

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

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

SCOTT PETERS

(Your Name)

— PETITIONER

vs.

JOHN BALDWIN ET AL

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. District Court For the Southern District  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

SCOTT PETERS MS2851

(Your Name)

P.O. Box 1000

(Address)

MENARD, ILLINOIS 62259

(City, State, Zip Code)

N/A

(Phone Number)

## QUESTION(S) PRESENTED

- 1.) How can an Appellate Court for the 7th circuit charge Petitioners Trust Fund Account 500.00 without approving his Informa papers Application and not looking at the case or adjudicating it. Then throw it out for failure to prosecute because Petitioner could not come up with the \$500.00. When other prisoners who may have 500.00 could put forward the \$500.00 and have their case adjudicated. Is this discrimination for sake of the 14th Amendment. Moreover since the case was only documented with the 7th circuit should the petitioner only been charged the \$5.00 Docketing Fee.
- 2.) How can the court state the petitioners claim was Frivolous or Meritless, when the institution withheld petitioners mail for weeks creating issues with petitioners other Federal claim even at one point having it dismissed and a strike issued.
- 3.) Should a strike have been issued, when petitioner did not create the issue and the issue would not have been stricken out without forcing correction by the institution or the courts without the filing of the suit. Petitioner did not purposely or maliciously file suit believing the case was filed in good faith through no fault of his own.

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## 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:

John Baldwin Director Illinois Department of Corrections

Jacqueline LastBrook WARDEN MENARD CORRECTIONAL CENTER

John or Jane Doe mailroom Director MENARD CORRECTIONAL FACILITY

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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 A 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 United States district court 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.

☐ 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 Refused Because could not pay fee, no forma papers,  
District court decided on 8-9-2018

☐ 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: 15 May 2018, and a copy of the order denying rehearing appears at Appendix A.

☐ 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). 28 USC 1313,

☐ 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

U.S. Constitution

AMENDMENT 1

THE RIGHT TO PRESENT GRIEVANCES AND  
BE HEARD.

U.S. Constitution

AMENDMENT 14

THE RIGHT TO DUE PROCESS AND  
THE RIGHT OF EQUAL OPPORTUNITY  
AND NOT BE DISCRIMINATED ON  
DUE TO SOCIOECONOMIC CLASS.

ILLINOIS Constitution

ARTICLE I § 2.

THE ESSENCE OF DUE PROCESS IS BASED  
ON THE CONCEPT OF FUNDAMENTAL FAIRNESS.  
IT ENTITLES A PERSON TO A FAIR HEARING  
BEFORE A FAIR TRIBUNAL.

JUDGES CANONS

Rules of Professional  
Conduct

A JUDGE SHALL NOT BY HIMSELF OR  
HERSELF ALLOW OR ALLOW ANYONE  
OTHER CHANGE TO BIAS OR  
PREJUDICE BASED ON SOCIOECONOMIC  
STATUS.

## STATEMENT OF THE CASE

THE ISSUE BEFORE THE COURT IS THE WAY THIS CASE WAS HANDLED BY THE DISTRICT COURT JUDGES INVOLVED AND THE APPELLATE COURTS HANDLING OF THE APPEAL IN THIS CASE. THE CASE WAS FILED AFTER ANOTHER CASE IN WHICH PETITIONER HAD FILED WAS TEMPORIZED BY THE FAILURE OF THE FACILITY KNOWN AS MENARD CORRECTIONAL WITHHELD AND FAILED TO MAIL PETITIONERS DOCUMENTS IN THAT CASE. FOR MONTHS WHILE PETITIONER WAS REQUIRED TO EXHAUST REMEDIES AND FILE GRIEVANCES WITH THE FACILITY BECAUSE HE WAS RECEIVING NO ANSWERS FROM THE DISTRICT COURT THE DOCUMENTS WERE TO GO AND HAD A DEADLINE. HE RECEIVED A ORDER DISMISSING HIS CASE BECAUSE OF IT. AFTER APPROXIMATELY THREE MONTHS OF IGNORANCE, PETITIONER, RECEIVED HIS EXHAUSTION DOCUMENTS AND FILED SUIT IN THE SOUTHERN DISTRICT FOR CAUSING HIS CASE DISMISSAL FOR FAILURE TO PROSECUTE BECAUSE THE DISTRICT COURT HAD NOT RECEIVED HIS DOCUMENTS. MYSTERIOUSLY, AFTER FILING SUIT AND THE CASE BEING THROWN OUT PETITIONER RECEIVED AN ANSWER FROM THE DISTRICT COURT WHO DISMISSED THE FILING SAYING AROUND JULY WHEN THE CLAIM WAS FILED IN DECEMBER OF THE PREVIOUS YEAR THAT NOW THEY HAD RECEIVED THE DOCUMENTS BUT WERE DISMISSING THE CASE NOW ON OTHER GROUNDS, WHICH ARE A DIFFERENT ISSUE. HOWEVER, THE RESULT OF THE COLLUSION AND FILING OF SUIT PETITIONER BELIEVES TO HAVE FORCED THE DOCUMENTS TO BE FOUND AND DELIVERED. WHAT TRANSPIRED NEXT PETITIONER ALSO BELIEVES VIOLATED, DUE PROCESS, AND EQUAL PROTECTION UNDER THE LAW AND IS THE REASON HE HAS APPLIED TO THE SUPREME COURT FOR JUSTICE. SEE ALL DOCUMENTS, MAKE YOUR OWN DECISION.



## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

Bell Atlantic Corp. v. Twombly	550 U.S. 544 (2007)	570
Id. at 557 "THE claim of entitlement to relief must cross 'THE LINK Between Possibility and Plausibility'."		
Ashcroft v. Iqbal	556 U.S. 662 (2009)	678
a complaint is plausible on its face "when THE plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged."		
Snyder v. Nolan	380 F.3d 279 (2004)	291
"An allegation that a defendant acted deliberately or recklessly in causing a prisoner to miss a deadline or otherwise lose the opportunity to pursue his claim for court is sufficient to support a civil rights claim."		

### STATUTES AND RULES

U.S. Constitution	1 <sup>st</sup> Amendment
U.S. Constitution	14 <sup>th</sup> Amendment
Illinois Constitution	Art I § 2
Judges CANNONS	Rules of Professional Conduct

### OTHER

## REASONS FOR GRANTING THE PETITION


THE REASONS FOR GRANTING THIS PETITION ARE SIMPLE, 1st BEING IN AN INSTITUTION AND HAVING TO DEFEND YOURSELF PRO SE FROM THE STATE IS DIFFICULT ENOUGH, BEING THE STATE HAS UNLIMITED RESOURCES AND PERSONNEL WHOSE ONLY AGENDA IS TO KEEP YOU IN THE PRISON SYSTEM REGARDLESS IF YOU ARE ACTUALLY INNOCENT OR NOT. AND TO NOW HAVE YOUR LIFE, MONEY, LIBERTY AND PROPERTY AND RESOURCES REMOVED FROM YOU WITH NO ABILITY TO GET ANY MORE THAN \$7.00 ON AVERAGE A MONTH TO PRODUCE A DEFENSE AND DEFEND YOURSELF WHILE ALSO RELYING ON SERVICES SUCH AS A SUBSTANDARD LAW LIBRARY WITH BOOKS THE CASES ARE TORN OUT OF BECAUSE OF LACK OF COPIES OR A MAIL ROOM YOU HAVE NO WAY TO INSURE YOUR DOCUMENTS ARE BEING MAILED, BECAUSE AT COSTS THE STATE SAYS THEY DON'T HAVE FOR COPIES OR POSTAGE, OR PAPER IN THIS CASE WHICH IS THE EXCUSE GIVEN, THAT THEY COULD ALL BE COMBINED OVER MONTHS AND PUT ON ONE VOUCHER, WHICH IS DELIBERATE AND RECKLESS, *Sydel v. Nolan* 380 F. 3d 279 (2004). FURTHER, TO HAVE TO OPERATE WITHIN THE RESTRICTION OF PRIA ADDS EVEN MORE TO THIS ALREADY IMPOSSIBLE TO OVERCOME SITUATION. WHILE THE STATE WHO CONTENDS THEY HAVE NO MONEY TO SEND YOUR MAIL OR MAKE COPIES OR UPGRADE THEIR LAW LIBRARY SPENDS 100'S OF THOUSANDS OF DOLLARS TO FIGHT ANY ATTEMPT TO PUT FORWARD A DEFENSE OR ATTEMPT TO PROVE INNOCENCE. AS WELL THEY HAVE MADE IMPRESSIONABLE JUDGES SYMPATHETIC TO THIS FASADE BASED ON HYPERBOLE AND NARRATIVE THAT THEY BELIEVE FOR ALL INTENSIVE PURPOSES IS TRUE. HOWEVER, IN THIS CASE THE ONLY TRUTH IS THE FACT, THE MAIL WAS WITHHELD, THE CASE WAS DISMISSED, IT CAUSED MENTAL AND EMOTIONAL HARM TO THE PETITIONER AND EXACTLY WHAT THE STATE WOULD PENALIZE HIM FOR IF THEY HAD TO DO IT. THAT WORK BEING WORTH THOUSANDS OF DOLLARS TO THEM, IT COST HIM THE PETITIONER A THOUSAND DOLLARS ABOVE IN FEES, DISCRIMINATION BASED ON SOCIOECONOMIC STATUS, THE MONEY WAS TAKEN AND NO SERVICES RENDERED. AND THE BIGGEST KICK IN THE TEETH IS THE FACT THAT THE PETITIONER CREATED NONE. CAUSED NONE OF THESE ISSUES, AND WAS ONLY SITUATING THE FACT THAT AGAIN HIS CONSTITUTIONAL RIGHTS TO BE LEFT ALONE IN HIS OWN HOME WITHOUT HARASSMENT BY THE GOVERNMENT AND EXCESSIVE FORCE SHOULD BE RESPECTED, AND TO BE ABLE TO BRING HIS OPPORTUNITY TO BE HEARD BEFORE A TRIAL OF FACT, WHICH HE HAS NOT BEEN ALLOWED SINCE IT TOOK PLACE. MY REASONS.

Respectfully Requested,  
Whether or not THE CLAIM IS RULED IN THE FAVOR OF THE PETITIONER IS  
OF NO CONSEQUENCE. THE PETITIONER'S OPINION TO THIS HONORABLE COURT  
IS THAT AT THE LEAST HIS MONEY SHOULD BE REFUSED IN THE 7TH CIRCUIT  
OR HEARD, OR A JUDGMENT FOR THE FUNDS SHOULD BE ASSESSED AGAINST THE  
FACILITY MENARD OR IDOC WITH REASONABLE COURT COSTS, AND THE STRIKE REMOVED.  
HOWEVER, THESE PETITIONER BELIEVES ARE FAIR AS THIS WAS CAUSED THROUGH NO  
FAULT OF HIS OWN. BUT PETITIONER RESPECTS WHATEVER JUDGMENT THIS  
HONORABLE COURT WOULD ADJUDICATE, BUT HOPES AND PRAYS FOR RELIEF.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
\_\_\_\_\_

Date: 7 September 2018