

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Anthony Quenzer Kelly — PETITIONER
(Your Name)

vs.

Warren, Frank B. Bishap, Jr., et al. — RESPONDENT(S)
(*Supplement*)
ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Fourth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Anthony Quenzer Kelly
(Your Name)

North Branch Correctional Institution
14100 McMullen Hwy. S.W.
(Address)

Lumberland, Maryland 21082
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

"Minor deprivations suffered for short period of time will not

"rise to the level of an Eighth Amendment violation, but

substantial deprivations of shelter, food, drinking

water, and sanitation may meet the standard

despite their even shorter duration". Jacobs

vs. Quinones, No. 1:10-cv-02387-WL 194284 at

7 (E.D. Cal. Jan. 11, 2013) (citing Johnson v. Lewis,

217 F.3d 726, 729-730 (9th Cir. 2000).

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:

Sergeant Charles B. Bielawski

Correction Officer Kathy F. Troutman

Correction Officer Jerry W. Gribble

Correction Officer Thomas D. Ryan

Statement of Narratives

John Doe #1

John Doe #2

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APPENDIX A Decision of U.S. District Court

APPENDIX B Decision of U.S. District Court denying Reconsideration.

APPENDIX C Decision of Federal Fourth Circuit denying review.

APPENDIX D Decision of Federal Fourth Circuit denying Rehearing.

APPENDIX E Decision of U.S. Fourth Circuit denying Recall of Court Mandate.

APPENDIX F

The following opinions are quoted in the record. See note 12, 7.

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
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Jackie vs. Quinones, No. 1:16-cv-02349-wl 149234 at 7
(E.D. Cal. Jan. 11, 2013) (citing Johnson vs. Lewis,
217 F.3d 726, 729-730 (9th Cir. 2000)) ~ ~ ~ ~ ~ (i)

STATUTES AND RULES

Rule 12,7

7

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 _____; 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 February 1, 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: February 14, 2018, and a copy of the order denying rehearing appears at Appendix 0.

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

This is a civil action authorized by 42 U.S.C. Section 1983

to redress the deprivations, under color of state law,

of rights secured by the Constitution of the United

States.

STATEMENT OF THE CASE

On October 27, 2016 (Thursday) approximately 11:15 am both

Defendant John Doe #1 and John Doe #2 came and turned

off petitioner Kelly's cold water for about 3 days

for no reasons at all. This lost plaintiff

Kelly's to drink his toilet water and shower

water.

REASONS FOR GRANTING THE PETITION

There is no conflict involved in this case, because the

Fourth Circuit agree with the U.S. District Court in this

Case. On 6-9-77 district court issue order and memoran-

andum opinion, states: "Indeed, aside from Kelly's self

- serving and conclusory statements, there is no evi-

dence that Bishop has actual or constructive knowl-

edge of the plumbing problems in Kelly's cell and

that any delay in correcting the problem posed a

pervasive and unreasonable risk of constituti-

tional injury to Kelly.

Our 6/27/17 district court issue order states; ~~Recd. post-judg-~~

ment motion shall be deemed as filed on June 16, 2017,

under the prison mailbox rule. Therefore, Rule 58(e)
applies as to it.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Anthony A. Kelly

Date: 9-1-18

I, Anthony A. Kelly, do solemnly affirm under the penalties of per-

jury and upon personal knowledge that the contents of the
foregoing papers are true.

Anthony A. Kelly 9-1-18
Pro se, Affidavit