**SUPREME COURT OF THE UNITED STATES**

**CASE NO:\_\_\_\_\_\_\_\_\_\_\_**

KELLY E. MILLER PETITIONER

KENTUCKY COURT OF APPEALS

BEFORE JUDGES: CLAYTON, THOMPSON, AND VANMETER

CASE 2013-CA-001013

AND

HONORABLE CIRCUIT JUDGE JOHN DAVID PRESTON

CIRCUIT CASE 13-XX-00001

AND

JOHNSON CIRCUIT COURT

vs. HONORABLE DISTRICT JUDGE SUSAN JOHNSON

DISTRICT CASE 12-C-00530

TAMMY BARKER RESPONDANT

**APPELLANT BRIEF**

**AND**

**JURISDICTIONAL STATEMENT**

The Petitioner, KELLY E MILLER, IN PRO SE, hereby petitions this court under 28 U.S.C. §1253 for issuance of a Direct Appeal from decisions of “Three Judge” courts to review the decision by Order of the Commonwealth of Kentucky Court of Appeals for the Commonwealth of Kentucky entered into proceeding on August 6, 2013. Petitioner submitted Appeal on September 5, 2013 following 28 U.S.C. 2101 (a) rules for filing direct appeal filed 30 days after entry of Order, judgment or decree and Petitioners’ submission of this brief is following within 60 days of direct appeal in align with 18 U.S. C. § 3.

**OPINIONS**

Order dated August 6, 2013 of the Commonwealth of Kentucky Court of Appeals for the

Commonwealth of Kentucky denying Petitioner’s indigence is reported at Appendix, Exhibit A

Order dated July 19, 2013 granting indigence to petitioner from the Breathitt County

Circuit Court for the Commonwealth of Kentucky is reported at Appendix, Exhibit B

Financial Statement Affidavit completed by Judge Kenneth Profitt dated September 27, 2013 is reported at Appendix, Exhibit C

Order dated September 27, 2013 granting indigence to petitioner from the Breathitt County District Court for the Commonwealth of Kentucky is reported at Appendix, Exibit D

Calendar of Johnson County District Judge Susan Johnson dated March 6, 2013 is reported at Appendix Exhibit E

Supreme Court of Kentucky Illegal Order signed by Judge Minton dated December 17, 2012 is reported at Appendix Exhibit F

Order by Commonwealth of Kentucky Seventh Region Judge Susan Johnson for Special Judge Assignment is reported at Appendix Exhibit G

Correspondence from Big Sandy Area Community Action Program under the structure of KY Housing dated July 25, 2013 is reported at Appendix, Exhibit H

Judgment dated February 21, 2013 of the Commonwealth of KY Johnson District court is reported at Appendix, Exhibit I

Warrant for Restitution of Premises dated April 29, 2013 of the Commonwealth of KY Johnson District Court is reported at Appendix, Exhibit J

Correspondence from Commonwealth of KY Judicial Conduct Commission dated December 20, 2012 is reported at Appendix, Exhibit K

Order dated May 13, 2013 of the Commonwealth of KY 24th Judicial Circuit Court is reported at Appendix, Exhibit L

Order dated June 12, 2013 of the Commonwealth of KY 24th Judicial Circuit Court is reported at Appendix, Exhibit M

Correspondence from Office of Clerk of Court of Appeals dated June 11, 2013 is reported at Appendix, Exhibit N

Correspondence from Office of Clerk of Court of Appeals dated July 11, 2013 is reported at Appendix, Exhibit O

Judge Kenneth R Profitt Breathitt County District Court Docket stating Special Prosecutor appointed but did not appear dated Sept 27, 2013 is reported at Appendix, Exhibit P

Commonwealth of Kentucky Seventh Region Order by Judge Susan Johnson assigning special judge is reported at Appendix, Exhibit Q

Commonwealth of Kentucky Special Judge Assignment Order by Judge Susan Johnson illegally assigning Judge Susan Johnson herself to preside over the case is reported at Appendix Exhibit R

Commonwealth of Kentucky Magoffin Circuit Court Order granting Magoffin County Sheriff’s Office Extension to file a response is reported at Appendix Exhibit S

Commonwealth of Kentucky Magoffin Circuit Court Order DENYING Petitioners Default Judgment requested on ov 1st when Defendant U S Coal Corporation, Licking River Resources and Licking River Mining were not present in court and failure to appear which is validated by Judge Childers Order Dated Nov 1, 2012 granting Magoffin County Sheriff’s office extension to complete their reply. T

Initial Forcible detainer complaint is reported at Appendix, Exhibit U

Appellants Initial Notice of Appeal is reported at Appendix, Exhibit V

**JURISDICTIONAL STATEMENT**

The Order of the Commonwealth of Kentucky Court of Appeals was entered on August 6, 2013 thus Petitioner has meet the required Supreme Court of the United States 28 U.S.C. § 2101(a) which identifies specifically a submission for direct appeal be commenced within a 30ay window for reviewing said case in question. Thereby jurisdiction of this Court is invoked under 28 U.S.C. § 1254 (1) (2).

**JURISDICTIONAL CHALLENGES**

Questions of valid and merited jurisdiction of Judge Susan Johnson when implementing orders and judgments and well as bias, official oppression and obstruction of justice carried out by Judge Susan Johnson including those carried out by coconspirators in their Organized Criminal Syndicate to aid and abed Respondent in concealing evidence and evading prosecution.

**CONSTITUTIONAL PROVISIONS AND STATUTES**

United States Constitution, Article III, § 1 provides, in pertinent part: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

Definition from Wikipedia encyclopedia: The [Fifth](http://en.wikipedia.org/wiki/Fifth_Amendment_to_the_United_States_Constitution) and [Fourteenth](http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution) Amendments to the [United States Constitution](http://en.wikipedia.org/wiki/United_States_Constitution) each contain a **Due Process Clause**. Due process deals with the [administration of justice](http://en.wikipedia.org/wiki/Administration_of_justice) and thus the Due Process Clause acts as a safeguard from arbitrary denial of life, liberty, or property by the Government outside the sanction of law.[[1]](http://en.wikipedia.org/wiki/Due_Process_Clause#cite_note-PAMadisonDPC-1) The [Supreme Court of the United States](http://en.wikipedia.org/wiki/Supreme_Court_of_the_United_States) interprets the Clauses however more broadly because these clauses provide four protections: procedural due process (in civil and criminal proceedings), [substantive due process](http://en.wikipedia.org/wiki/Substantive_due_process), a prohibition against [vague](http://en.wikipedia.org/wiki/Void_for_vagueness) laws, and as the vehicle for the [incorporation of the Bill of Rights](http://en.wikipedia.org/wiki/Incorporation_of_the_Bill_of_Rights).

The Amendment also has a [Due Process Clause](http://en.wikipedia.org/wiki/Due_Process_Clause) (similar to the one in the [14th Amendment](http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution)) as well as an implied [equal protection requirement](http://en.wikipedia.org/wiki/Equal_Protection_Clause) (*[Bolling v. Sharpe](http://en.wikipedia.org/wiki/Bolling_v._Sharpe" \o "Bolling v. Sharpe)*). Finally, the Amendment requires that the power of [eminent domain](http://en.wikipedia.org/wiki/Eminent_domain) be coupled with "just compensation" for those whose property is taken.

The forefathers who constructed the Constitution of the United States felt so strongly about the equality of its citizens that it states twice in the fifth and fourteen amendments that no one shall be “deprived of life, liberty or property without due process of law” embodying a government established for the people as a just government. The amendments also promise that before depriving a citizen of life, liberty or property, the government must follow fair procedures any action denying the process that is “due” would be unconstitutional.

The fourteenth amendment, U.S. Const amend XIV, also forbids states from discriminating invidiously against some of their citizens in favor of other or from denying any person within its jurisdiction the equal protection of the laws. The laws of a state must treat an individual in the same manner as others in similar conditions and circumstances.

The vicious charade of unlawful acts conducted by the individuals participating in the organized criminal syndicate have been brutal causing the petitioners liberties to be unlawfully voided and the petitioner to suffer emotional, physical and monetary losses which cannot be replaced. The trauma the petitioner has had to endure at the hands of respondent and respondent’s conspirators will leave physical and emotional scares for life.

**SUMMARY**

At issue in this case is the constitutionality and interpretation of Public Law which states U. S. Department of Health and Human Services 2013 Poverty Guidelines persons in 1 family household poverty guideline is $11,490 income per year of which Petitioner has no income and has had no source of income since February 2013. The law does not say anything about ownership of property preventing you from falling under those guidelines. The affidavit completed in Judge Kenneth R Profitts own script identifies the 2 vehicles the petitioner has and still qualifies petitioner for indigence as does the affidavit evidenced and notarized to Judge Fletcher when Judge Fletcher validated petitioners indigence. Judge Johnson in a malicious act to prevent petitioner’s due process of the law and to aid and abet Respondent, Tammy Barker in concealing evidence and evading prosecution denied petitioner the constitutional right to a fair and lawful court.

**STATEMENT OF THE CASE**

In a series of charades of unlawful official court documented decisions involving

three court cases made between August 2011 and August 2013 Judge Susan M. Johnson has unlawfully inscribed her signature in all three cases involving the petitioner displaying malicious stalking and harassment with intent to physically harm petitioner to conceal evidence and evade prosecution. The illegal maneuvers conducted by Judge Susan M. Johnson and her team of judicial conspirators including but not limited to Commonwealth of KY Attorney General Jack Conway, Judge John Minton, Judge Kimberly Childers etc who set out on a vicious course of blatantly and illegally stalking and harassing the petitioner depriving petitioner of life liberty by continuing a charade of illegal court proceedings of which by direct result petitioner become homeless placing petitioners life in danger on a daily basis from the elements and perpetrators as well as lack of substantial physical and social needs being meet.

Petitioner was also illegally incarcerated on three occasions the last in which the

petitioner was physically violated in a gang rape to which petitioner attempted to report and file charges and was told petitioner was not allowed to report the assault due to her incarceration being of an illegal nature therefore any report of an incident would cause investigation upon why petitioner was being held against petitioners will.

**FACTS AND ISSUES**

1. Respondent TAMMY BARKER is responsible for placing cameras in Petitioners home without Petitioners knowledge or permission and videoing Petitioner on a 24/7 hour basis and exposing Petitioner to the community on the internet causing irreparable harm to come to the Petitioner.
2. Respondent TAMMY BARKER after being repeatedly ask for help removing the cameras by the Petitioner illegally posted eviction notice and barred Petitioner from Petitioner home in an illegal attempt by Respondent TAMMY BARKER to conceal evidence and prevent Petitioner from filing criminal charges and seeking justice served.
3. Petitioner has multiple witnesses who can testify to the fact that Respondent TAMMY BARKER is responsible for illegal cameras in Petitioners mobile home and is directly responsible for publically exhibiting Petitioner and utilizing media and marketing to ensure monetary gain from Petitioners suffering at Respondent TAMMY BARKERs hand.

Petitioner states that Judge Johnson in a blatant display of bias and official oppression causing obstruction of justice committed the following crimes against Petitioner and said court:

1. Judge Johnson unlawfully appointed herself to preside over said case making appointment null and void as by law judge cannot appoint themselves to preside over a case.
2. Judge Johnson is currently involved in continuing to appoint several special judges in various venues none of which are in correct venue of Petitioners home in Johnson county in a bogus criminal case No. 12-M-0019 against Petitioner which Breathitt county Judge Kenneth R. Profitt stated in open court did not merit a criminal court case and should have never been a criminal case therefore proving malicious intent. by law Judge Johnson requiring Judge Johnson to recued herself to allow Appellant fair and due process in Appellants current case.
3. Judge Johnson is also involved in an appeal case to Supreme court of KY where Judge Johnson utilized continued official oppression and obstruction of justice against Petitioner by denying Petitioners civil rights be meet in Petitioners Appeal to KY Supreme Court Magoffin county case No. 12-CI-271 when Magoffin county judge Kimberly Chiders failed to follow thru with her judicial duty and immediately grant Petitioner a Default Judgment against U S Coal Corporation, Licking River Resources and Licking River Mining when defendants failed to respond and failed to appear in court upon Judge Childers failure to immediately grant default judgment in favor of the Petitioner as lawfully and duly required Petitioner openly requested Judge Childers for Default Judgment to be administered in by the court whereas by law Petitioner was to be granted immediate default judgment to which Judge Childers stated “I’m not here to teach you the law” and to which Petitioner stated “I didn’t ask you to teach me the law I ask you for a Default Judgment” to which Judge Childers replied “were not gonna talk about that right now” and dismissed the court not allowing Petitioner to make anymore comments. Defendants U S Coal Corporation, Licking River Resources and Licking River Mining who all failed to appear or be represented 23 days after reply was due submitted answer to initial complaint to which Judge Childers allowed defendants untimely submission preventing Petitioner from receiving Petitioners valid default judgment by malicious discrimination, official oppression and obstruction of justice.
4. Petitioner repeatedly requested in court Judge Johnson recue and stated reasons of prior involvement in both afore stated cases to no avail from Judge Johnson.
5. Without notice or proper court procedures being meet the previously scheduled hearing was altered to a court trial for blatant and malicious purposes of intimidation and bias.
6. Petitioner requested In forma Pauperis and presented the court with documentation verifying Petitioner meet the KRS Ch 31 requirements as so ordered by Breathitt county Judge Kenneth R Profitt on Sept 27, 2012 when Judge Profitt himself completed the Affidavit and Order of Indigence in open court for the Petitioner. Petitioner was under the same means of income and had not gained any assets from Sept 27, 2012. Judge Johnson listed Petitioner had assets as reason for over ruling of In forma Pauperis on March 6, 2013 to Petitioners appeal to circuit court for In forma Pauperis status, however, Petitioner was never supplied with merited Order stating denial Judge Johnson answered request that was sent to the Circuit Court to proceed In Forma Pauperis thereby unlawfully subjecting Petitioner to harassment and obstruction of justice by unmerited jurisdiction.
7. Petitioner applied appeal to Honorable Judge John David Johnsons Circuit court however Petitioner was prevented Petitioners Appeal from proceeding from district to circuit by Judge Johnson illegal interference of granting Overruling of Appeal of In forma Pauperis therefore violating correct and proper judicial procedures and incurring malicious and blatant official oppression and obstruction of justice on Petitioner and providing Respondent with special favoritism.
8. Due to Judge Johnson purposefully and maliciously applying official oppression and obstruction of justice from Petitioners civil rights refusing to allow Petitioner to continue In Formal Pauperis to circuit court and due to Judge Johnsons active participation in Petitioners illegal denial to KY Supreme Court for Default Judgment to limit Petitioner from having a clear and even playing field and due process this Petitioner request that the United States Supreme Court oversee this Petitioners case to provide Petitioner with fair and due process of the law and prevent Judge Johnson from continuing to conduct illegal and oppressive behavior upon the Petitioner.
9. Judge Johnson allowed Respondent special privileges of admitting evidence and exhibits that were not properly recorded previously afore court trial with the circuit court as documented in Circuit court case history respondent evidence and exhibits weren’t input in court case history until day of court trial preventing Petitioner from having a fair and due process for defense.
10. Judge Allowed Respondent special privileges of admitting witness that was not properly recorded previously afore court trial with the court as documented in Circuit court case history witness wasn’t input in court case until day of court trial preventing Appellant from having a fair and due process for defense.
11. Judge allowed Respondent to submit motions and granted said motions after court allotted time of all motions to be submitted before court trial preventing Petitioner from having a fair and due process for defense.
12. Judge allowed Respondent hearsay evidence to stand with merit and refused Petitioner the right to have expert witness to authenticate evidence with true and correct merit.
13. Judge refused to allow Petitioners to utilize and reference Respondents improperly admitted evidence and exhibits to substantiate Petitioners case when Petitioner showed in court Respondent’s evidence and exhibits were fraudulent.
14. Petitioner provided evidence with questioning Respondent under oath that Respondent had blatantly lied on official complaint and Judge Johnson stated “it doesn’t matter if what Respondent states on complaint is true” validating Judge Johnsons open bias toward Petitioner and illegal support of Respondent and said crimes against Petitioner.
15. Judge Johnson granted Respondent with Illegal Warrant for Restitution of Premises and illegally and unlawfully had Petitioner forcibly removed from Petitioners residence with aid of Johnson County Sheriff and Sheriff’s deputy on April 29, 2013.
16. Judge Susan Johnson repeatedly denied Petitioner In Forma Pauperis status to prevent Petitioner from filing appeal on Petitioners behalf to achieve fair and due process in the justice system.
17. Judge John David Preston repeatedly denied Petitioner In Forma Pauperis status to prevent Petitioner from filing appeal on Petitioners behalf to achieve fair and due process in the justice system.
18. Petitioner provided evidence with questioning Respondent under oath that Respondent had performed several illegal activities against Petitioner beginning with:
    1. Respondent illegally turned Petitioners water off that was in Petitioners name for no other reason than to cause intimidation and harassment to Petitioner.
    2. Respondent committed Breaking and entering of Petitioners home without written notice or court order causing irreparable damage to Petitioners door and door frame leaving Petitioners residence susceptible to additional illegal break-ins.
    3. Respondent maliciously destroyed Petitioners personal items and illegally removed personal items from Petitioners home upon illegally entering Petitioners residence for no other reason than to cause undue stress, intimidation and harassment to Petitioner.
    4. Respondent illegally locked Petitioner out of home during harsh weather conditions of temperatures in the low teens causing Petitioners life to be threatened with physical undue stress and possible physical harm due to having to reside in Petitioners motor vehicle with no heat over night.
    5. Respondents prosecutor states in Motion for Limine there is no written lease however Respondent states on sworn Forcible Detainer Complaint that there is in fact a written lease in existence between Petitioner and Respondent therefore Petitioner states valid discrepancies exist causing question into Respondents rights to harass and intimidate Petitioner in Respondents own documentation and exhibits.

Petitioner states that Attorney General Jack Conway aided and abetted Respondent by the following unlawful acts.

1. Petitioner has court docket in Judge Profitts script dated Sept 27, 2012 which states Special Prosecutor appointed but failed to appear. By Law case was to be dismissed with prejudice barring plaintiff from brining action in the same claim due to lack of want of prosecution.
2. Petitioner has three different correspondence documents from the Commonwealth of KY Attorney General’s office dated September 27, 2013 or after appointing “Special Prosecutors’” to case which by law was dismissed validating Petitioners claim of malicious obstruction of justice, harassment, stalking and official oppression by the Commonwealth of KY Attorney General Office. By law an act completed twice or more is identified as a standard practice of behavior with the Attorney Generals three letters this is established.
3. Furthermore Petitioner states Attorney General Jack Conway has an established relationship with the illegal document “KY Supreme Court Order” assigning yet another special judge signed by Northern KY Judge John Minton who has no jurisdiction over the Petitioner or the Petitioners case entered into the case and identified by Judge Fletcher on July 19, 2013 as being an illegal document stating the Commonwealth of KY has committed crimes on you.
4. If that wasn’t enough blatant evidence on Attorney General Jack Conway for his conspiracy in this organized criminal syndicate Petitioner was unlawfully notified of eviction from Federal funded State Program for homeless the Monday after the Friday July 19, 2013 when Judge Fletcher identified Attorney General Jack Conway’s illegal crimes against Petitioner in open court.
5. Petitioner states Attorney General Jack Conway committed a direct retaliation by utilizing his political position as the Commonwealth of KY Attorney General to unlawfully harass, stalk and invert Petitioner delaying and distracting Petitioner from proceeding to file charges by removing Petitioner from her home when under the color of law utilized his board membership over the KY Housing program to have Petitioner illegally removed from her apartment.
6. Petitioner also states Petitioner was offered a job to not file charges on Attorney Jack Conway to which Petitioner informed KY Housing representative Laurent “I’m not taking the bait” to which during the same conservation KY Housing representative Laurent acknowledged Attorney General Jack Conway’s participation in actively and illegally harassing Petitioner when he stated “Jack needs to man up. I told them you were smart and it wouldn’t work.”

**PETITIONERS STATEMENT**

These are just a few of the crimes and evidence I have of RICO Acts being

committed by the judicial system due to monetary restraints I am having to cut my document down and provide you the bare minimum or as they say “just enough to win the turkey” I have over 200 official court documents in addition to numerous other official documents, statements and evidence to validate my case which can be provided upon this courts request.

It is evident I am not an attorney by trade. I have not been to college to study law nor have I been versed in the litigation procedures other than what I have been self taught over the last two years studying relentlessly every night at a public library to combat their well organized criminal corruption syndicate and receive my justice.

Last year I was told by one of the men who was actively participating in this organized syndicate “You’ve lasted longer than any of the others” At which point I decided I would be the last.

Therefore should you not decide to do the lawful and morally right thing and review the illegal conduct that on July 19, 2013 Judge Fletcher bravely stated in open court and the Commonwealth of KYs Governors office stated in September 2013 had been committed and referred me to seek federal charges as well as the KSP Lt Commander who also advised I seek federal assistance and media to assist me so when I came to DC as they all told me to do the FBI agent I spoke with agreed that yes I do have the ability to prove RICO Act violations on all these individuals OR they wouldn’t be manipulating the system to keep me from having my day in court. As I stated I am not an attorney and I have no finances “They” in turn are well versed in the law as well as have finances to support hiring the best of attorneys so IF I DON’T HAVE A CASE AND CANT PROVE WHAT IM SAYING THEN WHY NOT MEET ME IN COURT AND PROVE ME WRONG? As the FBI agent stated they can’t.

Now that you have been informed it’s your duty lawfully and morally to assist me in punishing these individuals who are participants in an Organized Criminal Syndicate to the fullest extent of the law to show the public that this type of illegal behavior is not supported by the Supreme Court of the United States. Surely to God this little redneck girl is not the only person in the United States willing to stand up and do what’s lawfully and morally correct. If I am the only person willing to stand up then the United States will soon be a dictatorship not a land of opportunity and freedom. When you give my rights up and condone their behavior failing to recognize and punish them they will only grow larger and more powerful and will not stop at torturing their victims but will moreover seek to take the life of their next victim. Be advised I will continue to fight and I will endure and I will receive my justice.

The fact that I am not an attorney and I am a indigent person and living in a

homeless shelter with no financial means of support does not make me any less a person of importance. In fact by law I am your responsibility to protect me from corruption. I have repeatedly requested and attempted to file charges on these individuals but because of their political power I have been denied I have also repeatedly attempted to contact media to as the KSP LT Commander advised get my story out there so that I could receive my justice. You don’t have to be an attorney or educated to see the crimes that were committed by these individuals Their ignorance to sign their names and run me thru an official court charade shows the whole gruesome act of violence of harassment and stalking preventing the petitioner from living any time of existence.

The fact that I flipped this sadistic game on them and I walked thru their hell just so I

could stop them from hurting others. Yes it would have been so easy to not fight and just succumb to their pressure of control and human trafficking and do what they were attempting to force me to do but who died and made them god?

I have attached multiple documents showing their blatant crimes not only against

me but against the very judicial system which they are to serve and uphold.

I ask you does the judicial symbol and what the forefathers built this country on

represent anything to you. Do you want it to signify anything to the public? If these individuals are allowed to continue to go unpunished their power will only swell until it expands into every crease and pour of the judicial branch and no longer do we have a government of democracy but we have a government of dictatorship. If you choose to ignore your duty to review and investigate this improper proceedings that violate not only the Petitioners constitutional rights but those of the general public you are sending a message to all America that the judicial system can be bought and sold and that there is no integrity within the walls of justice.

I will continue fighting for acknowledgement and justice by speaking out sharing my

story and my evidence to any organization or group or media that will lead me an ear. Be it known that I am holding “this” Supreme Court accountable in seeking justice for myself and the citizens of the United States at large. I will not be dismissed simply because I am not an attorney by trade nor because I do not have an elevated economic status or title. The law provides for In Pro Se and In Forma Pauperis for the reason that the law is to be distributed fairly to ALL not just those of status.

The fact that I have had to come this far just to report these crimes shows the extent

of corruption within the justice system. Judge Fletcher, the governor’s office, the KSP Lt Commander and the FBI Agent 4012 all acknowledged the crimes committed and all referred me to seek assistance but are all afraid of assisting me in prosecuting these individuals for fear of retribution on themselves of their power. If the Supreme court of the United States can be bought and sold and not stand firm on the law and as a shelter and protector to its citizens what is the point of having a Supreme Court if they are just as corrupt as the criminals only better organized?

**REASONS FOR RIEVIEW AND ORAL ARGUMENT TO BE HEARD**

Honorable members of the court I give you the constitution of the United States of

America and all the provisions that it encompasses to support my request review and oral argument to be heard. The decisions passed down by the Commonwealth of KY courts judicial system conflict with the U.S.C and Federal Codes of the United States of America.

The Federal Bureau of Investigation states on their global web page “Public corruption poses a fundamental threat to our national security and way of life” signifying White Collar Crimes within the judicial structure are the most important crimes to the public interest.

I have supplied you with multiple documents which are criminal in nature as well as encompassing civil liberty violations, which lead to a multitude of additional documents of the same script and nature defining the avenues of the Respondents assistance from the Commonwealth of KYs Courts judicial structure of organized criminal syndicate embodying the very nature of the RICO Act.

Therefore, I implore you to grant an immediate hearing for review and oral argument as well as establish and provide immediate relief to the Petitioner, Kelly E Miller, as available by this court to be delivered as an immediate need and established before the respondents reply is due 20 days from today. The burden to prove that the Commonwealths actions in aiding and abetting, Respondent, Tammy Barker, were not the result of arbitrariness or discrimination but was supported by a rational state policy falls squarely on the defenders of the law, whoever they may be.

It is the Respondents and judicial representatives who have failed to offer the Courts any evidence to support their unlawful proceedings and who face an evidentiary issue due to the complete absence of rebuttal evidence in their opposition. The Court official documents drafted by the Respondent and Respondents conspirators being submitted by the Petitioner provide unbiased confirmation of RICO Acts maliciously and openly committed by the Commonwealth of Kentucky upon the Petitioner in support of the Respondent.

**CONCLUSION**

For the afore reasons submitted the oral hearing for review should be granted on the grounds established within this brief without further delay

Respectfully submitted,

Kelly E Miller, In Pro Se

[Equaljustice4kellymiller@yahoo.com](mailto:Equaljustice4kellymiller@yahoo.com)

(606) 233-2165

**TEMPORARY MAILING ADDRESS**

**ENSCRIBE AS FOLLOWS:**

General Delivery

Kelly E. Miller

900 Brentwood Rd NE

Washington, DC 20090

**CERTIFICATE:**

I hereby affirm copies of the foregoing **APPELLANT BRIEF AND JURISDICTIONAL STATMENT**were delivered by United States Postal Service to the following parties **this 4th day of November, 2013**.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kelly E. Miller

**Clerk, Supreme Court of the United States**

1 First Street, NE

Washington, DC 20543

**Clerk, Kentucky Court of Appeals**

360 Democrat Drive

Frankfort, Kentucky 40601

**Hon David M. Runyon**

Porter, Schmitt, Banks & Baldwin

P.O. Drawer 1767

Paintsville, KY 41240-1767