

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JAMES CONERLY, MARILYN TILLMAN-CONERLY, And CARINA CONERLY --
PETITIONERS

V.

JOHN PATRICK WINN, SHARIF ROLDAN TARPIN, And KIANA R TURNER --
RESPONDENTS

ON PETITION FOR A WRIT OF CERTIORARI TO

THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

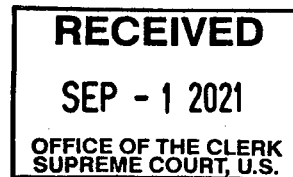
PETITION FOR WRIT OF CERTIORARI

JAMES CONERLY, MARILYN TILLMAN-CONERLY, And CARINA CONERLY

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QUESTION(S) PRESENTED

- 1.) Whether the Appellate Court erred by affirming the District Court's dismissal of Plaintiffs' action on grounds that District Court lacked subject matter jurisdiction?**
- 2.) Whether the Appellate Court erred by rejecting Plaintiffs' contention that the District Court was bias against Plaintiffs by treating Defendant Sharif Tarpin more favorably than Plaintiffs?**
- 3.) Whether the Appellate Court erred by directing the Clerk to Seal the Exhibits?**
- 4.) Whether the Appellate Court erred by failing to consider Plaintiffs' Claim of Defendants Violating their Fourteenth Amendment Constitutional rights to Due Process?**
- 5.) Whether the Appellate Court abused its discretion by not finding that the Family law Judges violated Plaintiffs' Constitutional Rights To Due Process by ordering Plaintiffs to not Video Tape in public?**
- 6.) Whether the Appellate Court abused its discretion by not considering, finding and deciding Plaintiffs' claim that Family Law Judge John P. Winn should have Recused or been Recused from Defendants Family Law Case?**
- 7.) Whether the Appellate Court should have considered, found, and decided upon Plaintiffs' issue concerning the family Law Judges' orders becoming a conflict of interest problem?**

LIST OF PARTIES

- All parties appear in the caption of the case on the cover page.
- All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

- Case No. U.S. SUPREME COURT # **pending**, Case No. 20-16679, D.C. No. 2:20-cv-00362-KJM-KJN Carina Conerly, and M.T. v. Olubunmi Olaide Awoniyi, Uduak Inyang Oduok, Superior Court of California County of Sacramento, Sharif Roldan Tarpin, and John Patrick Winn.
- Case No. 20-17029, D.C. No. 2:19-cv-01021-KJM-KJN James Conerly, Carina Conerly, Marilyn Tillman-Conerly, and M.T. v. Veracity Research Company, and Kristy Torain.
- Case No. U.S. SUPREME COURT # **21M9**, CALIFORNIA SUPREME COURT CASE # **S** 265069 Carina Conerly v. Sharif Roldan Tarpin.
- Case D.C. No. 2:19-cv-02535-JAM-DB James Conerly, Carina Conerly, Marilyn Tillman-Conerly, and M.T. v. State of California, et al.
- Case No. U.S. SUPREME COURT # **pending**, Case D.C. No. 2:21-cv-01132-TLN-CKD Carina Conerly, and M.T. v. Julie G. Yap, Sharif R. Tarpin, Krystal Barlatt, Sacramento Superior Court, and Forever Friends Early Learning Center LLC.
- Case D.C. No. 2:21-cv-01076-TLN-JDP Carina Conerly, and M.T. v. David Coleman, Julie G. Yap, Sharif Roldan Tarpin, John Patrick Winn, Sacramento Superior Court, and Kiana Turner.

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- APPENDIX T** Federal Rules of Civil Procedure, Rule 5.2
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- APPENDIX X** Email Carina Conerly Received from: familylawfl@saccourt.ca.gov on
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- APPENDIX Y** Email Carina Conerly Sent to: FCS@saccourt.ca.gov on 3/23/2021 and Email
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OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix **A** to the petition and is

reported at _____ ; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix **B** to the petition and is

reported at _____ ; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

reported at _____ ; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

reported at _____ ; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was July 2, 2021.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

14th Amendment (Constitutional Right to Due Process)

1st Amendment (Constitutional Right to Free Speech)

42 U.S.C. Section 1985 (Conspiracy to interfere with Civil Rights).

42 U.S.C. Section 1983 (Civil Action for depriving Plaintiffs of Rights Secured by the Constitution and Laws)

Title VI of The 1964 (Civil Rights Act)

Federal Rules of Civil Procedures Rule 5.2(a) (Privacy Protection For Filings Made With the Court in Redacted Filings)

Federal Rules of Civil Procedures Rule 5.2(b) (Privacy Protection For Filings Made With the Court Exemptions From the Redaction Requirement)

Federal Rules of Civil Procedures Rule 5.2(d) (Privacy Protection For Filings Made With the Court in Filings Made Under Seal)

Federal Rules of Appellate Procedures Ninth Circuit Rules 27-13(a) (Introduction To Sealed Documents)

Federal Rules of Appellate Procedures Ninth Circuit Rules 27-13(d) (Presentence Reports, Grand Jury Transcripts, and Sealed Filings Mandated by Statue or Procedural Rule)

STATEMENT OF THE CASE

On August 27, 2020, Judge John Patrick Winn issued his “**Findings and Order After Hearing**” which affected Plaintiffs Carina Conerly, M.T., James Conerly, and Marilyn Tillman-Conerly. The order stated in part, “**All exchanges shall take place in the parking lot of South Natomas Library and Park on Truxel Road in Sacramento. There shall be no videotaping or photographing of custody exchanges without the agreement of both parents.** All prior orders, not in conflict with this report this report, shall remain in full force and effect.” (Exhibit A within Appendix C).

On July 11, 2020 minor M.T. was in the custody of defendants, her father Sharif Roldan Tarpin and Kiana Turner when minor M.T. was severely injured. Defendants Sharif Tarpin and Kiana Turner failed to take minor M.T. to the hospital emergency room. When Plaintiffs Carina Conerly, James Conerly, and Marilyn Tillman Conerly arrived to pick minor M.T. up, defendant Sharif Roldan Tarpin was acting rather strangely when he walked minor M.T. over to the car where all Plaintiffs were waiting. Kiana Turner aided and abetted Sharif Tarpin (Exhibit B within Appendix C). She also purposely put coconut oil into M.T.’s hair, purposely, because Sharif Tarpin knew that Carina Conerly was allergic to coconut. Kiana Turner provided her vehicle for Sharif Tarpin to use because his vehicle reeked with Marijuana (Exhibit C within Appendix C). Sharif Tarpin smokes Marijuana while he is driving and parked in public. Kiana assisted Sharif in covering-up the injuries done to M.T. Both of them knew and know that M.T. is not provided adequate living arrangements (Exhibit D within Appendix C). Without asking, M.T. constantly tells us that she doesn’t want to go with Sharif. She is saddened when we drop her off. John Patrick Winn is assisting Sharif Tarpin. John Patrick Winn not only assist Sharif Tarpin and Kiana Turner, he makes orders to enforce Carina Conerly, Marilyn Tillman-Conerly, and James Conerly to turn over M.T. to Sharif Tarpin and Kiana Turner. John Patrick Winn continues to violate all Plaintiffs

from exercising our 1ST Amendment rights to free speech and due process (**Exhibit A within Appendix C**). We can't videotape anyone at the exchange (Police) Sharif Tarpin, Kiana Turner, and Sharif Tarpin's family and friends, etc., who also aided and abetted Sharif Tarpin, to include she provides his transportation (**Exhibit E within Appendix C**). He wants to stop evidence of Sharif Tarpin's bad conduct. The photos showed Sharif Tarpin's wrong doings and bad conduct. My court hearings are continuously violated when John Patrick Winn continues to not Recuse himself (**Exhibit A, C, D within Appendix C**). He sometimes allows James Conerly and Marilyn Tillman-Conerly to testify as witnesses; however, John Patrick Winn takes no credibility in James Conerly's and Marilyn Tillman-Conerly's' Testimony about Sharif Tarpin. May 20, 2020 and July 16, 2020, Judge John Patrick Winn wouldn't allow Plaintiffs James Conerly and Marilyn Tillman-Conerly to testify as witnesses for Carina Conerly. All Defendants strategically orchestrated and or agreed to put together tactics to violate all Plaintiffs Civil Rights. All Defendants acts directly affects and are done in bad interest of M.T., for example, Judge John Patrick Winn's order concerning M.T.'s health violates M.T.'s medical diagnosis, treatment, and provisions because M.T. cannot get her regular doctor's check-up and Treatments (**Exhibit A, D within Appendix C**). After our lawsuits the State of California and other Defendants; here again Defendant Sharif Tarpin came into the picture. Sharif Tarpin has never gotten involved in the past four years with M.T.'s doctor concerns. The only time he was present before Doctor Candace Jones, who is M.T.'s Pediatric Doctor, was when M.T. was born. He has abandoned M.T. in her health support; that is why my father, James Conerly, stepped up to the plate to attend every visit with Doctor Candace Jones with myself and M.T. to ensure M.T. got the best of medical treatment. My father, James Conerly, and my mother, Marilyn Tillman-Conerly, are very good help with M.T., not only in medical needs, but all other needs and support when it comes to the best interest of M.T., and not to forget Black Issues, which none of the aforementioned

Defendants can give to her, and these needs are so many today, that Defendants will never experience nor know. All of these Defendants do not care the least bit about M.T. but acts to serve their own, and each other's interests and purpose, and interests (which we choose not to list at this time). That is why we are fighting with all our legal Constitutional Rights to help M.T., not us so much. We want to show the surprising evidence that we now have and that is coming, Please? To include Doctor Candace Jones as a witness. Because again, my father has been at every doctor's appointment with M.T. and Carina Conerly. James Conerly is confirming what he has done with Carina Conerly because he truly and faithfully cares and practices what he preaches "Good Conduct" of a Godly Father to his children and his Grand-Children. That's in the best interest of M.T. M.T. is only now being hindered from having a good and healthy life, that is free from drugs abuse, alcohol abuse, Marijuana abuse and many other bad behaviors. Why is it that she sustained injuries now and it has been caused by Sharif Tarpin in such short time that she has been in his custody? Has anyone noticed this? other than Plaintiffs? We are the ones who knows why, because we know that Sharif Tarpin's conduct is nothing but bad and we will do everything, to expose this truth. Observe Sharif Tarpin's friends (**Exhibit C within Appendix C**). Observe Sharif Tarpin's automobile. Observe the kinds of places Sharif Tarpin goes out to. Observe Sharif Tarpin associates, check-out Sharif Tarpin's blood test; simply, just observe his conduct. Maybe someone else should find his need for weapon (**Exhibit C within Appendix C**), especially, since he has been caught with a concealed weapon with no weapon permit (**Exhibit C within Appendix C**).

On September 15, 2020, Eastern District Court Judge A.C. signed her Findings and Recommendations to **Dismiss Plaintiffs' Case** for Lack of Subject Matter Jurisdiction (**Appendix D**).

On September 21, 2020, Defendants Sharif Roldan Tarpin and Kiana Turner were served **(Appendix F)**.

On September 28, 2020, Plaintiffs **“Declined”** to have Magistrate Judge handling Plaintiffs’ case **(Appendix E)**.

On October 2, 2020, Plaintiffs filed Objection to Magistrate Judge Claire’s findings and recommendations**(Appendix G)**.

On October 5, 2020, Sacramento, California Superior Court Family Law Judge John Patrick Winn was served upon by Plaintiffs Server on 9/29/2020 **(Appendix H)**.

On October 14, 2020, The Eastern District Court Judge John A Mendez **Ordered** that the findings and recommendations filed September 16, 2020, were adopted in full, and this case is dismissed for lack of subject matter jurisdiction.

On October 15, 2020, Clerk of Court Keith Holland entered and by: /s/ K. Zignago, Deputy Clerk **“THAT JUDGMENT IS HEREBY ENTERED IN ACCORDANCE WITH THE COURT’S ORDER FILED ON 10/15/2020.**

On October 13, 2020, Kiana Turner and Sharif R. Tarpin were served Plaintiffs’ Motion for default Judgment and Affidavit in Support **(Appendix I)**.

On December 21, 2020, Plaintiffs filed Informal Opening Briefs in the United States Court of Appeals For The Ninth Circuit **(Appendix C)**.

On October 22, 2020, Sacramento, California Superior Court Family Law Judge John P. Winn was served with Plaintiffs’ Motion for default Judgment and Affidavit in Support **(Appendix J)**.

On December 28, 2020, Newly Discovered evidence (Note: Plaintiffs had signed Newly

Discovered Evidence on October 28, 2020) (**Appendix K**).

On December 28, 2020, Plaintiffs Proved that Payment of \$505.00 had already been made on October 30, 2020 because the Courts had erroneously decided that Plaintiffs had not made for the Appeal (**Appendix L**).

On January 6, 2021, Order from Ninth Circuit Court reflected that payment for \$505.00 had been made for filing and docketing fees (**Appendix M**).

On July 2, 2021 a Memorandum was filed; the United States Court of Appeals for The Ninth Circuit, **Without Oral Argument, Rejected** Plaintiffs' allegations that the District Court was biased, **Affirmed** "district court's dismissal for lack of subject matter jurisdiction". (**Appendix A**).

This Case resulted because the Administrative Stage Violated Plaintiffs' Due Process Rights under the United States Constitution.

REASONS FOR GRANTING THE PETITION

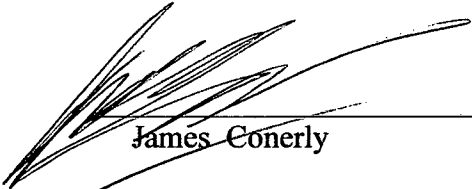
Under **Article III, Section II** the United States Supreme Court establishes the jurisdiction (**legal ability to hear a case**) cases involving points of Constitutional and, or, Federal Law, such as the case at hand involves issues of Civil Rights Violation. Furthermore, that jurisdiction of this Court takes in Cases concerning State Courts violating well established laws governing **Constitutional Right to Due Process** controversy concerning equal rights within the Courts, right to litigate, Federal Lower Courts' Judges and staff differential treatment of Black Americans, even joining with the Non-Blacks in providing defense in favor of the Non-Black. This is done by such means of unjustly granting Non-Black Americans Dismissals of Black Americans Cases; unwarranted and wrongful jurisdictional rulings and orders that was

done in the “best interest” of Respondent Sharif Tarpin, rather than minor M.T. (e.g., allowed respondent Sharif Tarpin to interrupt during hearings but the Judge would not let Petitioner finish her testimony The Judge was leading answers and statement (e. g. lead by Judge Winn after asking Respondent, the question, court’s staff assisted Respondent Sharif Tarpin with processing legal documents, **Respondent Sharif personally stated the Judges and policemen and policewomen were acting in his favor**). These techniques are also very sophisticated, well financially funded, well planned, and etcetera, by the local government (federal and state). Unfortunately, **SYSTEMIC RACISM** is a proper representation of these acts of the local government Judicial System upon **Black American Petitioners** Carina Conerly, James Conerly, and Marilyn Tillman-Conerly trying to get redress of wrongful injuries and damages brought by others, with the **MAJOR ISSUE BEING DEFENDANTS VIOLATED APPELLANTS’/ PETIONERS’ CONSTITUTIONAL DUE PROCESS RIGHTS BY WORKING TOGETHER AND INTENTIONALLY CAUSING HARM TO PLAINTIFFS AND DAMAGE TO PLAINTIFFS’ PROPERTY.** Moreover, the covertness in the local judicial system here, used to continue to avoid and stop Black Americans from pursuing justice within these local courts systemic. Plaintiffs have, in the past and within this case at hand, found the **Administrative Stages Are Not, In Reality, A Just Nor Equal Means For Black Americans To Resolve Their Lawful And Legal Issues. In Short, The Administrative Stage Here In California Is Very Adversarial Toward Black Americans.**

CONCLUSION

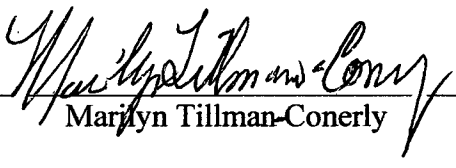
Petitioners hereby respect the United States Supreme Court, Court's Officers, Court's Staff and Others that are involved in handling of this case, the Petition for a Writ of Certiorari should be granted.

Respectfully submitted,



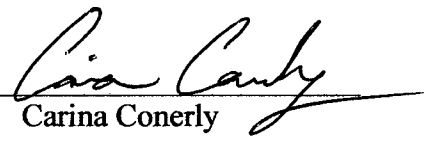
James Conerly

Date: August 27, 2021



Marilyn Tillman-Conerly

Date: August 27, 2021



Carina Conerly

Date: August 27, 2021