

DEFENDANT'S DECLARATION OF PROCEDURAL TRAP AND NOTICE OF CONSTITUTIONAL VIOLATIONS

TO THE COURT:

Defendant Marvin D. Tutt hereby declares for the record that the September 18, 2025 hearing constitutes a procedural trap designed to manufacture violations, create false evidence, and retaliate for federal litigation. It is also a conspiracy to impose lower abstention on federal claims.

I. DECLARATION OF FACTS

I declare under penalty of perjury:

A. The Economic Torture Timeline

1. March 2024: Lost employment due to performance, severe burnout, and mental health issues caused by this court. Impossible conflict between criminal court mandate (complete degree) and CSA demands (work full-time), creating a scenario where failure to pay could result in violation of probation requirement "Obey all laws.". This has been framed as a voluntary quit by the court. The same court that recognizes that I am collecting unemployment! HOW

2. March 2024 - March 2025: ONE YEAR of:

- Unemployment benefits BLOCKED
- Medicaid DENIED based on phantom \$82,000 income
- SNAP benefits DENIED based on phantom income
- Still garnished for non-existent income
- Benefits stolen through delay

3. March 2025: Finally received UI benefits

- NOT backdated (year of benefits stolen)
- Should be exhausted by now
- Clock improperly reset

B. The Manufactured Requirements

1. June 13, 2025 Hearing: NO discussion of job search requirements

2. June 17, 2025 Order: Suddenly requires "proof of job search activities"

- Never discussed at hearing

- No statutory authority
- No defined standards
- Plaintiff (also unemployed) has no such requirement

3. Current Status:

- Already meeting Maryland UI job search requirements
- Being asked to prove MORE to family court
- Double jeopardy for same conduct

C. The Federal Retaliation Timeline

- June 23, 2025: Filed federal lawsuit naming Khoury
- July 24, 2025: Federal case dismissed in 48 hours
- August 5, 2025: State suddenly schedules hearing
- August 12, 2025: Federal appeal filed
- September 18, 2025: Trap hearing scheduled

D. The Disqualified Magistrate

Magistrate Andrea Khoury:

- Named defendant in federal lawsuit
- Former DSS attorney using insider knowledge
- Creating requirements outside legal authority
- Proceeding despite mandatory disqualification

II. THE TRAP MECHANICS

A. Impossible Compliance Standards

No matter what I provide:

- 5 applications: "Not enough effort"
- 20 applications: "Wrong field/location"
- Got interviews while felon: "Should have gotten job"
- In school for court mandate: "Choosing education over work"

B. Information Gathering

The vague hearing appears designed to:

- Fish for benefits fraud angles
- Gather federal appeal information

- Create contempt basis
- Justify re-imputing \$82,000 income

C. Multi-Agency Coordination

Evidence suggests coordination between:

- CSA (imposing requirements)
- DSS (Khoury's connections)
- Department of Labor (UI benefits)
- Courts (federal and state)

III. MATHEMATICAL PROOF OF FRAUD

The underlying fraud remains unaddressed:

- Actual income: \$0
- Imputed income: \$82,000
- Impossibility: $\$0 \neq \$82,000$

No job search requirement changes this mathematical fraud.

IV. CONSTITUTIONAL VIOLATIONS

A. Due Process (5th/14th Amendments)

- No notice of hearing purpose
- Vague, undefined requirements
- Disqualified magistrate
- No opportunity for meaningful hearing

B. Equal Protection (14th Amendment)

- Different requirements than similarly-situated Plaintiff
- Targeted retaliation for exercising rights
- Discriminatory enforcement

C. First Amendment

- Retaliation for petitioning courts
- Punishment for filing federal lawsuit
- Chilling effect on appeal rights

D. Thirteenth Amendment

- Forced labor under impossible conditions

- Work full-time OR prison
- Complete degree OR prison
- Conflicting mandates creating involuntary servitude

V. NOTICE TO THE COURT

This Court is hereby placed on notice:

1. Proceeding is void ab initio due to Magistrate Khoury's disqualification
2. Requirements are ultra vires without statutory authority
3. Criminal laws are being violated:
 - 18 U.S.C. § 242 (Deprivation of rights)
 - 18 U.S.C. § 241 (Conspiracy)
 - 18 U.S.C. § 666 (Theft from federal programs)
4. Federal appeal pending could moot these proceedings
5. Continuing despite notice constitutes willful violation

VI. RESERVATION OF RIGHTS

Defendant reserves all rights including:

- Federal civil rights claims
- Criminal complaints
- Appeal rights
- Sovereign immunity challenges
- International human rights complaints

VII. DEMAND FOR IMMEDIATE ACTION

This Court must:

1. Cancel the September 18 hearing
2. Disqualify Magistrate Khoury
3. Stay proceedings pending federal appeal
4. Address the mathematical fraud
5. Cease retaliatory actions

VIII. WARNING

Proceeding with this trap hearing after notice of:

- Jurisdictional defects
- Constitutional violations
- Criminal conduct
- Mathematical fraud

May subject participants to personal liability under 42 U.S.C. § 1983 as judicial immunity does not cover:

- Acts without jurisdiction
- Criminal conduct
- Conspiracy to deprive rights

IX. CONCLUSION

The September 18 hearing is not about child support. It is retaliation for federal litigation, designed to manufacture violations using:

- Undefined requirements
- Disqualified magistrate
- Multi-agency coordination
- Abuse of process

The mathematical fraud ($\$0 \neq \$82,000$) remains unaddressed while resources are devoted to destroying one person who dared to expose it.

This declaration serves as notice that Defendant recognizes the trap and objects to all aspects of these void proceedings.

Respectfully submitted,

/s/ Marvin D. Tutt
Marvin D. Tutt
Defendant

Date: August 15, 2025

VERIFICATION

I, Marvin D. Tutt, solemnly affirm under penalties of perjury that:

1. The facts stated above are true and correct
2. The timeline is based on documented evidence
3. The mathematical fraud is undeniable
4. The procedural trap is apparent
5. The constitutional violations are ongoing

This verification is made with full understanding that false statements are punishable by law.
Every statement herein is true based on personal knowledge and documentary evidence.

I hereby certify that on Aug 19, 2025, I served a true and correct copy of this declaration to:

Charles County Circuit Court

Address: 200 Charles St, La Plata, MD 20646

/s/ Marvin D. Tutt

Marvin D. Tutt

END OF DECLARATION NOTICE