

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

0:17 CV - 02249

IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_

David Librace — PETITIONER  
(Your Name)

vs.

Social Security Admin — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Eighth Circuit Court of Appeals  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

David Librace  
(Your Name)

203 S 7th  
(Address)

West Helene, AR 72390  
(City, State, Zip Code)

786-342-4032  
(Phone Number)

### QUESTION(S) PRESENTED

1. The Lower Court failed to review all exhibits of the Administrative Judge who ruled exhibits were not relevant. Exhibits were relevant to establish that in fact wages reported did in fact belong to Petitioner. Petitioner was placed in witness protection in 1983. Petitioner and another party in witness protection both had same social security numbers. The other party never resided outside of Florida while petitioner provided documentation of each and every residency proving earnings.

## LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ 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:

## TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	
STATEMENT OF THE CASE .....	
REASONS FOR GRANTING THE WRIT .....	
CONCLUSION.....	

## INDEX TO APPENDICES

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Heckler v. Ringer	466 US 602, 616 (1984)
Buchanan v. Apfel	249 F 3d 485 (6th Cir 2001)
Schweiker v Hansen	450 US 785 (1981)
Dyer v. Secretary of Health Human Services	889 F 2d 682, 685 (6th Cir 1989)

## STATUTES AND RULES

20 CFR § 404.987(a)(b)  
20 CFR § 404.989  
28 USC § 1361

## 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**

☒ For cases from **federal courts**:

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

☒ reported at 0:17 cv 02249 / 0:16 -cv- 00007; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

## JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was April 10, 2018 Motion for Re-consideration

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

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

☐ For cases from **state courts**:

The date on which the highest state court decided my case was \_\_\_\_\_.  
A copy of that decision appears at Appendix \_\_\_\_\_.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**



## STATEMENT OF THE CASE

Petitioner was provided an incorrect social security number. The number used belonged also to a Cuban Nationalist who resided in Miami-Dade County, Florida. Earnings belonging to Petitioner were given to the other party. Petitioner provided deeds, work history, court cases to establish wages earned in Boston, Mass, New York, New York, Las Vegas, Nevada and Atlanta, Georgia does belong to Petitioner to ensure he received proper credit for disability payment. Administrative Judge for Social Security declined to review and Petitioner asked the federal Courts to review all documents which they failed to do so.

## REASONS FOR GRANTING THE PETITION

To allow Petitioner to obtain proper credits for disability. Petitioner earned the income presently being collected by a Cuban Nationalist in house arrest for a distribution of drugs.

Petitioner did challenge the Administrative Judge decision not to include and or review exhibits to prove earnings earned in which Petitioner is entitled too.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



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Date: 5/21/14