

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION

IMRE KIFOR, individually and on behalf
of all others similarly situated,
Plaintiff,

v.

THE COMMONWEALTH OF MASSACHUSETTS,
GOVERNOR MAURA HEALY (official capacity), ATTORNEY
GENERAL ANDREA CAMPBELL (official capacity),
COMMISSIONER GEOFFREY SNYDER (official capacity,
Department of Revenue, Child Support Enforcement Division),
MIDDLESEX PROBATE AND FAMILY COURT, THE
COUNSELING CENTER OF NEW ENGLAND (now
LIFESTANCE HEALTH, INC.), ATRIUS HEALTH,
[REDACTED], and [REDACTED],
Defendants.

Case No:
1:23-cv-12692-PBS

IMRE KIFOR'S MOTION TO ALTER OR AMEND JUDGMENT

The Plaintiff, Imre Kifor ("Father"), respectfully moves this Court to alter or amend its judgment dated 12/21/2023 (see attached) pursuant to Fed. R. Civ. P. § 59 (e). Father states as follows:

- 1) Father's complaint ("Complaint") and affidavits on his a) induced existential crisis and b) petition filed with the U.S. Supreme Court ("SCOTUS") were docketed on 11/8/2023.
- 2) As new evidence supporting Complaint was revealed, Father documented it by filing status affidavits on a) falsified Family Court dockets (on 11/21/2023), b) conspiracy to discriminate and retaliate (on 12/12/2023), and c) forceful agenda-driven parental alienation of children.
- 3) Father mailed his latest status affidavit on 12/28/2023 just before receiving the judgment ("Judgment"). Judgment recites that Father's Complaint *"is the sixth case Kifor filed in this*

Court.” Only the latest two actions, i.e., 22-11141-PBS and 22-11948-PBS, are thematically relevant to this motion. These actions were dismissed on 11/22 and 12/7/2022, respectively.

- 4) After the dismissals, Father appealed both in the U.S. Court of Appeals for the First Circuit (“USCA1”) and filed petitions with the Mass. Supreme Judicial Court (“SJC”). These were decided on 3/20 and 8/4/2023 (USCA1 appeals) and ultimately on 8/8/2023 (SJC petitions).
- 5) Judgment asserts “*the Rooker-Feldman doctrine or Younger abstention bar Kifor’s challenge to state court proceedings*” and **misrepresents** Complaint as the state’s decisions are not challenged in this Court. Father has petitioned SCOTUS regarding a) the SJC decisions (No. 23-5932) and b) the “dogmatic interplay” between SJC and USCA1 (mailed on 12/26/2023).
- 6) Moreover, the details of the ongoing matters in Family Court are irrelevant in this Court as Complaint is only concerned with the committed “prohibited activities,” i.e., obstruction, retaliation, and mail/wire fraud, in the context of the cited federal antidiscrimination statutes.
- 7) Judgment **misrepresents** with “(2) *the causes of action asserted in the earlier and later suits are sufficiently identical or related,*” as Complaint asserts specifically on page 10 that “the [SJC’s] 8/8/2023 decision to once again fully 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 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., ‘gatekeeper orders’ or the repeated preclusions of appeals), and equal protection (i.e., ‘equity-based’ discrimination due to race, sex, national origin, age).
- 8) Furthermore, Father’s filed 11/8/2023 affidavit incorporates the text of his SCOTUS petition. In the petition, Father asserts on page 3 that “the to-be-reviewed decision (‘SJC-13427’) is

the last and latest docket of the matters... The matters in federal courts have also concluded with the 10/16/2023 decision issued for [USCA1 23-1008]... There is new evidence that directly contradicts the claims made for 23-1008 on 2/10/2023 by the Respondent[, that the] Commonwealth Defendants have sovereign immunity from plaintiff Imre Kifor's claim...'

According to new causes of action, Father has made the preparations to file his renewed Civil RICO Class Action Complaint in the U.S. District Court... on or about 11/13/2023."

9) Judgment **misrepresents** with *“(1) the earlier suit resulted in a final judgment on the merits”* as Complaint concludes specifically on page 11 that “the SJC-13427 decision on 8/8/2023 also confirms that Father’s repeated requests for either interlocutory or final appeals of prior orders and his Motions for Relief Pursuant To Rule 60 Fraud On The Court are according to the State’s substantive laws.” Father filed his first a) amended complaints for modifications and b) motions for relief with the Family Court on 12/12 and 12/27/2022. Regardless of the content of those filings, as Father is not challenging the state’s court proceedings here, only the effects of the committed prohibited activities, i.e., obstruction, retaliation, and mail/wire fraud, contribute to Complaint’s merits. As the “earlier suits” were dismissed before merits even started to mount, the earlier final judgments could not be based on the later merits.

10) Despite Complaint dedicating a section to sovereign immunity, Judgment **misrepresents** with *“sovereign immunity deprives the court of subject matter jurisdiction over a claim.”* Directly contradicting it, Complaint cites on page 39 that “Regarding Title VI and ADA, ‘In the Civil Rights Remedies Equalization Amendment of 1986, 42 U.S.C. § 2000d-7, Congress abrogated the States' Eleventh Amendment immunity under Title IX, Title VI, § 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975,’ Franklin v. Gwinnett

County Public Schools, 503 U.S. 60, 72 (1992)... Moreover, ‘in notable contrast to the other statutes discussed in this report, the Supreme Court interprets the requirements of Title VI coextensively with the Equal Protection Clause of the Fourteenth Amendment.’ Furthermore, ‘we have explained that discrimination that violates the Equal Protection Clause of the Fourteenth Amendment committed by an institution that accepts federal funds also constitutes a violation of Title VI,’ Gratz v. Bollinger, 539 U.S. 244, 275-76 n.23 (2003). Meanwhile, ‘no State shall deny to any person within its jurisdiction the equal protection of the laws,’ asserts the Equal Protection Clause of the Fourteenth Amendment.”

11) Judgment **misrepresents** with *“to the extent Kifor seeks injunctive relief against state officials for an alleged ongoing violation of a federal law, Kifor has not stated a viable claim for relief under the narrow exception to sovereign immunity”* as in the Factual Elements Of Title VI And ADA Violations section of Complaint, Father asserted on page 9 that “the DOR’s notice of delinquency confirms that the State has received financial assistance (or ‘Federal reimbursements’). Accordingly, Title VI applies to the CSE program’s ‘review and modification of child support orders’ core service. Furthermore, ADA prohibits such age discrimination as age distinction does not affect the normal and efficient functioning of the CSE program's review and modification of support orders. Delays and refusals to act on requests for modifications (only to induce subsequent ‘downstream’ age discrimination, as in this case) are direct discrimination and retaliation. Father states that Family Court and State, in an explicit and deliberate collusion, are targeting and retaliating against Father a) based on his race, sex, and national origin, b) with the herein alleged conspiracy to silence and enslave, and c) in a now substantiated existential and age-based ‘war of attrition’ (by ignoring

Father's complaints until his time ultimately runs out). Specifically, the objective of these activities is to continue to delay and obstruct decisions on Father's modification complaints [brought] pursuant to conditions of the Federal CSE reimbursements until Father becomes silenced and enslaved (or 'expired enough' to complain any longer)." Once again, Complaint is not about the content of filings or decisions made in state courts as the substantiated effects of actually committed Civil RICO prohibited activities, i.e., obstruction, retaliation, and mail/wire fraud, already violate the cited federal anti-discrimination statutes, i.e., Title VI & ADA.

12) Judgment **reframes and misrepresents** with "*Kifor contends that... the defendants have forced him into indigency through child support orders, and the defendants are engaged in multiple racketeering schemes*" as Father asserted in the Complaint's Title VI Discrimination section that "as substantiated in [the affidavit on induced existential crisis], [the Defendants] simultaneously violated Father's ultimate equity and constitutional civil rights when deliberately reframing, with flawed (see SJC-13427) deductive logic, [his] unambiguously communicated personal experiences [regarding the prohibited activities, i.e., obstruction, retaliation, and mail/wire fraud]. Father claims that [Defendants] acted to continue to conceal and obstruct the now substantiated conspiracy to silence and enslave the whistleblower."

13) Judgment **misrepresents** with "*the attempt by Kifor to bring the same claims that have already been asserted in his earlier actions are barred by res judicata*" as all "earlier actions" predate the 2/16/2023 Presidential Executive Order¹ that Father referred to explicitly in his affidavit incorporating the text of his SCOTUS petition asserting that "[the] President

¹ See <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/02/16/executive-order-on-further-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>

Mandates An Implied ‘American Gulag’ [and] federal agencies must consider the inherent consequences of any ‘progressive’ Marxist ‘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 silenced and also enslaved. As the consequences of the above Presidential Executive Order (effectively equivalent to mandating new ‘Jim Crow’-like segregation of Americans into ‘double protected with equity’ and ‘unprotected with no equity at all’ disjoint camps), the directly implied ‘American Gulag Of Leftovers’ can be categorized only as a base for the new ‘[forced deprogramming](#)’² of the masses. Just like the vast Soviet Gulag archipelago or the notorious Nazi ‘Arbeit Macht Frei’ Auschwitz, ‘unfree labor camps’ have never been recognized government entities, yet, tens of millions of ‘leftovers’ passed through them.

14) Judgment **misrepresents** with “(3) *the parties in the two suits are sufficiently identical or closely related*” as it combines the parties of the two separate prior suits in an attempt to equate them with the parties of Complaint brought with a new cause of action (as the substantiated effects of newly committed prohibited activities, i.e., obstruction, retaliation, and mail/wire fraud) and, as of the 12/12/2023 hearings in Family Court, a brand new basis of jurisdiction: the “Does sovereign immunity apply to an ‘LGBTQ+’ Massachusetts when using federal funds to subsidize the forceful separation and activist-agenda-driven alienation

² See <https://www.cnn.com/videos/politics/2023/10/06/hillary-clinton-maga-cult-extremists-donald-trump-house-republicans-amanpour-cnntm-vpx.cnn>

of innocent American children from their loving American parents?” federal question that Father already posed to SCOTUS in his now third petition for a writ mailed on 12/26/2023.

- 15) Judgment **misrepresents** with “*the doctrine res judicata is applicable where the following [three] elements exist,*” as all three elements are the direct misrepresentations of the record.
- 16) Judgment **misrepresents** with “*Kifor’s complaint fails to state a claim upon which relief may be granted against [non-state defendants]*” as Father’s latest status affidavit substantiates his consistent claims: “Most significantly, Father meticulously documented already in 2017: While MSPCC was destroyed with our cases, [Ms. G.] provided emotional insights into the secretive ‘supervised visitation meetings’ by ‘man-hating feminists’: no men were allowed at the meetings, the agenda was strictly exclusionary, nobody escaped supervision, [activist] protocols were designed to maximize humiliation, **like you would imagine a Nazi meeting.** Consequently, the children’s forced & abusive ‘name change’ hearing in the Family Court on 12/12/2023 resulted in the testimony that the children feel ‘fatherless.’ As ‘extreme parental alienation should be considered emotional child abuse and referred criminally,’ the minor children’s feelings can only be attributed to the Family Court’s predatory activist agenda.”
- 17) “Rule 59(e) allows a party to file a motion to alter or amend a judgment within ’28 days after the entry of the judgment.’ Fed. R. Civ. P. 59(e). A motion to alter or amend a judgment is ‘an extraordinary remedy which should be used sparingly.’ *Pac. Ins. Co. v. Am. Nat’l Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir.1998) (quoting 11 Wright et. al, Federal Practice and Procedure § 2810.1, at 124 (2d ed.1995)). It may only be granted for three reasons: ‘(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not

available at trial; or (3) to correct a clear error of law or prevent manifest injustice.’ Id.”

Edens v. Eagleton, Civil Action No. 5:12-cv-3427-SB, (D.S.C. Apr. 17, 2014).

(1) to accommodate an intervening change in controlling law

18) As the Presidential Executive Order is a relevant “intervening change in controlling law,” the

Judgment’s res judicata argument cannot hold if the underlying law is fundamentally altered.

19) Judgment **misrepresents** with “*Kifor contends that he has an employment relationship with*

the state... Kifor’s complaint fails to state a discrimination claim under Title VII because he

is not an employee of the state” as Father’s affidavit incorporating his SCOTUS petition

specifically concluded that Father “[was] a proper representative forced ‘joint employee’ of

such American Gulag ‘joint employer,’ as he tirelessly works every day under the direct

threat of detention without any compensation (or protection by the State) whatsoever.”

20) Judgment **misrepresents** with “*because it is ‘crystal clear’ that allowing Kifor to amend the*

complaint in this action could not cure the pleading deficiencies, the Court will dismiss the

action.” The 2/16/2023 Presidential Executive Order and its now substantiated consequence

of indirectly mandating a new “American Gulag” binds this Court. The new Marxist “equity-

based” justice radically changes the controlling law, and its effects are far from “crystal

clear” on the cited federal anti-discrimination statutes. Silencing Father without considering

the intervening radical change in federal controlling law is retaliation against *pro se* litigants.

21) Judgment **misrepresents** with “*the court finds that Kifor, as pro se plaintiff, cannot act as a*

class representative,” as Father specifically emphasized in Complaint on page 49 that “as a

materially significant fact of the matter, Father has been forcedly indigent since 2018, and he

alleges that his forced indigency has been the direct and foreseeable consequence of the

Defendants' deliberate actions and decisions substantiated throughout this complaint. The layman Father has also been a *pro se* litigant without the ability to pay for services. Father is not an attorney. Father cannot legally represent the described class in this Court. Father continues to hold that he is a proper representative of the class. Father is prepared/ready to accept a precondition to the class certification that the class itself be legally represented in this Court by a to-be-determined and retained attorney approved by this Court."

(2) to account for new evidence not available at trial

- 22) Judgment **misrepresents** with "*Kifor cannot fairly and adequately represent the interests of the class that he has identified,*" as Father substantiated in his filed status affidavits that new iterations of sustained fraud (specifically Rule 60 Fraud On The Court), continued federal mail/wire fraud, and Family Court dockets falsified only to obstruct were committed because Father had been a representative of such "leftover" *pro se* parties which had been forcefully driven into indigency and could not afford an attorney due to new "equity-based" controlling federal law and its now substantiated and immediately implied systemic Marxist retaliations.
- 23) Judgment **misrepresents** with "*because it is 'crystal clear' that allowing Kifor to amend the complaint in this action could not cure the pleading deficiencies, the Court will dismiss the action,*" as Father substantiated to SJC on 12/18/2023 that "Nevertheless, the Family Court has continually sabotaged Father's attempts at any modifications, itself a Title VI violation. Moreover, the falsified and fabricated docket entries (via secret 'gatekeeper' orders) also ensure that the agenda-driven intended bias is perpetuated in Father's matters ad infinitum. Contradicting the 'double protecting' objective of this Court in support of Marxist equity-based justice, the Family Court's manifested agenda to exclusively advance the millionaire

mother's 'feminist equity,' i.e., 'women never lie,' is therefore paid for dearly by the 'poor' mother and her minor children." This Court is bound by the Presidential Executive Order and its "advancing equity for all" mandate, including for the endlessly punished minor children.

24) Judgment **reframes, misrepresents and preempts** with "*because it is 'crystal clear' that allowing Kifor to amend the complaint in this action could not cure the pleading deficiencies,*" as the 12/12/2023 hearings in Family Court created a brand new basis of jurisdiction: the "Does sovereign immunity apply to an 'LGBTQ+' Massachusetts when using federal funds to subsidize the forceful separation and activist-agenda-driven alienation of innocent American children from their loving American parents?" federal question that Father already posed to SCOTUS in his now third petition for a writ mailed on 12/26/2023.

(3) to correct a clear error of law

25) Father's herein record-based reconciliation of Judgment revealed 16 misrepresentations that attempt to adversely reframe, invalidate, and outright obstruct Complaint in an "equity-based" attempt to maintain all "prisoner-like" attributes of *pro se* and *forma pauperis* fathers.

(3) [or] prevent manifest injustice

26) Judgment first confirms: "*Upon review of Kifor's financial disclosures, the Court concludes that he may proceed without prepayment of the fee*" only to then reframe, i.e., "*Nonetheless, the dismissal of his earlier actions has not deterred Kifor from again filing suit. Kifor's conduct rises above the level of litigiousness and qualifies as vexatious. His repeated filing of lawsuits concerning his family court matters is an abuse of the process,*" Father's consistent and exhaustively substantiated **existential crisis**, forcefully induced by the Marxist "equity-based" justice silently practiced by the state in violation of cited anti-discrimination statutes.

WHEREFORE, Father respectfully moves this Court to alter or amend the attached judgment, dated 12/21/2023, pursuant to Fed. R. Civ. P. § 59 (e) and the herein record-based reconciliation.

Signed under the pains and penalties of perjury.

December 30, 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>