INTERNATIONAL CRIMINAL COURT AGAINST CHILD KIDNAPPING
PROTECTING & ENFORCING THE HUMAN RIGHTS OF THE CHILD

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OPEN LETTER TO PRESIDENT TRUMP

THE WHITE HOUSE

Mr. DONALD J. TRUMP

45TH PRESIDENT OF USA

1600 Pennsylvania Ave NW

Washington, DC 20500

USA

Date: 6/19/18

Proposed Executive Order, which will STOP Human Rights Abuses in the Family Court System

Dear Mr. President,

We herewith submit a DRAFT Executive Order to Restore integrity to State Family Courts!

In response to thousands of meritorious complaints that I have received, from The American People, from all over the nation, since taking office as your President, I am issuing this very belated Executive Order.

For decades, numerous lower court judges have issued court orders that violate the Human Rights, The Constitutional Rights and the Civil Rights of Americans. Each such illicit court order is a clear-cut felony committed by the judge pursuant to **US Code Title 18, Section 242.**

Although the law is crystal clear and easily understood, the aforementioned Human Rights violations have continued unabated. The results of these **Crimes Against The People and especially innocent children** have been horrendous. These Abominations have been especially prevalent in the "family courts".

The social carnage of which I spoke in my inaugural address has destroyed the lives of millions of American Citizens. Millions of American Children have been wrongfully taken, Under Color Of Law, from fit parents. These parents have become financially destitute in their futile efforts to rescue their children from the foster care industry. Many have become homeless and many have committed suicide. **See attached Exhibit A1 – "Last Testament of a loving Father"**

Not only have the Mothers and Fathers committed suicide, many of the children who have been physically, psychologically, mentally, emotionally, sexually and chemically abused in foster care have also committed suicide.

This very dark chapter in American History is going to come to an end, so help me God.

The numerous violations of the Human Rights of The People have enabled the "Family Court Racket" to operate for decades. Motivation for this ongoing Criminal Enterprise has been monetary. Hundreds of billions of dollars have been taken from the Social Security Trust Fund to finance this criminality.

Draining the Social Security Trust Fund, in effect, is stealing the retirement of the younger generation of Americans.

I am hereby ordering vigorous enforcement of Federal Criminal Complaints submitted to Federal Magistrate Judges in conjunction with Rules 3 and 4 of The Federal Rules of Criminal Procedure, pursuant to US Code Title 18, Section 242.

The Supremacy Clause for the Constitution of The United States shall nullify any attempt to circumvent, abrogate or violate the Constitutionally Protected Rights of The American People.

Any non-compliance with this order will be ample grounds for removal of any judge who is guilty of Obstruction of Justice, Dereliction of Duty, Malfeasance, Misfeasance or Nonfeasance. Any such offender will also be Indicted and Prosecuted.

Signed

_____

Donald J. Trump

President of the United States of America

Date .....

The International Criminal Court against Child Kidnapping (ICCACK – www.childabductioncourt.eu) is the court of last resort for the prosecution of the crime of (parental) child kidnapping, enforced disappearance of children by government officials, human rights violations, and crimes against humanity. We herewith would like to request an official meeting with you to further discuss this, and to work together so that we do not look like a nation of ruffians who welcome and protect criminals.

We would welcome the chance to further discuss this **DRAFT EXECUTIVE ORDER** against Human Rights Violations and the criminal activities of family court judges raised in this letter.

Respectfully yours,

Mark Rackley – Trustee of the Members of the Board

International Criminal Court Against Child Kidnapping

- Addendums –

Exhibit A –

U.S. Code Title 18 Section 242 Deprivation Of Rights Under Color Of Law

Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties.

Persons acting under color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim. The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

Exhibit B –

The Federal Rules Of Criminal Procedure

Rule 3. The Complaint

The complaint is a written statement of the essential facts constituting the offense charged. Except as provided in Rule 4.1, it must be made under oath before a magistrate judge or, if none is reasonably available, before a state or local judicial officer.

Rule 4. Arrest Warrant or Summons on a Complaint (a) Issuance. If the complaint or one or more affidavits filed with the complaint establish probable cause to believe that an offense has been committed and that the defendant committed it, the judge must issue an arrest warrant to an officer authorized to execute it. At the request of an attorney for the government, the judge must issue a summons, instead of a warrant, to a person authorized to serve it. A judge may issue more than one warrant or summons on the same complaint. If a defendant fails to appear in response to a summons, a judge may, and upon request of an attorney for the government must, issue a warrant.

Exhibit C –

The Supremacy Clause

The Supremacy Clause of the United States Constitution (Article VI, Clause 2) establishes that the Constitution, federal laws made pursuant to it, and treaties made under its authority, constitute the supreme law of the land.[1] It provides that state courts are bound by the supreme law; in case of conflict between federal and state law, **the federal law must be applied**. Even state constitutions are subordinate to federal law.[2] In essence, it is a conflict-of-laws rule specifying that certain national acts take priority over any state acts that conflict with national law. In this respect, the Supremacy Clause follows the lead of Article XIII of the Articles of Confederation, which provided that "Every State shall abide by the determination of the United States in Congress Assembled, on all questions which by this confederation are submitted to them."[3] A constitutional provision announcing the supremacy of federal law, the Supremacy Clause assumes the underlying priority of federal authority, at least when that authority is expressed in the Constitution itself.[4] No matter what the federal government or the states might wish to do, they have to stay within the boundaries of the Constitution. This makes the Supremacy Clause the cornerstone of the whole American political structure.[5][6]

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the **Supreme Law of the Land**; **and the Judges in every State shall be bound thereby**, anything in the Constitution or Laws of any State to the Contrary notwithstanding.

Preemption doctrine

The constitutional principle derived from the Supremacy Clause is federal preemption. Preemption applies regardless of whether the conflicting laws come from legislatures, courts, administrative agencies, or constitutions. For example, the Voting Rights Act of 1965, an act of Congress, preempts state constitutions, and Food and Drug Administration regulations may preempt state court judgments in cases involving prescription drugs.

Congress has preempted state regulation in many areas. In some cases, such as the 1976 Medical Device Regulation Act, Congress preempted all state regulation. In others, such as labels on prescription drugs, Congress allowed federal regulatory agencies to set national minimum standards but did not preempt state regulations imposing more stringent standards than those imposed by federal regulators. Where rules or regulations do not clearly state whether or not preemption should apply, the Supreme Court tries to follow lawmakers' intent, and prefers interpretations that avoid preempting state laws.[7]

Supreme Court Interpretations

In Ware v. Hylton, 3 U.S. (3 Dall.) 199 (1796), the United States Supreme Court for the first time applied the Supremacy Clause to strike down a state statute. Virginia had passed a statute during the Revolutionary War allowing the state to confiscate debt payments by Virginia citizens to British creditors. The Supreme Court found that this Virginia statute was inconsistent with the Treaty of Paris with Britain, which protected the rights of British creditors. Relying on the Supremacy Clause, the Supreme Court held that the treaty superseded Virginia's statute, and that it was the duty of the courts to declare Virginia's statute "null and void".

In Marbury v. Madison, 5 U.S. 137 (1803), the Supreme Court held that Congress cannot pass laws that are contrary to the Constitution, and it is the role of the Judicial system to interpret what the Constitution permits. Citing the Supremacy Clause, the Court found Section 13 of the Judiciary Act of 1789 to be unconstitutional to the extent it purported to enlarge the original jurisdiction of the Supreme Court beyond that permitted by the Constitution.

In Martin v. Hunter's Lessee, 14 U.S. 304 (1816), and Cohens v. Virginia, 19 U.S. 264 (1821), the Supreme Court held that the Supremacy Clause and the judicial power granted in Article III give the Supreme Court the ultimate power to review state court decisions involving issues arising under the Constitution and laws of the United States. Therefore, the Supreme Court has the final say in matters involving federal law, including constitutional interpretation, and can overrule decisions by state courts.

In McCulloch v. Maryland, 17 U.S. (4 Wheat.) 316 (1819), the Supreme Court reviewed a tax levied by Maryland on the federally incorporated Bank of the United States. The Court found that if a state had the power to tax a federally incorporated institution, then the state effectively had the power to destroy the federal institution, thereby thwarting the intent and purpose of Congress. This would make the states superior to the federal government. The Court found that this would be inconsistent with the Supremacy Clause, which makes federal law superior to state law. The Court therefore held that Maryland's tax on the bank was unconstitutional because the tax violated the Supremacy Clause.

In Ableman v. Booth, 62 U.S. 506 (1859), the Supreme Court held that state courts cannot issue rulings that contradict the decisions of federal courts, citing the Supremacy Clause, and overturning a decision by the Supreme Court of Wisconsin. Specifically, the court found it was illegal for state officials to interfere with the work of U.S. Marshals enforcing the Fugitive Slave Act or to order the release of federal prisoners held for violation of that Act. The Supreme Court reasoned that because the Supremacy Clause established federal law as the law of the land, the Wisconsin courts could not nullify the judgments of a federal court. The Supreme Court held that under Article III of the Constitution, the federal courts have the final jurisdiction in all cases involving the Constitution and laws of the United States, and that the states therefore cannot interfere with federal court judgments.

In Pennsylvania v. Nelson, 350 U.S. 497 (1956) the Supreme Court struck down the Pennsylvania Sedition Act, which made advocating the forceful overthrow of the federal government a crime under Pennsylvania state law. The Supreme Court held that when federal interest in an area of law is sufficiently dominant, federal law must be assumed to preclude enforcement of state laws on the same subject; and a state law is not to be declared a help when state law goes farther than Congress has seen fit to go.

In Reid v. Covert, 354 U.S. 1 (1957), the Supreme Court held that the U.S. Constitution supersedes international treaties ratified by the U.S. Senate.

In Cooper v. Aaron, 358 U.S. 1 (1958), the Supreme Court rejected attempts by Arkansas to nullify the Court's school desegregation decision, Brown v. Board of Education. The state of Arkansas, acting on a theory of states' rights, had adopted several statutes designed to nullify the desegregation ruling. The Supreme Court relied on the Supremacy Clause to hold that the federal law controlled and could not be nullified by state statutes or officials.

In Edgar v. MITE Corp., 457 U.S. 624 (1982), the Supreme Court ruled: "A state statute is void to the extent that it actually conflicts with a valid Federal statute". In effect, this means that a State law will be found to violate the Supremacy Clause when either of the following two conditions (or both) exist:[8]

Compliance with both the Federal and State laws is impossible "State law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress"

In 1920, the Supreme Court applied the Supremacy Clause to international treaties, holding in the case of **Missouri v. Holland, 252 U.S. 416,** that the Federal Government's ability to make treaties is supreme over any state concerns that such treaties might abrogate states' rights arising under the Tenth Amendment.

The Supreme Court has also held that only specific, "unmistakable" acts of Congress may be held to trigger the Supremacy Clause. Montana had imposed a 30 percent tax on most sub-bituminous coal mined there. The Commonwealth Edison Company and other utility companies argued, in part, that the Montana tax "frustrated" the broad goals of the national energy policy. However, in the case of **Commonwealth Edison Co. v. Montana, 453 U.S. 609 (1981),** the Supreme Court disagreed. Any appeal to claims about "national policy", the Court said, were insufficient to overturn a state law under the Supremacy Clause unless "the nature of the regulated subject matter permits no other conclusion, or that the Congress has unmistakably so ordained".[9]

However, in the case of **California v. ARC America Corp., 490 U.S. 93 (1989),** the Supreme Court held that if Congress expressly intended to act in an area, this would trigger the enforcement of the Supremacy Clause, and hence nullify the state action. The Supreme Court further found in Crosby v. National Foreign Trade Council, 530U.S. 363 (2000), that even when a state law is not in direct conflict with a federal law, the state law could still be found unconstitutional under the Supremacy Clause if the "state law is an obstacle to the accomplishment and execution of Congress's full purposes and objectives".[10] Congress need not expressly assert any preemption over state laws either, because Congress may implicitly assume this preemption under the Constitution.[11]

Preemption can be either express or implied. When Congress chooses to expressly preempt state law, the only question for courts becomes determining whether the challenged state law is one that the federal law is intended to preempt. Implied preemption presents more difficult issues, at least when the state law in question does not directly conflict with federal law. The Court then looks beyond the express language of federal statutes to determine whether Congress has "occupied the field" in which the state is attempting to regulate, or whether a state law directly conflicts with federal law, or whether enforcement of the state law might frustrate federal purposes.

Exhibit D –

The judicial tyranny of which Thomas Jefferson and Patrick Henry warned has come to pass. Signing this Executive Order will solve that Monumental Problem.

"The germ of destruction of our nation is in the power of the judiciary, an irresponsible body - working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction, until all shall render powerless the checks of one branch over the other and will become as venal and oppressive as the government from which we separated."

- Thomas Jefferson

"Power is the great evil with which we are contending. We have divided power between three branches of government and erected checks and balances to prevent abuse of power. However, where is the check on the power of the judiciary? If we fail to check the power of the judiciary, I predict that we will eventually live under judicial tyranny."

- Patrick Henry

Case Law And Conclusions For Parents Rights

1. 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).

2. 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). The First Amendment has been found to include the right to religion and to raise one's children as one sees fit.

3. 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).

4. 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). Therefore, any denial of parental rights based only on sex is discriminatory.

5. 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). Parental rights may not be terminated without "clear and convincing evidence. "SANTOSKY V. KRAMER, 102 S.Ct. 1388 [1982]

6. The liberty interest of the family encompasses an interest in retaining custody of one's children and, thus, a state may not interfere with a parent's custodial rights absent due process protections. Langton v. Maloney, 527 F Supp 538, D.C. Conn. (1981).

7. Parent's right to custody of child is a right encompassed within protection of this amendment which may not be interfered with under guise of protecting public interest by legislative action which is arbitrary or without reasonable relation to some purpose within competency of state to effect. Reynold v. Baby Fold, Inc., 369 NE 2d 858; 68 Ill 2d 419, appeal dismissed 98 S Ct 1598, 435 US 963, IL, (1977).

8. Parent's interest in custody of their children is a liberty interest which has received considerable constitutional protection; a parent who is deprived of custody of his or her child, even though temporarily, suffers thereby grievous loss and such loss deserves extensive due process protection. In the Interest of Cooper, 621 P 2d 437; 5 Kansas App Div 2d 584, (1980).

9. The Due Process Clause of the Fourteenth Amendment requires that severance in the parent-child relationship caused by the state occur only with rigorous protections for individual liberty interests at stake. Bell v. City of Milwaukee, 746 F 2d 1205; US Ct App 7th Cir WI, (1984). Hence any ex-parte hearing or lack of due process would not warrant termination of parental rights.

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

11. If custodial Mother has boyfriend living with her, state can change custody to Father. JARRETT V. JARRETT, 101 S.Ct. 329 Visitation [parenting time] is a constitutionally protected right which can be protected in federal court, even if Father is in prison. MABRA V. SCHMIDT, 356 F. Supp. 6204. Custody can be awarded to Father of girls of "tender years" if Mother commits perjury and is otherwise immoral. BEABER V. BEABER, 322 NE 2d 910

12. Mother cannot take child out of state if that prevents "meaningful" relationship between Father and child. WEISS V. WEISS, 436 NYS 2d 862, 52 NY 2d 170 [1981] See also: DAGHIR V. DAGHIR, 82 AD 2d 191 [NY 1981]; MUNFORD V. SHAW, 84 A.D. 2d 810, 444 NYS 2d 137 [1981]; SIPOS V. SIPOS, 73 AD 2d 1055, 425 NYS 2d 414 [1980]; PRIEBE V. PRIEBE, 81 AD2d 746, 438, NYS 2d 413 [1981]; STRAHL V. STRAHL, 66 AD 2d 571, 414 NYS 2d 184 [1979]; O'SHEA V. BRENNAN, 88 Misc.2d 233, 387 NYS 2d 212 [1976]; WARD V. WARD, 150 CA 2d 438, 309 P.2d 965 [Calif. 1957]; MARRIAGE OF SMITH, 290 Or.567, 624 P.2d 114 [Oregon 1981]; MEIER AND MEIER, 286 Or. 437, 595 P.2d 474 [1979], 47 Or. App. 110, 613 P.2d 763 [Oregon 1980]; All of these cases deal with preventing the custodial Mother from taking the child out of the jurisdiction.

13. The United States Supreme Court noted that a parent's right to "the companionship, care, custody and management of his or her children" is an interest "far more precious" than any property right. May v. Anderson, 345 US 528, 533; 73 S Ct 840,843, (1952).

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

15. The Court stressed, "the parent-child relationship is an important interest that undeniably Warrants deference and, absent a powerful countervailing interest, protection." A parent's interest in the companionship, care, custody and management of his or her children rises to a constitutionally secured right, given the centrality of family life as the focus for personal meaning and responsibility. Stanley v. Illinois, 405 US 645, 651; 92 S Ct 1208,(1972).

16. Parent's rights have been recognized as being "essential to the orderly pursuit of happiness by free man." Meyer v. Nebraska, 262 or 426 US 390; 43 S Ct 625, (1923).

17. The U.S. Supreme Court implied that "a(once) married father who is separated or divorced from a mother and is no longer living with his child" could not constitutionally be treated differently from a currently married father living with his child. Quilloin v. Walcott, 98 S Ct 549; 434 US 246, 255-56, (1978).

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

19. The parent-child relationship is a liberty interest protected by the Due Process Clause of the 14th Amendment. Bell v. City of Milwaukee, 746 f 2d 1205, 1242-45; US Ct App 7th Cir WI, (1985).

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

21. A parent's right to the preservation of his relationship with his child derives from the fact that the parent's achievement of a rich and rewarding life is likely to depend significantly on his ability to participate in the rearing of his children. A child's corresponding right to protection from interference in the relationship derives from the psychic importance to him of being raised by a loving, responsible, reliable adult. Franz v. U.S., 707 F 2d 582, 595-599; US Ct App (1983).

22. A parent's right to the custody of his or her children is an element of "liberty" guaranteed by the 5th Amendment and the 14th Amendment of the United States Constitution. Matter of Gentry, 369 NW 2d 889, MI App Div (1983).

23. Reality of private biases and possible injury they might inflict were impermissible considerations under the Equal Protection Clause of the 14th Amendment. Palmore v. Sidoti, 104 S Ct 1879; 466 US 429.

24. Legislative classifications which distributes benefits and burdens on the basis of gender carry the inherent risk of reinforcing stereotypes about the proper place of women and their need for special protection; thus, even statutes purportedly designed to compensate for and ameliorate the effects of past discrimination against women must be carefully tailored. the state cannot be permitted to classify on the basis of sex. Orr v. Orr, 99 S Ct 1102; 4340 US 268 (1979).

25. The United States Supreme Court held that the "old notion" that "generally it is the man's primary responsibility to provide a home and its essentials" can no longer justify a statute that discriminates on the basis of gender. No longer is the female destined solely for the home and the rearing of the family, and only the male for the marketplace and the world of ideas. Stanton v. Stanton, 421 US 7, 10; 95 S Ct 1373, 1376, (1975).

26. Judges must maintain a high standard of judicial performance with particular emphasis upon conducting litigation with scrupulous fairness and impartiality. 28 USCA § 2411; Pfizer v. Lord, 456 F 2d 532; cert denied 92 S Ct 2411; US Ct App MN, (1972).

27. State Judges, as well as federal, have the responsibility to respect and protect persons from violations of federal constitutional rights. Gross v. State of Illinois, 312 F 2d 257; (1963).

28. The Constitution also protects "the individual interest in avoiding disclosure of personal matters." Federal Courts (and State Courts), under Griswold can protect, under the "life, liberty and pursuit of happiness" phrase of the Declaration of Independence, the right of a man to enjoy the mutual care, company, love and affection of his children, and this cannot be taken away from him without due process of law. There is a family right to privacy which the state cannot invade or it becomes actionable for civil rights damages. Griswold v. Connecticut, 381 US 479, (1965).

29. The right of a parent not to be deprived of parental rights without a showing of fitness, abandonment or substantial neglect is so fundamental and basic as to rank among the rights

contained in this Amendment (Ninth) and Utah's Constitution, Article 1 § 1. In re U.P., 648 P 2d 1364;Utah, (1982).

30. The rights of parents to parent-child relationships are recognized and upheld. Fantony v. Fantony, 122 A 2d 593, (1956); Brennan v. Brennan, 454 A 2d 901, (1982).

31. Children must be returned to home state before child support payments are continued. FEUER V. FEUER, 376 NYS 2d 546 [1975]

32. Custody can be changed if wife is "disrespectful" of "visitation" order. MURASKIN V. MURASKIN 283 NW 2d 140 [N. Dakota 1979]

33. Wife held in contempt for denial of visitation; new judge should not suspend contempt order. PETERSON V. PETERSON, 530 P.2d 821 [Utah 1974]

34. Wife can be held in contempt if visitation is denied ENTWISTLE V. ENTWISTLE, 402 NYS 2d 213 [1978]

35. State's power to legislate, adjudicate and administer all aspects of family law, including determinations of custodial; and visitation rights, is subject to scrutiny by federal judiciary within reach of due process and/or equal protection clauses of 14th Amendment. In U.S. Supreme Court case Marshall v. Marshall US (No. 04-1544) 392 F. 3d 1118, the court affirmed that the U.S. District Court “have been abusing the domestic relations exception” and must take jurisdiction when civil

36. The United States Supreme Court has recognized that matters involving marriage, procreation, and the parent-child relationship are among those fundamental interests protected by the Constitution. The decision in Roe v. Wade, 410 US 113; 93 S Ct 705; 35 L Ed 2d 147, (1973), was described by the Supreme Court as founded on the "Constitutional underpinning of ... a recognition that the "liberty" protected by the Due Process Clause of the 14th Amendment…The non-custodial divorced parent has no way to implement the constitutionally protected right to maintain a parental relationship with his child except through visitation. To acknowledge the protected status of the relationship as the majority does, and yet deny protection under Title 42 USC § 1983, to visitation is to negate the right completely. Wise v. Bravo, 666 F 2d 1328, (1981).

37. Although court may acquire subject matter jurisdiction over children to modify custody through UCCJA, it must show independent personal jurisdiction [significant contacts] over out of state Father before it can order him to pay child support. KULKO V. SUPERIOR COURT, 436 US 84, 98 S.Ct. 1690, 56 L.Ed.2d 132 [1978]; noted in 1979 Detroit Coll. L.Rev. 159, 65 Va. L.Rev. 175 [1979] ; 1978 Wash. U.L.Q. 797. Kulko is based upon INTERNATIONAL SHOE V. WASHINGTON, 326 US 310, 66 S.Ct. 154, 90 L.Ed 95 [1945] and HANSON V. DENCKLA, 357 US 235, 78 S.Ct. 1228, 2 L.Ed.2d 1283 [1958]

38. Custody can be changed if visitation denied. ENTWISTLE V. ENTWISTLE, 402 NYS 2d 213

39. Process service in family matters must provide due process protection. GRASZ V. GRASZ, 608 SW 2d 356 [TX 1980]

40. Judge's dismissal for no cause is reversible. FOMAN V. DAVIS, 371 US 178 [1962]

41. Either parent can sue for interference with parental rights. STRODE V. GLEASON, 510 P.2d 250 [1973]; Prosser: HANDMANUAL OF THE LAW OF TORTS [West Publ. 1955] page 682; CARRIERI V. BUSH, 419 P.2d 132 [1966] SWEARINGEN V. VIK, 322 P.2d 876 [1958] LANKFORD V. TOMBARI, 213 P.2d 627, 19 ARL 2d 462 [1950]; 7 F.L.R. 2071 RESTATEMENT OF TORTS section 700A MARSHALL V. WILSON, 616 SW 2d 934

Federal Rights

1. Parental rights are fundamental rights protected under federal/constitutional law. The USSC plurality decision in Troxel v. Granville, 530 U.S. 57 (2000) evinces that all nine justices agree that parental rights are fundamental rights.

2. Fundamental rights are possessed by the individual, not the married couple. Fundamental rights are also called substantive rights or natural rights.

3. Any contract, including marriage must have “consideration” to be enforceable. In divorce the contract between wife and husband is being broken and the courts may need to mediate the division of assets, but children are not assets and the state cannot interfere by allocating the children without a high standard of proof that one parent is unfit. Therefore, the only truly constitutional solution for the parents, and in fact now also proven best for children scientifically, is an equal amount of time spent with both parents.

4. The creation of artificial (lawyer or government created) financial incentives for parents to fight for custody is deeply damaging to children and family bonds and to society in general. Not only are both parental relationships hurt but the children are also clearly hurt by the lack of relationship and model of behavior for the children. In fact, it is clear that this will create a repeating cycle, as children raised in sole-custody homes are 93% more likely to divorce later in life.

Last testament of a loving father abused by the family court system and alienated from his children

Christopher Mackney, 45 years of age and a loving father, committed suicide on Dec 29, 2013 after being alienated from his children and subjected to years of psychological and financial abuse by the biased, anti-father family court system, his ex-wife and her lawyer. The letter below was his last testament before he took his own life.

I never wanted to speak out about any of this. All I wanted was a fair and reasonable child support, fair and reasonable visitation with my children and be free to move on with my life. The only reason I chose to write a blog and speak out about the abuse was because I thought it would give me some kind of leverage, as I had none.

I made it clear to my ex- wife's attorney that the family court was not allowing me to change the orders, I had no information about my children and my child support was far beyond my ability to pay.

I was hoping for some act of good faith to let me know that they wanted to reduce the conflict. It never came, not in 5 years. I felt that my only recourse was to speak out about the abuse and injustice in order to get the legal and psychological help I needed to manage the conflict, so that we could both parent our children. I reached out to my ex- wife's attorney again to ask for ANY other alternative.

They offered none, so I started the blog. Even after I started my Blog, I reached out again to tell them I would take down the blog if a Guardian Ad Litem could be appointed for my children. They never responded. Dina knew this would be the outcome and didn't care. As long as I was gone and out of the children's lives.

In hindsight, I recognize that my reactions to being bullied, abused and denied access to my children gave my ex- wife's attorney the ammunition they were looking for to bring me into Court, but nothing I said or done would have made a difference. I was powerless. I thought that at some point a third party would be involved that would recognize that my reactions were from the emotional abuse; being denied access to my children and bullied in Court. The Court refused at least six requests for third party intervention. All of the research said that a third party was the recommended course of action in these situations. A third party was the only way to truly understand the conflict.

I was not the person being portrayed in family court. I had no control over anything. The Court would only listen to my ex- wife's attorney granting all of their motions and agreeing to all their "over reaching" remedies.

When I read online about the patterns of behavior of high conflict divorce and how my ex-wife was the one blocking access to the children and negatively interpreting everything I did, I spoke out and tried to address the source of conflict. No one would tell me I was wrong, but no one would speak out about the abuse on my behalf, not the Doctors or attorneys. Experts in psychology have called it abuse, but none would make such a 'diagnosis', which I could then take to Court to obtain relief. As long as the pattern of behavior was not called 'abuse', my reactions would not be viewed in its proper context by the Court.

The way I looked at it was that if I remained silent, the abuse would continue. It did. When I finally decided to speak out, they didn't care.

They didn't care about how it would affect Dr. Samenow, Judge Bellows, our children, themselves or anyone else. They were not going to take their foot off the back of my neck.

They were fully invested in having me out of my children's lives, permanently. Bullying and parental alienation are all forms of emotional abuse. Psychopathy is an emotional dysfunction. People with psychopathy are identified by how they handle conflict. It is the disturbing lack of empathy, guilt shame, remorse that give them away. They are completely unaffected by the distress of others. As long as they get what they want, you may never see that side of them.

If you are in a position of power or status, you will probably not see that side of them either. However, people that are close to them or are of little value to them, will eventually see the pattern. They will slowly begin to realize they are being controlled manipulated and 'gas lighted'. Without even realizing it, you learn to go along to get along. If you break from this, you will experience their wrath. I remember on Memorial Day 2008, when I went to pick up my children for lunch at their grandparents house, Pete Scamardo came outside to confront me. I looked at him and said "Pete, you are nothing but a bully.

He responded "That's right, and I love it!

He said this in front of Dina, he wife and my children. When I got in the car to take my children to lunch, my son asked me "Dad, what's a bully?

Pete Scamardo and Dina Mackney are the most 'successful' father/daughter psychopaths ever to fool the Court. Pete Scamardo has over 100 lawsuits in Fairfax County alone. The litigants in these cases can confirm the patterns. The entire Scamardo family was accused of fraud by Maryland National Bank for $80 Million. Pete and Dina also circumvented the Thoroughbred Ownership licensing laws of Virginia, Maryland and West Virginia. One of her friends from college now refers to her the 'c' word after seeing the real Dina, after working with her.

Most of you will not see that side of her, unless you run into conflict. While I am the one that took my own life, this was a murder conceived and financed by Pete Scamardo who hired Jim Cottrell and Kyle Bartol the day after I discovered he was a murderer, and then paid over $1 Million in legal fees to make it happen.

People 'targeted' by psychopaths call it 'murder by suicide'. I was a good father to my children when I was in their lives. No one can dispute or deny that.

Dr. Samenow even admitted under oath that I had a 'palpable' relationship with my kids. I know I was an extremely loving and positive influence on their lives and it kills me that I even feel like I

have to defend my parenting. My children were the only source of joy and happiness in my marriage.

For the Judge Bellows to deny parents and children a 'palpable relationship' and each other's love is corruption.

He did not want it to be known that Dr. Samenow committed fraud or that Judge Terrence Ney had a 'close relationship' with a convicted murderer or a parental alienator. The love that my daughter and I shared was truly special. She is a such a sweet, kind and gentle spirit. I am so sorry that I will not be there to see her grow into a beautiful woman. It absolutely crushed me to not be in her life over the last three years. I worked very hard as a father to build her confidence and self-esteem. She is smart, funny and considerate, but she didn't know it yet.

I pray that she realizes her strengths and her confidence in herself will continue to grow. I love you dearly, Lily. My son Jack was just entering Kindergarten, when I lost access to him. He is gregarious, outgoing and a great athlete. He is smart and fearless. He could have just as much fun by himself as he could with other kids. Even the older boys in our neighborhood wanted to play with Jack. It absolutely breaks my heart that I will not be able to help him grow into a man. I love you to, Jack. I miss you both so much. My identity was taken from me, as result of this process of family court.

Christopher Mackney's children, Lily and Jack, who were alienated and denied access to their father by their mother with the help of the biased family court system

When it began, I was a commercial real estate broker with CB Richard Ellis. I lived by the Golden rule and made a living by bringing parties together and finding the common ground. My reputation as a broker was built on my honesty and integrity. When it ended, I was broke, homeless, unemployed and had no visitation with my own children. I had no confidence and was paralyzed with fear that I would be going to jail whenever my ex-wife wanted. Nothing I could say or do would stop it. This is what being to death or 'targeted' by a psychopath looks like. This is the outcome.

I didn't somehow change into a 'high conflict' person or lose my ability to steer clear of the law.

I've had never been arrested, depressed, homeless or suicidal before this family court process. The stress and pressure applied to me was deliberate and nothing I could do or say would get me any relief. Nothing I or my attorneys said to my ex- wife's attorney or to the Court made any difference. Truth, facts, evidence or even the best interest of my children had no affect on the outcome. The family court system is broken, but from my experience, it is not the laws, it's the lawyers. They feed off of the conflict. They are not hired to reduce conflict or protect the best interest of children, which is why third parties need to be involved. It should be mandatory for children to have a guardian ad litem, with extensive training in abuse and aggression.

It is absolutely shameful that the Fairfax County Court did nothing to intervene or understand the ongoing conflict. Judge Randy Bellows also used the children as punishment, by withholding access for failing to fax a receipt. The entire conflict centered around the denial of access to the children, it was inconceivable to me that he would use children like this. This is exactly what my ex-wife was doing and now Judge Bellows was doing it for her. To all my family, friends and the people that supported me through this process, I am so sorry. I know my reactions and behavior throughout this process did not always make sense. None of this made sense to me either. I had no help and the only suggestion I got from my attorneys was to remain silent. At first, I did what I was told, remained silent and listened to my attorneys. Then after I had given my ex-wife full custody to try and appease her, I learned about Psychopathy and emailed Dr. Samenow about my concerns and asked him for help. Of course, I was ignored.

As the conflict continued, I was forced to defend myself. When that didn't work, I thought I could get the help I needed by speaking out. There is no right or wrong way to defend yourself from abuse. Naively, I thought that abuse was abuse and it would be recognized and something would be done. I thought speaking out would end the abuse or at least get them to back off.

It didn't. When no one did anything they were emboldened.

I took my own life because I had come to the conclusion that there was nothing I could do or say to end the abuse. Every time I got up off my knees, I would get knocked back down. They were not going to let me be the father I wanted to be to my children. People may think I am a coward for giving up on my children, but I didn't see how I was going to heal from this. I have no money for an attorney, therapy or medication. I have lost 4 jobs because of this process. I was going to be at their mercy for the rest of my life and they had shown me none. Being alienated, legally abused, emotionally abused, isolated and financially ruined are all a recipe for suicide. I wish I were stronger to keep going, but the emotional pain and fear of going to court and jail became overwhelming. I became paralyzed with fear.

I couldn't flee and I could not fight. I was never going to be allowed to heal or recover. I wish I were better at articulating the psychological and emotional trauma I experienced. I could fill a book with all the lies and mysterious rulings of the Court. Never have I experienced this kind of pain. I asked for help, but good men did nothing and evil prevailed. All I wanted was a Guardian Ad Litem for my children. Any third party would have been easily been able to confirm or refute all of my allegations, which is why none was ever appointed to protect the children or reduce the conflict.

Abuse is about power and control. Stand up for the abused and speak out. If someone speaks out about abuse, believe them. Please teach my children empathy and about emotional invalidation and 'gas - lighting' or they may end up like me. God have mercy on my soul.

By Christopher Mackney – Washington DC