**IN THE MATTER \* IN THE**

**THE PETITION OF \***

**DIANA R. WILLIAMS \* CIRCUIT COURT**

**\***

**\* FOR**

**\***

**\* BALTIMORE CITY**

**\* Case No. 24-C-17-004535**

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1. **1ST MOTIONS FOR DISQUALIFICATION AGAINST JUDGE DORSEY, CHARLES HENRY, III AS THE PRESIDING JUDGE OVER THE PETITIONER’S MOTION FOR A HEARING SCHEDULED FOR 12-06-24 AND TO ASSIGN A PANEL OF** 3 **IN BANC JUDGES WHO WERE NOT APPOINTED BY MARTIN O’MALLEY, FORMER JUDGE BARBERA, LARRY HOGAN, AND/OR WES MOORE, TO PRESIDE OVER THE PETITIONER’S MOTIONS, WHICH ARE MOTIONS FROM THE PETITIONER’S APPEAL IN THE IN**

**BANC REVIEW. 2.) MOTION FOR A HEARING ON THE MOTIONS**

I, Diana R. Williams, the Petitioner who is being represented Pro Se, hereby, requests that the Petitioner’s: **1.)** 1st Motions For Disqualification Against Judge Dorsey, Charles Henry, III As The Presiding Judge Over The Petitioner’s Motion For A Hearing Scheduled For 12-06-24 And To Assign A Panel Of **3** In Banc Judges Who Were Not Appointed By Martin O’Malley, Former Judge Barbera, Larry Hogan, and/or Wes Moore, To Preside Over The Petitioner’s Motions, Which Are Motions From The Petitioner’s Appeal In The In Banc Review. **2.)** Motion For A Hearing On The Motions based on the grounds and authorities cited below:

CR 59 (a)(4) cites that newly discovered evidence, material for the party making the application that could not have been reasonably discovered and produced earlier, are grounds for granting the Petitioner’s Motions. The newly discovered evidence, material for the Petitioner, who is being represented Pro Se and making the application, which could not have reasonably been discovered and produced earlier by the Petitioner are that: **1.)** For the first time, Judge Dorsey, Charles Henry, III would be impinging upon the Petitioner’s 14th Amendment Right and her Civil Right under Title 18, U.S.C., Section 242 and, thus, the Rule of Law by: **a.)** transgressing Federal Statute 28 U.S.C & 455 (a) and Maryland Rule 18,102.11, committing “Fraud upon the Court, Treason to the Constitution, and Interference with Interstate Commerce if he refuses to voluntarily disqualify and recuse himself as the presiding Judge over the Petitioner’s Motions from her appeal in the In Banc Review as ordered under Federal Statute 28 U.S.C & 455(a) due to **there being an appearance that Judge Dorsey, Charles Henry, III would be impartial and/or biased** because of his privileged appointment in 2016 by the former Governor of Maryland, Larry Hogan (hereinafter “Larry Hogan”), who, along with another former Governor of Maryland, Martin O’Malley (hereinafter “Martin O’Malley), former Chief Judge Barbera, and the present Governor Maryland, Wes Moore (hereinafter “Wes Moore), is being alleged to have violated Federal U.S Code 18 U.S.C & 1091 – Genocide and/or have attempted to and/or have conspired to usurp Federal U.S. Code 18 U.S.C & 1091 – Genocide. **b.)** encroaching upon Article IV & 22 of the Maryland Constitution in failing to have a panel of **3** In Banc Judges to preside over the Petitioner’s Motions for a Hearing since the Petitioner’s Motions for a Hearing are Motions from her appeal of her initial civil litigation in an In Banc Review in the Circuit Court of Baltimore City.

**INTRODUCTION**

As a believer in JESUS CHRIST as her LORD and personal SAVIOR, the Defendant believes that our great Country is founded on Judeo -Christian principles, which mean that our laws are patterned after the Commandments and Laws in the WORD OF GOD. Thus, in terms of judges being impartial in their ruling, the WORD OF GOD states in Exodus 32:11, “And the LORD spake into Moses face to face as a man speaketh unto his friend”, and Moses informed the judges in Israel of GOD’S law and employed the judges over the various tribes in Israel in Judges 6:16-17, saying, “And, I charged your judges at that time, saying. Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment: but ye shall hear the small as well as the great: ye shall not be afraid of the face of man: for the judgement is GOD’S: and, the cause that is too hard for you, bring it unto me, and I will hear it.”

In the United States Constitutional Law, a Due Process Clause is found in both the Fifth and Fourteenth Amendments to the United States Constitution. The Constitution uses the phrase in the 5th and 14th Amendments, declaring that the government shall not deprive anyone of life, liberty, or property, without due process of law. The 5th Amendment protects people from actions of the federal government, and the 14th protects them from actions by state and local government.

The written Due Process Clauses of the United States Constitution require judges to recuse themselves from cases in two situations, namely, where the judge has a financial interest in the case’s outcome and where there is otherwise a strong possibility that the judge’s decision will be biased. In the United States Constitutional Law, a Due Process Clause is found in both the Fifth and Fourteenth Amendments to the United States Constitution. The Constitution uses the phrase in the 5th and 14th Amendments, declaring that the government shall not deprive anyone of life, liberty, or property, without due process of law. The 5th Amendment protects people from actions of the federal government, and the 14th Amendment protects them from actions by state and local government.

The Supreme Court has held that, if a judge wars against the Constitution in breaching the Due Process Clause of the U.S Constitution or if he/she acts without jurisdiction, then that judge has engaged in treason to the Constitution, which suggest that he/she is engaging in criminal acts of treason and may be engaging in extortion and/or in interference with interstate commerce. Since both treason and the interference with interstate commerce are criminal acts, no judge has immunity to engage in such acts.

Germane to Federal Statute 28 U.S.C. & 455(a), the Supreme Court has ruled and reaffirmed the principle that "justice must satisfy the appearance of justice", Levine v. United States, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing Offutt v. United States, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954). In 1994, the U.S. Supreme Court held that disqualification of a judge is mandatory if an objective observer would entertain reasonable questions about the judge's impartiality ( Liteky v. U.S., 114 S.Ct. 1147, 1162 (1994). The Court has, too, affirmed that, should a judge not disqualify himself/herself as required by law, then the judge has given another example of his/her "appearance of partiality" which could potentially further disqualify the judge. Further, the Court have determined that, should another judge not accept the disqualification of the judge, then the second judge has evidenced an "appearance of partiality" and has possibly disqualified himself/herself. Moreover, the Courts have affirmed that, if a judge issues any Order after he/she has been disqualified by law, then that judge has acted in the judge's personal capacity and not in the judge's judicial capacity and has, further, violated his/her oath of office. Wherefore, the U.S Supreme Court has already established that “Fraud upon the Court” makes the Orders and Judgments of the Court void and that “a void Order is void at all times, does not have to be reversed or vacated by a judge, cannot be made valid by any judge, nor does it gain validity by the passage of time. The Order is void ab initio.” The Supreme Court has decided that, should a judge issue any Order after he/she has been disqualified by Section 455(a) of the Judicial Code, 28 U.S., and if the party has been denied of any of his/her property, then the judge could be engaging in the federal crime of "interference with interstate commerce” because the judge is, again, disqualified by law.

In regard to the written Maryland Rules in Civil and Criminal proceedings, Maryland Rule 18-102.11 asserts that a judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned.

Maryland Rule 2-311 (f)  Hearing--Other Motions states that “A party desiring a hearing on a motion, other than a motion filed pursuant to Rule 2-532, 2-533, or 2-534, shall request the hearing in the motion or response under the heading "Request for Hearing. The title of the motion or response shall state that a hearing is requested. Except when a rule expressly provides for a hearing, the court shall determine in each case whether a hearing will be held, but the court may not render a decision that is dispositive of a claim or defense without a hearing if one was requested as provided in this section.”

Among other things, Article IV & 22 of the Maryland Constitution asserts that, in an In Banc Review, a panel of **3** Judges shall preside over the In Banc Review proceedings.

As defined by the Oxford English Dictionary, the Rule of Law is **“The authority and influence of law in society, especially when viewed as a constraint on individual and institutional behavior; (hence) the principle whereby all members of a society (including those in government) are considered equally subject to the Rule of law.”** Further, under the Rule of Law, government authority may only be exercised as afforded in our great Constitution in accordance with written Statutes, Laws, Regulations, Rules, etc., which were adopted through an established procedure.

**STATEMENT OF UNDISPUTED FACTS**

The Petitioner is asserting that, when she received on 11-8-24 her “Notice of Remote Chambers Hearing” scheduled for 12-6-24, she recognized that the name of the Judge who would be presiding over the hearing or the room number were not cited, but when she viewed the Circuit Court’s website on 11-13-24, she noticed that Judge Dorsey, Charles Henry, III is assigned as the presiding Judge, and the hearing is to be held in room 404c.

After researching Judge Dorsey, Charles Henry, III’s background, the Petitioner discovered that he was appointed to the superlative Administrative position by Larry Hogan, who, along with Martin O’Malley, former Chief Judge Barbera, and Wes Moore, is being alleged in the Petitioner’s civil litigation and/or in her 2nd Addendum to her 2-18-20 Official Complaint to our Hon. President to have trespassed Federal U.S Code 18 U.S.C & 1091 – Genocide and/or have attempted to and/or have conspired to invade Federal U.S. Code 18 U.S.C & 1091 – Genocide.

The Petitioner is asserting that, if Judge Dorsey, Charles III presides over her Motions for a Hearing on her Motions scheduled for 12-06-24, her 14th Amendment Right and her Civil Right under Title 18, U.S.C., Section 242 and, thus, the Rule of Law, would be violated because **1.)** Judge Dorsey, Charles Henry, III would be breaching Federal Statute 28 U.S.C & 455 (a) and Maryland Rule 18,102.11, committing “Fraud upon the Court, Treason to the Constitution, and Interference with Interstate Commerce as a result of his refusal to voluntarily disqualify and recuse himself as the presiding Judge as decreed under Federal Statute 28 U.S.C & 455(a) due to **there being an appearance that Judge Dorsey, Charles Henry,III would be impartial and/or biased** since he was appointed by Larry Hogan, who, along with Martin O’Malley, former Chief Judge Barbera, and Wes Moore, is being alleged to have violated Federal U.S Code 18 U.S.C & 1091 – Genocide and/or have attempted to and/or have conspired to infringe upon Federal U.S. Code 18 U.S.C & 1091 – Genocide. **2.)** Judge Dorsey, Charles Henry, III would be intruding on Article IV & 22 of the Maryland Constitution in failing to have a panel of **3** In Banc Judges to preside over the Petitioner’s appellant proceedings in the In Banc Review, which include the Petitioner’s Motions for a Hearing on her Motions filed on 10-15-24, Motions from the Petitioner’s her appeal of her initial civil litigation in an In Banc Review in the Circuit Court of Baltimore City. The Petitioner asserts that she looks forward to having the hearing on her Motions scheduled for 12-6-24 with a panel of **3** In Banc Judges as mandated under Article IV & 22 of the Maryland Constitution for In Banc proceedings.

**CONCLUSION**

Thus, in conclusion, the Petitioner pleads the Court grants her Motions.

Respectively Submitted

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Diana R. Williams, Pro Se

131 Calvin Hill Court

Baltimore, Maryland 21222

410-868-6013

**Certificate of Service**

I HEREBY CERTIFY that on this 14th day of November 2024, a copy of the foregoing Petitioner’s **1.)** 1st Motions For Disqualification Against Judge Dorsey, Charles Henry, III As The Presiding Judge Over The Petitioner’s Motion For A Hearing Scheduled For 12-06-24 And To Assign A Panel Of **3** In Banc Judges Who Were Not Appointed by Martin O’Malley, Former Chief Judge Barbera, Larry Hogan, and/or Wes Moore, To Preside Over The Petitioner’s Motions, Which Are Motions From The Petitioner’s Appeal In The In Banc Review. **2.)** Motion For A Hearing On The Motions was mailed, postage paid to: Larry H. Kirsch, Esquire, 1803 Research Blvd., Suite 125, Rockville, Maryland 20850.

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Diana R. Williams, Pro Se

**REQUEST FOR A HEARING**

Petitioner is requesting a hearing on her Motions.

Cc: Hon. President, Hon. Military Tribunal, Clerk of the Court, Mr. X. Conaway