

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

IMRE KIFOR,  
Plaintiff-Appellant,

v.

THE COMMONWEALTH OF  
MASSACHUSETTS, MIDDLESEX  
PROBATE AND FAMILY COURT,  
MASSACHUSETTS DEPARTMENT  
OF REVENUE CHILD SUPPORT  
ENFORCEMENT DIVISION, YALE  
SCHOOL OF MEDICINE, THE  
COUNSELING CENTER OF NEW  
ENGLAND, and ATRIUS HEALTH,  
INC.,  
Defendants-Appellees.

CIVIL ACTION  
No. 23-1008

**PLAINTIFF-APPELLANT’S MOTION TO STAY THE MANDATE  
PENDING THE FILING OF A PETITION FOR A WRIT OF CERTIORARI  
IN THE SUPREME COURT**

NOW COMES the Plaintiff-Appellant, Imre Kifor (“Father”), and, pursuant to Local Rule 41, respectfully moves this Court to grant him a stay of the mandate. In support thereof, Father respectfully states as follows:

- 1) Citing the state’s alleged sovereign immunity, the Commonwealth Defendant-Appellees filed a Motion for Summary Disposition in this Court on 2/10/2023.
- 2) Following the parallel hearings held in the underlying matters in the Middlesex Probate And Family Court on 3/23/2023, Father respectfully moved this Court

to grant him Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and 42 U.S.C. § 1983 injunctions against the Commonwealth on 4/9/2023.

- 3) Father repeatedly updated this Court with his timely e-filed status affidavits.
- 4) Nevertheless, this Court granted the Commonwealth Defendant-Appellees their requested summary disposition of Father's herein appeal on 8/4/2023. Father's timely filed Petition For Panel Rehearing Pursuant To Sustained 42 U.S.C. §§ 1981, 1983, and 1985 Violations was denied by this Court on 10/16/2023.
- 5) Despite Father's argument to the Massachusetts Supreme Judicial Court, e.g., "all of Father's relevant evidence has been fully communicated and readily accessible as Father had e-filed his entire collection with the Appeals Court. Therefore, the Family Court's 'gatekeeper orders,' while unappealable, serve as secretive instruments to conceal the already substantiated fraud on the court," SJC-13427 ruled in an **endlessly circular** fashion on 8/8/2023: a) "to the extent he challenges the entry of interlocutory 'gatekeeper' orders... he could seek reconsideration of those orders" -- which is not possible in the purposeful absence of the actual orders, b) "to the extent he challenges the entry of any final order of the Family Court, he may appeal from any such order" -- which is not possible in the purposeful absence of any final orders, and c) "to the extent Kifor contends that the docketing of any order was delayed and that the appellate period lapsed in the interim, a motion under Mass. R. Civ. P. 60 (b)

(1) or (6) may provide a remedy” -- which is what Father has consistently attempted to do since 2018 with his repeatedly filed Motions For Relief Pursuant To Rule 60 Fraud On The Court, i.e., Mass. R. Civ. P. 60 (b) (6).

- 6) The Massachusetts Supreme Judicial Court’s 8/8/2023 decision to once again entirely ignore all of Father’s timely and properly filed substantiating evidence, even regarding an explicit conspiracy and racketeering for the concealment of a Rule 60 Fraud On The Court by the Family Court, is a new direct violation of Father’s constitutional rights for free speech (i.e., “to petition the Government for a redress of grievances”), due process (i.e., no “gatekeeper orders” or the repeated preclusions of appeals), and equal protection (i.e., no “equity-based” discrimination due to race, sex, national origin, and age). Father also argues that the timing of the 8/8/2023 decision, e.g., right after this Court’s 8/4/2023 abandonment of its months-long protection of Father’s constitutional civil rights by yielding to the “sovereign” state, is a materially significant factor.
- 7) Accordingly, Father is ready to file his now **second** petition for a writ of certiorari in the U.S. Supreme Court on 10/29/2023, within 90 days of the above SJC-13427 decision; see the attached table of contents and appendices.
- 8) Father claims that a consequently **third** petition for a writ of certiorari in the U.S. Supreme Court, filed within 90 days of this Court granting the herein motion to stay, would present a substantial question and with a good cause.

- 9) To substantiate the above “good cause,” Father refers to his also attached open letter and affidavit titled **“A Marxist (and Communist) ‘Equity-Based’ Justice Directly And Fundamentally Subverts Our U.S. Constitution - A Meticulous Legal Proof”** and mailed to President Biden on 10/16/2023.
- 10) In the open letter, Father directly asserts that “To solve Russell's Paradox (carelessly introduced by The White House by allowing the enumeration of the purposely non-inclusive LGBTQ+ alphabet soup of ‘specially protect from others' groups without ever mentioning the always inherently present ‘leftovers’), the above deliberately deceitful ‘equity for all’ must be corrected to a mere ‘equity for some,’ in direct contradiction with our U.S. Constitution. Also, any such ‘Presidential Contradiction’ must be solved lest our entire ‘rule of law’ is invalidated as ‘we can infer anything from a contradiction.’ Until then, the federal agencies must consider the inherent consequences of any ‘progressive’ Marxist (and Communist) ‘equity-based’ (but merely zero-sum, for forceful redistribution of wealth) justice, especially the fact that the naive enumeration of all ‘protected classes’ leads to the implied creation of a new ‘American Gulag’ for all the ‘leftover’ Americans that cannot ever be ‘specially protected from others’ and are therefore eternally silenced and also enslaved.”
- 11) Father cannot reasonably expect a response from either The White House or the DOJ before the appeal window closes for the above SJC-13427 decision.

- 12) Nevertheless, a lack of responses or a direct denial would immediately prove the unconstitutional existence of the above-implied new “American Gulag.”
- 13) Alternatively, any ordered further investigation would create the needed proper foundation for the petition for a writ of certiorari in the U.S. Supreme Court.
- 14) Therefore, Father cannot merge his now substantiated and “ready to be filed” second petition for a writ with a still “pending for no (or any) responses from the Federal Government” third petition for a writ in the U.S. Supreme Court.

WHEREFORE, Father respectfully requests that this Court stay the mandate of the 8/4/2023 judgment pending Father’s filing of a petition for a writ of certiorari in the U.S. Supreme Court within the next 90 days, pursuant to Local Rule 41.

Signed under the pains and penalties of perjury.

October 21, 2023

Respectfully submitted,

/s/ Imre Kifor

Imre Kifor, Pro Se



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I have no phone

I have no valid driver’s license

I have to move to a homeless shelter

<https://femfas.net>

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# United States Court of Appeals For the First Circuit

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Plaintiff - Appellant,

v.

THE COMMONWEALTH OF MASSACHUSETTS; MIDDLESEX PROBATE AND  
FAMILY COURT; MASSACHUSETTS DEPARTMENT OF REVENUE CHILD SUPPORT  
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Defendants - Appellees.

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## MANDATE

Entered: November 22, 2023

In accordance with the judgment of August 4, 2023, and pursuant to Federal Rule of Appellate Procedure 41(a), this constitutes the formal mandate of this Court.

By the Court:

Maria R. Hamilton, Clerk

cc:

Andrea J. Campbell

Katherine B. Dirks

Imre Kifor