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United States Courts
Southern District of Texas
FILED

SEP 10 2024

Nathan Ochsner, Clerk of Court

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

.....
Anant Kumar Tripati,

Petitioner,

Vs.

United States Bankruptcy Court
For the Southern District of Texas
at Houston No; 23-90086 (CML)

Respondent.
.....

Tehum Care Services, Inc., Debtor

Real Party in Interest
.....

No: 23-90086 CML

PETITION FOR A WRIT
OF MANDAMUS

ISSUE

When the Debtor, its principles and attorneys, bribed the Mediator Judge David Jones, the court is mandated to protect the integrity of the judicial branch, exercise its inherent powers and bar the Debtor from access to the court.



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CASES

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(1948).----- 7

Vicks v Texas Employment Commission, 514 F2d 734, 737 (5th Cir.
1975) ----- 9

Will v. United States, 389 U.S. 90, 95-96 (1967);----- 7

Wood v Wood (In re Wood) 825 F.2d 90 (5th Cir. 1987)----- 3

SUMMARY OF THE ARGUMENT

The argument is simple. One can never bribe a judge. When one is caught bribing a judge, the inherent power of the courts, mandate, that person/entity, for now and forever, be shut out of court. There are no exceptions.

JURISDICTION AND STANDING

The Fifth Circuit states mandamus relief is available pertaining to bankruptcy proceedings. Querner v Querner, (In re Querner) 7 F.3d 1199 (5th Cir. 1993) As the outcome of these proceedings would have effect on the estate, this court has jurisdiction. Wood v Wood (In re Wood) 825 F.2d 90 (5th Cir. 1987)

Petitioner recognizes that the writ of mandamus is an extraordinary remedy reserved for extraordinary circumstances. Those circumstances exist here, where a lower court has

disregarded two separate rules of procedure that required it to issue a mandate.

“The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.” 28 U.S.C. § 1651(a). Issuance of an extraordinary writ, such as a writ of mandamus or prohibition, “is not a matter of right, but of discretion sparingly exercised” and, to justify granting such a writ, “the petition must show that the writ will be in aid of the Court’s appellate jurisdiction, that exceptional circumstances warrant the exercise of the Court’s discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court.” SUP. CT. R. 20.1.

A writ of mandamus or prohibition is appropriate where a lower court’s action constitutes a “judicial usurpation of power” or amounts to a “clear abuse of discretion.” *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380 (2004) (quotations omitted); see also, e.g., *Mallard v. U.S. Dist. Ct. for S.D. of Iowa*, 490 U.S. 296, 309

(1989). This Court considers three factors when determining whether to grant such a petition: 1) the party seeking the writ must “have no other adequate means to attain the relief he desires—a condition designed to ensure that the writ will not be used as a substitute for the regular appeals process”; 2) the party seeking the writ must show a “clear and indisputable” right to the writ’s issuance; and 3) this Court must decide, in its discretion, that the writ is appropriate under the case’s circumstances. *Cheney*, 542 U.S. at 380-81 (quotations and citation omitted); see also *Kerr v. U.S. Dist. Ct. for the N.D of Cal.*, 426 U.S. 394, 403 (1976).

This Court should grant the writ of mandamus and/or prohibition.

First, Petitioner has a “clear and indisputable” right to the requested writ and exceptional circumstances justify its issuance. *Cheney*, 542 U.S. at 380; see also SUP. CT. R. 20.1. The Bankruptcy has refused to exercise its inherent power and take proper action.

Second, granting the petition would aid this Court's appellate jurisdiction by preserving the integrity of appellate procedure, ensuring. Third, Petitioner lacks an alternative forum to seek relief because , and because he will have suffered irreparable harm by the time bankruptcy proceedings conclude.

PERTINENT FACTS

Judge Christopher Lopez appointed Judge David Jones as the mediator. The Debtor and those in concert hired, Attorney Liz Freeman, who had a personal relationship with Judge David Jones. However, the thinly veiled ruse did not last long. They were caught, and Judge Christopher Lopez fired Judge David Jones and appointed another arbitrator.

The hiring of Liz Freeman was done with specific intent to influence these bankruptcy proceedings. Isaac Leftkowitz. Perigrove 1018, Geneva Consulting Inc; the Senior Management of Corizon Health, Sara Tirschwell and YesCare after looting Corizon, and with the help of Gray Reed, Jason S. Brookner, Aaron Kaufman, Lydia Webb and Amber Carson, searched for a law firm that could

influence Judge David Jones, who was the appointed trustee by the District Court. Their search was successful.

REASONS FOR GRANTING THE PETITION

ISSUING THE WRIT WOULD AID THIS COURT'S APPELLATE JURISDICTION.

“The traditional use of the writ in aid of appellate jurisdiction both at common law and in the federal courts has been to confine an inferior court to a lawful exercise of its prescribed jurisdiction.” *Schlagenhauf v. Holder*, 379 U.S. 104, 109-10 (1964) (quoting *Roche v. Evaporated Milk Ass'n*, 319 U.S. 21, 26 (1943)). For example, a writ of mandamus is appropriate where a party seeks to enforce an appellate court judgment in a lower court or to prevent a lower court from obstructing the appellate process. See *Will v. United States*, 389 U.S. 90, 95-96 (1967); *United States v. U.S. Dist. Ct. for S.D. of N.Y.*, 334 U.S. 258, 263 (1948). The writ is likewise proper where, as here, a party seeks to forestall a lower court's persistent disregard of procedural rules promulgated by this Court. See *Will*, 389 U.S. at 90, 96, 100 & n.10; *Roche*, 319

U.S. at 31; see also *La Buy v. Howes Leather Co.*, 352 U.S. 249, 313-14 (1957) (“Where the subject concerns the enforcement of the rules which by law it is the duty of this court to formulate and put in force, mandamus should issue to prevent such action thereunder so palpably improper as to place it beyond the scope of the rule invoked.”) (quotations and alterations omitted).

“By insisting that courts comply with the law, parties vindicate not only the rights they assert but also the law’s own insistence on neutrality and fidelity to principle.” *Hollingsworth v. Perry*, 558 U.S. 183, 196-97 (2010).

WHEN A FEDERAL JUDGE HAS BEEN BRIBED, THE MERITS OF THE ISSUES IN THE LITIGATION IS A NON ISSUE, AND CANNOT BE EXAMINED

The merits or lack thereof of the Chapter 11 is a non issue. It cannot be examined as these lawyers and principles, bribed Judge David Jones by hiring his live in girlfriend.

They benefited from this bribery by obtaining favorable awards.

The fact that Judge Christopher Lopez caught this and mitigated the damage by restarting the process again, this does not change, what had already been done.

AS THE BRIBERY SCHEME PERTAINS TO THE CORE OF THESE BANKRUPTCY PROCEEDINGS, THE DEBTOR, ITS LAWYERS, AND PRINCIPLES CANNOT RECEIVE ANY RELIEF IN THIS CASE

“The inherent powers of federal courts are those which are necessary to the exercise of all others.” *Roadway Express Inc v Piper*, 447 US 752, 764 (1980)

In other words, this fraudulent bankruptcy involves efforts to discharge the debt, known and unknown, by the Debtor, its principles and attorneys. So the “core issue” involves the Debtor paying pennies on the dollar.

Core issue in *Rozier v Ford*, 573 F2d 1332, 1346 (5th Cir. 1978) was evidence concealed; *United States v United Mine Workers*, 470 US 68, 77 (1985) “making their own private determination of the law, thereby preventing federal courts from adjudicating the claims.”

In the matter of the bribery of Judge David Jones, the Debtor, its attorneys and principles acted, not with negligence, but specific intent. *Vicks v Texas Employment Commission*, 514 F2d 734, 737 (5th Cir. 1975)

CONCLUSION

If these lawyers and those in concert with them are allowed to bribe a judge and get away with their misconduct, the integrity of this court is impugned.

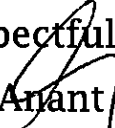
They absolutely cannot be allowed to obtain any benefit.

A writ should issue that directs the Respondent court to dismiss the proceedings and impose the harshest sanctions.

Respectfully Submitted,
s/d Anant Kumar Tripathi
Anant Kumar Tripathi

CERTIFICATE OF COMPLIANCE

This petition has nine pages, 1,269 words is typed in Lucida fax, 14 points and is double spaced, with the exception of mandatory requirements.

Respectfully Submitted,
s/d  Kumar Tripathi
Anant Kumar Tripathi

The Plaintiff Hereby Certifies That A True And Correct Copy Of The Foregoing Document Was Served By The Court's Cm/Ecf System On All Parties Requesting Notice/ All Parties Who Have Entered Appearance.

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