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No:

FILED
APR 28 2025
OFFICE OF THE CLERK
SUPREME COURT U.S.

6 IN THE SUPREME COURT OF THE UNITED STATES
7

8 DAVID C. WHITE Petitioner, P
9 Vs.

10 Respondent(s)
11 Judge D. Charles Bailey Jr., R1
12 Judge Amy Baggio, R2
13

14

15 On Petition for an Extraordinary Writ by Rule 20 to the United States
16 Federal Court the Ninth Circuit Federal Court case 3:25-CV-00501-AB

17
18 **Emergency Filing Motion to Remove R1 and R2**
19

20
21 Respondent's RI Counsel of Record

22 Dan Rayfield, Eliot D. Thompson, Jonell Bissonette, Brenda Maldonado, Denise
23 Fjordbeck. 1162 Court Street NE Salem, OR 97301-4096 Telephone: (503) 947-
24 4700.

25 R2

26 Judge Amy Baggio

27 Mark O. Hatfield United States Courthouse 1000 Southwest Third Avenue, Room
28 1427, Portland, Oregon 97204-2944 Chambers: 503-326-8320 503-326-8051

29 **Petitioner**

30 David C. White 18965 NW Illahe St Portland, OR 97229 503-608"7611
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RECEIVED
SEP 16 2025

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Appendix One is Prospective Petition - Recall.

TABLE OF AUTHORITIES

Cases:

- 1) U.S. Supreme Court June 28th 2024.
<https://t.thelawisyourattorney.com/loper-bright-enterprises/> 22--451 June 28th,
2024 Federal Case number 22--451 in Loper Bright Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce.
- 2) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002):

Statutes:

- 3) 18 USC 3 accessory after the fact.....5 and 10.
- 4) FRCP 20 enjoining.....17. 27 and 28.
- 5) 18 U.S.C. 4: Misprision of felony8, 19, 20 and 61.
- 6) <https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges>11, 14, 15, 17, and 19.
- 7) 28 U.S. Code§ 455 (b), (1) Disqualification of justice, judge, or magistrate judge.....
- 8) 18 U.S. Code § 1621 - Perjury
- 9) Federal Rule 60. Relief from a Judgment or Order. 8
- 10) Rule 56. Summary Judgment.....
- 11) 2021 US Code Title 28 - Judiciary and Judicial Procedure Part I - Organization of Courts Chapter 5 - District Courts Sec. 144 - Bias or prejudice of judge.

12) 18 U.S.C. § 1001 False Statements, Concealment.

Constitutional Provisions:

13) Article five and fourteen of the US Constitution

14) Amdt1.7.5.7 Defamation

(Table of Authorities Ends)

STATEMENT OF THE CASE

This case is first and foremost a violation of the federal Americans with Disability Act (ADA), which has denied Petitioner Constitutional rights of due process and equal protection under the law guaranteed by 14), the 5th and 14th Amendments in the court of first instance.

INTRODUCTION

On August 25th, 2025 a recall was filed to remove wayward Judge Charles Bailey (WJB). The well-documented issues in Exhibit One clearly show the malfeasance and judicial incompetence of obdurate Judge D. Charles Bailey Jr. Local cases in Washington County, Oregon are listed to be vacated by this action. These cases are filed with un-adjudicated felonies of Perjury by 8), U.S. Code § 1621, False Statements by 18 U.S.C. § 1001 by 12) which are criminal defamation by Amdt1.7.5.7 Defamation. Therefore, R1 and accessory after the fact by 3), R2 deserve disqualification by 28 U.S. Code§ 455 (b), (1) by 7), and Article Three of the U. S Constitution. These Articles give this Court the right and responsibility to remove recalcitrant wayward Judges R1 and R2. Petitioner surveyed all Dissolution attorneys in the tri-county area in and around Portland. All but two of these expressed nothing but professional distain for WJB. Recently a friend was attorney shopping for a dissolution attorney. He interviewed seven attorneys all of whom said they wouldn't take the Case because R1 was the Judge. When Wayward Judge Bailey is arrested by Federal Marshalls there will be dancing in the Streets of Washington County by at least 50 people and 90 dissolution attorneys. Multiple cases have come to light recently and are recorded in Exhibit One below. An excerpt: "Bailey disregards expert forensic evidence,

1 ignores findings of domestic violence and sexual abuse, and refuses to
2 consider safety-based recommendations from licensed child abuse
3 evaluators, including CARESNW (<https://www.caresnw.org/>).
4
5 He uses coercion in chambers, off the record, to force agreements under
6 threat of eliminating a parent's access to their children. His rulings silence
7 children, dismiss credible reports of abuse, and establish "status quo"
8 custody based on unsupported orders of "immediate danger." This is very
9 similar to Petitioner's dissolution hearings where WJB violated Judges
10 code of Conduct by 6), by bullying and believing untruthful statements
11 which are proven by exhibits. This therefore, is well-documented bias by
12 11), of R1. WJB's incompetent placement of children makes him guilty as
13 accessory after the fact by 3), for any resultant child abuse. Some of
14 these dockets in R1 court are ongoing. R1 is also a massive liability for
15 the County of Washington, State of Oregon and Federal Courts and
16 threat to children. Therefore, it is incumbent upon the U. S. Supreme
17 Court removes WJB immediately without delay.
18
19 Petitioner recently became aware of some 30 other cases in an
20 initiative circulated in Washington County to remove Judge Bailey from the
21 Bench.
22

38 **Cases to Vacate in Washington County Oregon** 39

40 21DR02783 Dissolution of White and White with Ruling and Judgement
41 based on zero case facts.

42 24CN03814 White and White Show Cause case with zero evidence,
43 violation of ADA and Due Process.

1 22CN02156 White and White Fake contempt Case.
2 21CN04610 White and White Fake contempt Case
3

4 **Article VI, Section 2:**
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6 This Constitution and the Laws of the United States, which shall be
7 made in Pursuance thereof; ... shall be the supreme Law of the
8 Land; and the Judges in every State shall be bound thereby, any
9 Thing in the Constitution or Laws of any State to the Contrary
10 notwithstanding.
11
12

13 **Fifth Amendment:**
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15 No person shall be deprived of life, liberty, or property, without
16 Due process of law by 19); nor shall private property be taken for
17 Public use, without just compensation.
18
19

20 The corrupt procedure described above (steps 1-3) makes a
21 mockery of Federal rules, the Constitution, and Loper, Bright,
22 Enterprises by 1), denying Petitioner his "day in court" and due
23 process of law by 19). "Judicial Discretion" must no longer be
24 allowed to violate Federal Rules, such as the 21-day deadline for
25 making an appearance. In the instant case, R2 refused to render
26 a summary judgment by 10), for Petitioner, when R1 made no
27 appearance within the 21 + 1 day deadline by FRCP 12, then
28 used R1's tardy and legally flawed arguments to dismiss the
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1 case. Judicial immunity must be more carefully defined to
2 balance judicial protection with citizen's
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4 Constitutional rights, which are currently vulnerable to any unjust
5
6 judge.
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8

9 2. Federal Court in Portland Oregon Systemic Denial of Equal
10
11 Protection of the laws:
12

13 **14th Amendment:**
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15 No State shall make or enforce any law which shall abridge the
16 privileges or immunities of citizens of the United States; nor shall
17 any State deprive any person of life, liberty, or property, without
18 due process of law; nor deny to any person within its jurisdiction
19 the equal protection of the laws. The corrupt procedure described
20 above (steps 1-3) makes a mockery of equal protection under the
21 law among the states and leaves alleged federal crimes un-
22 adjudicated. Judges must be liable for Misprision of Felony by
23 5), for ignoring clear and convincing evidence of federal crimes
24 due to their frivolous dismissals. A ruling of "frivolous" must no
25 longer be permitted until all facts and law are thoroughly
26 examined.
27

28 **Summary**
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30 As the Court is well aware, any Judge can be impeached by
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32 Congress or removed by the U. S. Supreme Court. Article III of the
33
34 U. S. Constitution confirms this. The Federal DOJ and Homeland
35
36 Security are aware of this and will likely arrest R2 like the two other Federal
37
38 Judges recently. It is "the right and responsibility of the Congress" to impeach

1
2 a "wayward judge" and the U.S. Supreme Court also has the Constitutional
3
4 right and responsibility to
5
6 remove a wayward Judge. Therefore, R1 and R2 must be removed,
7
8 disqualified, and charged with their crimes

CONCLUSION

This case was and still is an ADA Case by 12), violations of due process of law by 19) and nothing else. See Q(6). R1 violated ADA by 12) and due process of law by 19) by denying remote access and failure to correctly adjudicate sixty-six well-documented felonies filed in the Federal case as ECF 10. R2 violated the same by accessory after the fact to R1's well-documented crimes.

Petitioner humbly asks the Supreme Court to enjoin by 4), R2 in this action by FRCP 20, for the amount of \$10 million each for R1 and R2 paid to Petitioner for extreme physical, emotional, psychological, elder abuse and financial harms.

Appendix 1 contains the Federal Court illegal dismissal. Appendix 2 contains proof of Petitioner pinched sciatic nerve which runs down the left leg and triggers a fall if Petitioner is not using a walker.

PRAYER FOR RELIEF

Rulings requested

1. Petitioner hereby respectfully requests the Court
to a ruling that vacates by FRCP 60 by 9), the cases rulings and
judgements listed in the “Cases to Vacate in Federal Court in

Portland Oregon Systemic Denial of Equal Protection of the laws:14th Amendment:

2. Petitioner hereby respectfully requests the Court to a ruling that vacates the cases listed in the “Cases to Vacate in Washington County Oregon” section of this document.

3. Petitioner hereby respectfully requests the Court to enjoin by 4), R2 and change the value to \$10 million for R1 and R2 each to pay to disabled veteran Petitioner. Recent Jury awards for violations of ADA range from \$1.67 million to \$120 million in recent years.

4. Petitioner humbly asks the Court for a ruling to affirm that:
 - County or Parish Dissolution Judges do not have jurisdiction to garnish funds outside either their County or Parish or the State in which the court is located. This would be similar to the U.S. Supreme Court in 24A1079 where Federal Judges have no authority outside their jurisdiction.

5. Petitioner humbly asks the Court for a ruling that removes wayward R1, who has forfeited Judicial Immunity by convening as an illegal Administrative Law Court in violation of Loper

1 Bright by 1). Then, please notify the Federal Prosecutor in Portland,
2
3 Oregon to contact Petitioner for the documents which prove un-
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5 adjudicative felonies by R1 and charge R1 with sixty-six
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7 counts of Misprision of Felony by 5), and four perjuries with
8
9 False statements of R1.

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11 6. Petitioner humbly asks the Court for a ruling that charges R2 as
12
13 Accessory after the Fact by 3) for R1 crimes.

14
15 7. Petitioner humbly asks the Court for a ruling to contact the
16
17 Federal Prosecutor in Portland Oregon to arrest R1 and
18
19 R2; also to request files from Petitioner with which to
20
21 charge them.

22
23 **CERTIFICATE OF SERVICE**

24 I hereby certify that on 1/5/2026, a true and correct copy of the above
25 document shipped filed with the Clerk of the Supreme Court using
26 Fedex. A copy of the document will be served upon interested parties
27 via email by FRCP 4 and ORCP 9 C 3.

28 Additionally, a courtesy copy is being provided as follows:
29 Also emailed to defendants by email service of
30 thelawisyourattorney.com

31 XX Via two-day Delivery

32 XX Via Email

33 Via CM/ECF notification

34 to the extent registered DATED: 1/5/2026

35 By: David White

•

36
37
38 **APPENDIX One: Prospective Petition – Recall**

Prospective Petition - Recall (SEL 350)

This filing is an:

Amendment

Filing Officer

State

Will some circulators be paid?

No

Petition for Recall of

Name of Public Officer

D. Charles Bailey Jr.

Title of Public Officer

Judge of the Circuit Court - 20th District - Position 6

Statement

Provide the reasons for demanding recall in 200 words or less. Any factual information provided must be true.

Judge D. Charles Bailey repeatedly abuses his judicial discretion in Washington County family court. He endangers children, denying due process to protective parents. He has a documented pattern granting emergency custody to abusive parents based on unsubstantiated allegations, often through ex parte rulings made in chambers without notice to the other parent or a hearing on record. Bailey disregards expert forensic evidence, ignores findings of domestic violence and sexual abuse, and refuses to consider safety-based recommendations from licensed child abuse evaluators, including CARESNW. He uses coercion in chambers, off the record, to force agreements under threat of eliminating a parent's access to their children. His rulings silence children, dismiss credible reports of abuse, and establish "status quo" custody based on unsupported orders of "immediate danger." Judge Bailey's violations of due process put our children in danger and his bias against protective parents, especially women, erodes public trust in the judiciary. His conduct inflicts harm on children and causes irreparable trauma to the community he swore to serve. Oregonians deserve judges who uphold the law and protect the vulnerable. For the safety of children and families, the integrity of our courts, Judge Bailey must be removed from the bench.

Chief Petitioner Information

The chief petitioner must remain throughout the petition process or the petition is void.

Name

Carolyn M. McBee

Phone

(503) 997-3409

Email

mcbeec2@gmail.com

Residence Address

Sherwood, Oregon 97140

Is mailing address different than residence address?

No

By signing this document, I hereby state that any factual information (not a matter of opinion) in the above statement is true.

