

18-7376 ORIGINAL

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

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

SCOTT PETERS — PETITIONER  
(Your Name)

vs.

NANCY A BERRY HILL — RESPONDENT(S)  
Acting Commissioner of Social Security  
ON PETITION FOR A WRIT OF CERTIORARI TO

Southern District of Illinois  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI  
ORAL ARGUMENT REQUESTED

SCOTT PETERS M52851  
(Your Name)

MSU X-A26  
711 KASKASKIA Street  
(Address)

MENARD, ILLINOIS 62259  
(City, State, Zip Code)

N/A  
(Phone Number)

## QUESTION(S) PRESENTED

- 1.) Whether, an evaluation admitted by the Veterans Administration of the records used by the "Commissioner" as "substantial evidence" found to be "clearly and unmistakably erroneous," is enough to cast doubt and show the truth and fact of all petitioners statements.
- 2.) The Honorable Court states because petitioner has an attorney that petitioner has no right to make decisions or participate in decisions that may change the outcome of his case. Because of the fact he has no means by which to contact the court or attorney or to participate.
- 3.) The Honorable Court stated that petitioner has no right to participate or be present to present evidence or correct errors only he may know of in the substantial evidence the commissioner is using to support his decision. Or present a traverse too in the district brief.
- 4.) Whether, petitioner is allowed due process of the constitution of the United States and the right to confront witnesses and evidence without having his rights involuntarily waived by counsel without petitioners knowledge.
- 5.) The petitioner knew the Veterans Administration reports were erroneous and was allowed no witnesses presented who could attest to the truth of the facts in the records or allow cross examination of the parts of the records of the V.A. used to form H-3 decision.
- 6.) Whether, it is another violation of equal protection of the fourteenth amendment of the United States constitution to discriminate on solid economic means and then charge petitioners fees but still dismiss the argument for "failure to prosecute" when because of socioeconomic means petitioner cannot prosecute.

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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:

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## TABLE OF AUTHORITIES CITED

### CASES

① UNITED STATES CONSTITUTION	PAGE NUMBER
② UNITED STATES CONSTITUTION	14 <sup>th</sup> AMENDMENT
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④ ARMSTRONG VS. MANZO	1 <sup>st</sup> AMENDMENT
⑤ UNITED STATES VS. CHRONIC	85 S. CT. 1187 (1965)
⑥ ELONKE VS ATKINS	466 U.S. 648 (1986)
⑦ JOINT ANTI-FACT COMM VS. MCGENTH	665 F. 2d 228 (1981)
⑧ ARNETT VS. KENNEDY	71 S. CT. 649
⑨ RICHARDSON VS. PERDONES	94 S. CT. 1667
⑩ C.F.R. DAVIS, ADMINISTRATIVE LAW TREATISES 7.06 at 429	91 S. CT. 1428
⑪ MORRISSEY VS. BREWER	(1958)
⑫ COTTON VS BENEFICIAL LOAN CORP	92 S. CT. 2593
STATUTES AND RULES	69 S. CT. 1221
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⑭ 28 USC 1257	
⑮ 28 USC 1291	
⑯ 42 USC 405(g)	

### OTHER

⑰ HARRIS VS. WASHINGTON	92 S. CT. 183
⑱ CARBIDINE VS. BAENHART	360 F. 3d 751
⑲ TEAGUE VS. LANE	489 U.S. 288 (1989)

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

UNITED STATES CONSTITUTION FIRST ADAMENDMENT  
UNITED STATES CONSTITUTION FIFTH ADAMENDMENT  
UNITED STATES CONSTITUTION FOURTEENTH ADAMENDMENT

ARMSTRONG V. MANZO 85 S. CT. 1187

GOLDBERG V. KELLY 90 S. CT. 1011

GRIFFIN V. ILLINOIS 76 S. CT. 585

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 B 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 6 NOVEMBER 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: OCTOBER 10TH 2018, 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).



## STATEMENT OF THE CASE

APPROXIMATELY 2006 PETITIONERS DISABILITIES BEGAN TO DEGENERATE EXPEDIENTIALLY CAUSING THE PETITIONER PROBLEMS BEYOND THE DIFFICULT ISSUES HE HAD AND WAS (EXHIBIT A-D) EXPERIENCING EARLIER. IT HAD BECOME EVIDENT THAT THE DEGENERATIVE PROCESS FROM THE DAMAGE SUSTAINED IN THE ARMED FORCES WAS CREATING A SITUATION THAT HE COULD NOT TAKE CARE OF HIS FAMILY. PETITIONER APPLIED FOR BENEFITS FROM BOTH THE MILITARY (DEPARTMENT OF VETERANS AFFAIRS) AND SOCIAL SECURITY IN THE HOPE OF RECEIVING AID. AFTER YEARS OF FRUSTRATION PETITIONER FOUND A PRIVATE ATTORNEY FIRM WHO HANDLED HIS CLAIM AT THE VETERANS ADMINISTRATION PROCURING PETITIONER SETTLEMENT, SOCIAL SECURITY HAD TURNED PETITIONER DOWN, PETITIONER THEN ATTEMPTED TO USE AN ATTORNEY FROM THE SAME FIRM, BUT THERE SOCIAL SECURITY SIDE, IN AN ATTEMPT TO PROCURE BENEFITS, IT WAS NOT AS DETAILED AS THE VETERANS SIDE. AFTER THE UNFORTUNATE INCIDENT AT MY HOME, IT BECAME EVEN LESS IMPORTANT TO THE FIRM. AND DEGRADED EXPEDIENTIALLY AS THE ALJ AND THE COUNTY SITUATION INTERFERED WITH MY ABILITY TO PRESENT ANY WITNESS OR EVIDENCE OR MYSELF FOR THE MATTER, I WAS BEING IGNORED, AND HAD NO WAY TO CONTACT THE COURT AS MY LETTERS TO THE COURT WERE NOT BEING ANSWERED, OR CONTACT MY ATTORNEY AS I WAS NOT BEING ANSWERED BY THE ATTORNEY OR FIRM, IT CONTINUED TO GET WORSE WHEN I WAS TRANSFERRED TO STATEVILLE IN THE IDOC, WHERE AGAIN A SECOND TIME I WAS OBSTRUCTED USING A GUISE THE TIME THAT NOW THE SYSTEM FOR THE COURT WAS DOWN. NOW NOT ONLY WAS THE PHONE SYSTEM NOT WORKING AT THE COUNTY TRAIL, BUT THE JUDICIAL VIDEO CONFERENCE USED EVERY DAY AT THE IDOC WAS NOT WORKING AND NEITHER WAS THE PHONE. AND NOW MY RIGHTS WERE BEING WAIVED WITHOUT MY CONSENT. I THEN FOUND OUT THAT MY ATTORNEY ALSO WAIVED MOST OF MY CLAIMS DATING BACK TO 2006, LOOKING MOST LIKELY FOR A QUICK OUT BECAUSE OF MY SITUATION. I HAD NO WAY TO CONTACT HIM, BUT HE COULD CONTACT ME ANYTIME AND CHOOSE NOT TO. I HAD NO WAY TO CONTACT THE COURT, BUT THE COURT COULD CONTACT ME ANYTIME THEY LIKED, I CANNOT PUT MOVIES ON THE COURT OR MY ATTORNEYS PHONE, ESPECIALLY BECAUSE OF

## STATEMENT OF THE CASE

My SocioEconomic Position). A Few Days Before An appeal was Due I Received A letter Informing me I was To Appeal within The next Three Days Or lose All Right of Appeal. And Dumping my case. I would not Receive the Transcripts of the bss until about eight months later. I Had no way to Fight. When I seen THE Transcripts I was able to see within a minute THIS IS ERRONEOUS. I tried to Tell THEM it was Fundamentally unfair What Had transpired And that THE ALT WAS INCORRECT in His Assumptions And His Facts were Flawed along with the Dirty Plays by my Alleged Assitive counsel. I Attempted to Appeal to THE District court, HOWEVER They continued to Assume the Flawed NARRATIVE provided was correct, I Attempted to Present Evidence. HOWEVER, IT continued to Be approached with BINDERS on. THE COURT would not take into account THE EVIDENCE THE Commissioner Based His Decision on was ERRONEOUS AND Flawed (see Exhibit A-1 And AFFIDAVITS And all Exhibits from Brief and Brief) on the Issues THE Petitioner Reflects in His questions Presented. That THE Subjective Evidence was Flawed, That the Process was violated, That an Issue of Fraud may Exist, That an attorney is there to assist THE Client not waive His rights without His knowledge, That a Hearing should Be continued when without the Plaintiffs consent He cannot appear. Especially when the court cannot contact Him and was supposed to contact Him. AS THE court allowed Mr Suelto to attend by Phone there was no Reason not to continue the case until Petitioner could be contacted, there was no pressing loss. That a continuance wouldn't solve. And Further its a Equal opportunity issue Because of Petitioner's Social Economic class. Further, Petitioner should Have Been able to Respond to the Commissioner's Brief. A combination of all the defects of the case are Fundamentally UNFAIR AND ABUSIVE. (SEE Table of Authorities page 9). (SEE ALSO Brief at document #35).

## REASONS FOR GRANTING THE PETITION

- 1.) THAT THE COURTS OF THE NORTHERN AND SOUTHERN DISTRICTS OF ILLINOIS AND THE SEVENTH CIRCUIT COURT OF APPEALS ARE NOT DECIDING CASES BASED ON UNITED STATES SUPREME COURT PRECEDENT. AND ARE NOT BEING EXPOSED FOR THE PRACTICE
- 2.) THAT THE COURTS OF THE NORTHERN AND SOUTHERN DISTRICTS OF ILLINOIS AND THE SEVENTH CIRCUIT COURT OF APPEALS CONTINUE TO LACK PRECEDENTIAL CASES IN THEIR OWN AREAS OR DISTRICTS THAT ARE RULINGS ON SOCIAL SECURITY DISABILITY CASES BASED ON CLAIMS LIKE PETITIONERS OR LIKE CLAIMS, AS IT APPEARS THEY ARE JUST DISREGARDED.
- 3.) THAT ALTHOUGH CLAIMANT WAS A PRISONER HE SHOULD STILL BE ALLOWED THE SAME CONCESSIONS ANY NORMAL INDIVIDUAL WOULD BE ENTITLED IF HE COULD CONTROL HIS SITUATION. (IE, IF HE COULD CONTACT OR MAKE HIMSELF AVAILABLE FOR COURT OR TO HIS ATTORNEY AT ANY TIME.) HE SHOULDN'T BE PENALIZED BECAUSE OF HIS LEGAL DISABILITY.
- 4.) WHEN LOOKED AT OBJECTIVELY THE PETITIONERS CASE WOULD SET A PRECEDENT IN A NUMBER OF AREAS EITHER BEING IN PETITIONERS FAVOR OR AGAINST PETITIONERS, EITHER WAY PETITIONERS HAS NOT SEEN CASES ADDRESSING ISSUES OF CREDIBILITY OF THE RECORDS USED WITHOUT TESTIMONY, TO SUPPORT OR DENY THEM AS TRUTH, OR AN ATTORNEYS WAIVER UNSUPPORTED BY FACT OR PROOF, OR SPECULATION OF DISABILITIES WITH NO EXAMINATION OR CROSS EXAMINATION. EQUATES TO A CONSTITUTIONAL ERROR OF THE FIRST MAGNITUDE AND NO AMOUNT OF SHOWING OF WANT OF PREJUDICE WOULD CURE IT FOR THESE ISSUES.

Hoping this Court will EXAMINE my VERY REAL DISABILITIES AND ISSUES  
RELATING TO THEM IN THIS CAUSE, FURTHER;

**CONCLUSION**

TO HAVE A CHANCE FOR JUSTICE AND TO PRESENT MYSELF AND TRUE FACTS TO  
THE COURT CONCERNING my VERY REAL DISABILITIES AND CORRECT THE ERRONEOUS  
FACTS which continue to HAUNT my DISABILITY STATUS pertaining to Social Security.  
The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 7th December 2018