

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

RONALD DAVID JONES – PETITIONER

VS.

GRAND CANYON UNIVERSITY, et al., -- RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

RONALD DAVID JONES

(Your Name)

1821 MCKELVY STREET

(Address)

QUINCY, FLORIDA 32351

(City, State, Zip Code)

(850)320-2298

(Phone Number)

## QUESTION(S) PRESENTED

1. Why did the United States District Court For the Northern District of Florida Tallahassee Division not rule on Plaintiff's Motion for Judgment when they knew that the Defendants refused service of summons.
2. Why did the United States District Court For the Northern District of Florida Tallahassee Division not on Plaintiff's Motion for Judgment when they knew that Defendants did not respond within 21 days after service of summon on Plaintiff an answer to the attached complaint or motion under Rule 12 of the Federal Rules of Civil Procedure?
3. Does service of summon mean that only Plaintiff had to service by putting it in the Defendants hands?
4. Don't the Defendants have to service Plaintiff a response within 21 days by putting it in Plaintiff's hand not by putting it in the mail after the 21 days?
5. Why were the Defendants waiting to the last minute to respond when they knew that time is everything in these type of cases?
6. Why did the United States District Court For the Northern District of Florida Tallahassee Division allow Defendants to do anything they want any way they wanted to?
7. Did someone from the United States District Court For the Northern District of Florida Tallahassee Division call the Defendants on the last day at the last minute and tell them that they needed to respond to Plaintiff's Summons in this Civil Action?
8. Don't Service of summon mean putting it in Plaintiff's hand to prevent the very thing in which the United States District Court For the Northern District of Florida Tallahassee Division did when they conspired with Defendants denying Plaintiff his rights?
9. Was someone paid off?
10. Why Defendant James Newman never served?
11. Why per Mr. Meyer, per Dan Steimel, Assistant General Counsel would not confirm or deny any Grand Canyon University relationship with named individual defendants and not authorized to accept on behalf of named individual defendants?
12. Why in the end Defendants were defended by the attorney for Grand Canyon?

13. Why did the United States District Court For the Northern District of Florida Tallahassee Division do a change of venue when Plaintiff strongly objected because Christ Town Ministries place of Internship is in Quincy.
14. Why did the United States District Court For the Northern District of Florida Tallahassee Division let Defendants attorney do anything he wanted?
15. Was someone paid off? GCU and Christ Town Ministries is the same case.
16. Why did the United States District Court For the Northern District of Florida Tallahassee Division do everything in its power to dismiss Plaintiff's case and complicate matters?
17. Why did the United States District Court For the District of Arizona, Phoenix do all of the above for Defendants in this case?
18. Why did the United States District Court For the District of Arizona, Phoenix in the middle of helping with the Service of Summon Dismiss Plaintiff's case?
19. Was someone paid off?
20. Why did the United States Court of Appeals for the Ninth Circuit do all of the above for Defendants in this case?
21. Why did the United States Court of Appeals for the Ninth Circuit so rude to Plaintiff and no one would even rehear Plaintiff?
22. Was someone paid off?
23. Is not this obstruction of justice by the United States District Court For the Northern District of Florida Tallahassee Division, the United States District Court For the District of Arizona, Phoenix and the United States Court of Appeals for the Ninth Circuit?
24. They all seem to have an agenda...Was someone paid off?
25. Is not Trump University a private university?
26. Don't the same rules apply to Grand Canyon University that applies to Trump University you cannot sue or serve summon on a private university?
27. Why not everyone just refuse service of summon?
28. Will refusing service of summon make everything go away?
29. Why are these court allowed to do anything they want any way they want without any course of action?
30. Is not Justice delayed Justice denied?
31. Who will stand up to these obstructionists?

## **LIST OF PARTIES**

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

1. Terry Bovinet, Defendant/Appellee
2. David G. Campbell, United States District Judge
3. Shakeisha Chambers, Defendant/Appellee
4. Done Done, Defendant/Appellee
5. Casey Fetkenhier, Defendant Appellee
6. Grand Canyon University, Defendant/Appellee
7. Kenneth Hood, Defendant/Appellee
8. Ronald Jones, Plaintiff/Appellant
9. James Newman, Defendant/Appellee
10. Ted Rivera, Defendant/Appellee
11. Rose Shaw, Defendant/Appellee
12. Andrew Sutherland, Defendant/Appellee
13. Tom Hardison, Defendant/Appellee
14. Christ Town Ministries, Defendant/Appellee

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## **OTHER**

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

[X] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

[X] is unpublished.

The opinion of the United States district court appears at Appendix B-C-D to the petition and is

[X] is unpublished.

The opinion of the United States district court appears at Appendix E-F-G to the petition and is

[X] is unpublished.

## **JURISDICTION**

**[X] For cases from federal courts**

The date on which the United States Court of Appeals decided my case was 04/07/17

**[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: 04/11/2018, and a copy of the order denying rehearing appears at Appendix A**

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

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## STATEMENT OF THE CASE

Defendant Grand Canyon University who conspired Tom Hardison deliberately fail to submit Plaintiff grades because he knew it would cause Plaintiff to fail course and not receive a Master's Degree. Defendant Grand Canyon University who conspired Tom Hardison did because of Plaintiff's race, religious, and political views. In so doing Defendant Grand Canyon University who conspired Tom Hardison and Christ Town Ministries deprived Plaintiff of his rights, privileges, and immunity protect by the Constitution. Plaintiff was misled by Defendant Grand Canyon University who conspired with Tom Hardison and Christ Town Ministries in the agreement that they would email Plaintiff's final grades. This action or inaction caused Plaintiff not to get a Master's Degree, but also Defendant Grand Canyon University conspired with Tom Hardison and Christ Town ministries to defrauded Plaintiff of \$90,000 in loan to pay for education. Plaintiff was also defrauded of a Job after Graduation, and Plaintiff's Livelihood. To "state a claim under § 1983, a plaintiff must allege facts showing that the defendant's act or omission, done under color of state law, deprived him of a right, privilege, or immunity protected by the Constitution or laws of the United States." Emory v. Peeler, 756 F.2d 1547, 1554 (11<sup>th</sup> Cir. 1985); Dollar v. Haralson County, 704 F.2d 1540, 1542-43 (11<sup>th</sup> Cir.), cert. denied, 464 U.S. 963, 104 S. Ct. 399, 78 L

Ed. 2d 341 (1983). In other words, Plaintiff must allege that Defendant “deprived him of a right secured by the ‘Constitution and laws’ of the United States” and that the Defendant did so “under color of any statute, ordinance, regulation custom, or usage of any state...” Fadjo v. Coon, 633 F.2d 1172, 1174-1175 (5<sup>th</sup> Cir. 1981).

*Quoting Adickes v. S. H. Kress & Co.*, 807 F.2d 889, 892 (11<sup>th</sup> Cir. 1986); Lugar v. Edmondson Oil Co., 457 U.S. 922, 930, 102 S. Ct. 2744, 2750, 73 L. Ed. 2d 185 (1978).

From a review of the complaint it is evident that the facts as presented state a viable claim under § 1983, a plaintiff must allege a violation of a federal right by person acting under color of state law. Gomez v. Toledo, 446 U.S. 635, 640, 100 S. Ct. 1920, 1923, 64 L. Ed. 2d 572 (1980). Within the Complaint, Appellant Jones alleges violation of his 4<sup>th</sup> Amendment right which is protected by his 14<sup>th</sup> Amendment right.

Appellant is informed that it is well settled that respondent superior, without more, does not provide a basis for recovery under section 1983. Polk County v. Dodson, 454 U.S. 312, 325 (1981); Harvey v. Harvey, 949 F. 2d 1127, 1129 (11<sup>th</sup> Cir. 1992) (citing) Monell v. Department of Social Services, 436 U.S. 658 (1978). Although personal participation is not specifically required for liability under section 1983, there must be some causal connection between each defendant

named and the injury allegedly sustained. Rivas v. Freeman, 940 F. 2d 1491, 1495 (11<sup>th</sup> Cir. 1986). One cannot be held liable for the actions or omissions of others, but can be held responsible if he participated in the deprivation of Plaintiff's constitutional rights. Appellant Jones alleges that because of his race, religious and political beliefs he is being targeted in violation of his 1<sup>st</sup> Amendment right which is protected by his 14<sup>th</sup> Amendment right.

The general statement of the law, i.e., that a state official my not purposefully or selectively enforce a facially neutral statue, is well established in this Circuit and "may apply with obvious clarity to the specific conduct in question, even though 'the very action in question has [not] previously been held unlawful'." United States v. Lainer, 520 U.S. 259, 271, 117 S. Ct. 1219, 1227, 137 L. Ed. 2d 432 (1997) (quoting Anderson v. Creighton, 483 U.S. 536, 640, 107 S. Ct. 3034, 3039, 97 L. Ed. 2d 523 (1987). The mandate of Fla Stat. was clear, a reasonable person charged with administering the statute should have known that by intentionally departing form the law to deny Plaintiff with any information about the case, the Defendant's actions were so obviously illegal in the light of then existing law that only an official who was incompetent or who knowingly was violating the law would have committed them." Sanders, 177 F. 3d at 1249.

## A. COURSE OF THE PROCEEDINGS AND DISPOSITION BELOW

Appellant Ronald David Jones appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging federal and state law violations.

## B. STATEMENT OF THE FACTS

Defendant Grand Canyon University conspired with Tom Hardison to deliberately fail to submit Plaintiff grades because he knew it would cause Plaintiff to fail course and not receive a Master's Degree. Defendant Grand Canyon University conspired with Tom Hardison because of Plaintiff's race, religious, and political views. In so doing Defendant Grand Canyon University conspired with Tom Hardison and Christ Town Ministries deprived Plaintiff of his rights, privileges, and immunity protect by the Constitution. On March 10, 2014, Plaintiff submitted a copy of resume along with Affiliation Agreement Between Grand Canyon University and Site Provider to Tom Hardison of Christ Town Ministries. It was clearly explained and agreed upon what was of expected of Defendant and Plaintiff in this binding agreement between Christ Town Ministries and Grand Canyon University. Plaintiff agreed to work at Christ Town Ministries/Defendant and Christ Town Ministries agreed to submit required information to Grand Canyon University on behalf of Plaintiff. Plaintiff worked 58 hours between the

dates of March 12, 2014 and March 28, 2014. Plaintiff worked well over the required 40 hours and feel that this field experience was a helpful learning experience because he got a chance to learn first-hand about the Men's Residential Recovery Program (MRRP). Working with the men in the community garden has brought new meaning to field experience. Plaintiff found it a little odd that as an intern he had to work as if he was in the program. Plaintiff thinks that the services he performed were relative to that of a professional in my field of study because of my training and experience he would be an asset to the Men's Residential Recovery Program (MRRP). Plaintiff worked directly with the men in the Men's Residential Recovery Program (MRRP) and they are required to be supervised at all times. The Site Supervisor or one of his assistant was supervising not only the clients work but Plaintiff work as well. Overall Plaintiff was always treated in a respectful manner. While the work was physical Plaintiff enjoyed his internship at Christ Town Ministries, Inc. Men's Residential Recovery Program (MRRP).

Defendant agreed to submit the required paperwork and did not according to Grand Canyon University. This cause Plaintiff to not be able to graduate with a Masters in Christian Studies and placed a hardship both physically and mentally. Plaintiff believes that this was a deliberate act by Defendant Grand Canyon University who conspired with Tom Hardison and Christ Town Ministries to cause Plaintiff to fail and not receive Master's Degree because of his political and religious beliefs.

Plaintiff owes \$90,000 in loans in this Master's Degree Program. Plaintiff owes \$90,000 for nothing. These actions or inactions were deliberately taken by Defendant Grand Canyon University who conspired with Tom Hardison and Christ Town Ministries to discriminate against Plaintiff by this despised treatment..

Plaintiff completed all course work and sent in all requested information and the Defendant University of Grand Canyon who conspired with Tom Hardion and Christ Town Ministries then said they did not receive Plaintiff information from Plaintiff place of internship. Plaintiff personally sent in all information and Plaintiff place of internship stated that they submitted the information. Plaintiff personally went back to place of internship several times, also call several times, and every time was told that all information was submitted. Defendant Grand Canyon University who conspired with Tom Hardison and Christ Town Ministries in doing this because Plaintiff is Black and worship and serve the Godhead as Black. Plaintiff got every right to worship the Almighty God as Black because he is Black! That is what Plaintiff believes and that is what Plaintiff preaches. I got every right to worship the Almighty God as Black because he is Black! That is what I believe and that is what I preach. Yahh<strong 3050> God Yehovah<strong 3068> Ishi<strong 376> The Black One and The Only One, The Father. Yahshua/Yeshua<strong 3091/3443> Ben Yahh God Yehovah Ishi Kristos<strong

5546> The Black One and The Only One, The Son. Holy<strong 6940> Ghost<strong 4151> Paraclete The Black One and The Only One, The Spirit<strong 4151>. Satan<strong 7854/4567> Lucifer<strong 1966> The White One and The Only One, The Anti-Father. Anti-Kristos<strong 500> The Beast<strong 2342>The White One and The Only One, The Anti-Son. The False Prophet<strong 5578> The White One and The Only One The Anti-Spirit. Plaintiff perspective of the Bible being a Black Book because two-thirds of the Bible is about Black people living in Black places. Because many historians and religious leaders have not clearly identified the ethnic background of the Biblical African Hebrew-Israelites The Original Jewish Race The True Children of Israel The Black Ones are almost invisible. Subsequently, most honest seekers of the truth about their religious heritage have been misinformed. The African Hebrew-Israelites The Original Jewish Race The True Children of Israel The Black Ones distinguish ourselves from Caucasian Jews who, according to some non-Jewish European historians and even some European Jewish sources, were converted to Judaism in the year 740 A. D. Also, before 740 A. D., during the second century, approximately 135 B.C.E., the Idumeans (Edomites) converted to Judaism. The Caucasian Jews of today are not the descendants of the Abraham, Isaac, and Jacob The Black Ones of the Bible. That is what I believe and that is what I preach and no one is going to stop me from using my right to do so, No matter what.

### C. STATEMENT OF STANDARD OF REVIEW

In order to state a claim under 42 U.S.C. § 1983, a plaintiff must allege that: (1) a person acting under color of state law; (2) deprived him or her of a right secured by the Constitution. 42 U.S.C. § 1983. The Appellant has brought this matter to this Court based upon the dismissal of claims against Appellees Defendant Grand Canyon University who conspired with Tom Hardison and Christ Town Ministries. The review should be in favor of Appellant Jones for violation of 1<sup>st</sup> Amendment and 4<sup>th</sup> Amendment rights protected by the 14<sup>th</sup> Amendment. The Court must review the district court's dismissal for failure to state a claim for which relief may be granted pursuant to § 1915(e)(2)(B)(ii) *de novo*, applying the same standards that govern Federal Rule of Civil Procedure 12(b)(6). *Mitchell v. Farcass*, 112 F.3d 1483, 1490 (11<sup>th</sup> Cir. 2007). *Pro se* pleadings are liberally construed and held to a less stringent standard than pleadings drafted by attorneys. *Powell v. Lennon*, 914 F.2d 1459, 1463 (11<sup>th</sup> Cir. 1990). However, in order to survive a motion to dismiss, the plaintiff's complaint must contain facts sufficient to support a plausible claim to relief. *Ashcroft v. Iqbal*, 556 U.S. 556 U.S. 662, 678, 129 S. Ct. 1937, 1949, 173 L.Ed.2d 868 (2009).

REASONS FOR GRANTING THE PETITION  
THE UNITED STATES COURT OF APPEALS FOR THE NINTH  
CIRCUIT INCORRECTLY DISMISSED APPELLANT JONES' CAUSE  
OF ACTION HEREIN.

Read liberally, Appellant's pro se complaint alleges that he was the victim of the Defendants' purposeful improper administration of Florida's statute for their own benefit. "The requirement of intentional discrimination prevents plaintiff from bootstrapping all misapplications of state law into equal protection claims." E & T Realty, 830 F. 2d at 1114. "Discriminatory purpose implies that the decision maker selected a course of action 'because of' its detrimental effects on an identifiable group. Error, mistake in judgment or arbitrary administration in applying a facially neutral statute does not violate equal protection." Jones v. White, 922 F. 2d 1548, 1573 (11<sup>th</sup> Cir.) (citations omitted), cert. denied, 510 U.S. 967 (1993). "Purposeful discrimination may be shown where the 'defendants' conduct [was] deliberately based on a justifiable, group based standard." E & T Realty, 830 F. 2d at 1114. Additionally, it may appear on the face of the action taken with respect to a particular class or person." Snowden v. Hughes, 321 U.S. 1, 9, 64 S. Ct. 397, 401, 88 L. Ed. 497 (1944).

In light of the foregoing, it is respectfully MOTIONED that Appellant's amended complaint NOT BE DISMISSED and relief be granted pursuant to 28

U.S.C. § 1915(e)(2). Dismissal of an action is not appropriate unless it appears beyond doubt that the plaintiff can prove no set of facts in support of his claims, which would entitle him to relief. Conley v. Gibson, 355 U.S. 41, 45-6, 78 S. Ct. 99, 2 L. Ed. 2d 80 (1957). The Court must accept as true all well pleaded factual allegations and reasonable inferences from those allegations in ruling upon such a motion. Olaideinde v. City of Birmingham, 963 F. 2d 1481, 1485 (11<sup>th</sup> Cir. 1992) (citation omitted), cert. denied, 113 S. Ct. 1586 (1983). Pro se complaints must be held to a less stringent standard than those drafted by an attorney. Wright v. Newsome, 795 F. 2d 964, 967 (11 Cir. 1986), citing Hanies v. Kerner, 404 U.S. 519, 520-1, 92 S. Ct. 594, 596, 30 L. Ed. 2d 652 (1972).

The United States Court of Appeals erred when it refused the appointment of counsel to take advantage of Appellant creating a travesty of justice. In considering appointment of counsel for civil rights plaintiffs under 28 U.S.C.A. § 1915 (d), courts have generally agreed that such appointments are only appropriate under “exceptional circumstance.” While many courts treat this “test” as a simple factual determination which will vary from case to case, others have expressly elaborated on the factors which should be considered in determining whether to appoint counsel under 28 U.S.C.A. § 1915(d). Kevin W. Brown, Annotation, Appointment of Counsel, in Civil Rights Action, under In Forma Pauperis Provisions (28

U.S.C. § 1915 (d), 69 A.L.R. Fed. 666 (1984). Typically, factors such as the complexity of the case, the ability of the Plaintiff to investigate the case and his ability to present the case at trial are evaluated. Id. See also, Holt v. Ford, 862 F. 2d 850 (11<sup>th</sup> Cir. 1989); Jackson v. Dallas Police Dept., 811 F. 2d 260, 261-62 (5<sup>th</sup> Cir. 1986). A district court typically considers, in addition to the factors already discussed, the merits of the plaintiff's claim is factually or legally so complex as to warrant the assistance of counsel. Holt, 862 F. 2d 850; Jackson, 811 F. 2d 260.

## **CONCLUSION**

THE UNITED STATES COURT OF APPEALS INCORRECTLY DISMISSED APPELLANT JONES' CAUSE OF ACTION HEREIN.

Based upon the facts that exist in this case, it is clear that the United States Court of Appeals err when it dismissed Appellant's claims. Based upon the inappropriate determination by the United States Court of Appeals, the dismissal of Appellant's claims by the United States Court of Appeals must be reversed.

The petition for writ of certiorari should be granted.

Respectfully submitted,

  
Date: July 7, 2018