

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

Case Number: 2:19CV9

Troy J. Childers,
Plaintiff,
V.
Ralph Northam, et al.
Defendants.

**EMERGENCY MOTION FOR PRELIMINARY
INJUNCTION AND/OR
TEMPORARY INJUNCTION AND/OR
TEMPORARY RESTRAINING ORDER
AND/OR
ENTRY OF A SUMMARY JUDGMENT
EMERGENCY MOTION FOR EXPEDITED
BRIEFING SCHEDULE AND HEARING
REQUEST FOR EXPEDITED CONSIDERATION
ORAL ARGUMENT REQUESTED**

**PLAINTIFFS' EMERGENCY MOTION FOR
PRELIMINARY INJUNCTION AND/OR
TEMPORARY INJUNCTION AND/OR
TEMPORARY RESTRAINING ORDER AND/OR
ENTRY OF A SUMMARY JUDGMENT
EMERGENCY MOTION FOR EXPEDITED
BRIEFING SCHEDULE AND HEARING**

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INTRODUCTION

1. The Plaintiff, Troy J. Childers, respectfully requests this district court to issue a Preliminary Injunction and/or Temporary Injunction and/or Temporary Restraining Order (“TRO”) and/or the entry of a summary judgment.

A. IMMEDIATE THREAT OF IRREPARABLE HARM

2. The indigent Plaintiff, Troy J. Childers will suffer immediate irreparable harm and be further victimized by coercive measures that subject him to abuse, harassment, unconstitutional incarceration, constitutional rights violations, severe mental distress, intentional infliction of emotional distress, mental agony, and psychological damage.

3. Pursuant to Code of Virginia § 19.2-159, Mr. Childers has been determined to be an indigent party in multiple court proceedings in the Commonwealth of Virginia. Although Mr. Childers is poor with a history of documented mental problems, he has been thrown into a never-ending cycle of incarceration which is very likely to repeat until his demise. The facts in this matter establish that the indigent party, Troy J. Childers is threatened with a lifetime of repeated incarceration, abuse and harassment due to the Commonwealth's coercive collection policies and practices.

4. The Commonwealth of Virginia engages in ritual operations that discriminate against noncustodial parents that are actually dirt poor. The plaintiff describes the abuse which he has suffered as extensive ongoing psychological torture in which there is no escape. The Commonwealth of Virginia perceives all noncustodial parents as "deadbeat parents who have the ability to pay but willfully refuse to pay their child support".

5. There is no actual ability to pay assessment or accurate willful determination in the Commonwealth of Virginia even though the “ability to pay” and intention “willfulness” are important factors of evidence that must be proven before imposing a jail sentence for any monetary debt. This has been well proven by the enormous amount of case law and supported true facts in the plaintiff’s amended, oversized brief which was submitted to this district court on December 23, 2019.

6. The Commonwealth of Virginia does not recognize real world facts which affirms that some non custodial parents are actually poor and “DEAD BROKE”. The Commonwealth of Virginia punishes non custodial parents who are poor with repeated incarceration and subjects them to harassment on a regular basis. These actions violate the fundamental principle of equal protection laws that are defined in the United States Constitution.

7. The requested Preliminary Injunction and/or Temporary Injunction and/or Temporary Restraining Order (“TRO”) will prevent immediate irreparable harm to the moving party pending a final judgment in this action.

B. STANDARD FOR ISSUING A PRELIMINARY INJUNCTION

8. “A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.” *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008). Each one of these factors weigh in the plaintiffs’ favor which further supports Mr. Childers’s constitutional claims.

FACTUAL BACKGROUND

9. The following facts help to shed light on the plaintiff's dire situation and immediate need for fair justice.

Due to an excessive child support amount that has been unrealistic from day one, the plaintiff, Troy J. Childers was imprisoned for six months in 2019. Mr. Childers was imprisoned only because he did not have the ability to pay such a large sum of money every month. Mr. Childers has been sentence to a total of one year in jail but he has only served six months so far because the punishment for his first conviction, in 2016, for non payment of child support, carried a suspended sentence of six months. After his release from the Chesapeake City Jail, Mr. Childers suffered unfair prejudice which stripped him of his right to due process and the opportunity to lower his monthly child support amount. All of the facts and events are well documented in Mr. Childers's oversized, amended brief, which was submitted to this district court on December 23, 2019. These undisputed facts describe how Mr. Childers has experienced unjustified actions and prejudice from Judge Larry

D. Willis, Sr. for seeking justice by filing complaints in the federal court system. Mr. Childers is currently threatened with another jail sentence because he cannot pay the current child support amount of \$1085.00 per month. It is very possible that Mr. Childers will be incarcerated for up to 12 months because the Commonwealth of Virginia does not actually do a ability to pay determination. When Mr. Childers was incarcerated he made a strong effort to modify his child support order which was then blocked by a judge who recused himself four years ago from any court cases that involve Mr. Childers. Recently, this same judge expressed bias towards Mr. Childers because of his federal lawsuit.

10. Mr. Childers's child support order was never determined by his real income. The State child support guidelines were never used to determine his monthly child support obligation. For many years, the child support amount that Mr. Childers was ordered to pay every month was a massive deviation from the State child support guidelines. There was no record of why,

there has been no reason presented to explain the deviation verbally or in writing.

11. As stated in the plaintiff's full amended brief, which was submitted to this district court on December 23, 2019, Troy J. Childers, attempted to modify his child support order while he was incarcerated at the Chesapeake City Jail. On August 25, 2019, while incarcerated, Troy J. Childers filled out a Motion To Amend or Review Order Form (Virginia DC-630). Mr. Childers then mailed the form to the Chesapeake Juvenile and Domestic Relations District Court. Please see **exhibit J1**. Exhibit J1 was stamped as being received on August 29, 2019. Mr. Childers was later notified of his hearing date which was on October 22, 2019, at 1:00 pm, in courtroom one. This is the same courtroom where Judge Larry D. Willis, Sr. presides.

12. On June 21, 2016, Judge Larry D. Willis, Sr., recused himself from all of Mr. Childers's court matters. Judge Larry D. Willis, Sr., disqualified himself because there was a conflict of interest that was spawned from a prior civil rights lawsuit. The lawsuit was filed in December of 2015 by the plaintiff, Troy J. Childers. Please see *Troy Childers v. Larry Willis, Sr.*, No. 15-2515 (4th Cir. 2016).

13. An important factor in this matter which deserves the utmost attention is the fact that after his judicial recusal from Mr. Childers's child support matters on June 21, 2016, Judge Larry D. Willis, Sr. was the chief justice at the Chesapeake Juvenile and, Domestic Relations District Court. Since he was a chief judge who had recused himself, Judge Larry D. Willis, Sr. was required to fill out a DC-91 form and send it to the Supreme Court of Virginia. The Supreme Court of Virginia was then supposed to designate a judge to preside over Mr. Childers's ongoing child support matters. This action complies with the Virginia Juvenile & Domestic Relations District Court

Manual, Chapter 2, Page 10, Section C. If Judge Larry D. Willis, Sr. had made the effort to Initiate this required action, a process would have been implemented to ensure that Mr. Childers received fundamental fairness in the Chesapeake Juvenile & Domestic Relations District Court. Impartiality lies at the core of a fair trial. A judge “must possess neither actual nor apparent bias against a party.” *United States v. Cherry*, 330 F.3d 658, 665 (4th Cir. 2003).

14. It was also established in the plaintiff’s full legal brief that on the same day of June 21, 2016, Mr. Childers was questioned by an attorney who is both friends with Mr. Childers and Judge Larry D. Willis, Sr. When Mr. Childers started to be questioned, he was standing in front of the entrance door to courtroom one. On June 21, 2016, Mr. Childers was questioned about content that was posted online about Judge Larry D. Willis, Sr. Another reason for this judicial recusal should be that Judge Larry D. Willis, Sr. may suspect or may have

knowledge that Mr. Childers was involved in posting some of this content online.

15. On October 22, 2019, even though Judge Larry D. Willis, Sr. had recused himself from all of Mr. Childers's court cases in 2016, Judge Larry D. Willis, Sr. decided to rule on Mr. Childers's "Motion to Amend" his child support order. On October 22, 2019, the Division of Child Support Enforcement suggested that the court lower Mr. Childers's child support to the amount of \$300.00 per month. The child support amount was calculated based on the fact that Mr. Childers was just recently released from jail and was not currently working. The child support amount was not lowered and the suggested reduction of Mr. Childers's child support order was blocked by Judge Larry D. Willis, Sr. Under Canon 3E(1) of the Canons of Judicial Conduct, "A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where . [t]he judge has a personal bias or prejudice concerning

a party.” We have stated that “in making the recusal decision, the judge must be guided not only by the true state of his impartiality, but also by the public perception of his fairness, in order that public confidence in the integrity of the judiciary may be maintained.” *Wilson v. Commonwealth*, 272 Va. 19, 28, 630 S.E.2d 326, 331 (2006) (internal quotation marks and citation omitted).

16. Prior to October 22, 2019, and unbeknownst to Mr. Childers, his ex-wife, Jessica Childers had filed a Motion to transfer all of their child support matters to the Wythe J&Dr Court, located at 225 S. 4th ST, Suite 204, in Wytheville, Virginia. During the hearing on October 22, 2019, Mr. Childers disputed the transfer to the Wythe J&Dr Court because at this time, Mr. Childers had no means to travel such a far distance. After Mr. Childers objected to the transfer, Judge Larry D. Willis, Sr. made a statement in the courtroom. A prejudicial bias statement which called out Mr. Childers for filing federal

lawsuits against people that work at the Chesapeake Juvenile Courts.

“I remember you. I try to be fair but you keep suing us. I know that you want this lowered but you have sued a few people that work here. What do you think Mr. Clark?”

“I am going to transfer the case to be on the safe side.”

17. Due to the actions of Judge Larry D. Willis, Sr. on October 22, 2019, the plaintiff, Troy J. Childers, has another show cause hearing in which he is facing the threat of another long term jail sentence because he was unable to get his child support lowered. Mr. Childers does not have the ability to pay such large sums of money each month.

18. The Motion To Amend or Review Order that Mr. Childers filed while he was incarcerated in the Chesapeake Jail, was transferred to Wytheville, VA. Through the years Mr.

Childers has made numerous attempts to lower his child support due to his inability to pay the amount of \$1085.00 per month.

19. Sometime in December of 2019, Mr. Childers received a summons that indicated a new date for his child support review hearing. The child support review hearing was scheduled to commence on January 16, 2020, at the Wythe J&Dr Court. As this date grew closer, Mr. Childers realized that he would not have the means to travel to Wytheville, VA. At this time, Mr. Childers did not have the financial ability or the means to attend his child support review hearing. Mr. Childers also searched online for a telephonic hearing request form for the Wythe J&Dr Court but was unable to locate the form. Mr. Childers was not sure if the Wythe J&Dr Court had this option available.

20. On January 13, 2020, while in a deep depressive state, Mr. Childers pushed himself to write a letter requesting the court for a continuance. Fortunately, the letter arrived a few hours before the hearing on January 16, 2020.

21. Mr. Childers's letter states:

“If possible, I would like to continue this matter in the hope that I can come up with the money to travel to Wytheville, VA in the future. At this time I have absolutely nothing, no means to travel to Wytheville, Virginia.” See **exhibit J2**.

22. On January 16, 2020, Mr. Childers called the clerk at the Wythe J&Dr Court. Mr. Childers called approximately one hour before his child support review hearing began. Mr. Childers DID NOT mention anything to the clerk about a telephonic hearing because he felt that it was way too late for him to have this option. After Mr. Childers explained his situation to the Wythe J&Dr clerk, the clerk asked Mr. Childers if he could attend the hearing on a telephone. After Mr. Childers responded with yes, the Wythe J&Dr clerk attempted to obtain approval from the judge so that Mr. Childers could participate by telephone. Permission was denied.

23. On January 16, 2020, the clerk told Mr. Childers that the current judge was not the regular judge. She explained that a substitute judge was ruling on his child support review hearing and that the regular judge may be more understanding of his situation and approve his request for a telephonic hearing. Soon after the hearing ended, Mr. Childers called the clerk again to learn the final outcome of his hearing. Mr. Childers's request for a continuance was denied even though he explained in detail that he had no way to make it to the hearing. Mr. Childers was told by the clerk that his Motion To Amend or Review his child support amount was dismissed. There was a bond that was over \$69,000 which had to be paid before an appeal could be filed. Mr. Childers did not receive any paperwork from this hearing in the mail. Mr. Childers only obtained information about the final outcome by calling the clerk.

24. Once again, Mr. Childers found himself stuck with a child support amount that he does not have the current ability to pay. For Mr. Childers, lowering his child support seems like an

impossible task which has become hopeless. Mr. Childers is giving up. Mr. Childers does NOT believe that the Commonwealth of Virginia will allow his child support to be lowered even when there are times that he has no income. Even when Mr. Childers was incarcerated he could not get his child support lowered. Neither Mr. Childers or his family had the ability to pay the \$2.00 a day rent while he was imprisoned at the Chesapeake Jail but Mr. Childers was legally ordered to pay \$1085.00 per month for the entire time that he was incarcerated with nothing. At the time of writing this brief, Mr. Childers is still legally ordered to pay \$1085.00 per month. Mr. Childers has made the attempt to lower his child support multiple times through the years. His child support was only lowered once. In 2015, Mr. Childers had an attorney, his child support was lowered by \$15.00. It went from \$1100.00 a month to \$1085.00 per month. It was also reworked differently so that \$250.00 of this amount went towards the arrears. Mr. Childers never had the ability to pay such a large sum of money on a steady basis. Year after year, Mr. Childers would send almost

one hundred percent of his income just to stay out of jail. For many years, Mr. Childers lived in great poverty due to the unjust actions of the Commonwealth of Virginia.

25. On October 22, 2019, Judge Larry D. Willis, Sr. took away an opportunity which seemed to be Mr. Childers's only chance to finally have his child support amount reduced. Judge Larry D. Willis, Sr. had recused himself from Mr. Childers's child support matters on June 21, 2016. This was not fair for Mr. Childers.

26. On Thursday, February 6, 2020, at 9:47 AM, Mr. Childers received a phone call from a caseworker at the Division of Child Support Enforcement named Michael Tracy. Michael Tracy left a voicemail stating that he was going to send papers directly to DMV and have Mr. Childers's driver's license suspended without giving Mr. Childers an option to dispute this action. See **exhibit J3**. Exhibit J3 is a transcription of the voicemail message that had been left by Michael Tracy.

27. As stated on page 109 of Mr. Childers's amended, oversized brief, under Virginia law, this action is illegal and Mr. Childers has witnessed this same type of lawless behavior repetitively in the past. Mr. Childers then called Michael Tracy on the same day of February 6, 2020, at 3:12pm. Mr. Childers explained to the Child Support Enforcement caseworker, named Michael Tracy, that he is breaking the law. Michael Tracy did not seem care and stated that Mr. Childers would have to pay thousands of dollars to get his driver's license back. Having gone through this same situation many times before, Mr. Childers knew that Michael Tracy was violating a Virginia statute. Mr. Childers then contacted Michael Tracy's supervisor and informed him of Code of Virginia § 46.2-320.1. (section A).

Code of Virginia § 46.2-320.1. (Section A)

28. "The obligor shall be entitled to a judicial hearing if a request for a hearing is made, in writing, to the Department of Social Services within 30 days from service of the notice of intent. Upon receipt of the request for a hearing, the Department

of Social Services shall petition the court that entered or is enforcing the order, requesting a hearing on the proposed suspension or refusal to renew. The court shall authorize the suspension or refusal to renew only if it finds that the obligor's noncompliance with the child support order was willful. ”

29. Mr. Childers then received two letters from DMV which were both dated on February 10, 2019. One letter stated that Mr. Childers's driver's license was going to be suspended. The other letter stated that Mr. Childers's driver's license suspension was all one big mistake. See **exhibit J4**. Since Mr. Childers has been through this same situation many times, Mr. Childers is aware that case workers like Michael Tracy are usually severely disciplined for this unlawful action.

30. Michael Tracy may be taking this personal because two days after Mr. Childers received the letters from DMV, he received another letter from Michael Tracy which stated that he filed a Show Cause against Mr. Childers. See **exhibit J5**.

According to Jessica Childers, she did not make any request for the Division of Child Support Enforcement to file a show cause against Mr. Childers.

31. The plaintiff, Troy J. Childers is under the current threat of being incarcerated up to one year for the crime of being poor. See **exhibit J6**. Exhibit J6 is a recent Show Cause summons which is has an **X** in the box that states:

“be imprisoned until the Respondent complies with the Court’s order”

Exhibit J6 also states that the date of the show cause hearing to be on March 26, 2020, at 1:00pm, in Wytheville, Virginia. Wytheville, Virginia is a five an a half hour drive distance. At the present time, Mr. Childers is unsure if he will be able to find a way to make enough money to appear at this hearing. It is very likely that the Commonwealth of Virginia will imprison Mr. Childers again to punish him for the crime of being poor and living in a state of poverty.

32. This recent threat of incarceration came less than five months after Mr. Childers served the entirety of a six month jail sentence for non payment of support. Mr. Childers was released from the Chesapeake Jail on October 4, 2019, after being imprisoned for six months. If the ability to lower his child support amount is not provided to Mr. Childers, then he will be subjected to a repeated cycle of lifetime incarceration that has no end. Due to Mr. Childers's inability to lower his child support order along with the lack of due process and the procedural safeguards which are NOT being implemented in the Commonwealth of Virginia, it is very probable that Mr. Childers will be imprisoned over and over again for the rest of his life. Mr. Childers has already provided factual information in his amended, oversized legal brief that proves that Virginia Courts ignore the new revisions of both federal statutes 45 CFR 303.6 (c)(4) and 45 CFR § 302.56 (c)(3).

33. On March 11, 2020, Mr. Childers went to the post office to check for undelivered certified mail with his name. He discovered that there was another letter from the Division of Child Support Enforcement. The letter is a “Notice of Intent To Suspend Driver’s License” with the date of February 22, 2020. See **exhibit J7**. The letter appears to be computer generated and has no signature from any legal authority or State officer. Nevertheless, Mr. Childers has responded with a hearing request letter within the 30 day allowed grace period in pursuant to § 46.2-320.1. (Section A). See **exhibit J8**.

34. Mr. Childers has also filled out another Motion To Amend Or Review Order (Form DC-630) and mailed it to the Wythe J&Dr Court. See **exhibit J9**. Mr. Childers hopes that he will one day get the opportunity to lower his child support order to an amount that reflects his current ability to pay. This action will help end his cycle of poverty and despair but until this happens, Mr. Childers will be threaten by the constant fear of jail. Mr. Childers will be under duress and suffer mental

distress. Mr. Childers feels that he may have a full mental breakdown as he is being attacked, harassed and pushed into a severe depressive state over money that he simply can not pay.

ARGUMENT

A. Plaintiff is Highly Likely to Succeed on the Merits

35. These practices plainly violate the Constitution. The Supreme Court has explicitly held that it is “fundamentally unfair” and thus “impermissib[le]” to “imprison[] a defendant solely because of his lack of financial resources.” *Bearden v. Georgia*, 461 U.S. 660, 661, 672–73 (1983).

36. The Commonwealth of Virginia is liable for jailing Mr. Childers on April 4, 2019, without an actual ability to pay financial assessment. Despite his claims that he does not have the ability to pay, he was jailed for contempt and now is facing another possible charge of contempt with a long term jail sentence.

37. While it may be true that the Commonwealth of Virginia prints a legal statement on some of their legal documents to inform noncustodial parents that “the ability to pay support is a critical issue in determining whether you will be held, in contempt or not.” When Mr. Childers was imprisoned on April 4, 2019, for contempt, this legal statement had absolutely no vitality in the Chesapeake Juvenile and, Domestic Relations District Court. Mr. Childers has already provided true factual information in his amended legal brief that proves that this statement is ignored and has no legal empowerment in the Commonwealth of Virginia.

38. The actual true facts in the plaintiff's amended brief prove that the Commonwealth of Virginia is not concerned with a noncustodial parent's ability to pay as there is no actual ability to pay assessment or financial assessment of any kind before or during a show cause hearing. The real truth is that the judge decides if you have ability to pay after looking at you for two

minutes. For this reason, if a child support amount is ordered by the Commonwealth of Virginia which is beyond a noncustodial parent's ability to pay, the noncustodial parent will be subjected to incarceration over and over again by judges who commonly use coercive measures rather than properly implementing the procedural safeguards that are enforced by 45 CFR 303.6 section c, paragraph 4. Income assessments are just smoke and mirrors.

39. In Mr. Childers's amended, oversized brief, he has provided proof that he meets all prongs of standing for the entanglement exception, exceptions for the Rooker-Feldman Doctrine, exceptions for the Younger Doctrine and all other immunity doctrines. This district court cannot abstain under any doctrine of immunity.

B. Plaintiff Will Suffer Irreparable Harm Absent a Preliminary Injunction or Due To The Inaction of This District Court

40. In Mr. Childers's amended, oversized brief, he has proven that the Commonwealth of Virginia does not implement the constitutional procedural safeguards which are enforced by federal law. On March 26, 2020, Mr. Childers will face the strong possibility of being imprisoned for the crime of being poor. ("... the justification for coercive imprisonment as applied to civil contempt depends upon the ability of the contemnor to comply with the court's order."); *Elzey v. Elzey*, 435 A.2d 445, 448 (Md. 1981)

C. The Harm to Plaintiff Outweighs the Minimal Burdens on Defendants

41. Mr. Childers has absolutely no money and no financial ability to pay any purge bond amount, Mr. Childers does not even have the current ability or means to pay rent to the jail or buy basic commissary items. It will serve no purpose to impose a jail sentence on the indigent plaintiff in this matter. The defendants will not be burdened in any way whether Mr. Childers is imprisoned or free. Mr. Childers is being treated as a criminal when he has committed no crime. (“If compliance is impossible—for instance, if the individual lacks the financial resources to pay court ordered child support—then contempt sanctions do not serve their purpose of coercing compliance and therefore violate the Due Process Clause.”); *Shillitani v. United States*, 384 U.S. 364, 371, 86 S. Ct. 1531, 1536 (1966)

D. A Preliminary Injunction Is in the Public Interest

42. Preliminary Relief is in the Public Interest Courts have repeatedly recognized that “upholding constitutional rights surely serves the public interest.” *Giovani Carandola, Ltd. v. Bason*, 303 F.3d 507, 521 (4th Cir. 2002); see also *Chabad of Southern Ohio v. City of Cincinnati*, 363 F.3d 427, 436 (6th Cir. 2004) (“[T]he public interest is served by preventing the violation of constitutional rights.”); *Christian Legal Society v. Walker*, 453 F.3d 853, 859 (7th Cir. 2006). Injunctive relief is necessary to protect the public interest. Public policy demands that governmental agencies be enjoined from acting in a manner contrary to the law. See, e.g., *Texas v. United States*, 809 F.3d at 186. These strictures apply here word for word, and support the relief that Plaintiff is requesting.

E. What are some of the main causes for this cycle of unconstitutional incarceration?

1. Unrealistic child support amounts that put noncustodial parents in a situation of poverty due to the actual inability to pay such large sums of money.

2. The stereotype and stigma that surrounds phrases like Deadbeat Dads or Deadbeat Parents. I have learned that in the legal system there is no actual separation between the parents who are poor that make an the effort to pay as much as they can and the parents who are truly deadbeats. From my experience, I have learned that state court judges, attorney generals, and people that work for the Division of Child Support Enforcement perceive all child support obligators that do not pay as parents that hide money and keep money away from their children. It is much easier and more common to attack, punish, conceive, or accept, that a parent is a deadbeat than the reality that some parents are actually poor .

3. Ego. There are many family court judges, state attorneys and state officers who see themselves as heroes by punishing parents that do not pay their child support. They feed their egos and pat themselves on the back while the true reality of the situation is that they are also destroying the lives of low income parents and put them deeper in debt.

MR. CHILDERS HAS ONLY A FEW OPTIONS

A. Mr. Childers can allow the Commonwealth of Virginia to force him into an early disability.

43. Two of my attorneys have suggested that I file for disability. I hate going to doctors and taking pills. The pills that they prescribed me in the Chesapeake City Jail made me feel like I was a walking zombie. I do not like taking pills or seeing doctors. This is the United States of America. A person should not be forced to see a doctor or forced to take medication. A

person should not be forced to become disabled to stop harassment, abuse or to obtain relief from the constant fear of loosing his freedom or to keep himself from being terrorized.

44. I know that I have mental problems and psychological problems that mainly stem from having such a horrific childhood. There have been people throughout my life who have had difficulties accepting some of the things that I went through as a child. Most people cannot fathom some of the things that I went through and how I had to live. I recently have been trying to get myself put back together. I have been becoming more and more motivated. I want to work and make money. I wanted to pay my child support from the very beginning. No matter how hard I tried to pay the courts did not care because I was not able to pay the full amount. Only one judge was honorable and stated that as long as I made an effort to pay he would impose any punishment. Judge Rufus Banks.

45. As soon as I start lifting myself up from the ashes the Commonwealth of Virginia comes along to attack, terrorize, torment and harass a person who has absolutely no money. I wanted to be more positive and work on changing my current financial situation. The actions taken against me by the Commonwealth of Virginia put me in a coma of depression. These actions take away my motivation and I feel like I just want to give up on everything. Give up on living, give up on taking showers and brushing my teeth. I feel heavy and I have thoughts that make me think that I just want to die. That the only escape from this hell is death.

B. Mr. Childers can become a fugitive.

46. I do not want to be a fugitive. All I wanted was an amount that I could pay which would allow me to also provide food and basic needs to live. I have not been able to do this for a number of years. My sister and her husband have been

burdened with providing me shelter, food, toilet paper and other living expenses.

C. Mr. Childers can take his life

47. In 2007, my best friend, James Fowler (Jimbo), killed himself because he was being incarcerated over and over again for nonpayment of child support. He had told me over the phone about his situation and what he was going through but I did not fully understand his situation until now.

48. I think about this method of escape allot. Probably everyday. Being bullied like this is a living hell, a nightmare that I can not wake up from. I will not be incarcerated over and over for the rest of my life and be bullied by these sick demented people who are oblivious to the pain and suffering that they cause.

REQUEST FOR RELIEF

WHEREFORE, Given the ongoing nature of the unjustifiable harm caused by Defendants' actions, and the concomitant need for immediate remedy of that harm, the Plaintiff respectfully seeks:

- 1.) An accelerated schedule of briefing and hearing on Plaintiff's emergency Motion for a Preliminary Injunction and/or Temporary Injunction and/or Temporary Restraining Order.
- 2.) Immediately issue a Preliminary Injunction and/or Temporary Injunction and/or Temporary Restraining Order so that the Commonwealth of Virginia will discontinue further constitutional violations.
- 3.) The immediate entry of a summary judgment.

4.) The Plaintiff respectfully requests that the Court grant his emergency Motion to accelerate the hearing schedule in this case.

Respectfully submitted,

BY THE PLAINTIFF TROY J. CHILDERS

February 13, 2020

Troy J. Childers

EXHIBIT J1

The request to modify his child support order which was filed when he was incarcerated.

SUMMONS

COMMONWEALTH OF VIRGINIA

Case No.

CHESAPEAKE J & DR - ADULT

Juvenile and Domestic Relations District Court

301 ALBEMARLE DRIVE, CHESAPEAKE, VA 23322 (757) 382-8100

COURT'S STREET ADDRESS AND TELEPHONE NUMBER

JESSICA L CHILDERS, DCSE

v./In re TROY JEFFREY CHILDERS

Inmate # 95233

HEARING DATE	HEARING TIME
10/22/2019	01:00 PM

CTRM: 1

TO ANY AUTHORIZED OFFICER: I COMMAND YOU to summon the parties as designated below.

TO THE PERSON SUMMONED: I COMMAND YOU to appear before this Court at the date, place and time specified in this Summons to respond to the allegations in the attached documents in accordance with the provisions of the Juvenile and Domestic Relations District Court Law. Failure to appear at Court may subject you to contempt of court proceedings.

NOTE: READ THE NOTICE ABOUT RIGHT TO REPRESENTATION BY A LAWYER ON THE BACK OF THIS SUMMONS. DOCUMENT(S) ATTACHED.

- PETITION Notice of Termination of Residual Parental Rights (District Court Form DC-535) Notice to Respondent in Enforcement Proceeding Under Virginia Code § 20-146.29 of the Uniform Child Custody Jurisdiction and Enforcement Act
- Notice of change in date and/or time of hearing
- Notice to juvenile to show cause why the juvenile's driver's license should not be suspended under Virginia Code § 46.2-334.001.
- MTA: LOWER CHILD SUPPORT

09/12/2019

DATE ISSUED

CLERK JUDGE

RETURNS: Each person was served according to law, as indicated below, unless not found.

Name and Address:

TROY JEFFREY CHILDERS
400 ALBEMARLE DT
CHESAPEAKE, VA 23322

PERSONAL SERVICE

Tel. No. (757) 553-5191

Being unable to make personal service, a copy was delivered in the following manner:

Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

Not found

SERVING OFFICER

DATE for

DISABILITY ACCOMMODATIONS
for loss of hearing, vision, mobility, etc., contact the court ahead of time.



Proper attire required in Court Rooms
NO Shorts
NO Halters/tank tops
NO flip-flop shoes
NO hats
NO food, drink or gum
NO camera phones

MOTION TO AMEND OR REVIEW ORDER
Commonwealth of Virginia

Case No. JA078213-03-10
10/22/19 @ 1:00 #1

General District Court
 Juvenile and Domestic Relations District Court

Chesapeake
301 ALBEMARLE DR, 2nd FLOOR, Chesapeake VA
COURT ADDRESS 23322

This motion is filed in connection with Case No. 0004355866

In re Zoey L. Childers and Harley M. Childers
NAME OF CHILD

Troy Jeffrey Childers v. Jessica L. Childers
PETITIONER RESPONDENT

400 Albemarle Drive 265 Meadows Lane
ADDRESS/LOCATION ADDRESS/LOCATION

Chesapeake, VA 23322 Wytheville, VA 24382

757-266-9111 757-651-0068
TELEPHONE NUMBER TELEPHONE NUMBER

The undersigned respectfully represents to the Court that an order dated _____ was entered by the above-named Court [] _____ Court

\$850.00 per month and \$235.00 per month towards
REQUIREMENTS OF ORDER
the arrears. Pay eight hundred and fifty dollars per month and two hundred thirty five dollars towards the arrears. The total is one thousand eighty five dollars per month.

The undersigned moves that the attached order be changed, amended, and/or modified as follows:

CHANGES, AMENDMENTS AND/OR MODIFICATIONS TO ORDER
The child support order amount should be lowered based on my ability to pay.

_____ for the following reason(s):
① Income loss due to a 6 months of Jail Incarceration.
② Income loss due to mental health problems and mental illness.

The undersigned moves for a hearing on the modifications of the above order proposed by the Department of Social Services and that the Court take whatever action it deems necessary.

August 25, 2019
DATE

RECEIVED AND FILED
AUG 29 2019
Chesapeake Juvenile & Domestic Relations District Court

Troy Jeffrey Childers
 PETITIONER [] RESPONDENT

EXHIBIT J2

Letter to the Wythe J&DR Court.

TROY CHILDERS
4006 MORRIS CT.
CHESAPEAKE, VA 23323

January 13, 2020

To:

WYTHE J&DR COURT – ADULT DIVISION
225 S. 4TH ST, SUITE 204,
WYTHEVILLE, VA 24382

Re: Case Number: JA009448-01-01

Dear Wythe J&Dr Court,

I do not have the means or the financial ability at this time to travel to Wytheville, Virginia. I have no money and I am completely broke. I am currently enrolled in the SNAP food stamp program. I desperately need my child support lowered.

Due to the abuses and the constitutional violations that I have suffered in this matter, I have filed a federal lawsuit against the Commonwealth of Virginia and other state officers in the United States District Court Eastern District Of Virginia. On March 15, 2019, my federal lawsuit and my Motion To Proceed In Forma Pauperis was approved by Judge Arenda L Wright Allen. Since this date, I have filed motions to purposely delay my lawsuit as long as I could. The judge gave me until December 25, 2019, to submit an amended brief. I submitted my amended brief on Dec. 23, 2019. To further protect myself, I have included the details of this court hearing on January 16, 2020, at 11:45 AM

Due to violations of federal law, Mr. Childers is poor with no quality of life and is overwhelmed by an alarming amount of debt. The Judge that ruled to transfer this child support matter on Oct. 22, 2019, recused himself from all of my child matters in 2016 but decided to rule over my case in October. According to The Virginia Juvenile & Domestic Relations District Court Manual, Chapter 2, Page 10, Section C, a form labeled DC-91 (Order Of Disqualification/Waiver Of Disqualification) was supposed to be filled out and sent to the Supreme Court of Virginia and The Supreme Court of Virginia. This was never done.

In my federal legal brief, I have proven that this judge has a personal vendetta against me. This letter was late because I was trying to find a way to print a copy of my federal lawsuit so that the Wythe J&Dr Court would fully understand the details of my child support matter. I was unable to do this however, I have attached the cover of my lawsuit. My federal legal brief is also available on PACER. For your convenience, I have uploaded my lawsuit online and created a custom short-link that can be easily typed:

<http://bit.ly/WYTHE>

Please! I imperatively ask this court to read the details of my federal lawsuit to fully understand this matter. It is important for this court to understand the actions taken against me that have destroyed my life and my financial ability to provide for my children. I was personally targeted because of posts made about this judge online and because of my federal lawsuit. The judge even stated this at my last hearing on Oct.22, 2019, where I experienced prejudice and an unfavorable ruling because I sought out justice in the federal court system.

If possible, I would like to continue this matter in the hope that I can come up with the money to travel to Wytheville, VA in the future. At this time I have absolutely nothing, no means to travel to Wytheville, Virginia. Also, it may be important to see how the federal courts rule in this matter.

Thank You,

TROY J. CHILDERS

EXHIBIT J3

Voice mail from Micheal Tracy.



+15406827385 [Add](#) - Roanoke, VA

2/6/20 9:47 AM 41 hours ago

Inbox



Hi, this message is for Troy Childers. Mr. Children's. My name is Michael Tracy and I'm with child support enforcement in Roanoke. I wanted to give you the courtesy of a heads up that I am going to be submitted paperwork to have your license suspended for non-payment of child support that your driver's license after that is suspended. You will have a chance to sign the payment agreement with us green to pay a certain amount and upon paying that and paying the reinstatement fee to the DMV. You would be able to obtain your driving privileges back. I am going to be swimming in the papers in the morning. I'm actually working from home today. So if you call them today or able to arrange some sort of payment, I will consider not finding those papers. However, you want to get in touch with me today. And again the payment must be a significant amount of our phone number. 468-8894 and again, if I don't hear from you the papers will be submitted tomorrow and you'll get formal notification of the date upon which religious suspended by the DMV. Thank you very much and have a good day.

EXHIBIT J4

Letters from the DMV.

February 10, 2020

Troy Jeffrey Childers
4006 Morris CT
Chesapeake, VA 23323-1930

Order of Suspension

Dear Mr. Childers:

The notice is to inform you that the Department of Social Services, Division of Child Support Enforcement, Roanoke District Office, has notified DMV that you are not in compliance with your child support order. As a result of your non-compliance, your privilege to operate motor vehicles in Virginia is suspended effective 02/25/20.

This suspension will end once you comply with the requirement(s) listed below:

- Pay DMV a \$ 45 reinstatement fee. In addition to the reinstatement fee, Virginia law requires payment of a \$5 fee for each additional suspension, revocation, or disqualification order in effect when reinstating driving privileges.

You may direct any questions you have regarding this action to the Department of Social Services, Division of Child Support Enforcement at 1-800-468-8894, or you may contact any of their district offices. Visit the website www.dss.virginia.gov/family/dcseoffices.cgi to locate offices in Virginia.

After you have complied with all other outstanding suspensions, revocations or denials, you may petition the Juvenile and Domestic Relations District Court in your residence jurisdiction for restricted driving privileges during your suspension for the purposes of driving to/from/during work, to and from school, for medically necessary travel, and travel to and from visitation with your child or children, if you are not prohibited from visitation. Restricted driving privileges cannot be granted to drive a commercial motor vehicle. Once the court grants your petition, you may go to any DMV customer service center to have your restricted license issued.

You may pay required DMV fees online with a credit card or e-check at www.dmvNOW.com. If you plan to pay online and you don't already have a PIN, you will have to create an account. You may also pay by mail with a check or money order sent to the address on the letterhead, or by visiting any DMV customer service center and paying with cash, check, money order, or credit card.

The requirements in this notice are in addition to any other outstanding revocation, suspension, disqualification, or cancellation of your privilege to operate or register motor vehicles imposed by DMV or any court in Virginia. If other actions have been imposed, you must comply with all requirements for each action before your privilege to operate motor vehicles, register motor vehicles, or obtain license plates and decals can be reinstated. The reinstatement requirements listed in this order may change without prior notice. All revoked, suspended, or cancelled licenses must be returned to DMV.

Virginia law requires anyone with a cancelled, suspended, or revoked driver's license or permit to show proof of legal presence to reinstate their driving privilege or to obtain an identification card. However, U.S. citizens or legal permanent residents of the U.S. who have proven legal presence to DMV on or after January 1, 2004 are not required to resubmit proof of legal presence. For a complete list of documents that may be used to prove legal presence, visit the DMV website at www.dmvNOW.com.



COMMONWEALTH of VIRGINIA
Department of Motor Vehicles
2300 West Broad Street

Richard D. Holcomb
Commissioner

Post Office Box 27412
Richmond, VA 23269-0001

February 10, 2020

Troy J Childers
4006 Morris CT
Chesapeake, VA 23323-1930

Dear Mr. Childers:

Based upon notification from the Department of Social Services, Division of Child Support Enforcement, the Department of Motor Vehicles (DMV) has cancelled the suspension of your driving privilege issued on 02/10/20 for noncompliance with a child support order. This suspension was the result of incorrect information reported to DMV by the Department of Social Services.

You may direct any questions you have regarding this action to the Department of Social Services, Division of Child Support Enforcement at 1-800-468-8894, or you may contact any of their district offices.

This action does not affect any other revocations, suspensions, disqualifications, or cancellations of your driving privilege which may have been imposed by the Department of Motor Vehicles or any court in Virginia. If any other actions have been imposed, you must comply with each of those requirements before your driving privilege can be reinstated.

I apologize for any inconvenience this may have caused. If you have questions regarding the status of your driving privilege, please contact DMV customer service at 804-497-7100 (TDD devices: 1-800-272-9268) or visit the DMV website at www.dmvNOW.com.

Sincerely,

A handwritten signature in black ink that reads "S. Brown".

S. Brown, Director
Driver Services Administration

Customer #: T62191121

APOL

Phone: 804-497-7100

TDD: 1-800-272-9268

Website: www.dmvNOW.com

EXHIBIT J5

Letter from Micheal Tracy stating that he filed a show cause.

Commonwealth of Virginia
Department of Social Services
Division of Child Support Enforcement

ROANOKE DISTRICT OFFICE
CHILD SUPPORT ENFORCEMENT
5241 VALLEY PARK DRIVE
ROANOKE, VA 24019
<http://www.dss.virginia.gov/family/dcse/>
1-800-468-8894

IMPORTANT NOTICE REGARDING COURT ACTION

Date: 02/12/2020

Division Case Number 0004355866

Noncustodial Parent

Custodial Parent

TROY JEFFREY CHILDERS JR
4006 MORRIS CT
CHESAPEAKE, VA 23323-1930

JESSICA LYNN CHILDERS

Dear TROY JEFFREY CHILDERS JR,

A Motion for Show Cause Summons has been filed on your case in the appropriate court.

This means civil contempt proceedings have been filed due to nonpayment of child support. Your ability to pay support is a critical issue in determining whether you will be held in contempt or not.

If the court determines you are in contempt, the court will decide what actions or amount of money should be paid to purge or remove the contempt finding.

You may be charged a fee if the Division prevails in a court enforcement action presented by an attorney.

Sincerely,

MICHAEL TRACEY
Authorized Representative



EXHIBIT J6

Proof of the Show Cause hearing.

SHOW CAUSE SUMMONS (CIVIL)

Commonwealth of Virginia

VA. CODE §§ 8.01-508, 8.01-519, 8.01-564,
8.01-565, 16.1-69.24, 16.1-278.16, 19.2-358

General District Court
 Juvenile and Domestic Relations District Court

WYTHE J&DR COURT - ADULT DIVISION
CITY OR COUNTY

225 S. 4TH ST, SUITE 204, WYTHEVILLE, VA 24382

STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER:

You are hereby commanded to summon forthwith the Respondent to appear before this Court on

03/26/2020 01:00 PM to show cause, if any, why Respondent should not, pursuant to
DATE AND TIME

Virginia Code § 16.1-278.16

have judgment in the amount of \$ or other such amount as may be
proved entered against the Respondent Garnishee

be imprisoned until the Respondent complies with the Court's order or be fined for:

failure to pay fines, costs, forfeiture, restitution and/or penalty or an installment thereof:

payment due: \$ on

failure to provide support as ordered on 04/21/2015

DATE

\$ 835.75 per MONTH

with \$ 60,266.20 arrearages as of 01/31/2020

failure to obey an order of this court

dated ordering

failure to appear on to answer interrogatories

DATE

\$250.00 ORDERED TO ARREARAGES

(Other-Explain)

WARNING: Failure to appear may result in your being fined or jailed.

02/21/2020

DATE ISSUED

Michelle Musclore, DC

CLERK MAGISTRATE JUDGE

CASE NO.

JA009448-01-02

SUMMON THIS RESPONDENT:

CHILDERS JR, TROY JEFFREY

LAST NAME, FIRST NAME, MIDDLE NAME

4006 MORRIS CT

CHESAPEAKE VA 23323-

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
A	M	04	17	75	6	02	280	BL	BD

SSN

XXX-XX-5996

SHOW CAUSE SUMMONS

(CIVIL)

In connection with the case of

Commonwealth of Virginia

DCSE

v./In re

CHILDERS JR, TROY JEFFREY

UNDERLYING CASE NO. JA009448-01-00

NOTICE TO RESPONDENT: If this Show Cause Summons is issued based upon your alleged failure to provide support as ordered, your ability to pay the ordered support will be a critical issue in this proceeding. You will have an opportunity at the hearing to respond to statements and questions about your financial status.

HEARING DATE AND TIME

03/26/2020

01:00 PM

ARRAIGNMENT

COPY

SHOW CAUSE SUMMONS (CIVIL) VA. CODE §§ 8.01-508, 8.01-519, 8.01-564,
Commonwealth of Virginia 8.01-565, 16.1-69.24, 16.1-278.16, 19.2-358

General District Court
WYTHE J&DR COURT - ADULT DIVISION Juvenile and Domestic Relations District Court
 CITY OR COUNTY
225 S. 4TH ST, SUITE 204, WYTHEVILLE, VA 24382
 STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER:

You are hereby commanded to summon forthwith the Respondent to appear before this Court on
03/26/2020 **01:00 PM** to show cause, if any, why Respondent should not, pursuant to
 DATE AND TIME

Virginia Code § **16.1-278.16**

have judgment in the amount of \$ or other such amount as may be
 proved entered against the Respondent Garnishee

be imprisoned until the Respondent complies with the Court's order or be fined for:

failure to pay fines, costs, forfeiture, restitution and/or penalty or an installment thereof:
 payment due: \$ on

failure to provide support as ordered on **04/21/2015**
 DATE
 \$ **835.75** per **MONTH**
 with \$ **60,266.20** arrearages as of **01/31/2020**

failure to obey an order of this court this court
 dated ordering

failure to appear on to answer interrogatories

(Other-Explain) **\$250.00 ORDERED TO ARREARAGES**
 DATE

WARNING: Failure to appear may result in your being fined or jailed.

02/21/2020
 DATE ISSUED

Michelle Huseclore, DC
 CLERK MAGISTRATE JUDGE

CASE NO. **JA009448-01-02**

SUMMON THIS RESPONDENT:
CHILDERS JR, TROY JEFFREY
 LAST NAME, FIRST NAME, MIDDLE NAME
4006 MORRIS CT
CHESAPEAKE VA 23323-

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
A	M	04	17	75	6	02	280	BL	BD

SSN **XXX-XX-5996**

SHOW CAUSE SUMMONS (CIVIL)

In connection with the case of
 Commonwealth of Virginia
 DCSE

v./In re
CHILDERS JR, TROY JEFFREY

UNDERLYING CASE NO. **JA009448-01-00**

NOTICE TO RESPONDENT: If this Show Cause Summons is issued based upon your alleged failure to provide support as ordered, your ability to pay the ordered support will be a critical issue in this proceeding. You will have an opportunity at the hearing to respond to statements and questions about your financial status.

HEARING DATE AND TIME
03/26/2020
01:00 PM

ARRAIGNMENT

COPY

**MOTION FOR SHOW~ CAUSE SUMMONS OR
CAPIAS**

COMMONWEALTH OF VIRGINIA

Case No.

WYTHE J&DR COURT - ADULT DIVISION

HEARING DATE AND TIME

Juvenile and Domestic Relations District Court

0004355866

This motion is filed in connection with Case No.

DCSE EX REL. JESSICA LYNN CHILDERS

v. / In re

TROY JEFFREY CHILDERS JR

Party Making this Request:

Party to be Served:

DCSE EX REL. JESSICA LYNN CHILDERS

TROY JEFFREY CHILDERS JR

NAME

NAME

SEE ATTACHED

4006 MORRIS CT

ADDRESS/LOCATION

ADDRESS/LOCATION

ADDENDUM

CHESAPEAKE, VA 23323-1930

757-620-0076

--

TELEPHONE NUMBER

TELEPHONE NUMBER

The undersigned respectfully represents to the Court that the respondent should,

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
W	M	4	17	75	6	2	280	BL	BD

SSN

XXX-XX-5996

pursuant to Va. Code § 19.2-306, serve the sentence previously suspended on for conviction of because

have his or her recognizance revoked or modified because of the following violation of conditions of release:

be imprisoned, fined or otherwise punished or dealt with according to law

pursuant to Va. Code §§ 18.2-456/16.1-69.24 for failure to obey an order of [] this Court [] dated ordering

such act of the respondent being described as on DATE

pursuant to Va. Code [] §§ 18.2-456/16.1-69.24 [] § 19.2-358 [] § 19.2-305.2 (restitution only), for failure to pay fines, costs, forfeitures, restitution and/or penalties or an installment thereof; payment due: \$ on DATE

pursuant to Va. Code § 16.1-278.16 for failure to provide support as ordered on 04/21/2015 \$ 835.75 per MNTH with \$ 60266.20 arrearage as of 01/31/2020 DATE

pursuant to Va. Code § 16.1-292(A)(i) for failure to obey a child custody or visitation order of [] this Court [] dated ordering such an act of the respondent being described as on DATE

pursuant to § 19.2-303.3, have his or her local community-based probation revoked or modified because

pursuant to § 19.2-304, have his or her probation period or conditions modified as follows:

because

pursuant to [] § 4.1-305 [] § 18.2-57.3 [] § 18.2-251 [] § 19.2-303.2, have his or her deferral of proceedings revoked and be subjected to the proceedings as provided by law because

(Other - Explain) - \$250.00 ORDERED TO ARREARAGES

Therefore, the undersigned requests the issuance of process to the respondent to answer the above motion.

02/12/2020

DESIGNATED NONATTY

RENETTE AVAEL

DATE

TITLE

SIGNATURE

EXHIBIT J7

Recent letter from the Division of Child Support.

Commonwealth of Virginia
Department of Social Services
Division of Child Support Enforcement

(800)468-8894

NOTICE OF INTENT TO SUSPEND DRIVER'S LICENSE

<u>DO</u>	<u>CASE #</u>	<u>CUSTODIAL PARENT'S NAME</u>
R0	0004355866	JESSICA L. CHILDERS

TROY J. CHILDERS JR
4006 MORRIS CT
CHESAPEAKE VA 23323

Dear TROY J. CHILDERS JR

TAKE NOTICE that the Division of Child Support Enforcement (DCSE) demands immediate payment of your past due support. According to the DCSE's records, as of the above date, your child support is past due in the amount of \$60,266.20 and a payment has not been received from you in 90 days or more. Virginia law allows the DCSE to request suspension of a non-custodial parent's driver's license if past due support is at least \$5,000 or more or is past due by 90 days or more. This is an advance notice of our intent to request the Department of Motor Vehicles(DMV) to suspend or refuse to renew your Virginia driver's license for nonpayment of child support. The DMV will notify you when your license is suspended.

The DMV will not return your driver's license until the DCSE tells the DMV that you have 1) paid your past due support in full or 2) reported to DCSE and signed a negotiated payment agreement.

TO AVOID SUSPENSION OF YOUR DRIVER'S LICENSE OR FURTHER COLLECTION ACTION, you must, within 33 days of the date of this notice, 1) pay your past due support in full or 2) report to DCSE and negotiate a payment agreement. Current support must be satisfied before payments are applied to arrears balance. If you make a payment on your arrears, but fail to report to DCSE and negotiate a payment agreement, the DCSE will proceed with the suspension of your driver's license.

Interest will be charged on the arrears until it is paid. The current interest rate is 6 percent annually. The interest rate is subject to change.

PAYMENT INSTRUCTIONS: Mail a personal check, cashier's check, or money order for the amount you owe. Make the payment payable to the Treasurer of Virginia. Include your social security number on the payment.

Mail payment immediately to: **DIVISION OF CHILD SUPPORT ENFORCEMENT
PO BOX 570 - RICHMOND, VA 23218-0570.**

DO NOT INCLUDE CORRESPONDENCE WITH YOUR PAYMENT. Mail correspondence to the district office listed on this notice.

You have the right to request a court hearing if you believe that your failure to pay the past due support was not willful. To request a hearing, mail or deliver a written request to the DCSE District Office listed on this notice WITHIN 10 days of receiving this notice. The Division will file a petition with the appropriate circuit or Juvenile and Domestic Relations District Court. You will be notified of the date, time and location of the hearing. If a court hearing is requested, the DCSE will postpone action to suspend your driver's license until after the hearing.

You also have the right to request the Juvenile and Domestic Relations District Court in the city or county where you live to issue a restricted license.

If you have information that the past due support shown on this notice is not correct or you do not owe support, you may contest this action. To contest the action, contact the district office listed on this notice WITHIN 10 days of receiving this notice and request a case review.

Code of Virginia 46.2-320

NOTICE: Section 7 of the Privacy Act (5 USC 552a) and section 466(a) (13) of the Social security Act (42 USC 666(a) (13)) require all individuals subject to child support orders to provide their social security numbers. These numbers will be kept in the case records, and will only be used to locate individuals for purposes of establishing paternity and establishing modifying, and enforcing support obligations.

EXHIBIT J8

Response letter to the Division of Child Support.

To: ROANOKE DISTRICT OFFICE
CHILD SUPPORT ENFORCEMENT
AT:
5241 VALLEY PARK DRIVE
ROANOKE, VIRGINIA 24019

Date: February 13, 2020

From: TROY J. CHILDERS
4006 MORRIS CT.
CHESAPEAKE, VA 23323

Case Number: 4355866

RESPONSE TO NOTICE OF INTENT TO SUSPEND DRIVER'S LICENSE

Dear Designated Caseworkers,

On March 11, 2020, I picked up your letter at my local post office. There are some severe legal problems with your letter. Your letter seems to be computer-generated. Your letter provides incorrect, out of date, false legal information. Code of Virginia § 46.2-320.1 (section A) was amended.

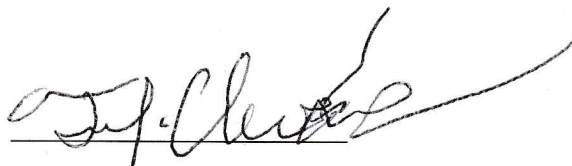
§ 46.2-320.1 (section A)

The obligor shall be entitled to a judicial hearing if a request for a hearing is made, in writing, to the Department of Social Services within 30 days from service of the notice of intent.

The law now allows a 30 day grace period for a response. Your letter states that an obligor only has 10 days to respond. Nevertheless, I am sending you my request for a judicial hearing within the 10 day grace period and the legal grace period of 30 days. I Troy J. Childers, am requesting a judicial hearing to decide this matter.

Your computer-generated letter has no signature from any legal authority. There is no signature on your letter from any state officer, representative or designated non-attorney.

Your letter provides incorrect legal information and has no real signature of authority. Your continued harassment and unjustified punishment of an indigent man who suffers from a proven mental illness will invoke further legal action on a federal level. Mr. Childers has no money and lacks the ability to pay. It is illegal to punish and harass someone for being dirt poor.



TROY J. CHILDERS

Feb. 13, 2020

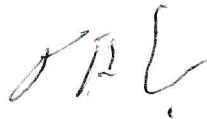


EXHIBIT J9

Recent Motion To Amend Or Review Order.

MOTION TO AMEND OR REVIEW ORDER
Commonwealth of Virginia

Case No.

WYTHE J&DR COURT - ADULT DIVISION General District Court
 Juvenile and Domestic Relations District Court

225 S. 4TH ST, SUITE 204, WYTHEVILLE, VA 24382

COURT ADDRESS

This motion is filed in connection with Case No. 0004355866

In re Zoey L. Childers and Harley M. Childers
NAME OF CHILD

<input checked="" type="checkbox"/>	Jessica L. Childers	v.	Troy J. Childers
	PETITIONER		RESPONDENT
	265 Meadows Ln.		4006 Morris Ct.
	ADDRESS/LOCATION		ADDRESS/LOCATION
	Wytheville, VA 24382		Chesapeake, Virginia
	(757) 620-0076		(757) 266-9111
	TELEPHONE NUMBER		TELEPHONE NUMBER

The undersigned respectfully represents to the Court that an order dated 04/21/2015 was entered
DATE
by the above-named Court The Chesapeake Juvenile and Domestic Relations District Court

Pay \$835.75 per month in child support and \$250.00 per month towards the arrearages.

The total child support amount due each month is \$1085.75.

REQUIREMENTS OF ORDER

The undersigned moves that the attached order be changed, amended, and/or modified as follows:

The current child support order amount should be lowered based on my ability to pay.

My child support has never been determined by my income. The State Guidelines have never been used to determine my child support amount. There has always been a massive deviation from the State Guidelines without any documented reason.

CHANGES, AMENDMENTS AND/OR MODIFICATIONS TO ORDER

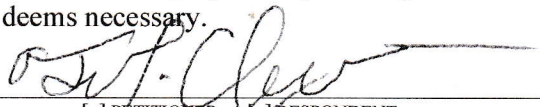
for the following reason(s):

1. Income loss due to incarceration from the last SHOW CAUSE. I was convicted of contempt and served 6 months. I have been sentenced to a total of one year for the crime of NOT having the ability to pay \$1085.00 per month. I have tried to lower my child support multiple times. I even filed a motion to amend while I was in jail. DCSE wanted to lower the current order on Oct. 22, 2019, but due to a Judge that has a personal vendetta against me, this action was blocked. 2. Income loss due to severe mental illness. I have been placed on suicide watch twice and treated for depression because the Commonwealth of Virginia punishes poor people.

The undersigned moves for a hearing on the modifications of the above order proposed by the Department of Social Services and that the Court take whatever other action it deems necessary.

03/11/2020

DATE


 PETITIONER RESPONDENT