

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

\_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_

ILIRJAN BIDA -- PETITIONER

VS.

SHARON JOHNSON -- RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEAL, THIRD CIRCUIT

PETITION FOR WRIT OF CERTIORARI

ILIRJAN BIDA

128 MYRTLE AVENUE

JERSEY CITY NEW JERSEY 07305

PHONE 201-394-0836

### QUESTION(S) PRESENTED

1. I would like to know why District Court of Newark emailed me decision in wrong email address instead bidasl@aol.com to bidasl@aol.com, (Appendix G) ?
2. I prefer to ask the court why the clerk of District Court Newark gave me wrong information about the dead line of the right, to appeal decision of District Court Newark, to United State Court of Appeals, Third Circuit. He told me that after final Decision of District Court on April 24, 2017, I have 45 days to appeal in US Court of Appeal, third circuit. This time is only in the cases that U.S. Government is involve.
3. I wish to ask the Court that U.S. Appeal Court Third Circuit if they have any acceptance policy. I was pro-se and mis leaded for the deadline of the right to file the motion to appeal, from the clerk of District Court of Newark. Beside that I missed only 1 day. In Appendix I you can see that I hand deliver to District Court of Newark on May 26, 2017 and they send me paper filed with mail.
4. Is my case, a deny Due process, which deprived me of proper and adequate notice and the ability to be heard, under the United States Constitution's 5<sup>th</sup> and 14<sup>th</sup> Amendments?

## LIST OF PARTIES

ILIRJAN BIDA - PETITIONER PRO- SE

SHARON JOHNSON - RESPONDENT Represented from attorney Gregory  
Diebold, ESQ.

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APPENDIX A United States Court of Appeals for the Third Circuit Order dated January 29, 2018.

APPENDIX B United States Court of Appeals for Third Circuit Entry Judgment date January 29, 2018.

APPENDIX C Petition of Rehearing from Petitioner to US Court of Appeal, Third Circuit, dated February 7, 2018.

APPENDIX D Sur Petition for rehearing from U.S. Court of Appeals, Third Circuit dated May 31, 2018.

APPENDIX E The cause to consider the Rehearing Petition dated June 7, 2017

APPENDIX F Decision of District Court of Newark.

APPENDIX G Civil Docket case.

APPENDIX H Motion filed to District Court of Newark for U.S. Court of Appeal, Third Circuit on May 26, 2017.

## TABLE OF AUTHORITIES CITED

CASES                    1. DOE V. BEAL, U. S. Court of Appeal, Third Circuit, July 21, 1975  
PAGE NUMBER    523 F. 2<sup>nd</sup> 611, (Third Circuit, 1975), Full Title.

21, 1928                    2. U.S. vs. Roberto, U.S. Court of Appeals, Third Circuit, February  
24 F 2<sup>nd</sup>, 418, (3<sup>rd</sup> Circuit, 1928).

March 23, 1966                    3. Hudgson vs. Celebrezze, U.S. Court of Appeals, Third Circuit,  
357 F. 2<sup>nd</sup> 750 (3<sup>rd</sup> Circuit 1966) Full Title.

### STATUTES AND RULES:

1. Granted petition of rehearing in U.S. Court of Appeal, Third Circuit.
2. Granted petition of rehearing in U.S. Court of Appeals, Third Circuit.
3. Granted petition of rehearing in U.S. Court of Appeals, Third Circuit.

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 unpublished.

The opinion of the United States district court appears at Appendix G and is unpublished

## **JURISDICTION**

The date on which the United States Court of Appeals decided my case was January 29, 2018.

A timely petition for rehearing was denied by the United States Court of Appeals on May 31, 2018 and a copy of the order denying rehearing appears at Appendix E.



## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

Due process was denied by not sending the decision of the District Court of Newark with mail or sending a certain way which deprived appellant of proper and adequate notice and the ability to be heard, under the United States Constitution's 5<sup>th</sup> and 14<sup>th</sup> Amendments.

## STATEMENT OF THE CASE

Statement of the case for the case above is as below: .

1. I did not receive the decision of District Court of Newark sent to me after they got their decision on April 24, 2017. Was not the first time that sent me email in wrong address, (Appendix G)
2. On beginning of May 2017, I called clerk of District Court Newark about the order, because office of Mr. Diebold, attorney for the respondent call me. Clerk told me that he will sent again the email after I gave him my email address. He told me I have 45 days to file Notice of Appeal in U.S. Court of Appeal, Third Circuit. This was the reason I thought I had time. By the way I mis only one day.
3. Every time I filed my paper in District Court of Newark I mailed to them or hand delivered. I wanted to send and receive filings and decision by mail and not to be electronic filing because I had problems with receiving email from District Court of Newark to me, (see Appendix H), and I did not receive.
4. I insist to appear my case in front of U.S. Court of Appeal, Third Circuit because I think was misjudgment on District Court of Newark.

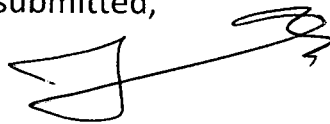
### **REASON FOR GRANTING THE PETITION**

1. The District Court of Newark never used my correct email address, which I founded numerous time. Whenever I called them I must tell them the correct email address.
2. Not all the time I received the decision of District Court of Newark through Post Office service. I, all time filed my paper going in District Court of Newark personally.
3. I initiated the Appeal to the United States Court, Third Circuit by mail or
4. THE SUPREME COURT OF UNITED STATES should grant my Petition because I was denied Due Process not receiving the decision of District Court of Newark which deprived me of proper and adequate notice and the ability to be heard, under the United States Constitution's 5<sup>th</sup> and 14<sup>th</sup> Amendments.

## CONCLUSION

The petition for a writ of certiorari should be granted for the reasons above.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'ILIRJAN BIDA', written over a horizontal line.

ILIRJAN BIDA

Date July 21, 2018