50 STATES, DISTRICT OF COLUMBIA, U.S. TERRITORIES, AND TRIBAL LANDS. PURSUANT TO 18 U.S.C. 2265. INTERSTATE VIOLATION OF THIS AMENDED TEMPORARY RESTRAINING ORDER IS SUBJECT TO FEDERAL CRIMINAL PROSECUTION PURSUANT TO 18. U.S.C. §§2261, 2261A, AND 2262.

ANY VIOLATION OF THIS AMENDED TEMPORARY RESTRAINING ORDER IS A MISDEMEANOR, WHICH IS PUNISHABLE BY IMPRISONMENT OF UP TO ONE YEAR AND/OR A FINE OF UP TO \$2,000.00 PURSUANT TO H. R.S. §586-11.

THE POLICE SHALL ENFORCE THIS AMENDED TEMPORARY RESTRAINING ORDER.

DATED: Hilo, Hawai'i 8.15.2023


ASSIGNED JUDGE OF THE ABOVE-ENTITLED COURT
MAHILANI E.K. HIATT

I HAVE READ AND UNDERSTAND THE TERMS OF THIS AMENDED TEMPORARY AMENDED TEMPORARY RESTRAINING ORDER. I am leaving court today with a file-stamped copy of this Amended Temporary Restraining Order in my possession.

Date: 8/15/2023

Date: 8/15/2023


Signature of Petitioner


Signature of Respondent

APPROVED AS TO FORM:


Attorney for Petitioner

Pro Se
Attorney for Respondent

No. _____

In the

Supreme Court of the United States

Daniel Scott Robinson

Applicant,

v.

Supreme Court of Hawai'i

Respondent.

PROOF OF SERVICE

I, Daniel Scott Robinson, Pro Se, do swear or declare that on this date, May 17th, 2024, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and APPLICATION FOR STAY OF PROCEEDINGS PENDING APPEAL TO THE SUPREME COURT OF THE UNITED STATES on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

Anne E. Lopez
Attorney General of Hawai'i
Department of Attorney General
State of Hawai'i
425 Queen Street
Honolulu, Hawai'i 96813
(808) 586-1500 (Phone)
(808) 586-1239 (Fax)
Email Unknown
Attorney for Respondents

Tamara Louise Robinson
16-2131 Sandalwood Drive #81989
Pahoa, Hawai'i 96778
(707) 683-9825
tamararobinson1313@gmail.com

AND

Pro Se Litigant

RECEIVED

MAY 21 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on May 17th, 2024.

/s/ Daniel Scott Robinson, Pro Se

Daniel Scott Robinson