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May 23, 2019

VIA ECF

Molly C. Dwyer
Clerk of Court
U.S. Court of Appeals for the Ninth Circuit
95 Seventh Street
San Francisco, CA 94103-1526

Re: *County of San Mateo v. Chevron Corp. et al.*, No. 18-15499, consolidated with *City of Imperial Beach v. Chevron Corp. et al.*, No. 18-15502; *County of Marin v. Chevron Corp. et al.*, No. 18-15503; *County of Santa Cruz, et al. v. Chevron Corp. et al.*, No. 18-16376 – Defendant-Appellant Chevron's Response to Rule 28(j) Letters

Dear Ms. Dwyer:

Plaintiffs-Appellees have filed Rule 28(j) letters notifying the Court of the Eleventh Circuit's unpublished per curiam decision in *Dixit v. Dixit*, No. 18-12945, 2019 WL 1857116, and the Fifth Circuit's unpublished per curiam decision in *Gee v. Texas*, No. 18-11186, 2019 WL 1958740. Neither decision bears meaningfully on the scope of this Court's jurisdiction to review the district court's remand order under 28 U.S.C. §1447(d). In neither case did the *pro se* appellant present, or the court analyze, the jurisdictional issues that have been thoroughly briefed in this case.

In *Dixit*, the district court *sua sponte* remanded a domestic-relations action removed under 28 U.S.C. §§1441 and 1443. The defendant appealed, and on September 7, 2018—more than four months before Plaintiffs-Appellees filed their Answering Brief in this case—the Eleventh Circuit *sua sponte* issued an unpublished per curiam opinion dismissing the appeal, in part for lack of jurisdiction. *See* No. 18-16376, ECF No. 86, Ex. B. Neither that order nor the court's subsequent order on April 25, 2019 (*id.* Ex. A) says anything about whether §1447(d) authorizes this Court to review the entire remand "order." Although *Dixit* post-dates the Removal Clarification Act of 2011, it applied the Eleventh Circuit's earlier decision in *Alabama v. Conley*, 245 F.3d 1292 (11th Cir. 2001) (per curiam), without addressing the implications of the intervening statute. Because the scope of review under §1447(d) was never briefed, *see* Ex. A attached hereto, the court had no occasion to revisit

Conley or address the circuit split regarding the proper interpretation of §1447(d) that Defendants-Appellants have identified. *See* Appellants' Opening Br. ("AOB") at 19-23.

The Fifth Circuit's unpublished per curiam decision in *Gee* is similarly uninformative. Defendants-Appellants alerted this Court to the tension between the Fifth Circuit's decisions in *City of Walker v. Louisiana*, 877 F.3d 563 (5th Cir. 2017), and *Decatur Hospital Authority v. Aetna Health, Inc.*, 854 F.3d 292 (5th Cir. 2017). *See* AOB at 21 n.6. Although *Gee* followed *City of Walker*, it failed even to cite *Decatur*, much less analyze the text of §1447(d). No. 18-16376, ECF No. 87, Ex. A.

Sincerely,

/s/ Theodore J. Boutrous, Jr.

Theodore J. Boutrous Jr.
GIBSON, DUNN & CRUTCHER LLP
Counsel for Defendants-Appellants
Chevron Corporation and Chevron U.S.A.

cc: All counsel of record (via ECF)

Exhibit A

Selected docket entries for case 18−12945

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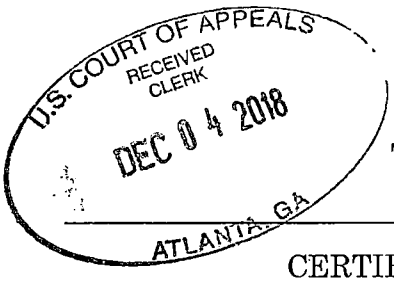
Filed	Document Description	Page	Docket Text
12/04/2018	Appellant's Brief	2	Appellant's brief filed by Akash Dixit. Service date: 11/19/2018.

IN THE UNITED STATES COURT OF APPEALS ELEVENTH CIRCUIT



AKASH DIXIT (APPELLANT)

VS.

TANYA SINGH DIXIT (APPELLEE)

CERTIFICATE OF INTERESTED PERSONS (CIP)

No. 18–12945–DD

IN THE UNITED STATES COURT OF APPEALS ELEVENTH CIRCUIT

AKASH DIXIT (APPELLANT)

VS.

TANYA SINGH DIXIT (APPELLEE)

ON APPEAL FROM UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION

CASE NO: 1:18–CV–01717

APPELLANT'S BRIEF

Submitted by: Akash Dixit (Pro Se), PhD, Irwin County Detention Center, Prisoner #59514, 132 Cotton Drive, Oscilla, Georgia, 31774. Phone: 404 940 4854

Email: **wilkn@yahoo.com**

IN THE UNITED STATES COURT OF APPEALS ELEVENTH CIRCUIT

AKASH DIXIT (APPELLANT)

VS.

TANYA SINGH DIXIT (APPELLEE)

CERTIFICATE OF INTERESTED PERSONS (CIP)

SAME AS THAT PROVIDED EARLIER

Additionally

Irwin County Detention Center	Presently incarcerated
Immigration and Customs Enforcement	Detained by them
Department of Homeland and Security	Detained by them
Magistrate Judge Hyles	Habeas Petition Pending in Middle District of Georgia, Valdosta division
Attorney General	Adjudicating removal proceedings

STATEMENT IN FAVOR OF AN ORAL ARGUMENT

Though I believe this case is an open and shut case and should remanded to the district court because it gave an incomplete and inadequate ruling as discussed in subsequent sections, if the court deems it appropriate, I am happy to be present for an oral argument.

Following points reinforce need of an oral argument:

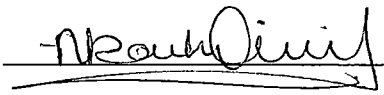
1. This is a politically sensitive case involving multiple nations and an international treaty.
2. This is a representative example of lawlessness prevailing in family law arena in your country.

TABLE OF CONTENTS

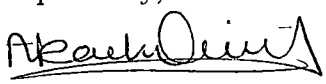
STATEMENT OF JURISDICTION

This court has jurisdiction over this appeal under 28 U.S.C. 1291. This appeal is timely because the notice of appeal was filed on July 12, 2018, which is within 30 days of a ruling on a motion to amend judgement under rule F.R.C.P. 59 (e). The court through an Order dated September 21, 2018, granted an extension of 60 days from the date of the Order to file this brief. Please see certificate of timeliness.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2018.  Signature.

Respectfully,



Akash Dixit, PhD.
Irwin County Detention Center,
Prisoner #59514,
132 Cotton Drive, Ocilla, GA, 31774

INTRODUCTION

This is appeal from removal of a state action that was filed by the Plaintiff. The District Court erroneously treated it as a removal of a divorce action between US citizens or even residents within the jurisdiction of the United States. **The Plaintiff masqueraded her fraudulent immigration attempt as a divorce action.** The district court, similar to the state courts of Georgia, erred in failing to see through the fraud. In the state courts of Georgia I have presented clear and convincing evidences of the fraud and lack of their jurisdiction, however, I have been denied equal protection of laws. I argue that it is impossible for me to get justice in those courts since they are biased against me and the 28 U.S.C. 1443 exception for removal applies.

I (the Appellant), my ex–wife (the Appellee) and our son, who are all Indian citizens, were residing in India, at the time of filing of the divorce action in the state of Georgia in the US. Neither I, nor the Plaintiff had any bona fide status in the US, let alone Georgia at the time the divorce action was filed. On top of it, the Appellee had several of her visa applications denied by the US embassy just before she filed for divorce in Georgia in the US as an alternate and fraudulent means to immigrate to the US. **Immigration, according to the Constitution's supremacy clause and Article 1, Section 8, Clause 4, is strictly a federal issue.** The unambiguous authority of federal government over any state action has been affirmed by the SCOTUS several times during that court's history. The latest being Trump v. Hawaii, No. 17–965, 585 U.S. (2018). **When the US embassy had itself declined to give visa to Appellee, thereby, declining her bona fide residence in the entire US, how can she claim bona fide residence of Georgia, which is a state in the US? Claiming of such a bona fide status, six months prior to the filing of divorce action in Georgia, is required for courts in Georgia to have subject–matter jurisdiction over the divorce action. (Please see O.C.G.A. 19–5–2).**

STATEMENT OF ISSUES

1. Is 28 U.S.C. 1447 (d) that prevents appellate review of remand of certain removal actions based on lack of subject–matter jurisdiction by the District Court unconstitutional? If yes, that means you can review the remand Order by the District Court for lack of subject–matter jurisdiction under federal question or diversity of jurisdiction. In that case, I seek a relief that I be allowed to file another brief to argue my case under those two provisions.

2. Did the Supreme Court of the United States make an unconstitutional Order when it adjudged race as the only criteria for removal based on 28 U.S.C. 1443? (Please see Georgia v. Rachel, 384 U.S. 780 (1966))

I understand your predicament in review of questions 1 and 2 above, please see the section standards of review for my humble take that possibly the questions can be forwarded to the SCOTUS as certified questions?

3. (Even if the Supreme Court did not err) Based on clear and convincing evidences of bias on the parts of courts of Georgia (both the superior court and appellate courts, Court of Appeals and Georgia Supreme Court) did the District Court err in declining jurisdiction over this action under 28 U.S.C. 1443 resulting in undeniable **manifest injustice** to me and my minor son?

4. Does the 28 U.S.C. 1447 (d), which prevents appellate review of remand of certain removal actions based on lack of subject–matter jurisdiction by the District Court, limit an inquiry into the actual subject–matter of the removal? For example, in the instant case, the district court denied jurisdiction because it considers the matter as matrimonial dispute. However, I had argued that the subject–matter is immigration fraud. The District Court did not give an opinion about existence of its subject–matter jurisdiction with reference to immigration fraud. Therefore, a natural question is that does 28 U.S.C. 1447 (d) limit an inquiry by this court into the actual subject–matter of the removal action?

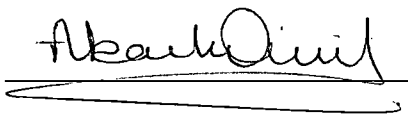
STATEMENT OF FACTS

FACTUAL HISTORY OF HOW I, A LAW ABIDING RESIDENT, AND MY CHILD WERE PUNISHED AND PEOPLE WHO ACTUALLY CONDUCTED AND IMMIGRATION FRAUD AND FRAUD UP THE COURT ARE STILL ROAMING FREE IN THE US

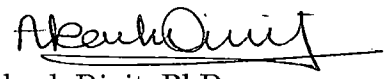
All the facts mentioned herein have been brought to the notice of the State Court and the Federal District Court from where this action originates. I am presently in I.C.E. detention and do not have access to the record, therefore, cannot make adequate citations from the record. However, I have composed an affidavit that gives the background and relevant factual history of the case. Although that affidavit gives references of corroborating evidences from other sources, those evidences are the same as those that have been brought to the notice of the state court and district court. For example, I am referencing evidences that I and my son shared a strong interdependent bond. The evidences (affidavits by friends, colleagues and my son's school records) that I referenced to corroborate the claim are the same ones as the ones that I presented to the state courts and District Court.

Although I recommend reading the complete affidavit, **considering the page limitations,** I incorporate only paragraphs 6 through 12 and 16 through 33 of the affidavit with full force and import herein by reference.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing (facts given in this section) is true and correct.

Executed on November 16, 2018.  Signature.

Respectfully,



Akash Dixit, PhD.
Irwin County Detention Center,
Prisoner #59514,
132 Cotton Drive, Ocilla, GA, 31774

STANDARDS OF REVIEW

I, since I am pro–se prisoner, respectfully ask that that you accord me the leniency that is given to pro–se prisoners when considering this brief.

The **first issue** that I raised deals with constitutional validity of a statute as it denies me (litigants) due process and equal protection rights. This is a clear question in law and needs to be reviewed **de novo**.

Denial of constitutional rights such as due process are reviewed de novo by the courts. Please see: Johnson v. Zerbst, 304 U.S. 458, 58 S. Ct. 1019;

> *"The District Court decision on the plaintiffs' First Amendment claims is on a sound legal footing that could well be adopted by the merits panel of judges of this court through de novo review." James Michael Hand et al. v. Rick Scott et al. Eleventh circuit, April 2018, case number 18–11388*

The **second issue** that I raised deals with, what I claim is an errorneous interpretation of a statute by the Supreme Court of the United States. Conclusions of law receive **de novo review**. Horton v. Reliance Standard Life Ins. Co., 141 F.3d 1038, 1040 (11th Circuit. 1998). "*The interpretation of a statute is a question of law subject to de novo review.*" Kehoe v. Fid. Fed. Bank & Trust, 421 F.3d 1209, 1211 (11th Cir. 2005).

Here I understand the predicament that you may be faced even if you agree with my argument. The Supreme Court decision is a binding precedent for your court. As such, possibly, there are just two alternatives that you have – either file a concurring opinion and/or file certified questions to the Supreme Court. **I request that you file a certified question to the Supreme Court for both issues 1 and 2.**

The **third issue** is regarding existence of subject–matter jurisdiction under 28 U.S.C. 1443. 28 U.S.C. 1447 (d) that precludes review existence of subject–matter jurisdiction by the district court, specifically excludes 28 U.S.C. 1443 from that preclusion. Question of subject–matter jurisdiction are reviewed **de novo**. Pillow v. Bechtel Const. Inc. 201 F.3d 1348, 1351 (11th Cir. 2000).

> *" In reviewing a district court's ruling on subject matter jurisdiction, we review its legal conclusions de novo and ordinarily review its fact–findings only for clear error. When the jurisdictional question is 'intertwined with the merits,' however, we review the underlying fact–findings de novo. (holding*

that in those circumstances we treat the challenge as a summary judgment motion and thus "[o]ur review is plenary") " Calderon v. Form Works/Baker JV, LLC, eleventh circuit, case number 14–10090. Decided on Nov, 2014.

The **fourth issue** is about interpretation of the statute, 28 U.S.C. 1447 (d). To the best of my knowledge there has been no binding precedent decision about this issue. I doubt if there is even a persuasive precedent regarding this issue. As such, I submit that your review should be **de–novo**. "*The interpretation of a statute is a question of law subject to de novo review.*" Kehoe v. Fid. Fed. Bank & Trust, 421 F.3d 1209, 1211 (11th Cir. 2005). I reiterate that regarding this issue the question is not if the district court had adequate subject–matter jurisdiction, a review of which is precluded by the statute, but if the choice of subject–matter to deny jurisdiction was proper. Did the district court erroneously dismiss the action considering that the subject–matter is divorce, when in actuality I filed the removal under subject–matter of immigration fraud.

ARGUMENTS AND CITATIONS OF AUTHORITY

Again, I will reiterate my handicap of being in I.C.E. incarceration. Therefore, I have to reference the record from memory and support my arguments with citations of authority from the limited number of such authorities available to me. I request that you consider that I am a pro–se prisoner when evaluating this brief and give me adequate leeway as permissible by law.

The **first issue** is 28 U.S.C. 1447 (d) constitutionally valid?

The term 'due process' has been interpreted in the American jurisprudence to have substantive and procedural manifestations. The precluding of the review of certain remand orders of district court for lack of subject–matter jurisdiction fails both the procedural and substantive due process tests. The term 'due process' consists of the word 'process' within it. The word 'process' means a series of steps. So if the reasonableness of the 'removal' is adjudged just based on a single step that performed by the district court, there is actually no process at all that has taken place. Therefore, the statute 28 U.S.C. 1447 (d) that precludes review of a remand Order by the district court for lack of subject–matter jurisdiction fails procedural due process requirement of the US constitution.

Review of a decision by any authority is ingrained in the definition of the word democracy. It is also said that power corrupts and absolute power corrupts absolutely. The US is a bubbling democracy. There are checks and balances to the powers of SCOTUS, POTUS, Legislature and high–ranking executive personnel. Specifically, the fifth and fourteenth amendment of the US constitution guarantees due process rights and equal protection rights. Removal of actions from state to federal courts is an important element in preserving those rights.

Human beings are imperfect, then whether it is the judges or those in the government. There is a possibility that the particular person is not liked in a particular state. Martin Luther King was not liked by the establishment of some states. If Mr. King was engaged in a civil suit, there is a fair likelihood that he may have been denied justice due to his personality rather than his race. If Mr. King was to remove his civil action to a federal court and the judge was to err in the acquiring jurisdiction, Mr. King would have been left to the mercy of a state judiciary which is biased against him. As such, lack of review of the decline of subject–matter jurisdiction would shake the very foundations of the American psyche. As such, I submit that 28 U.S.C. 1447 (d) that precludes review of subject–matter jurisdiction

by federal appellate courts is against the substantive–due–process as well. Please see Document 10 of the District Court docket for account of where and how I posed the question in front of the District Court.

Having said the above, I do understand that the reasoning behind 1447 (d) is to limit the abuse of removal actions. Since the state action freezes on account of removal, frivolous removals will give advantage to abusive litigation. It is a choice between the devil and the deep sea. However, even after considering the disadvantages, I claim denial of justice as is happening in my case, far outweigh the disadvantages. Also, the disadvantage of abusive removal actions can be preempted by suitably modifying F.R.A.P. or the statute to limit the time duration under which the removal appeals for lack of subject–matter jurisdiction should be attended to. I humbly submit that injustice and unconstitutionality that emanates from 1447 (d) cannot rationalize the 'delayed justice' that may emanate from its absence.

The **second issue** is also similar to first issue. The Supreme Court in its decision Georgia v. Rachel, 384 U.S. 780 (1966) gave a two pronged test to determine jurisdiction. I respectfully submit that the decision is unconstitutional and deceives the statute. I claim that the referenced opinion is against the 'equal protection' clause of the Constitution. Any plain reading of the statute clearly establishes that the legislature did not mean that 1443 only applied to racial discriminations. The Supreme Court has argued that other forms of discriminations can be brought forth using different actions, but that is, in my humble opinion, trying to put words into the mouth of the legislature. The Supreme Court itself has said that the courts are just equipped to interpret what the legislature has said; they cannot extend, manipulate or justify or discard what the legislature implies. I do not have the citation of the Supreme Court ruling, but I am sure you know the ruling that I am implying here. In the ruling of Georgia v. Rachel, the Supreme Court is undeniably trying to put words into the mouth of the legislature by stating that only equal protection denied because of race can fall in the purview of 1443 based removal actions. Denial of equal civil rights as encapsulated in 1964 version of declaration of equal civil rights under discrimination based on country of origin or even gender are rightful causes of removal of actions from state court. As such, I respectfully submit that the decision [Id] is therefore erroneous. Again, I respectfully draw your attention to Document 10 of the District Court docket report for the place and manner in which I raised the issue to the district court.

As pointed earlier, at the very least, I request that this court brings the above two issues to the attention of the Supreme Court through certified questions to that court because the answers to the questions are of important concern to public at large.

The **third issue** is that even if we consider the the Supreme court did not err in its ruling of Georgia v. Rachel, did the district court err in denying jurisdiction under 1443 because this removal action does fulfil that the state courts are denying me justice based on my class (country of origin) and race (Indian). At the very least, I fall in the 'class of one doctrine,' based on my race and nationality.

Please read items 11 and 12, 16 through 19, 21 through 27 and 29 through 31 of the attached affidavit about my attempts to get justice in Georgia courts. All my attempts were rebuffed by the courts in Georgia. So much so that the this divorce action that was filed by a foreign citizen (citizen of Republic of India) against another foreign citizen (citizen of Republic of India), both residing their country of citizenship and birth and having no bona fide status in the US has been continuing for close to three years now. On top of it, the Plaintiff of the divorce action had had her visa to enter the US denied by the US embassy of the India, where she was residing at the time of filing of the divorce action. There was absolutely **no timely service** that has taken place according to the statutory and procedural rules for this divorce action.

Legally speaking as I explained earlier the lower court order on divorce was void on its face because

1. The court did not have requisite subject–matter jurisdiction. (Please see paragraph 13, 16 and 17 in the affidavit).
2. I was not properly served in a timely fashion. (Please see paragraph 14 and 18 in the affidavit).
3. The trial was conducted even without ruling on my motion to dismiss making the trial itself void. (Please see paragraph 21 in the affidavit).
4. The presiding judge exhibited blatant bias and malevolence towards me and my son, but in favor of the opposing party. (Please see paragraphs 22 through 28 in the affidavit).

I have lost my job in India. On top of it I am struggling in my removal proceedings. Should I pay attention to my removal proceedings or the divorce action or to the well–being of my son? My abilities are severely jeopardized since I cannot even be

employed in the US. My son, who is the just seven now is the most severely affected among all of us. For past over two years, he is being illegally retained in the US. He lost his friends, good school education and love and care of family in India. My minor son is being force kept in the US against the international treaty of Hague convention duly codified in 22 U.S.C. 9001 through 9011. I have recorded messages from him wherein he says that he feels "trapped" in the US and wants to return to India. Along with the discrimination based on my nationality and race, I also submit that this is manifest injustice in its grossest form against me, but way more importantly my minor son. I brought that I do fulfil the class based discrimination and there is manifest injustice against me and my son to the attention of the District Court in my motion to amend judgment, which is docketed as Document 10 in the District Court docket system.

The **fourth issue** is that if the district court erred in the determination of the actual subject–matter of the removed action. The district court denied jurisdiction assuming the action was a divorce action. However, I had submitted that the action was that of a fraudulent immigration attempt. In the complaint, the very first item stated that the Appellee in this case or the Plaintiff in the case of the complaint is a bona fide resident of the state of Georgia. As stated earlier in the introduction and also in the Affidavit attached with this appeal, I (the Appellant), my ex–wife (the Appellee) and our son, who are all Indian citizens, were residing in India, at the time of filing of the divorce action in the state of Georgia in the US. Neither I, nor the Plaintiff had any bona fide status in the US, let alone Georgia at the time the divorce action was filed. On top of it, the Appellee had several of her visa applications denied by the US embassy just before she filed for divorce in Georgia in the US as an alternate and fraudulent means to immigrate to the US. **Immigration, according to the Constitution's supremacy clause and Article 1, Section 8, Clause 4, is strictly a federal issue.** The unambiguous authority of federal government over any state action has been affirmed by the SCOTUS several times during that court's history. The latest being Trump v. Hawaii, No. 17–965, 585 U.S. (2018). **When the US embassy had itself declined to give visa to Appellee, thereby, declining her bona fide residence in the entire US, how can she claim bona fide residence of Georgia, which is a state in the US?**

Therefore, it is plainly evident from the complaint (first item) itself that the question of bona fide status of citizens of a foreign state which is a federal question needs to be settled. Therein lays the question of diversity of jurisdiction as well. Therefore, the district court erred in adjudging the subject–matter as of divorce and

thereby erroneously dismissed it. Although your court as per 1447 (d) cannot review the dismissal under the subject–matter jurisdiction, I think your court is able to review if the choice of subject–matter determined by the district court was proper or not. If the subject–matter was not proper, then your court is equipped to remand the case back to district court to review the removal based on the proper subject–matter (immigration fraud in this case), both vis-à-vis federal question and diversity of jurisdiction.

CONCLUSIONS

Judges, as you can adjudge from the attached affidavit, my son and I are victims of a vicious immigration fraud. My career as an academician is getting ruined and the life of my son is getting destroyed. His schooling and connections to family and friends are getting jeopardized. My old parents in India are very worried about him. I have always followed law and I am not even able to see my son. It tears me to imagine what would be going on through his little mind for having his father suddenly removed from his life. I can understand that if the Appellee was a United States citizen or even a permanent resident at the time of filing of the divorce case. Even she is not stable in the US. Then as mother, she has equal rights as me, the father, to decide where our son should grow. But, in this case, the Appellee is also an Indian citizen. She can choose to travel anywhere in the world, but in so doing she cannot run away with our child. She does not even have work permit when she entered in the US. The current political situation is not stable for even foreigners with permanent residence, then what stability can she provide with impaired immigration status? Moreover, she has used the child to immigrate to the US. In India, she did not even bother to visit our son. I was looking for her everywhere. I filed police reports trying to ascertain her whereabouts. The police of India found her residing in New Delhi. In their findings, they wrote that she stated that she was residing in New Delhi with her 'svechha,' the Hindi word for 'on her own volition.' Please read the attached affidavit for the complete story. My only and sole desire is well being of my son. I hereby request that proper consideration be given to the humanitarian.

Wherefore I ask that this court

Certifies the questions posed in issues one and two to the Supreme Court of the United States.

AND

Acquires jurisdiction based on 28 U.S.C. 1443 (1) and dismisses the fraudulent immigration attempt by the Appellee. (Please see issue 3).

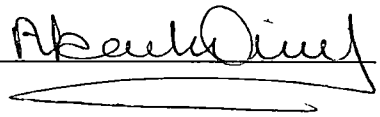
OR

Remands the action back to the District Court declaring that it has jurisdiction under 28 U.S.C. 1443 (1) or directs the District Court to rule based on subject matter of immigration fraud rather than divorce action. (Please see issue 4).

Respectfully,
Akash Dixit

has a pompous exterior, hollow at its core. America is contenting with horrendous effects of the women empowerment gone overboard. It has become a failed country! Statistics of the effects of the menace are staggering. America is perhaps the only nation, not just in the present world but the entire in the history that is so pathetically dependent on immigrants that this nation will shut down within a week if even a 50% of immigrants stop working. America has to resort to charades to keep attracting immigrants to keep its lifeline running. Like for example they incarcerate parents such as me and keep them in extended removal proceedings, keeping our children hostage. Obviously, no parent worth the name will like to leave their children behind to this failed country. By keeping the children hostage and separated from the parents, America tries to show to the world – see so many people want to immigrate here to attract more immigrants. **These are not empty words. I have produced valid citations of authority in forms of archival publications and verified studies about the situation in my filings to courts. Those filings are the certiorari to the supreme court of the United States, case number 18–5187, motion to vacate all inhuman and illegal orders separating US children from their parents in the case 18–CV–01717 in the northern district of Georgia and my appellants brief in the case 18–12183 in the court of appeals eleventh circuit.** Public links to those filings are present in the file www.tinyurl.com/DixitDrive. I hope to spread awareness in the remaining parts of the world, particularly to my country India that unless women freedom is tempered with women responsibility, their situation would be also similar to the pathetic situation of the nation of the United States.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing (facts given in this section) is true and correct.

Executed on November 18, 2018.  Signature.

Akash Dixit,
Irwin County Detention Center,
Prisoner #59514
132 Cotton Dr.
Ocilla, Georgia, 31774

Certificate of Compliance

This is to certify that this document has about 3256 words, excluding the parts of the document excluded by F.R.A.P. 32 f. As such, the document complies with Rule F.R.A.P. 32(a)(7)(B) that allows 13,000 words.

November 16, 2018.

Respectfully

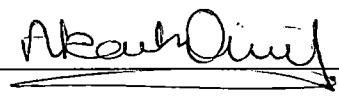
Akash Dixit

CERTIFICATE OF SERVICE

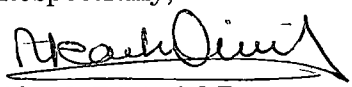
I have posted a copy of this brief and all attachments to the Appellee of this case with adequate postage affixed to the envelope containing the motion at their address:

Tanya Singh Dixit, at their address 1885 Watercrest Drive, Lawrenceville, Georgia, 30043

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 16, 2018.  Signature.

Respectfully,



Akash Dixit, PhD.
Irwin County Detention Center,
Prisoner #59514,
132 Cotton Drive, Ocilla, GA, 31774

AFFIDAVIT

FACTUAL HISTORY OF HOW I, A LAW ABIDING RESIDENT, AND MY CHILD WERE PUNISHED AND PEOPLE WHO ACTUALLY CONDUCTED AN IMMIGRATION FRAUD AND FRAUD UP THE COURT ARE STILL ROAMING FREE IN THE US

1 A. The first and primary purpose of this Affidavit is to make this court aware of the complete story behind this case. The complete story behind this case, in a synopsis, is that I and my seven–year–old son, are victims of family court brutality and an immigration fraud indulged in by the Respondents named in the case 18–12183 in the Eleventh Circuit court of appeals. I am fighting for my son's rights to return peacefully to the country of our citizenship, the Republic of India and for him to continue his schooling there and live among his family and friends. It is extraordinary that the US and courts here are holding my son hostage and torturing him without any basis in law or fact and in contravention of international treaty of Hague convention duly codified in 22 U.S.C. 9001 through 9011 and our basic human rights. I.C.E. is holding the frustration that I have over annihilation of our constitutional and human rights, which has been expressed well within my first amendment rights, against me and illegally holding me in illegal incarceration.

1 B. The second purpose of this affidavit is to make the government of the United States, who I have sought to include as a Respondent in this case, aware of the immigration frauds that has been indulged in by the Respondents named in the case 18–12183 in the Eleventh Circuit court of appeals for information and necessary action. Please see paragraph 9.

1 C. The third purpose of this affidavit is to disclose to the world that it is not always that women are the oppressed party; many times women and other miscreants associated with them, misuse the sympathy towards the female gender for nefarious ends. The misuse of the sympathy is to abuse men or their husbands, but way more importantly, these mothers brutalize their own children by tearing them off the loving care of their fathers and feeding them to the greed of the miscreants. Such children who have been thus tortured and tormented in the childhood have a very high chance to be defective in minds when they grow up. Children are the future of any society. Such abuse of children by the mothers and their accomplices jeopardizes the future of the society and the country. As an example, see the US. In this country, the noble cause of woman empowerment has, due to extreme greed has mutated into a movement to torture children. This situation has made US, though with a pompous exterior, hollow from inside and a

failed nation at its core. US is the mass shooting capital of the world. Mass shootings is mad people randomly killing others. Drug abuse, rapes, child abuse and suicides are way higher than the average for the rest of the world. (Please see the last paragraph for details and citations of authority of the extent and magnitude of the problem in the US and its catastrophic effects.).

1 D. The fourth purpose of this document is to create awareness that fathers also have a heart. Fathers also love their children, but perhaps more importantly, children also love and need their fathers. If necessity of fathers being in the lives of their children is not realized soon by the rest of the world, other nations in it will also end up as a failed nation like the US. There is a reason why God is addressed as a Father! (Please see the last paragraph for details and citations of authority of the extent and magnitude of the problem in the US and its catastrophic effects.).

1 E. The fifth purpose of the document is to create awareness among prospective foreign visitors or immigrants about how the family law courts and administrative immigration proceedings in the United States destroy the lives of little children. The family law courts of the US brutalize little children, disregarding law, the constitution and even humanity. The US citizens are stuck here, but at least I want to forewarn gullible foreigners, such as me from India, about the tremendous risk that the foreign visitors or immigrants are taking with the lives and emotional and psychological wellbeing of their children if they immigrate or visit the US. The question in front of a prospective foreign visitor or immigrant should be that do they want to partake on this fictitious prosperity of the United State at the cost of the life and wellbeing of their children and even themselves? The federal government and the federal courts not only turn a blind eye to the pathetic situation of children, but also disregard the law, the constitution, international treaties and basic human rights in their greed. (Please see the last paragraph for details and citations of authority of the extent and magnitude of the problem in the US and its catastrophic effects.).

1 E. The sixth purpose of this document is to create awareness about the sad state of affairs of US citizen children in the world so that adequate punitive and/or corrective actions can be taken against the United States. I hope foreign nations learn from the miserable state of affairs in the US that though women empowerment is necessary, their society should not end up like America where the movement has ended up in breasts and buttocks popping out on the open streets, while a mad orgy with blood and tears of little children is played by greedy miscreants. America was a great country. Its citizens are industrious, kind and helpful. Many citizens have been very kind towards me. I hope that this document

will lead to some introspection in the nation itself so that it can salvage whatever is remaining and achieve its rightful high place in the comity of nations.

2. Each and every statement in this affidavit has been corroborated with documentary evidence presented to both the Federal and Georgia courts. At this point, I am in the prison, but when I get out, I will attach those documentary evidences to this affidavit as well. However, I have provided references to those documentary evidences through publically available documents for the time being.

3. In parts of the document, I am enumerating my accomplishments. I am doing so not because I want to blow my own trumpet, but to show that the broken family and immigration law system of the US brutalizes children of law–abiding and hardworking residents. If one works hard and achieves the so called American dream, it very likely that the vultures of family law and immigration system will feed on the blood and flesh of their children as it happened in my case. Dr. Todd Overcash is a very accomplished surgeon, Mr. David Bebout an army veteran, Mr. John Gentry a retired US marine, Mr. Randall Stone worked in the industry, Ms. Jeniene Stone a grandmother, and Mr. Chris Hallet is a great social worker, all US citizens are just very few examples of innocent people and their children and grandchildren who were brutalized here by family law vultures. There are about 25 million American children, who have been separated from their able, loving and willing parents, primarily fathers, because some family court judge thought it was not *'in the best interest of the child'* to be with their parents! (Please see the last paragraph). Similarly, there are examples of how the immigration system similarly acts without rhyme or reason.

4. I, Akash Dixit, am an Indian citizen. I first came to the US on or about March, 2001 on a B1/B2 visa. I was duly inspected on arrival. I left the US on completion of my assignment. Thereafter, I applied for a lot of US universities for my graduate education in the US. I was admitted by M.I.T., Cornell University, Purdue University, and Georgia Institute of Technology. I came to the US as a F1 student to do my masters and doctoral studies from Georgia Institute of Technology, which is located in Atlanta, Georgia. On that occasion, I came here on August 8, 2002. I was duly inspected on my arrival. I left the US for brief visits for marriages of my siblings and to visit my family and friends on a number of occasions since then. On each reentry, I was duly inspected at the airport at which I arrived. All my visits were under proper visas and I never overstayed and always conformed to my visa statuses. My visa statuses included F–1 or student visa, H1–B or non–immigrant–worker visa and B1/B2 or visitor's visa. I also applied for an

extraordinary–ability EB–1 category permanent–residency status. For my last visit, I was admitted as a H1–B non–immigrant worker.

5. I worked hard during my doctorate studies. I ended up with about 5 archival publications and about 12 conference presentations just during my doctoral degree. Such numbers of publications are high even by the standards of Georgia Institute of Technology, which is one of the most reputed engineering colleges in the US. **Please refer to the attachments to Exhibit 6 in the Document 20 and first two attachments to Exhibit 1 in Document 30 of the case 7:18 –CV–00157 in the middle district of Georgia Valdosta division.** During my entire stay of 16 years in the US, I was never convicted of any crime. Let alone any serious violations, I do not even have a driving ticket. I, similar to several other law–abiding foreigners, worked hard and contributed to the prosperity of the United States in my own minor way.

6. In addition, during the intervening period, I married a woman of Indian origin, who is also Indian citizen, here in the US by the name of Tanya Singh **(the Respondent of this case)**. We had a blessed married life. My wife was a dedicated woman and I tried my best to serve her. (Her own written statement (Please read Exhibit 5 attached to motion to dismiss that was filed on January 23, 2017 in the case number 2015CV266330 that was filed in Fulton County Georgia, Tanya Singh herself says we had a great married life.) at the time of separation and testimonies of friends, (please see attachments, 25 through 32, 35 and 40 to Exhibit 1 of Document 30 of the case 7:18–CV– 00157 in the District Court of the Middle District of Georgia) corroborate a very happy married life.) We were blessed with a beautiful baby boy who is the best child in the world. After graduating, I was employed as a faculty in Georgia Institute of Technology for three years before I went to Michigan on a tenure–track faculty position in Oakland University. While I was employed as a faculty in Oakland University (2015), my then wife, Tanya Singh, informed me that she had an uncontrollable desire for another professor by the name of Dr. Brown. (She accepted to this fact in an audio recording between me and her. Also, if you read Exhibit 5 attached to motion to dismiss that was filed on January 23, 2017 in the case number 2015CV266330 that was filed in Fulton County Georgia, Tanya Singh herself says we had a great married life. Why would a woman suddenly leave a happy married life and a little child? She clarified that the reason for her leaving the marriage was because of 'a problem inside of her'). She said that she wanted to exit out of marriage. She wanted to leave the child with me. I asked her to give that to me in writing so that there are no problems later on. She acquiesced and wrote that because I was a better parent than her, therefore, she is leaving the child with me. (Both the hand written and type written statements have

been attached as Exhibit 5 to motion to dismiss filed in case 2015CV266330 in Fulton County Georgia filed on January 23, 2017).

7. She wanted the divorce to take place in Georgia because her paramour and family were located in Georgia. (Tanya Singh wanted the divorce to take place in Georgia is evident from the fact that eventually, without any legal basis (please see paragraphs 8, 9, 12 through 16), filed the divorce in Fulton County Georgia as case number 2015CV266330). I told her that we could not live in Georgia for the divorce because my visa (H1–B) required me to be at the place of my employment that was Michigan at that time. Tanya Singh tried to blackmail me to go to Georgia. She told me that courts in the US favor women blindly and if I do not conform, she will take my child away from me and me and my old parents in India will never again in our lives be able to see him. (She was eventually able to carry on her threat because of the reason she outlined). I had to return to my country India because I did not want to break the law and be out of status in the US by living in Georgia. My parents were happy to meet my son. We admitted him to a school where he was doing very well. Slowly due to immense work by my old parents and me, my son started prospering. Tanya Singh stayed back while she was dating her paramour. It seems that things did not work out between Tanya Singh and her paramour. After trying to get a change of status done in the US in vain, Tanya Singh too left the US in July 2015 and returned to India without informing me. I was kept in dark that she had come to India until during the divorce trial in March 2017.

8. In India, Tanya Singh applied for many visas to enter the US during the period of July through September 2015. All those applications were rejected by the US embassy in New Delhi, India. (This is her sworn testimony in the divorce trial. I have a transcript of this trial.). In her quest for the US visa, she never even bothered to come and meet her son on her own accord, as she resided full time in New Delhi at an undisclosed addressed. She abandoned our son for close to 2 years since he was three. My son used to miss his mother a lot. He used to look for her in rice cans, beneath bed sheets, and suddenly cry out 'mama–mama' while drinking water. He would stare out of the window for long periods and look longingly when he would see a mother and child together. Although Tanya Singh did not disclose to me her location, I had email contact with her. I begged her several times to come and visit our son through emails. (Evidence available). I tried looking for her everywhere and even filed missing–person–police–reports both in the US and India. (Evidence available). The Indian police found her in New Delhi, the capital of India. They in their report mentioned that Tanya Singh was living in New Delhi on her own volition.

9. When all efforts of Tanya Singh to procure a US visa through the US embassy in New Delhi failed and while, she, I, who are Indian citizens, along with our son, were all in India, she with the aid of her family filed a divorce against me in Georgia in the US. **This divorce case was filed as an alternate and fraudulent means to enter the US through marriage (divorce). This is a cognizable offence under US immigration law according to 8 U.S.C. 1227 (a)(1)(G).** The names of the members of her family who helped her in this immigration fraud are Mr. Karan Singh, Ms. Sangeet Singh and Mr. Bhupendra Singh and the name of her attorney is Mr. Gregory D. Golden. **All these people are listed as Respondents of in the case 18–12183.** The divorce was filed on or about September 29, 2015. Though I was never served the complaint, Tanya Singh informed me about this case over the phone. I visited the US to inform the US authorities and courts about this immigration fraud. I came to the US on or about September 9, 2016.

10. From herein forward the story is of a failed family court system in the US and how my son and about 25 million other US citizen children are brutalized by this inhuman system. This is the single most harrowing cruelty that has been wrought upon by humans on one and another. The holocaust of Germany, the dropping of atomic bombs by the US and other similar atrocities done by humans on each other are nothing compared to the, figuratively speaking, brutal cannibalization that this American society does on its own children. Though I just present one case herein of the abuse of my son, similar cases of abuse of children are repeated day in and day out, in evil courts of this country. Even the army veterans are not spared. Actually, the veterans are the prime targets of the greedy family law courts. I know the sad stories of several veterans of US armed forces who and whose children have been victims of grave abuse. Please check out the bold portion of the last paragraph and the third paragraph for authentic citations of authority and cases about the extent and magnitude of this inhumanity, one of the vilest greed in the history of humankind.

11. The first shocker that I received was when the family court in Georgia, debarred my son from returning to India. According to the Order, I an Indian citizen could not freely return to India with my Indian citizen child. This Order was passed on the insinuation of my ex–wife's attorney, Mr. Gregory Golden. The success of the blatant conspiracy started to unfold, right beneath the eyes of the courts of the US. Using our son as an anchor, my ex–wife entered the US on humanitarian parole on or about March 5, 2017 for a divorce trial on March 9, 2017 a.k.a. divorce tourism! As pointed earlier, using the marriage (divorce) as a means to immigrate to the US is illegal (8 U.S.C. 12279a)(1)(G) and using the child as a means thereof unethical.

12. The second shocker that I received was when the family court in Georgia did not rule on my motion to dismiss based on lack of personal (please see paragraph 14) and subject–matter jurisdiction (please see paragraph 13) and since the venue was improper (please see paragraph 15) and conducted the trial.

13. For the uninitiated, **subject matter jurisdiction** is the most basic of qualifying characteristics to have a legal suit anywhere in the civilized society. For example, if a murder took place in India, courts of US do not have jurisdiction to have the trial in the US. The accused will have to be extradited to India and the trial will need to be done in India in courts that have the adequate subject–matter jurisdiction. Though I gave an example of a criminal case, obviously, jurisdictional requirements apply to civil cases such as divorces as well. Two Indian nationals living in India, without any bona fide status in the US, cannot have a divorce or custody battle in the US, is obvious to any logical person and is the most basic of laws. Courts in civilized society do not move even fraction of a step without addressing a challenge to their subject matter jurisdiction. The Supreme Court of the United States has called a legal suit without subject matter jurisdiction as *"lawless violence"* and "*treason to the constitution.*" Even the case of Jesus Christ was first remanded for lack of jurisdiction. However, this court in the US performed this legal sacrilege of not ruling on my motion to dismiss based on subject matter jurisdiction and conducting a divorce trial.

14. Similar is the case with **personal jurisdiction**. Continuing with the same example that of a murder, the accused will not just be required to extradited to India, but also he will need to be charge sheeted and the charges will need to be served to him. Similarly, in a civil case such as a divorce, the complaint or divorce petition is served to the opposing party to enable them to build proper defenses. How can any legal suit happen in which the Defendant does not even know what are they being charged of? The court did not rule on if the service done by Tanya Singh to me was proper and timely.

15. The last of the jurisdictions is **Venue jurisdiction**. I and the Plaintiff or my ex–wife, who are both Indian citizens were living in India, along with our son. To add to that, we did not have any legal status to be present in the US. Even if we came to the US, we would have come here on a visa. Would we be worrying about our visa or worry about the divorce? What if one of the persons has to return to India because they lost their visa status, what happens to the divorce. It continues without the main party being there? It was plain idiotic to conduct the divorce in the US. The Venue was not proper at all.

16. The subject–matter jurisdiction of divorces in Georgia is governed by O.C.G.A. 19–5–2, which states Georgia courts have jurisdiction only if the protagonists have bona fide residence of Georgia six months prior to the initiation of the divorce. The divorce was filed on September 29, 2015, while Tanya Singh and me, who are both Indian citizens, were residing in India. I had been in India since May 2015 and Tanya Singh since about July 2015. Therefore, we who are Indian citizens and were residing in India, obviously did not fulfill that criteria. There were two other reasons for Georgia Courts to not have jurisdiction. One, that before India, I was employed as a faculty in Oakland University in Michigan and therefore did not fulfil the domicile requirements even before our departure to India. (Please see O.C.G.A. 19–2–1 (a) that explains that matrimonial domicile, which is required for divorces to take place in Georgia, is where the family primarily resides as a result of employment. In addition, please see O.C.G.A. 19–2–1 (b) that explains how matrimonial domicile, which is required to file divorces in Georgia is changed upon movement of the family). Two, **the immigration according to the Constitution, Article 1, section 8, clause 4, and supremacy clause is strictly a federal issue.** The unambiguous authority of federal government over any state action has been affirmed by the SCOTUS several times during that court's history. The latest being when the promulgation by President Trump to bar citizens of certain countries from entering US was affirmed by that court. **When the US embassy had itself declined to give visa to my ex–wife, thereby declining her bona fide residence in the entire US, how can she claim bona fide residence of Georgia, which is a state in the US? The Georgia Courts did NOT have requisite subject matter jurisdiction over the divorce according to their own laws of the United States.**

17. Though the Court of Georgia did not have subject–matter jurisdiction is settled as per previous paragraph, but I have been burnt so badly that I need to state, despite it being inconsequential in light of the previous paragraph, that even otherwise Tanya Singh did not fulfill the bonafide residence requirements. She did not have any form of bona fide identification associating her to Georgia such as a driver's license or a voters id card.

18. Moreover, as mentioned above there had been no proper and timely service to me of the divorce complaint.

19. Additionally, the natural place of residence of my son had been India for the past 2 years and according to the international treaty of the Hague convention, duly codified as 22 U.S.C. 9001 to 9011, I sought of return to my country India, where I was working as a full time professor in a university and my son used to go to school.

20. However, rules and laws are points of consideration of a civilized legal system. For this American legal system, at least in the area of family law, which revels on figuratively speaking, cannibalizing its own children, the principles of liberty, equality and justice or even those of basic human rights have no value. I kept shrieking about the statutory and constitutional rights of my son and lack of jurisdiction of Georgia courts, but to no avail.

21. The family court in Georgia, where I filed my motion to dismiss (Please see 18) did not rule on my motion to dismiss and conducted the trial. According to the uniform mandate of the statute of Georgia and the constitution of the United States duly exemplified by the rulings of Supreme court of Georgia and that of the United States, any legal proceeding in absence of subject matter jurisdiction is void ab–initio. **(In the prison, I do not have availability to those citations, but these citations can be accessed through my filings to the court of appeals of Georgia, for example case A18A0280 and its motion to reconsider. Those citations can also be accessed in my filings to the supreme court of Georgia, for example case S18C0099 and S18C0631 and their motion to reconsider and also certiorari to the Supreme Court of United States, case 18–5187).**

22. In addition to conducting a (void) trial in absence of subject–matter jurisdiction, the judge of the superior court, Judge Christopher Brasher, exhibited blatant favor towards Tanya Singh, who was represented by an attorney and against me and my son. Such conduct is common across US. If one is self–represented (no attorney), then they have very minor chances of getting a fair deal in divorces. Even if one is represented by an attorney, which way the judge will sway usually depends on the judge's degree of closeness to the two attorneys rather than any consideration to *'the best interests of the child'* or justice. Although you, if you are not from the US, will be amazed at the audacity of the judge in my case in his disregard of law, the constitution and humanity, but such a conduct is common across family courts in this country. People in the US are well aware of this menace.

23. During the divorce trial, Judge Christopher Brasher acted as an additional attorney for Tanya Singh. He frequently intervened on behalf of Tanya Singh. When I asked Tanya Singh why did she not come and meet our son for two years while we were in India, she had no proper answer. The judge intervened and ludicrously helped her rationalize by attributing her absence to women safety and gang rapes of India. You will think that it is laughable that the judge is saying that a mother was not able to visit her own son for two years because of gang rapes in India, but these kinds of arguments that are commonly given and accepted by family law judges in America. Frequently, children are sequestered from one parent for frivolous reasons

because the parent texted their child or the child fell sick while in the care of one of the parents. Just for record, I should point out that according to rape statistics of various countries as available with the the United Nations, there are 3.1 rapes per 100,000 of the population in India as against a staggering 27.1 for the same population in the US!

24. There were several similar interventions by the judge in the favor of Tanya Singh. The judge did not just advocate for Tanya Singh, but he was caught red handed in out of court meeting with Tanya Singh or her party. On the seventh day of the divorce decree, Tanya Singh filed a contempt motion against me for stealing the toys and clothes of my son. (yes for stealing toys and clothes of my son!!) The judge passed an order on the motion of contempt within and impossible 4 minutes. That means the judge read a 10 page document, typed an Order, printed it, signed it, scanned it and e–filed it, all in 4 minutes! Is it possible? The judge was obviously aware of the motion of contempt even before it was filed. How could the judge be aware of the contents of the motion if not through an undocumented ex–parte communication between Tanya Singh's party and him? Undocumented, ex parte communication between the judge and one of the parties are forbidden in all legal systems

25. The Order on contempt motion was also illegal because according to the statute of Georgia, there is a 10 day, automatic stay on all civil judgments. The judge disregarded this statutory mandate in favor of Tanya Singh while he collaborated with Tanya Singh behind closed doors because they thought that I as pro–se foreigner will not never figure out. But then there is God, who always intervenes on behalf of the innocent and against the vile.

26. The judge lied in his Orders. I had filed some post–trial motions after the final judgment on the divorce. Seeing the lawlessness that the judge was doing, though financially I was very tight, I had to hire an attorney for a couple of days to represent me for the contempt motion hearing. The judge in his Order stated that though I filed as pro–se despite being represented by an attorney, there is no need to file those motions again. He stated in the Order that he will let those motions to continue and rule on them in due course. However, later after the time to refile those motions expired, the judge dismissed my motions saying that I cannot file as a pro–se while being represented by an attorney! Both these Orders are publically available black and white. The first Order in which the Judge said that he will let my motions to continue was filed on or about April 12, 2017 and the second Order in which he dismissed my motions was filed on or about July 15, 2017 in the case 2015CV266330 in Fulton County Georgia.

27. There were several other acts of blatant bias by the judge, but the most stark one was when this monster judge Christopher Brasher figuratively murdered my son in the open court room. As I pointed above, Tanya Singh in her quest for the American visa, had abandoned our son for two years while we were in India. I, along with my parents in India, were his caretakers for 2 years while Tanya Singh had abandoned our son. The judge was fully aware of this situation. Despite that abandonment, the monster (judge) summoned my five–year–old son to the courtroom and forced handed him over to Tanya Singh and debarred me from meeting my son. My son cried and tried to run, but the monster judge used Sheriffs to control my son and to separate my son and me.

28. I hope this judge rots in hell for 10,000 years for thus brutalizing my son. I on my part will leave no stone unturned to hold this judge accountable under the law of the land. My son, who was very attached to me and had just seen me as a parent for past two years, was suddenly separated from me. I used to brush his teeth, prepare his breakfast, wash his clothes, watch Spiderman with him, prepare his meals, put him to sleep. I used to laugh with him, help him when he was down, work with him on his homework. I was his part and he was mine. The strong interdependence that my son and I had is evident from attachments 25 through 27, 30, 31 and 33 thorough 43 to Exhibit 1 of Document 30 of the case 7:18–CV– 00157 in the District Court of the Middle District of Georgia. What would be going on through is his little mind for the seconds, minutes, hours and days after such instant separation or inhuman brutalization? I repeat my curse on Judge Brasher. During the telephonic conversation after the incident, my son used to plead with me to come and get him. He said he feels he is 'trapped.' It tears me how he would have learned the word to be able to express himself. I again repeat my curse to Judge Brasher. I have lived my life in righteousness and no power of this world can alleviate the monster judge of the effects of my curse. After two months of this forced separation, I was allowed to meet my son for just one hour per week in this inhuman land for little children. God!!

29. Legally speaking as I explained earlier the lower court order on divorce was void on its face because

1. The court did not have requisite subject matter jurisdiction. (Please see paragraph 13, 16 and 17).
2. I was not properly served in a timely fashion. (Please see paragraph 14 and 18).
3. The trial was conducted even without ruling on my motion to dismiss making the trial itself void. (Please see paragraph 21).

4. The presiding judge exhibited blatant bias and malevolence towards me and my son, but in favor of the opposing party. (Please see paragraphs 22 through 28).

30. When I saw such injustice being dispensed to me and my son, I filed a writ of mandamus against the judge (a kind of a complaint against the judge to higher courts for review of his decision) and also appealed against the divorce decree. (For the mandamus action, the judge used one of his friend judges and filed a fraudulent dismissal of my motion to proceed in–forma–pauperis. However, the judge of mandamus court vacated the dismissal and granted my in–forma–pauperis. There are some good judges as well!) The court of appeals dismissed both my appeals, the one emanating from the mandamus petition and another one emanating from the divorce suit because it contended that those appeals were not properly before them. The Supreme Court of Georgia also denied my certiorari applications for the same reason. I do not agree or disagree with the contention of the court of appeals or the supreme court of Georgia. However, my point before those appellate courts were that one, even if my appeal was improperly before them or procedurally defective, they were duty bound to vacate a void order, which I contended that the lower court order was. (Please see paragraph 21). The Supreme court of the United States has called a void order similar to a dead limb on a branch of a tree that should be sequestered at the first opportunity. **(In the prison, I do not have availability to that and other citations to the same effect, but these citations can be accessed through my filings to the court of appeals of Georgia, for example case A18A0280 and its motion to reconsider. Those citations can also be accessed in my filings to the supreme court of Georgia, for example case S18C0099 and S18C0631 and their motion to reconsider and also certiorari to the Supreme Court of United States, case 18–5187).** Additionally, I contended that according to the Georgia Code of judicial conduct, if an unethical conduct of a judge is brought in front of another judge, he was duty bound to suitably address the matter. (Please see Georgia code of judicial conduct).

31. According to the law, it was okay if the appellate courts said that the order was not void or that the judge's conduct was not unethical or inhuman, but they were required to address those issues. (Please see the bold portion of the previous paragraph). However, in disregard of the laws, the appellate courts continued their one line dismissal without responding to my questions. Obviously, the appellate courts were protecting the lower court judge. They could not answer my questions, because being courts of precedent, they did not want to set a bad precedent. The appellate courts also disregarded the illegal retention of my son according to the

international treaty of Hague convention duly codified in 22 U.S.C. 9001 through 9011. I lost my job as a professor in India because I could not return to India leaving my son alone with this evil system in America. My son lost his school admission to a very prestigious school in India to which he was enrolled.

32. I asked the same questions as those that I asked to the appellate courts in Georgia to the Supreme Court of the United States. (Please see 30 and 31). However, the Supreme Court also behaved in similar disregard of law, statute, constitution and humanity. I brought the immigration fraud done by Karan Singh, Tanya Singh, Sangeet Singh, Attorney Gregory Golden and Bhupendra Singh and illegal retention of my son in contravention of the international treaty of Hague convention duly codified as U.S.C. 9001 through 9011 to the notice of a federal district court in a civil conspiracy action. (This case is docketed as 1:18–CV–00403 in the District Court of Northern District of Georgia). However, the federal district court also disregarded the conspiracy and violation of my son's human rights to be with me. I also raised the issue of the illegal retention of my son with the department of state for the safe return of my son to the country of our citizenship according to the above–mentioned treaty and statutory authority. However, the US department of state also exhibited similar apathy as demonstrated by the courts. As such the whole establishment of the United States came to the rescue of the monster judge who inhumanly brutalized my son in open court room. I wish I could wish very bad for this country, but so many of good Americans stop me from cursing this country.

33. Presently, I have following appeals pending. The appeal from district court about the immigration fraud and civil conspiracy case is presently in the federal court of appeals, eleventh circuit. Till now that court of appeals has also exhibited similar apathy to law, constitution and humanity when it comes to justice for me and my son. Presently, the appeal of my mandamus is in the SCOTUS, my proper appeal of the divorce action is in Court of appeals of Georgia.

34. What happens when criminals and crimes such as those indulged in by my ex–wife, her family and attorney are ignored, as was done by the US courts? The criminals do more crimes. Same thing happened in the case of my ex–wife and her family and her attorney; they did another fraud upon the court using the gaping holes in the US immigration system!

35. While we were going through the divorce battle, my ex–wife, her attorney and her family indulged in another fraud. As stated above, our divorce case is presently in the court of appeals of Georgia and its case number is A18A1628. On or

about February of 2018, while the divorce case was still pending with the Court of Appeals, she filled an application for a warrant against me in Gwinnett County in Georgia. Even though this application was done under penalty of perjury, Tanya Singh blatantly lied about my address. Obviously, she and even her attorney were fully aware of my correct address because we used to exchange frequent filings due to our cases as described in paragraph 32 and 33 and even the divorce case in the Superior Court of the Fulton County. In all my filings, I used to list my correct postal address. Moreover, she too used to serve me her filings regularly at that correct address. For example, if you put in my last name in the docket search page of Court of Appeals of Georgia, you will see a host of appeals that happened starting in April 2017 through now. All those appeals have many filings by my ex–wife and me. In all those filings, I have given my correct postal address and she has serviced me on that address. Moreover, her attorney during a hearing in the divorce case asked me my residential address. I replied by giving my full residential address during my sworn testimony that was noted by that attorney. Therefore, despite knowing my address, Tanya Singh gave a wrong address on the warrant application. Obviously, since the address on the warrant application was inaccurate, I did not receive the notification from the magistrate court about a hearing and was not able to be present. The magistrate court granted the warrant in my absence.

36. The warrant application by my ex–wife was a fraud upon the court for two reasons. One, which is obvious that she lied, when she gave the wrong address (please see previous paragraph) and two, she hid the pertinent information that our case was pending with the Court of Appeals of Georgia. The Court of Appeals, being the higher court held supersedeas over our divorce litigation. Therefore, the magistrate court was without jurisdiction for the purposes litigation about our divorce case.

37. My ex–wife and her attorney did the fraud described in paragraphs 35 and 36 so that they can get me arrested. It is well known that Immigration and Customs Enforcement or I.C.E. is very active in the US nowadays. The members of my ex–wife's party wanted to capitalize on that highhandedness and have me deported so that my efforts to bring their evil deeds to light are scuttled. Similar to their success in exploiting the family law situation, they were successful in exploiting the highhandedness of the I.C.E.

38. On or about August 17, 2018, just one week prior to my present incarceration by I.C.E., when I went to wish my son on his birthday. Rather than letting me and my son meet, my ex–wife kept him locked behind closed doors. I could only hear his muffled cries to be allowed to meet his Papa. Not only that, my ex–wife called the

police on me and surreptitiously produced the fraudulently procured warrant to the officers. (Please see items 35 and 36). She was continuously on the phone with her attorney, Mr. Gregory Golden, whom she wanted the officers to talk to. The officers arrested me. I.C.E. placed a hold on my release. **However, on that occasion, I.C.E. released me because I had valid immigration status.**

39. The next week, on or about August 26, 2018, I was again a victim of a frivolous arrest warrant. This time, the district attorney declined to prosecute me and the case was dismissed. This time again an I.C.E. hold was placed on my release. This time however the I.C.E. did not release me despite me having proper immigration status. Upon my arrest by I.C.E. on August 28, 2018, I got an N.T.A. without any date and time of my first court appearance.

40. From now on forward, I describe the mistreatment of foreigners, who are called aliens, in this English speaking country, the US. Unlike the previous case about abuse of children by the family law courts, which obviously has no rationalization, though, in the case of mistreatment of the foreigners, I do understand that the US wants to get itself rid of illegal and criminal foreigners. I am supportive of such riddance. However, I will just say that even if the bounds of law are broached, the ridding off should happen within the bounds of humanity. I do also understand that there are bound to be some excesses in the process. As long as those excesses are not widespread, I do understand. **(For this section, please see Amendment 3 or Document 20 filed in the case 7:18 –CV–00157 in the Federal District Court of Middle District of Georgia, Valdosta division for corroborating evidences.)**

41. In my personal case, I submit that the bounds of law are not such being broached but transcended by a very high amount. Actually, I will say that in my case, the bounds of humanity are being tested. As will be apparent after reading the paragraphs below that I.C.E./D.H.S. has endowed upon itself extra–judicial authority. Contrary to their abilities and authority, they are judging my valiant fight for my son in the US courts and holding it against me. Of course, at the face of it they cannot say that they are judging me based on my fight for the rights of US citizen children and my son, so they are coming up with ludicrous and ridiculous arguments to support my continued incarceration.

42. Upon my arrest, I kept telling the I.C.E. officers that I have a valid legal status. I asked for five minutes of internet time to produce documentary evidence of that status. The I.C.E. officers did not listen to me.

43. I was handcuffed and feetcuffed and transported to a prison that goes by the name of Irwin County Detention Center. Luckily, I was able to produce evidence of my valid legal status in the US. Even then, the I.C.E. did not release me. Eventually, I had to file a Habeas Corpus petition to seek my release.

44. The conduct of the Habeas court was not according to the law as well. The court gave the Respondents that included the members of the US government, 3 days to respond to produce valid reasons to keep me incarcerated. The government sought additional 28 days to rebut my claims, which was granted.

45. Giving the government 3 days was according to the law, but giving them additional 28 days was not. Please see 28 U.S.C. 2241, 2243. Even otherwise, think about it. When a person is arrested, according to the US constitution or even basic humanitarian law, there needs to be a probable cause for their arrest. Right? It should not happen that first the person is arrested and then the probable cause is found. When through Habeas a prisoner enquires about the reason for his arrest from the arresting authority, should the arresting authority be given about 35 days to find the reason? In 35 days, if I am the government, I can 'find' (concoct) a reason of arrest for even 'Jesus Christ' let alone a common person. The mere spirit of Habeas petition was annihilated when the government was given 35 additional days to produce a reason for my arrest.

46. When I filed Habeas petition in the federal court, I.C.E. officers were very angry. Some of the officers came and tried to intimidate me in the prison.

47. Immigration Officer who conducts administrative immigration proceedings and is frequently, though inaccurately, called as a 'judge.' I.C.E. or the D.H.S. or the immigration officer has the authority to release a person on their own recognizance or on a bond, if in their discretion, the arrested person does not pose a danger to the society, is not a threat to national security and is not a flight risk. Discretion is different from arbitrariness. While precedent and logic bounds the former, the latter is boundless. However, it is not so in the strange world of the US immigration system.

48. A person is a threat to national security if they have a terrorist profile in the database for the Department of Homeland Security. A person is a threat to the society if they have a conviction of an 'aggravated felony' that requires an confinement of greater than an year. A person is a flight risk if they have evaded appearance for immigration release on supervision or have violated the terms of probation on another criminal conviction regarding appearance at designated time. None of those items applied to me even remotely. Despite that the I.C.E. and the

'immigration court,' did not release me out of pure arbitrariness than any logic or law.

49. I do not even have a driving ticket during my 16 years of stay in the US. I have produced to I.C.E./D.H.S. about 45 exhibits. Some of these exhibits contain letters from world renowned personalities, who attest to my personal uprightness and professional accomplishments, strong connection to the society and strong interdependent relationship with my son. Other exhibits contain some of my professional accomplishments. These evidences establish that rather than being a threat to national security or to the community, I am an asset thereto. The remaining exhibits show evidence of my son doing very well in my care and that I have a fully paid house in Atlanta, Georgia. These sets of exhibits show that I am not at all a flight risk. My exhibits undeniably fulfill that three–pronged criterion and warrant my immediate release. **(Please refer to the attachments to Exhibit 6 in the Document 20 and first two attachments to Exhibit 1 in Document 30 that have been filed in the Federal District Court of Middle District of Georgia, Valdosta division in the case 7:18–CV–00157. For the specific attachments numbers for each of the three criteria, please refer to item numbers 5, 6 and 28).**

50. The fundamental question that I keep asking I.C.E./D.H.S. is why am I being subjected to ***a cruel and unusual punishment*** in violation of the eighth amendment to the US constitution and kept in incarceration without any reason. The I.C.E./D.H.S. responded by stating that I have a criminal history and therefore they are exercising their discretion and not releasing me on my own recognizance or on a bond because they consider me as a danger to the society. My obvious follow up question is what criminal history are they talking about.

51. The I.C.E./D.H.S. invariably cite two criminal charges, one in Fulton county Georgia and the second in Gwinnett county Georgia as my criminal history and therefore their reason to deny my release.

52. I respond by stating that: **One,** criminal charge does not constitute a criminal history. The courts of this country have the sole prerogative to declare a person a criminal thereby building a criminal record. **Two,** one of the two charges have already been dismissed as frivolous because the district attorney decided not to prosecute me and the second one, which is the only remaining charge in my 16 years in the US, is that of misdemeanor and a fraud by Tanya Singh, her attorney and her family. (Please see items 34 through 36.) I end by reiterating that a criminal charge does not make criminal history. If the charge is serious, and the accused person poses a danger to the society upon release, the courts are fully

equipped to keep the accused in incarceration. **It is NOT the prerogative of the I.C.E./D.H.S. to guesstimate the seriousness of the charge and the results of the adjudication by the courts. It is against the equal protection and due process of law both in its procedural and substantive manifestations.**

53. To this the I.C.E./D.H.S. say that I should contact the immigration judge to seek my release. As a reply to the referral to the immigration judge, I ask the I.C.E./D.H.S. to please not pass the buck to the 'immigration court.' The 'immigration court' is outside bounds of their jurisdiction. (Please see 47). What happens between me and the immigration 'court' is a matter that is between me and that 'court.' My question pertained to their discretion to release me. If I am not a flight risk does not pose a danger to the society as my exhibits unequivocally show, I should be released. (Please see paragraphs 47 through 49). Otherwise, I ask them to produce evidences and reasons for them not releasing me using their discretion. I also remind them that discretion is different from arbitrariness, wherein, the former is bounded by precedent and logic, while the latter is boundless. In the end, I ask them the question posed in claim 48.

54. To this the I.C.E./D.H.S. repeat their answer in 48 and the cycle keeps going. I have gone through the cycle at least 3 times. Once with the Deportation Officer for India operations, I.C.E. officer Fairnot, Head of Atlanta division Mr. Gallagher and also verbally with I.C.E. officer Kelly. These have taken over 2 months now.

55. The immigration proceedings were not at all different than the conduct of I.C.E./D.H.S. After 5 weeks of incarceration by I.C.E. and without any prior written notice, I was produced in front of the immigration judge on October 4, 2018, through teleconferencing. During the short hearing that took place on that day, the immigration judge did not allow me to present my prepared testimony. I had already mailed my motion for bond hearing and cancellation of removal form EOIR 42 B. During the hearing, despite my request, and as is generally allowed for teleconferenced immigration–proceedings, the immigration judge did not allow me to fax him my motion for bond hearing or EOIR 42 B form as well.

56. During the hearing on October 4, the 'immigration judge' had asked me to send him a motion to terminate the proceedings. Therefore, I sent a motion to terminate the removal proceedings and a supplement to my motion for bond hearing and cancellation of removal.

57. During my hearing on October 4, the 'immigration judge' had scheduled my next hearing on November 8. However, suddenly my hearing was preponed to October 23, 2018. I got the information about the preponment on the evening of

October 22. During the few hours that I had available to me, I gathered my new and old filings. However, this hearing was no different from the previous hearing in terms of prejudice exhibited by the 'immigration judge.' I repeatedly asked the judge to allow me to submit my evidences and filings that have already been mailed to him. The 'judge' repeatedly disallowed me to present my case. At one point, I said Sir, you are silencing me. **The judge** impudently retorted and **said yes, he is silencing me.**

58. During the same hearing, without even letting me produce additional evidences, the immigration 'judge' denied my release on a bond stating that I am a flight risk. This Order that consists of just one line states that I am a flight risk and cites one illegible court case. It does not discuss the factual merits of my exhibits or my strong connection to the society, prior honorable conduct, highly interdependent relationship with my son and having a fully paid house. Please see item 47 through 49 and the exhibits referenced therein.

59. The Supreme Court has stated that *"unreasoned or arbitrary exercise of discretion"* was a proper subject for abuse of discretion. Please see *INS v. Rios-Pineda, 471 U.S. 444, 451 (1985)*

60. Due to highly arbitrary and capricious conduct by the immigration judge, as detailed in items 55 through 59, I had to submit a motion to disqualify the immigration judge. The motion is currently under consideration with the Chief Immigration judge. That motion is docketed with the immigration court on November 2, 2018.

61. This strange conduct by the I.C.E. (please see items 39, through 43 and 50 through 54) and that of the Immigration proceedings (please see 55 through 59) was explained by an admission by the I.C.E. given below. I am being subjected to *cruel and unusual punishments* without adequate reasoning and am being denied a bond that, at the very least, I am very clearly eligible for. Please see items 47 through 49.

62. Recently, the I.C.E. officers asked me to come to a solitary corridor of the prison. There they said that they have been made aware of my filing to the court of appeals **(motion for clarification in the case 18–12183 that is listed in the Eleventh Circuit Court of Appeals)** in which I cursed some of the judges for cruelly not providing me access to my son and stalling his access to me. They asked me not to do it again; otherwise, they said, they will regard it as a threat. However, they did not keep their word and are not counting my filing to that court as a threat. **Recently, to one of my requests, the I.C.E. cited that filing as a reason for treating me as a threat to the society.**

63. **The admission of my fight for my son's rights in the court being the cause of my incarceration as described in the previous paragraph by the I.C.E. is an important admission.** It shows that I.C.E. is subjecting me to **cruel and unusual punishments** because of the tone and tenor of my court filings to courts rather than the criminal charges that they are trying to attribute my incarceration to. The charge that they have against me is not listed on any **warrant** as a **probable cause.** The conduct of the I.C.E./D.H.S. has helped my opposing party as from the prison, I am not able to make effective filings due to the conditions here.

64. On the face of it, they say that it is my criminal charges, which is just a single misdemeanor charge that was fraudulently concocted by the my ex–wife Tanya Singh, her family members and her attorney. But, in actuality, the I.C.E. are punishing me for using harsh words against the judges in my filings because the judges are brutally abusing the most basic human rights of my son to be with his father. My only crime is that similar to several other fathers I love my son and I am fighting of his right to access to me. I am frustrated with the courts of this country who are denying the right of my son for his access to me without any reason. **Peaceful expression of my frustration is within my first amendment rights.**

65. Am I a criminal? Is my little son a criminal? When our fundamental and most basic of human rights is trampled upon, why are we not even allowed to cry out loud. I.C.E./D.H.S. are holding my peaceful expression of my frustration that is done well within the bounds of my first amendment rights, against me. I.C.E./D.H.S. are **thus keeping me incarcerated without due process or charges or warrant without any probable cause under color of authority.**

66. I am kept incarcerated with individuals who have served prison sentences and are classified as high security individuals. Recently, an inmate threatened to kill me because I declined to give him my bin. For me, who has never even been convicted of even minor violations such as for speeding, let alone a serious violation, it is very intimidating to live in their company. I.C.E./D.H.S. for my 'security,' offered me a cell among inmates who are punished for solitary confinement are kept! I am a vegetarian due to my religious beliefs. I am the sole vegetarian in my dorm. I am served very little food. Every night I go to sleep with half–filled stomach drinking water to satisfy my hunger. **This is clear discrimination based on religion and a clear violation of my first amendment rights.** There are close to no legal resources in the prison. As I detailed above. I have several important courts cases, which are in crucial stage of their litigation. By not providing me reasonable legal resources, I.C.E. is obstructing justice.

67. I am getting this *cruel and unusual punishment* and torture for loving my son and standing for his rights and rights of other American children, which I peacefully do well within the bounds of law. It is possible that the judges, about whom I have been critical such as the ones whom I cursed in my motion for clarification for inhumanly keeping me separated from my son are collaborating with I.C.E./D.H.S. for this **cruel and inhuman punishment** that is being inflicted upon me under the **color of authority.**

68. America has a very pretty looking constitution, but its implementation is for everyone to see. I am being held in incarceration for indefinite amount of time for absolutely no criminal convictions, just because I am peacefully fighting for my son's rights to access to me. For 16 years, I lived in this country. I did my doctorate and taught the young generation of this country. I was applauded for my professional accomplishments and contributions. Then I married and had a son. For seven years, I served my wife and then my son after he was born. Then my wife wanted to move out of marriage because she liked another professor. I was okay with that and started to serve my son by myself. However, this land of brutal judiciary was not even okay with that. They snatched my son's father from him in the well of the courtroom. My minor son tried to fight the adult sheriffs, but he similar to me, who is not able fight the I.C.E./DH.S., failed. When I try to defend my son's right by bringing the cruelty inflicted upon him to light, I am incarcerated using a fraudulently concocted charge as a ruse.

69. This is not just my story. So many fathers of US citizen children are in different stages of fighting just to be with their children, whom the inhuman judges keep separated. Those fathers and their children are also similarly **abused and tortured without regards to the constitution and its protections. Please see document 16 in the appeal 12945, the appellants brief of the appeal 18 – 12183 in court of appeals eleventh circuit and the certiorari for the case 18–5187 to the SCOTUS for details.**

70. American society is not a failing society, but it is a irrevocably failed society. America is the undisputed king in the area of mass shootings, suicides and drug abuse. As a result, this country is the only country in the history of the making that will collapse within a week if the immigrants stop working here. I have produced authentic citations of authority corroborating my claims in three of my court filings – my certiorari to the Supreme Court of the United States, case number 18–5187, Dixit Vs. Dixit; my appellant's brief to the court of appeals, eleventh circuit for the case 18–12183 and a motion to vacate all inhuman orders separating children from parents in the case in the northern district of Georgia, Atlanta division, case

number 18–CV–1717. It is imperative that the reader reads those filings to get an authentic taste (distaste) of the enormity of this problem. I have uploaded copies of those filings on the internet and the urls for those can be found in the file www.tinyurl.com\dixitDrive. I am in prison right now, but if I remember correctly, the link for the SCOTUS certiorari is www.tinyurl.com\DixitSCOTUS-Cert and that for the district court filing is www.tinyurl.com\DixitAmericanChildrenMatterToo.

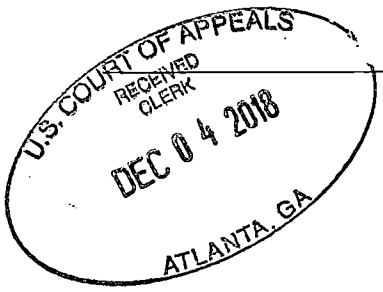
71. Of course, the filings were not palatable to the American jurisprudence or its government. This was after all a closely guarded secret. The US government considers it its birthright to comment and condescend on human rights violations, which are way minor in comparison when compared to brutalization of its own children by millions, across the world.

72. Do you know that in so–called immigration courts in the US you have to prove that your child will face extra–ordinary difficulties if you are separated from them? The 'judge' themselves says that the bar is very high and difficult to meet! So parents are deported and their children are kept here in the US because parents were not able to prove that their children will face extra–ordinary difficulties due to the separation. Do you want to be a parent of one such unfortunate child? Do you want to be a parent of a mass shooter, drug addict or a rapist? Welcome to the USA!

73. According to American Institute of psychology, 50% of first times marriages fail in the US. According to the same source, the percentage is higher for second and third time marriages. Based on those two figures, I estimate 60 to 70 percent of marriages fail in the US. Many times women and other miscreants associated with them, misuse the sympathy towards the female gender to achieve victory in divorce and custody battles. The misuse of the sympathy is to abuse men or their husbands, but way more importantly, these mothers brutalize their own children by tearing them off the loving care of their fathers and feeding them to the greed of the miscreants. Such high number of failed marriages result in a very high number of abused children. Such children who have been thus tortured and tormented in the childhood have a very high chance to be defective in minds when they grow up. Children are the future of any society. Such abuse of children by the mothers and their accomplices jeopardizes the future of the society and the country. These failed marriages produce a mass of (about 25 million) children having defective mentality. America, despite having a conscientious and industrious populace, has the ignominy of being the mass shooting capital of the world. It also has other similar debilitating social problems such as suicides, rapes and drug abuse way higher than the average in the rest of the world. The social problems have made this nation, which though

IN THE UNITED STATES COURT OF APPEALS ELEVENTH CIRCUIT

No. 18–12945–DD



AKASH DIXIT (APPELLANT)

VS.

TANYA SINGH DIXIT (APPELLEE)

CERTIFICATE OF TIMELINESS

I, Akash Dixit, Appellant in the above captioned appeal, deposited this Appellant's brief along with any attachments thereto in an envelope with first class postage prepaid by the prison where I am incarcerated, Irwin County Detention Center on November 19, 2018. As such, according to F.R.A.P. 4 (c) this Appellant's brief is timely.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2018. _____ Signature.

Respectfully,

Akash Dixit, PhD.
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