

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

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

CARLINE CURRY ---- PRO SE PETITIONER

V.S

CITY OF MANSFIEL, et al ----- RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF OHIO 2018-0212  
(NAME OF COURT THAT LAST RULED ON MERITS OF CASE)

PETITION FOR A WRIT OF CERTIORARI

Carline Curry (Pro Se)

606 Bowman Street

Mansfield, Ohio 44903

567-274-9130 or 419-709-9716

## **QUESTION PRESENTED**

**The Ohio Supreme Court declined to accept Jurisdiction of the Appeal: The Judge closed plaintiff's Curry's cases for not being 100% perfected, and denied a motion to consolidate cases 2018 CV 2011 and 2018 CV 2012. The City answered the Complaint but answered under Perjury & Fraud because they answered in defenses (Bad Faith Affidavit). Should the Judge have reviewed plaintiff Curry's Complaint and Ruled in her favor for Summary Judgement due to a Bad Faith Affidavit, and Preponderance of Evidence?**

## **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 the parties to the proceeding in the court whose judgement is the subject of this petition is as follows:

City of Mansfield et al. Mayor Theaker, Dave Remy, (Human Resource Director), Angelo Klousiadis, (Public Works Director) and The Ohio Civil Rights Commission which perfected the service process.

Solicitor General of the United States, Room 5616, Department of Justice, 950 Pennsylvania Ave., N.W., Washington, DC 20530-0001

Attorney General Mike DeWine, 30 E. Broad Street; 14 th floor; Columbus, Ohio

43215

28 U.S.C. 451 may apply. No Certification has been granted on the fact that a  
Constitutionality of an Act of Congress has been questioned.

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### CASES

Anderson V. Liberty Lobby Inc. 477 U.S. 242,250 (1986)

Boretti V. Wiscomb, 930 F .2d 1150, 1156 (6<sup>th</sup> cir. 1991)

Celotex Corp V. Catrett 477 U.S. 242,250 (1986)

Haines v. Kerner, 404 U.S. 519,520 (1972)

Jones vs. City of Boston 752 F. ed 38 (2014)

McDonnel Douglas Corp vs. Green 411 U.S. 792, 93 S. Ct 1817

New York Time Co v. Sullivan

Vance V. Ball State University

### STATUTES AND RULES

28 U.S.C 2403(a) may apply

O.R.C Chapter 4112

42 U.S.C. 1981 & 42 U.S.C. 1981(a)

42 U.S.C. 1983

42 U.S.C. 2000(e)

42 U.S.C. 2000e-2 & 3

18 USC 79

18 U.S.C. 1621, 1622 & 1623

42 USC 1988(b)

## **OHIO RULES OF CIVIL PROCEDURES**

### **RULES OF PRACTICE OF THE SUPREME COURT OF OHIO**

#### **7.08(B) (4) JURISDICTION**

(B) Decision on jurisdiction upon review of the jurisdictional memoranda, the Supreme Court will do one of the following:

- (1) Accept the appeal and order that the case be briefed in accordance with the applicable provisions of S.Ct.Prac.R. 16.01 through 16.08;
- (2) Accept the appeal and hold the decision in the appeal for another case that is pending before the Supreme Court;
- (3) Accept the appeal and enter judgment summarily; 2013 v 2017 Rules of Practice Rules of Practice 47 RULES 7.08-7.09
- (4) Decline to accept the appeal. In declining to accept an appeal the Supreme Court has determined that one or more of the following are applicable after review of the jurisdictional memoranda: (a) The appeal does not involve a substantial constitutional question and should be dismissed; (b) The appeal does not involve a question of great general or public interest; (c) The appeal does not involve a felony; (d) The appeal does involve a felony, but leave to appeal is not warranted.

The Ohio Constitution [The 1851 Constitution with Amendments to 2015]

#### **IV.02 Organization and jurisdiction of Supreme Court**

(A) The Supreme Court shall, until otherwise provided by law, consist of seven

Judges, who shall be known as the chief justice and justices. In case of the absence or disability of the chief justice, the judge having the period of longest total service upon the court shall be the acting chief justice. If any member of the court shall be unable, by reason of illness, disability or disqualification, to hear, consider and decide a cause or causes, the chief justice or the acting chief justice may direct any judge of any court of appeals to sit with the judges of the Supreme Court in the place and stead of the absent judge. A majority of the Supreme Court shall be necessary to constitute a quorum or to render a judgment.

(B)(1) The Supreme Court shall have original jurisdiction in the following:

(a) Quo warranto;

(b) Mandamus;

(c) Habeas corpus;

(d) Prohibition;

(e) Procedendo;

(f) In any cause on review as may be necessary to its complete determination;

g) Admission to the practice of law, the discipline of persons so admitted, and all other matters relating to the practice of law.

**2) The Supreme Court shall have appellate jurisdiction as follows:**

**(a) In appeals from the courts of appeals as a matter of right in the following:**

**(i) Cases originating in the courts of appeals;**

**(ii) Cases in which the death penalty has been affirmed;**

**(iii) Cases involving questions arising under the constitution of the United States or of this state.**

**(b) In appeals from the courts of appeals in cases of felony on leave first obtained,**

**(c) In direct appeals from the courts of common pleas or other courts of record inferior to the court of appeals as a matter of right in cases in which the death penalty has been imposed;**

**(d) Such revisory jurisdiction of the proceedings of administrative officers or agencies as may be conferred by law;**

**(e) In cases of public or great general interest, the Supreme Court may direct any court of appeals to certify its record to the Supreme Court, and may review and affirm, modify, or reverse the judgment of the court of appeals;**

**(f) The Supreme Court shall review and affirm, modify, or reverse the judgment in any case certified by any court of appeals pursuant to section 3(B)(4) of this article.**

**((3(b) (4) missing.))**

(3) No law shall be passed or rule made whereby any person shall be prevented from invoking the original jurisdiction of the Supreme Court.

(C) The decisions in all cases in the Supreme Court shall be reported, together with the reasons therefor.

(Amended November 8, 1994)

### **BILL OF RIGHTS AMENDMENT 16 & 5**

Redress for injury; Due process. §16 all courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay. Suits may be brought against the state, in such courts and in such manner, as may be provided by law. (1912)

### **Trial by jury. §5**

The right of trial by jury shall be inviolate, except that, in civil cases, laws may be passed to authorize the rendering of a verdict by the concurrence of not less than three-fourths of the jury. (1912)

The constitutionality of a statute of a state was drawn into questioning under Supreme Court Rule number 29. (Jurisdiction of the court, right to redress, default Judgement/Summary Judgement & jury by trial) 28 U.S.C. 2403(a) may apply and the complaint is being served on The Solicitor General of the United States, Room

5616, Department of Justice, 950 Pennsylvania Ave., N. W. Washington , DC 20530-0001 and Mr. Mike Dewine, The Attorney General of Ohio, 150 East Gay Street, Columbus, Ohio 43215.

### **Rule 56 Summary Judgement**

**RULE 56. Summary Judgment (A) for party seeking affirmative relief. A party seeking to recover upon a claim, counterclaim, or cross-claim or to obtain a declaratory judgment may move with or without supporting affidavits for a summary judgment in the party's favor as to all or any part of the claim, Counterclaim, cross-claim, or declaratory judgment action. A party may move for summary judgment at any time after the expiration of the time permitted under these rules for a responsive motion or pleading by the adverse party, or after service of a motion for summary judgment by the adverse party. If the action has been set for pretrial or trial, a motion for summary judgment may be made only with leave of court. (B) For defending party. A party against whom a claim, counterclaim, or crossclaim is asserted or a declaratory judgment is sought may, at any time, move with or without supporting affidavits for a summary judgment in the party's favor as to all or any part of the claim, counterclaim, cross-claim, or declaratory judgment action. If the action has been set for pretrial or trial, a motion for summary judgment may be made only with leave of court. (C) Motion and proceedings. The motion shall be served in accordance with Civ.R. 5. Unless otherwise provided by**

local rule or by order of the court, the adverse party may serve responsive arguments and opposing affidavits within twenty-eight days after service of the motion, and the movant may serve reply arguments within fourteen days after service of the adverse party's response. **Summary judgment shall be rendered forthwith if the pleadings, depositions, answers to interrogatories, written admissions, affidavits, transcripts of evidence, and written stipulations of fact, if any, timely filed in the action, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law.** No evidence or stipulation may be considered except as stated in this rule. A summary judgment shall not be rendered unless it appears from the evidence or stipulation, and only from the evidence or stipulation, that reasonable minds can come to but one conclusion and that conclusion is adverse to the party against whom the motion for summary judgment is made, that party being entitled to have the evidence or stipulation construed most strongly in the party's favor. **A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.** (D) Case not fully adjudicated upon motion. If on motion under this rule summary judgment is not rendered upon the whole case or for all the relief asked and a trial is necessary, the court in deciding the motion, shall examine the evidence or stipulation properly before it, and shall if practicable, ascertain what material facts exist without controversy and what material facts are actually and in good faith controverted.

The court shall thereupon make an order on its journal specifying the facts that are without controversy, including the extent to which the amount of damages or other relief is not in controversy, and directing such further proceedings in the action as are just. Upon the trial of the action the facts so specified shall be deemed established, and the trial shall be conducted accordingly. (E) Form of affidavits; further testimony; defense required. Supporting and opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated in the affidavit. Sworn or certified copies of all papers or parts of papers referred to in an affidavit shall be attached to or served with the affidavit. court may permit affidavits to be supplemented or opposed by depositions or by further affidavits. When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of the party's pleadings, but the party's response, by affidavit or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. **If the party does not so respond, summary judgment, if appropriate, shall be entered against the party.** (F) When affidavits unavailable. Should it appear from the affidavits of a party opposing the motion for summary judgment that the party cannot for sufficient reasons stated present by affidavit facts essential to justify the party's opposition, the court may refuse the application for judgment or may order a continuance to permit affidavits to be obtained or discovery to be had or may make such other order as is just.

(G) Affidavits made in bad faith. Should it appear to the satisfaction of the court at any time that any of the affidavits presented pursuant to this rule are presented in bad faith or solely for the purpose of delay, the court shall forthwith order the party employing them to pay to the other party the amount of the reasonable expenses which the filing of the affidavits caused the other party to incur, including reasonable attorney's fees, and any offending party, or attorney may be adjudged guilty of contempt.

### **Default Judgement**

Rule 55 Default (A) Entry of judgment. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules, the party entitled to a judgment by default shall apply in writing or orally to the court

### **§ 1621. Perjury generally**

Whoever— (1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which

he does not believe to be true; or (2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28,

United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise (18 U.S.C. Part 1 CHAPTER 79 1621)

**§ 1622. Subornation of perjury** Whoever procures another to commit any perjury is guilty of subornation of perjury, and shall be fined under this title or imprisoned not more than five years, or both

**§ 1623. False declarations before grand jury or court** (a) Whoever under oath (or in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code) in any proceeding before or ancillary to any court or grand jury of the United States knowingly makes any false material declaration or makes or uses any other information, including any book, paper, document, record, recording, or other material, knowing the same to contain any false material declaration, shall be fined under this title or imprisoned not more than five years, or both. (b) This section is applicable whether the conduct occurred within or without the United States.

**RULE 58. Entry of Judgment** (A) Preparation; entry; effect; approval. (1) Subject to the provisions of Rule 54(B), upon a general verdict of a jury, upon a decision announced, or upon the determination of a periodic payment plan, the court shall

promptly cause the judgment to be prepared and, the court having signed it, the clerk shall thereupon enter it upon the journal. A judgment is effective only when entered by the clerk upon the journal.

(2) Approval of a judgment entry by counsel or a party indicates that the entry correctly sets forth the verdict, decision, or determination of the court and does not waive any objection or assignment of error for appeal.

#### **§1981. Equal rights under the law**

##### **(a) Statement of equal rights**

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

##### **(b) "Make and enforce contracts" defined**

For purposes of this section, the term "make and enforce contracts" includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

**(c) Protection against impairment**

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.

**1. 42 U.S.C. 1981 a**

**A) Right of recovery**

**(1) Civil rights**

In an action brought by a complaining party under section 706 or 717 of the Civil Rights Act of 1964 [ 42 U.S.C.A. § 2000e-5 or 2000e-16 ] against a respondent who engaged in unlawful intentional discrimination (not an employment practice that is unlawful because of its disparate impact) prohibited under section 703, 704, or 717 of the Act [ 42 U.S.C.A. §§ 2000e-2 , 2000e-3 , or 2000e-16 ], and provided that the complaining party cannot recover under section 1981 of this title, the complaining party may recover compensatory and punitive damages as allowed in subsection (b) of this section, in addition to any relief authorized by section 706(g) of the Civil Rights Act of 1964, from the respondent

42 U.S.C. § 1983 - U.S. Code - Unannotated Title 42. The Public Health and Welfare § 1983. Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in

equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

#### **§2000e-2. Unlawful employment practices**

##### **(a) Employer practices**

It shall be an unlawful employment practice for an employer:

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

#### **§2000e-3. Other unlawful employment practices**

##### **(a) Discrimination for making charges, testifying, assisting, or participating in enforcement proceedings**

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this subchapter, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subchapter.

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 judgement below.

OPINIONS BELOW

This case was not heard in federal courts or the United States district court

☒ For cases from state courts;

The opinion of the highest state court to review the merits appears at

Appendix \_\_\_\_A\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,

☐ has been designated for publication but is not yet reported; or

☒ is unpublished.

The court denied to hear my case on May 23, 2018, and I filed for a motion for Reversal of Conflict Certification and there has not been a Judgement on that motion according to the clerk: it is before the court today: July 27, 2018.

JURISDICTION

This case was not heard before federal court;

☒ for cases from state courts

☒ The date on which the highest state court decided my case was May 23, 2018.

A copy of that decision appears at Appendix \_\_\_\_A\_\_\_\_.

[ ] A timely petition for rehearing was denied by the 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. \_\_\_\_\_.

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

The court denied to hear my case on May 23, 2018, and I filed for a motion for Reversal of Conflict Certification and there hasn't been a Judgement on that motion according to the clerk: it is before the court today: July 27, 2018.

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED STATUTES AND RULES**

### **I.05 Trial by jury (1851, amended 1912)**

The right of trial by jury shall be inviolate, except that, in civil cases, laws may be passed to authorize the rendering of a verdict by the concurrence of not less than three-fourths of the jury. "Ohio Constitution Bill of Rights"

(As amended September 3, 1912.)

#### **I.16 Redress in courts (1851, amended 1912)**

All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay. [Suits against the state.] Suits may be brought against the state, in such courts and in such manner, as may be provided by law. "Ohio Constitution bill of Rights"

(As amended September 3, 1912.)

Title IV of the Civil Rights Act

Organizations and Jurisdiction of the Supreme Court section IV of the Ohio Constitution.

#### **STATEMENT OF THE CASE**

Appellant Curry filed a complaint against the City of Mansfield for Discrimination and Retaliation. The City answered the response to the Civil Rights Commission under perjury and they answered the complaint in defenses which was Perjury and a Bad Faith Affidavit. The Judge put the case on a schedule order and the schedule said: **NOTICE YOU STILL MUST ANSWER THE COMPLANT, WITHIN 28 DAYS AFTER IT WAS SERVED ON YOU, TO AVOID DEFAULT JUDGEMENT AGAINST YOU.** This was on the case schedule because the City did not answer the complaint in the case number 17 CA79. Since they answered the complaint falsely I motioned the court for Default Judgement: the Judge denied and overruled the motion. There was 30 pages of questions with ninety seven questions and the City answered in seven defenses. On August 22, 2017 the Judge dismissed my case

SUA SPONTE DISMISSING ON THE MERITS AND WITH PREJUDICE for failure to amend the complaint to comply with Federal Rules of Civil Procedure. Plaintiff Curry made amendments to comply with the Rule of the Court to the best of her ability without an Attorney because the Judge would not grant a leave until December 20, 2017 to find an attorney. The Judge said I had enough time to find an attorney, I told him when you are working, depending on the type of job you have it takes a lot of time to find an attorney, who will accept your case. On August 29, and 31, of 2017, I objected to the Judge closing the case and motioned to continue with the Scheduled court date of 9-12-2017, and to combine the cases. The motion to consolidate the case was not taken very well and was overruled.

On September 21, 2017, I appealed to the Fifth Appellate Court of Appeals they dismissed the case on January 5, 2018, due to my brief being filed late. The brief was file late due to an oversight; I was expecting the court to send me a schedule as they had for this case: when they put it on the schedule. I called the Fifth Appellate Court and the Common Pleas Court because I had not received anything from them, or heard from them, and when I inquired, I found out my brief was late. I called the Columbus Bar Association and they recommended some attorneys because I was having trouble finding one who would accept my case. Attorney Gary Reeves told me he would accept the case and complete my briefs for me, I gave him a Twenty Five Hundred Dollar retainer, and he told me he would motion the court for an extension of time to file the brief and he submitted it on November 27, 2017. The Judge entered an entry on January 5, 2018, indicating they had not received the

brief and the case was dismissed for want of prosecution Pursuant to APP. R. 18 ©.

I called the Richland County Common Pleas Clerk and asked her to email or fax the brief to the Judge again because they said they did not get the brief. I then called Attorney Reeves to tell him they closed the case because he had not called me. Upon calling him, he said he had not received any information on the case. He called the courts and they sent the information to the wrong address.

Plaintiff Curry is appealing to the United States Supreme Court to accept Jurisdiction and reserve the decision of the lower court and award Plaintiff Curry Summary and Default Judgement in Case No. 18-0212. Default Judgement should be awarded because the City did not answer ninety six questions in the complaint. Summary Judgement should be awarded for a Bad Faith Affidavit and Preponderance of Evidence.

The City management failed to discipline insubordinate disrespectful employees and took away my privilege to discipline, evaluate, and sign vacation and sick slips, resulting in disrespect and a handicap of being a women because they wouldn't make the men respect me and do their jobs, unsatisfactory job performance by employees, loss opportunity for promotion, loss opportunities in life, and they caused me a financial hardship while paying other employees overtime while were supposed to be on reduced work hours, retaliation, denial of work place access; denial of training; harassment with write ups to try to get me fired which forced me

to retire early, and a hostile work environment with false police reports being submitted; denial of job change due to jobs not being posted; denial of being able to touch the equipment and buy products I liked and needed, and they took away the Pretreatment Account. I was denied the privilege to study on the job like other employees, and they denied me the privilege to cash in sick leave or vacation for pay because they didn't want to change it for everybody. I wanted them to help me under the EAP program: The City could afford to let me cash in time they had money in investments. They reduce my pay by 20% or 800 dollars a month while they paid other employees overtime causing me a financial hardship (I was single with dependents). They did not have to cut our hours because our wages did not come out of the general fund; they were taken out of the water and sewer fund and those accounts had plenty of money. Marc Morgan, the Plant Manager, tried to intimidate me about speaking out on the negligence of repairing lift station pumps, flooding the City, and water in basements, and sending raw sewage to the creek from a leaking EQ basin; they denied me the opportunity to resubmit my Class IV Wastewater Thesis to include missing data the Ohio Environmental Protection Agency wanted included so that I could obtain my Class IV Wastewater License, and they denied that I was second in command, inflicted intentional discrimination, mental stress, humiliation, anguish, suffering and pain to me (Plaintiff Curry) and my family. Attorney fees and damages may be granted under Title VII of the Civil Rights Act of 1964.

The City of Mansfield Retaliated against me by not allowing me to resubmit my Class IV Thesis Application. They would not say I was in charge. The Ex City engineer, James Lichtenwalter, told them I was in charge, and I had signed sick and absent reports with my name on them for the Supervisors Signature. As a class IV operator I could make up to 75,000 dollars per year. Upper Management allowed and approved of a hostile work environment by not controlling the Plant Manager in three incidents in which he physically pushed me.

#### **REASON FOR GRANTING THE PETITION**

The Petition should be granted because the City of Mansfield discriminated and retaliated against me under the Title VII of Civil Rights Act of 1964 and O.R.C. Chapter 4112, and answered the complaint in defenses. So they didn't answer the complaint: they submitted an affidavit in bad faith so I motioned the court for Default Judgement; Under Perjury. The complaint was answered in bad faith

**"Legal Dictionary | Law.com"**

**[dictionary.law.com/Default.aspx?selected=21](http://dictionary.law.com/Default.aspx?selected=21)**

**"Bad faith. 1) n. intentional dishonest act by not fulfilling legal or contractual obligations, misleading another, entering into an agreement without the intention or means to fulfill it, or violating basic standards of honesty in dealing with others."**  
**Paragraph G of Summary Judgement Rule 56 states" Affidavits made in bad faith,**  
**"the court shall forthwith order the party employing them to pay to the other party**

the amount of the reasonable expenses which the filing of the affidavits caused the other party to incur, including reasonable attorney's fees, and any offending party, or attorney may be adjudged guilty of contempt. (I had asked the court to combine the two cases and was denied). In the other case 18-0211 the City did not answer the complaint. This complaint included damages, harm, and discrimination caused to me and my family. The City answered in defenses and did not answer the complaint to evade Perjury, and Fraud, because the information in the complaint is Valid and I have proof.

### CONCLUSIONS

The Petition for a writ of certiorari should be granted, the City did not answer the complaint honestly. Paragraph (G) of Summary Judgements Rule 56 states "Affidavits made in bad faith. Should it appear to the satisfaction of the court at any time that any of the affidavits presented pursuant to this rule are presented in bad faith or solely for the purpose of delay, the court shall forthwith order the party employing them to pay to the other party the amount of the reasonable expenses which the filing of the affidavits caused the other party to incur, including reasonable attorney's fees, and any offending party or attorney may be adjudged guilty of contempt."

Therefore, I would like to motion the Court to reverse the lower court decision, and accept jurisdiction, reinstate, and consolidate cases, and grant plaintiff Curry an order for SUMMARY JUDGEMENT for the Defendants submitting an affidavit in

bad faith and Preponderance of Evidence and award Plaintiff relief as requested in my Motion for Jurisdiction reversal of 42 million Dollars including treble damages due to the fact that I know my son should be in the NBA.

Treble damages, in United States law, is a term that indicates that a statute permits a court to triple the amount of the actual/compensatory damages to be awarded to a prevailing plaintiff. Treble damages are a multiple of, and not an addition to, actual damages.

Respectfully submitted

Date: Carline Curry 8-8-2018

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567-274-9130 and 419-709-9716