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The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

THE UNITED STATES OF AMERICA,
ex rel., AMAR SAFADI, appearing qui tam,
Plaintiff,

v.

STATE OF WASHINGTON,
Defendant.

NO. 2:18-cv-01304-JCC

COMPLAINT (AMENDED)

[28 U.S.C. § 1331], [18 U.S.C. § 1962]

Amar Safadi, a US Citizen and a veteran with the US Army National Guard, brings this QUI TAM action on behalf of himself and the UNITED STATES OF AMERICA against the State of Washington.

I. JURISDICTION

This court has original jurisdiction under the provisions of the United States Code, Title 28 § 1331 and Title 18 § 1962.

II. REQUEST

- Enter a finding of Abuse of Process against the State of Washington.
- The defendant to uphold the United States Constitution, Articles and Amendments.
- Arrest and hand over to the Federal Bureau of Investigation any person found to be directly

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1 involved in the Racketeering and Corruption to be prosecuted pursuant to 18 U.S.C. § 1963.

- 2 • Amend the Revised Code of Washington to be in compliance with the United States Constitution,
- 3 Articles, and Amendments.
- 4 • Revise Washington Court Form FL All Family 140 (Parenting Plan).
- 5 • Prosecute against perjury to the maximum allowed by law.
- 6 • Reform the State's Family Courts.
- 7 • Allow 50/50 legal shared custody of children.
- 8 • Not to interfere with the physical custody of children if there is no valid limitation on their parents.
- 9 • Defer physical custody decisions to Alternative Dispute Resolution in the absence of limitation.
- 10 • Audit the State's judiciary and bar association.
- 11 • Immediately halt all child support enforcement.
- 12 • Release all detainees who are imprisoned for failing to pay child support.
- 13 • Investigate election frauds in Snohomish County.

14 III. PROCEDURAL HISTORY

15 The Case of Amar Safadi

16 Mr. Safadi was a pro se litigant in a civil case of Dissolution of Marriage with Children in Snohomish
17 County in the State of Washington. He was the respondent / defendant in Case No. 17-3-02837-31
18 Snohomish County Superior Court - Everett, WA.

19 In 2017, Mr. Safadi's spouse - Aliya Tatari hired Ms. Helena Maria Koltonowska (aka Helenka
20 Koltonowska) as a pro bono legal aid family law attorney who was working for *Snohomish County*
21 *Legal Services* located in Everett, WA. Ms. Koltonowska is an attorney who is licensed to practice law
22 in the State of Washington under State Bar Number WSBA# 23172 since 1993.

23 On December 7th, 2017, Ms. Koltonowska filed an appearance on behalf of the petitioner / plaintiff
24 Aliya Tatari in the above mentioned case. From the onset of the case, Ms. Koltonowska baselessly
25 accused Mr. Safadi of harassment, child kidnapping, domestic violence and mental illness. On January

1 11th, 2018 the court reserved findings against Mr. Safadi for all of these accusations. However, Ms.
2 Koltonowska managed to convince the court to issue a one-sided restraining order against Mr. Safadi
3 that barred his access to his three minor children. Mr. Safadi has been unjustifiably withheld from his
4 children since December 18th, 2017. Ms. Koltonowska has aided the petitioner to alienate the children
5 from their father and effectively cut all ties between father and children even though the father had
6 proven to the court with evidence that he had been the parent in charge of the children's education and
7 activities and had historically had a great, loving and caring relationship with his children. Since
8 January 11th, 2018 Ms. Koltonowska was caught with numerous counts of professional misconducts to
9 include perjury, fraud, and misrepresentation. Mr. Safadi became very suspicious of Ms. Koltonowska,
10 her intentions and her true identity. Thus, Mr. Safadi obtained a public record of Ms. Koltonowska's
11 past cases. For several weeks, Mr. Safadi started investigating Ms. Koltonowska's 66 cases of
12 Dissolution of Marriage with Children. Mr. Safadi found a pattern of fraud, lies and misrepresentation
13 that essentially severed the parent-child bond using restraining and protection orders presented by Ms.
14 Koltonowska on behalf of her clients and signed by judges and commissioners of Snohomish County
15 Superior Court using allegations of domestic violence. Mr. Safadi made contact with several of Ms.
16 Koltonowska's victims. His instinct was confirmed that Ms. Koltonowska had been aiding her clients
17 to secure full custody of their children through false allegations of domestic violence. Some of Ms.
18 Koltonowska's victims were incarcerated due to false allegations of domestic violence. These
19 individuals never had any prior criminal records. All of the parents Mr. Safadi met were traumatized
20 from losing their children. Many of them, including Mr. Safadi, are now facing homelessness and
21 poverty due to lost jobs, legal expenses, and/or child support withholdings that are beyond their
22 financial abilities. Mr. Safadi continued his investigation. He found that *Snohomish County Legal*
23 *Services* is a legal aid law firm registered in the State of Washington as a charitable organization that
24 is 501(c)(3) tax exempt since 1983. As a legal aid, it was mandated that free legal aid be offered only
25 to poor citizens of Snohomish County who are also suffering from domestic violence.

1 Ms. Koltonowska has offered free legal aid to Ms. Tatari who was neither poor at the time nor ever
2 faced domestic violence. It was found that Ms. Koltonowska's false allegation of domestic violence
3 was a requirement to obtain an Order to Waive Civil Fees and Surcharges (QLSP Filing)(MTAF).
4 It was also found that *Snohomish County Legal Services* had been appointing to its board of directors
5 several of Snohomish County Superior Court judges. This complaint is not intended to be frivolous or
6 to defame state judges; therefore, the identity of these judges will not be disclosed out of respect.
7 Upon examination of *Snohomish County Legal Services'* IRS Form 990, it was found that the amount
8 of grants received by this law firm jumped from \$255,492 in 2011 to \$631,331 in 2015, a 147%
9 increase over a four-year span! It was also found that *Snohomish County Legal Services* had concealed
10 the sources of \$539,081 in grant funding in 2015. It was found that Ms. Koltonowska was amongst the
11 highest paid employees of *Snohomish County Legal Services*. During the investigation process, it was
12 found that Ms. Koltonowska had been appointed as a Snohomish County Deputy Prosecutor on May
13 20th, 1994 and had been using variations of names and signatures over the years. When Mr. Safadi
14 exposed the corruption and misconduct of Ms. Koltonowska, she withdrew from all of her cases on
15 March 6th, 2018 and immediately took an office in Snohomish County Prosecuting Attorney's Office –
16 Family Division. Snohomish County Prosecuting Attorney – Mark Kirby Roe “reappointed” Ms.
17 Koltonowska as a Deputy Prosecutor. Shortly after, the State of Washington filed a Notice of State's
18 Interest and Non-Appearance due to “administrative considerations.” The State was essentially
19 protecting State's officials from being subpoenaed to testify in the upcoming divorce trial. Ms.
20 Koltonowska's solid connection with Snohomish County Government as a Deputy Prosecutor in
21 Family Division and her work as a pro bono family law attorney is a clear conflict of interest and a
22 sign of an underlying corruption in Snohomish County that has been going on for years. Ms.
23 Koltonowska would offer one parent free legal aid, full custody of the children, alimony and child
24 support. Later, she would communicate with her government network, namely the Department of
25 Social and Health Services – Division of Child Support, to issue administrative orders of Income

1 Withholdings (IWO). Finally, Ms. Koltonowska would enforce the child support payments through the
2 Snohomish County Prosecuting Attorney – Family Division. These orders would be forwarded to law
3 enforcement to arrest or harass the non-custodial parent for failing to pay child support. The State of
4 Washington represented by Snohomish County Prosecuting Attorney’s mission is to collect child
5 support from impoverished parents even if that would lead these parents all the way down to
6 homelessness. The State is abusing Title IV-D of the Social Security Act, specifically the federal
7 incentive to the State for enforcing Child Support. The more child support the State collects, the more
8 federal funding it receives. The scheme used by the Snohomish County Prosecuting Attorney and his
9 undercover Deputy Prosecutor was to serve the non-custodial parent a no-contact restraining order to
10 limit his or her access to their children using false allegations in clear violation of the Due Process
11 clause of the 14th Amendment of the US Constitution. Bar-to-Access is their strategy to maximize
12 Child Support payment and therefore the federal funding that the State receives pursuant to 42 U.S.C.
13 § 658a. Many parents in Snohomish County are victims of the State. This corruption has created many
14 single-parent homes in Snohomish County, which indirectly escalated crime, poverty, and
15 homelessness rates over the years. In early 2018, multiple grievances with the Washington State Bar
16 Association (WSBA) were filed against Attorney Helena Maria Koltonowska and her accomplices.
17 These grievances cited violations to the Rules of Professional Conduct (RPC) related to factual events
18 and pleadings. The WSBA dismissed Mr. Safadi’s grievance against Ms. Koltonowska. The
19 Committee Chair who signed the dismissal order was Attorney Hillary E. Graber. It was found that
20 Ms. Graber is a Snohomish County Deputy Prosecutor who was appointed by Mr. Roe on March 22nd,
21 2015. Mr. Safadi filed a grievance against Ms. Graber for clearly being a member of the corruption by
22 trying to cover-up for her boss and coworker. On May 9th, 2018 an officer of the Washington State
23 Supreme Court dismissed the grievance against Ms. Graber. Eventually the WSBA dismissed all of
24 Mr. Safadi’s grievances and did not discipline or prosecute any attorney. Mr. Safadi’s concern of
25 corruption was brought to a local news reporter. This seasoned reporter testified that Snohomish

1 County Prosecuting Attorney, Mark Kirby Roe is a well-known corrupt official. Shockingly, that
2 reporter was later offered a job at the local government, likely in exchange for his silence. The identity
3 of this reporter will not be disclosed out of respect to his long years of service to his community. Mr.
4 Safadi's focus shifted to Snohomish County Prosecuting Attorney – Mark Kirby Roe. It was found
5 that Mr. Roe has been serving in Snohomish County Government since May 28th, 1987. He was
6 appointed as a Snohomish County Deputy Prosecutor. On December 9th, 2009 Mr. Roe took an Oath
7 to be Snohomish County Prosecuting Attorney for the “unexpired term” of the elected office. The oath
8 was sworn before a Snohomish County Superior Court Judge by the name of “Elly Tai.” No judge
9 with that name was found to have served in Snohomish County Superior Court during that period. Mr.
10 Roe is holding the office of County Prosecuting Attorney, an elected position. However, looking at
11 Mr. Roe's records for the 2010 election, it was found that these records show election registrations
12 signed after the election was over or two years prior to the election. As for the 2014 election, no record
13 of Candidate Registration was found; however, an Oath of Office was found where Mr. Roe swore an
14 oath before himself! Mr. Roe's process to hold an elected office for two consecutive terms from 2010
15 to 2018 should be further scrutinized and investigated. In an effort not to defame the State of
16 Washington, Mr. Safadi filed two class action lawsuits in this United States District Court. The first
17 action was against the State of Washington under 28 U.S.C. § 1331 (2:18-cv-01304-JCC). The second
18 action was against Mr. Roe et. al under 18 U.S.C. § 1962 (2:18-cv-01305-RAJ) where the amended
19 complaint and arrest warrants were served upon the Department of Justice and the Federal Bureau of
20 Investigation. Mr. Safadi tried to help the State by proposing a stipulation judgment to no avail. On
21 behalf of the State of Washington, Attorney Lianne S. Malloy rejected that stipulation on September
22 14th, 2018. On a side note, Mr. Safadi filed an action on September 18th, 2018 against the United
23 States on behalf of the United States of America under 28 U.S.C. § 1331 (2:18-cv-01375-RAJ). This
24 action is not related to the Racketeering and the Corruption that were exposed and found in the case
25 against the State of Washington. It is crucial to clarify that the action against the United States is

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1 merely to amend the United States Code - Title 42 – Chapter 7 to be in compliance with the United
2 States Constitution, Articles and Amendments and to encourage the United States to reform their
3 family courts and amend their statutes to be in compliance. No finding of abuse of process was made
4 against the government of United States of America or the rest of the United States. Members of the
5 United States Congress represented by all attorney generals of the Fifty States in the union, the District
6 of Columbia and the United States Territories were served copies of the amended complaint and the
7 Stipulated Final Judgment of Permanent Injunction and Relief. It is disappointing to note that the State
8 of Washington was still trying to protect Mr. Roe and his accomplices. On September 4th, 2018 the
9 complaint against Mr. Roe et. al was served upon the Attorney General of the State of Washington.
10 Assistant Attorney General Paul M. Crisalli appeared on behalf of the defendants. Mr. Crisalli later
11 withdrew his appearance stating that “it appears that none of the defendants are state officers or
12 employees that the Attorney General is authorized to represent.” Mr. Crisalli cited Washington State
13 Statute RCW 43.10.030. Examining RCW 43.10.030, it appears that Mr. Crisalli might have
14 committed perjury under 18 U.S.C. § 1621. Mr. Safadi has communicated with many individuals from
15 different counties within the State of Washington who were also victims of the State’s abuse of their
16 civil rights. The corruption was colorblind. The victims came from different races, faiths, genders, and
17 backgrounds. Many victims are veterans who honorably served in the United States military. Others
18 are members of the law enforcement. Others have succumbed to depression and anxiety and decided to
19 take their own lives. This is a great injustice in our nation that promises “Justice and Liberty for All.”
20 The surviving witnesses are ready to testify against the State in a trial by jury if the occasion arises.
21 Looking at the ever-rising homeless population in the State of Washington, it seems that the federal
22 funding received by the State is mismanaged and not spent on the people who need it the most. On a
23 limited budget, Mr. Safadi was unable to hire a lawyer or seek legal aid. Thus, he had to represent
24 himself pro se by studying court rules, procedural law, and case law to defend himself. It was found
25 that the State’s law in regard to child custody and support was unconstitutional. Mr. Safadi is fighting

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1 to uphold his oath to defend the United States of America and its Constitution pursuant to 10 U.S.C. §
2 502a. Mr. Safadi is well aware that the damage done to him, his children, other victims and their
3 families is not reversible. No financial relief can bring back lost children or cure the emotional
4 suffering that the State knowingly inflicted for many years. Mr. Safadi is demanding justice for
5 himself and other Americans. In an effort by the State of Washington to silence the truth and after the
6 Racketeering and the Corruption were exposed and found in the *Tatari v. Safadi* case (Snohomish
7 County Superior Court – Docket # 17-3-02837-31), the State decided to retaliate against Mr. Safadi.
8 The court issued a Child Support Order with made-up past due child support alleging that Mr. Safadi
9 was voluntarily under-employed. The court also issued an outrageous Parenting Plan that is full of lies
10 and false accusation completely stripping Mr. Safadi of his parental rights and his legal custody of his
11 children. But that’s not where the story ends. The State issued a Restraining Order against Mr. Safadi
12 until his minor children reach the age of 18. Although Mr. Safadi refused to sign any order that was
13 presented by the corrupt lawyers of *Snohomish County Legal Services*, the State later issued an
14 Administrative Order of Income Withholding (IWO) without the presence or knowledge of Mr.
15 Safadi. Mr. Safadi never asked to be classified as a “non-custodial” parent. He had never failed in his
16 obligation to support and nourish his children. The State thinks it knows “the best interest of the
17 children.” The State made the children fatherless. The children’s school grades suffered. They stopped
18 going to their activities. They moved out of an upscale house to a low-income housing. Besides, the
19 State made the father homeless not even having enough money to support a decent living. Is this the
20 best interest of the children? It appears that this is the best interest of the State and its corrupt
21 attorneys.

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V. LEGAL ARGUMENT

A. CUSTODY OF CHILDREN

The law as written violates the legal custody of children. Both mothers and fathers have equal rights to the *legal* custody of their children under the equal protection clause of the Fourteenth Amendment.

Legal custody and physical custody are two distinct terms. If one parent is the *physical* custodian, that should not deprive the other parent of his or her *legal* custody of a child.

The rights of parents to the care, custody and nurture of their children is of such character that it cannot be denied without violating those fundamental principles of liberty and justice which lie at the base of all our civil and political institutions, and such right is a fundamental right protected by this amendment (First) and Amendments 5, 9, and 14.

Doe v. Irwin, 441 F Supp 1247; U.S. D.C. of Michigan, (1985).

The several states have no greater power to restrain individual freedoms protected by the First Amendment than does the Congress of the United States.

Wallace v. Jaffree, 105 S Ct 2479; 472 US 38, (1985).

Loss of First Amendment Freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury. Though First Amendment rights are not absolute, they may be curtailed only by interests of vital importance, the burden of proving which rests on their government.

Elrod v. Burns, 96 S Ct 2673; 427 US 347, (1976).

Law and court procedures that are “fair on their faces” but administered “with an evil eye or a heavy hand” was discriminatory and violates the equal protection clause of the Fourteenth Amendment.

Yick Wo v. Hopkins, 118 US 356, (1886).

Even when blood relationships are strained, parents retain vital interest in preventing irretrievable destruction of their family life; if anything, persons faced with forced dissolution of their parental rights have more critical need for procedural protections than do those resisting state intervention into ongoing family affairs. Santosky v. Kramer, 102 S Ct 1388; 455 US 745, (1982).

1 Parents have a fundamental constitutionally protected interest in continuity of legal bond with their
2 children. Matter of Delaney, 617 P 2d 886, Oklahoma (1980).

3 The liberty interest of the family encompasses an interest in retaining custody of one's children and,
4 thus, a state may not interfere with a parent's custodial rights absent due process protections.

5 Langton v. Maloney, 527 F Supp 538, D.C. Conn. (1981).

6 Parent's right to custody of child is a right encompassed within protection of this amendment which
7 may not be interfered with under guise of protecting public interest by legislative action which is
8 arbitrary or without reasonable relation to some purpose within competency of state to effect.

9 Regenold v. Baby Fold, Inc., 369 NE 2d 858; 68 Ill 2d 419, appeal dismissed 98 S Ct 1598, 435 US
10 963, IL, (1977).

11 Parent's interest in custody of her children is a liberty interest which has received considerable
12 constitutional protection; a parent who is deprived of custody of his or her child, even though
13 temporarily, suffers thereby grievous loss and such loss deserves extensive due process protection.

14 In the Interest of Cooper, 621 P 2d 437; 5 Kansas App Div 2d 584, (1980).

15 The Due Process Clause of the Fourteenth Amendment requires that severance in the parent-child
16 relationship caused by the state occur only with rigorous protections for individual liberty interests at
17 stake. Bell v. City of Milwaukee, 746 F 2d 1205; US Ct App 7th Cir WI, (1984).

18 Father enjoys the right to associate with his children which is guaranteed by this amendment (First) as
19 incorporated in Amendment 14, or which is embodied in the concept of "liberty" as that word is used
20 in the Due Process Clause of the 14th Amendment and Equal Protection Clause of the 14th
21 Amendment. Mabra v. Schmidt, 356 F Supp 620; DC, WI (1973).

22 "Separated as our issue is from that of the future interests of the children, we have before us the
23 elemental question whether a court of a state, where a mother is neither domiciled, resident nor
24 present, may cut off her immediate right to the care, custody, management and companionship of her
25 minor children without having jurisdiction over her in personam. Rights far more precious to appellant

1 than property rights will be cut off if she is to be bound by the Wisconsin award of custody.”

2 May v. Anderson, 345 US 528, 533; 73 S Ct 840, 843, (1952).

3 A parent’s right to care and companionship of his or her children are so fundamental, as to be
4 guaranteed protection under the First, Ninth, and Fourteenth Amendments of the United States
5 Constitution. In re: J.S. and C., 324 A 2d 90; supra 129 NJ Super, at 489.

6 The Court stressed, “the parent-child relationship is an important interest that undeniably warrants
7 deference and, absent a powerful countervailing interest, protection.” A parent’s interest in the
8 companionship, care, custody and management of his or her children rises to a constitutionally secured
9 right, given the centrality of family life as the focus for personal meaning and responsibility.

10 Stanley v. Illinois, 405 US 645, 651; 92 S Ct 1208, (1972).

11 Parent’s rights have been recognized as being “essential to the orderly pursuit of happiness by free
12 man.” Meyer v. Nebraska, 262 US 390; 43 S Ct 625, (1923).

13 The U.S. Supreme Court implied that “a (once) married father who is separated or divorced from a
14 mother and is no longer living with his child” could not constitutionally be treated differently from a
15 currently married father living with his child.

16 Quilloin v. Walcott, 98 S Ct 549; 434 US 246, 255^Q56, (1978).

17 The U.S. Court of Appeals for the 9th Circuit (California) held that the parent-child relationship is a
18 constitutionally protected liberty interest. (See; Declaration of Independence –life, liberty and the
19 pursuit of happiness and the 14th Amendment of the United States Constitution — No state can
20 deprive any person of life, liberty or property without due process of law nor deny any person the
21 equal protection of the laws.) Kelson v. Springfield, 767 F 2d 651; US Ct App 9th Cir, (1985).

22 The parent-child relationship is a liberty interest protected by the Due Process Clause of the 14th
23 Amendment. Bell v. City of Milwaukee, 746 f 2d 1205, 1242^Q45; US Ct App 7th Cir WI, (1985).

24 No bond is more precious and none should be more zealously protected by the law as the bond
25 between parent and child.” Carson v. Elrod, 411 F Supp 645, 649; DC E.D. VA (1976).

1 A parent's right to the preservation of his relationship with his child derives from the fact that the
2 parent's achievement of a rich and rewarding life is likely to depend significantly on his ability to
3 participate in the rearing of his children. A child's corresponding right to protection from interference
4 in the relationship derives from the psychic importance to him of being raised by a loving, responsible,
5 reliable adult. *Franz v. U.S.*, 707 F 2d 582, 595^Q599; US Ct App (1983).

6 A parent's right to the custody of his or her children is an element of "liberty" guaranteed by the 5th
7 Amendment and the 14th Amendment of the United States Constitution.

8 *Matter of Gentry*, 369 NW 2d 889, MI App Div (1983).

9 Reality of private biases and possible injury they might inflict were impermissible considerations
10 under the Equal Protection Clause of the 14th Amendment.

11 *Palmore v. Sidoti*, 104 S Ct 1879; 466 US 429.

12 Legislative classifications which distributes benefits and burdens on the basis of gender carry the
13 inherent risk of reinforcing stereotypes about the proper place of women and their need for special
14 protection; thus, even statutes purportedly designed to compensate for and ameliorate the effects of
15 past discrimination against women must be carefully tailored. The state cannot be permitted to classify
16 on the basis of sex. *Orr v. Orr*, 99 S Ct 1102; 440 US 268, (1979).

17 The United States Supreme Court held that the "old notion" that "generally it is the man's primary
18 responsibility to provide a home and its essentials" can no longer justify a statute that discriminates on
19 the basis of gender. No longer is the female destined solely for the home and the rearing of the family,
20 and only the male for the marketplace and the world of ideas.

21 *Stanton v. Stanton*, 421 US 7, 10; 95 S Ct 1373, 1376, (1975).

22 Judges must maintain a high standard of judicial performance with particular emphasis upon
23 conducting litigation with scrupulous fairness and impartiality.

24 28 USCA § 2411; *Pfizer v. Lord*, 456 F.2d 532; cert denied 92 S Ct 2411; US Ct App MN, (1972).

25 State Judges, as well as federal, have the responsibility to respect and protect persons from violations

1 of federal constitutional rights. *Gross v. State of Illinois*, 312 F 2d 257; (1963).

2 The Constitution also protects “the individual interest in avoiding disclosure of personal matters.”

3 Federal Courts (and State Courts), under *Griswold* can protect, under the “life, liberty and pursuit of
4 happiness” phrase of the Declaration of Independence, the right of a man to enjoy the mutual care,
5 company, love and affection of his children, and this cannot be taken away from him without due
6 process of law. There is a family right to privacy which the state cannot invade or it becomes
7 actionable for civil rights damages. *Griswold v. Connecticut*, 381 US 479, (1965).

8 The right of a parent not to be deprived of parental rights without a showing of fitness, abandonment
9 or substantial neglect is so fundamental and basic as to rank among the rights contained in this
10 Amendment (Ninth) and Utah’s Constitution, Article 1 § 1. *In re U.P.*, 648 P 2d 1364; Utah, (1982).

11 The rights of parents to parent-child relationships are recognized and upheld.

12 *Fantony v. Fantony*, 122 A 2d 593, (1956); *Brennan v. Brennan*, 454 A 2d 901, (1982).

13 State’s power to legislate, adjudicate and administer all aspects of family law, including
14 determinations of custodial; and visitation rights, is subject to scrutiny by federal judiciary within
15 reach of due process and/or equal protection clauses of 14th Amendment...Fourteenth Amendment
16 applied to states through specific rights contained in the first eight amendments of the Constitution
17 which declares fundamental personal rights...Fourteenth Amendment encompasses and applied to
18 states those preexisting fundamental rights recognized by the Ninth Amendment. The Ninth
19 Amendment acknowledged the prior existence of fundamental rights with it: “The enumeration in the
20 Constitution, of certain rights, shall not be construed to deny or disparage others retained by the
21 people.” The United States Supreme Court, in a long line of decisions, has recognized that matters
22 involving marriage, procreation, and the parent-child relationship are among those fundamental
23 “liberty” interests protected by the Constitution. Thus, the decision in *Roe v. Wade*, 410 US 113; 93 S
24 Ct 705; 35 L Ed 2d 147, (1973), was recently described by the Supreme Court as found on the
25 “Constitutional underpinning of ... a recognition that the “liberty” protected by the Due Process

1 Clause of the 14th Amendment includes not only the freedoms explicitly mentioned in the Bill of
 2 Rights, but also a freedom of personal choice in certain matters of marriage and family life.” The non-
 3 custodial divorced parent has no way to implement the constitutionally protected right to maintain a
 4 parental relationship with his child except through visitation. To acknowledge the protected status of
 5 the relationship as the majority does, and yet deny protection under Title 42 U.S.C. § 1983, to
 6 visitation, which is the exclusive means of effecting that right, is to negate the right completely.
 7 *Wise v. Bravo*, 666 F.2d 1328, (1981).

8 FROM THE COLORADO SUPREME COURT, 1910

9 In controversies affecting the custody of an infant, the interest and welfare of the child is the primary
 10 and controlling question by which the court must be guided. This rule is based upon the theory that
 11 the state must perpetuate itself, and good citizenship is essential to that end. Though nature gives to
 12 parents the right to the custody of their own children, and such right is scarcely less sacred than the
 13 right to life and liberty, and is manifested in all animal life, yet among mankind the necessity for
 14 government has forced the recognition of the rule that the perpetuity of the state is the first
 15 consideration, and parental authority itself is subordinate to this supreme power. It is recognized
 16 that: ‘The moment a child is born it owes allegiance to the government of the country of its birth, and
 17 is entitled to the protection of that government. And such government is obligated by its duty of
 18 protection, to consult the welfare, comfort and interest of such child in regulating its custody during
 19 the period of its minority.’ *Mercein v. People*, 25 Wend. (N. Y.) 64, 103, 35 Am. Dec. 653;
 20 *McKercher v. Green*, 13 Colo. App. 271, 58 Pac. 406. But as government should never interfere with
 21 the natural rights of man, except only when it is essential for the good of society, the state recognizes,
 22 and enforces, the right which nature gives to parents [48 Colo. 466] to the custody of their own
 23 children, and only supervenes with its sovereign power when the necessities of the case require it.
 24 The experience of man has demonstrated that the best development of a young life is within the sacred
 25 precincts of a home, the members of which are bound together by ties entwined through

1 ‘bone of their bone and flesh of their flesh’; that it is in such homes and under such influences that the
 2 sweetest, purest, noblest, and most attractive qualities of human nature, so essential to good
 3 citizenship, are best nurtured and grow to wholesome fruition; that, when a state is based and built
 4 upon such homes, it is strong in patriotism, courage, and all the elements of the best
 5 civilization. Accordingly these recurring facts in the experience of man resulted in a presumption
 6 establishing prima facie that parents are in every way qualified to have the care, custody, and control
 7 of their own offspring, and that their welfare and interests are best subserved under such
 8 control. Thus, by natural law, by common law, and, likewise, the statutes of this state, the natural
 9 parents are entitled to the custody of their minor children, except when they are unsuitable persons to
 10 be entrusted with their care, control, and education, or when some exceptional circumstances appear
 11 which render such custody inimicable to the best interests of the child. While the right of a parent to
 12 the custody of its infant child is therefore, in a sense, contingent, the right can never be lost or taken
 13 away so long as the parent properly nurtures, maintains, and cares for the child.

14 Wilson v. Mitchell, 111 P. 21, 25-26, 48 Colo. 454 (Colo. 1910)

15 **B. CHILD SUPPORT**

16 The current law regarding child support is in direct violation of the United States Constitution (Article
 17 I, Sections 9 and 10) that prohibits bills of attainder or *ex post facto laws*. The law currently classifies
 18 divorcing parents as custodian (obligee) and non-custodian (obligor), denies the non-custodial parent
 19 equal due process by trial, then “punishes” the non-custodial parent with child support. Punishment
 20 has the forms of wage withholding, liens on property; offset of unemployment compensation
 21 payments; seizure and sale of personal or real property; reporting arrearages to credit agencies to
 22 prevent the undeserved extension of credit; seizure of State and Federal income tax refunds;
 23 revocation of various types of licenses (driver’s, business, occupational, recreational), attachment of
 24 lottery winnings and insurance settlements of debtors parents; requirement that recipients of financial
 25 assistance from the Small Business Administration, including direct loans and loan guarantees, must

1 certify that the recipient is not more than 60 days delinquent in the payment of child support, authority
2 to seize assets held by public or private retirement funds and financial institutions; deprivation of a
3 debtor to a fresh start to discharge a debt completely, pay a percentage of the debt, or pay the full
4 amount of the debt over a longer period of time because debts for child support and alimony are not
5 dischargeable, and State or Federal imprisonment, fines or both.

6 The Supreme Court has explained that a bill of attainder is a law that legislatively determines guilt and
7 inflicts punishment upon an identifiable individual or group of individuals without provision of the
8 protections of a judicial trial. *United States v. Brown*, 381 U.S. 437, 448-50 (1965)

9 There are 3 requirements for a bill of attainder (1) specification of the affected person or persons; (2)
10 punishment; and (3) lack of conviction by trial. The Bill of Attainder Clause is to be liberally
11 construed in the light of its purpose to prevent legislative punishment of designated persons or groups.
12 *United States v. Brown*, 381 U.S. 437 (1965)

13 "The Due Process Clause" is a restraint on the legislative as well as on the executive and judicial
14 powers of the government, and cannot be so construed as to leave congress free to make any process
15 "due process of law," by its mere will.

16 *Rafeedie v. INS*, 880 F. 2d 506 - Court of Appeals, Dist. of Columbia Circuit 1989,

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VI. CONCLUSION AND RELIEF

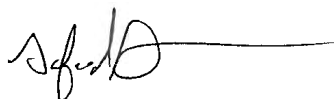
The State of Washington has abused the process. State officials have violated Americans’ civil rights to maximize the federal incentives the State receives. The following reliefs are appropriate in this case:

The States of Washington shall:

- Arrest and hand over to the Federal Bureau of Investigation any person found to be directly involved in the Racketeering and Corruption to be prosecuted pursuant to 18 U.S.C. § 1963.
- Amend the Revised Code of Washington to be in compliance with the United States Constitution, Articles, and Amendments by 12/31/2019.
- Revise Washington Court Form FL All Family 140 (Parenting Plan) by 12/31/2019.
- Prosecute against perjury to the maximum allowed by law.
- Reform the State’s Family Courts by 12/31/2019.
- Allow for *equal* due process in its courts.
- Allow 50/50 legal shared custody of children.
- Not to interfere with the physical custody of children if there is no valid limitation on their parents.
- Defer physical custody decisions to Alternative Dispute Resolution in the absence of limitation.
- Immediately halt the issuance of all Bills of Attainder.
- Audit the State’s judiciary and bar association.
- Immediately halt all child support enforcement.
- Release all detainees who are imprisoned for failing to pay child support.
- Investigate election frauds in Snohomish County.

Done in open Court this 22nd day of October 2018.

Presented By: Amar Safadi, qui tam



Signature



U.S. District Judge / U.S. Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed with the United States District Court, Western District of Washington – Seattle Division. I certify that service will be accomplished upon:

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Dated: October 22nd, 2018



Amar Safadi

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