

In The
Supreme Court of the United States

JUSTIN MICHAEL ROSSI

PRO SE Petitioner

v.

THE CROWN

Respondent

PETITION FOR WRIT OF CERTIORARI

Resulting Case #'s

District Of Columbia District Court 1:18-cv-00712-UNA

United States Court of Appeals 18-7076

Justin Michael Rossi
General Delivery
3607 N Monroe St.
Tallahassee, FL 32303
Phone: 808-385-7203
E-mail: jreddnz@gmail.com

The Crown
Level 3 Justice Centre
19 Aitken Street
Wellington, New Zealand
Phone: +64 4-472-1719
Fax: +64 4-473-3482
E-mail: library@crownlaw.govt.nz
MAIL TO: PO Box 2858
Wellington 6140

QUESTIONS:

- 1. What does an American Citizen traveling on a work permit do to protect his civil liberties from being infringed upon by a foreign allied government?**
- 2. The Plaintiff filed Notice of Appeal on May 11th 2018 sent via USPS on appeal of a judgment entered on April 16th 2018, was The Plaintiff's appeal out of time or in time?**
- 3. Does the Supreme Court have jurisdiction in a matter of public concern with regards to international human rights and civil liberties, or does the District Court of D.C.?**
- 4. Is the United States a party to the actions of The Crown as suggested by the evidence in The Plaintiff's petition for rehearing?**
- 5. How does an American Citizen get redress from a foreign allied government for infringing on his fundamental rights, whilst traveling legally on a work permit?**

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APPENDICES

Appendix 1 Petition for Rehearing

Appendix 2 Notice of Appeal

Appendix 3 Amended Cause of Action

BRIEF

The Plaintiff has attempted to seek redress for egregious violations of the Plaintiff's human rights for over five years. The Plaintiff experienced a series of events occurring over a period spanning more than one year. The plaintiff was assaulted by civilians, and police whilst being compliant and complacent, the Plaintiff was then charged after being wrongfully arbitrarily arrested and significantly disabled by the excessive unnecessary force used by the New Zealand Constables.

After being wrongfully charged the Plaintiff's passport was seized by the Nelson District Court of New Zealand during the valid period of the Plaintiff's work permit for over one year during which the Plaintiff's work permit expired whilst the Plaintiff's passport was seized by the foreign allied governments court at the request of The Crown, forcing the Plaintiff to live within New Zealand in servitude to the courts due process.

The Plaintiff's work permit expired on August 10th 2013, the Plaintiff was rendered significantly disabled by New Zealand Police Constables on June 2nd 2013, the Plaintiff's trial was in June 2014 being as the first trial scheduled for November 18th 2013 was cancelled by Nelson District Judge Zohrab on the day of the trial in an empty court room with Michael Vesty as Public Defender Zohrab Stated that the Plaintiff's trial needed to be postponed to "make room for a more important trial".

The Plaintiff was held in servitude confined to the borders of New Zealand with no access to medical care or treatment, nor assistance through any type of social welfare or victims compensation assistance with no right to provide his own means of subsistence; while also being denied any access to justice due to what is described in the newly discovered evidence shown in appendix 1 as the covering up of police actions in assaulting the Plaintiff.

Prior to the trial in June 2014 all charges were offered to be dropped see appendix 3 exhibit 6.

The Plaintiff exhausted remedies in New Zealand by seeking assistance from the Independent Police Conduct Authority, the Ombudsman, the Human Rights Commission, the Human Rights Tribunal, the Immigration Protection Tribunal, Parliament, the Royal Prerogative of Mercy,

Through mail and dozens of phone calls before and after the egregious violations of human rights experience by the Plaintiff, including applying for social welfare through WINZ (Work and Income New Zealand).

Despite the irrefutable evidence New Zealand has offered no redress.

JURISDICTION

Isabel Morel De Letelier, et al. v. The Republic of Chile, et al.

District Court for the District of Columbia Civil Action No. 78-1477

In this ruling an Honorable Judge stated:

a foreign government "has no discretion to perpetrate . . . action that is clearly contrary to the precepts of humanity as recognized in both national and international law."

The evidence provided by the Plaintiff to the District Court for the District of Columbia, and the United States Court of Appeals is sufficient irrefutable evidence to waive the immunity of the foreign State of New Zealand and The Crown its subdivision.

UNDER

42 U.S. Code § 1985 - Conspiracy to interfere with civil rights

AND

28 U.S. Code § 1605 (a)(5)(A)(B) General exceptions to the jurisdictional immunity of a foreign state

(a) A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case—

(5) not otherwise encompassed in paragraph (2) above, in which money damages are sought against a foreign state for personal injury or death, or damage to or loss of property, occurring in the United States and caused by the tortious act or omission of that foreign state or of any official or employee of that foreign state while acting within the scope of his office or employment; except this paragraph shall not apply to—

(A) any claim based upon the exercise or performance or the failure to exercise or perform a discretionary function regardless of whether the discretion be abused, or

(B) any claim arising out of malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

US Constitution Amendment 8

28 U.S. Code § 1605 (a)(5)(A)(B)

General exceptions to the jurisdictional immunity of a foreign state

42 U.S. Code § 1985

Conspiracy to interfere with civil rights

42 U.S. Code § 2000dd

Prohibition on cruel, inhuman, or degrading treatment or punishment of persons under custody or control of the United States Government

NZBORA New Zealand Bill of Rights Act

ICCPR International Covenant on Civil and Political Rights

UDHR Universal Declaration of Human Rights

ICESCR International Covenant on Economical Social and Cultural Rights

CAT Convention Against Torture

US Constitution Article III Section 2.

STATEMENT OF THE CASE

After exhausting remedies in New Zealand the Plaintiff attempted to seek redress in the United States of America in the following courts:

In case 1:18-cv-00712-UNA the Plaintiff was told that the case had been dismissed with prejudice and was unappealable and that the District Court for the District of Columbia had no jurisdiction.

In any event the plaintiff appealed and was ordered to establish a cause of action in case 18:7076 in the USCA in D.C. The Plaintiff did so by providing irrefutable evidence to the court in which the USCA dismissed and disregarded said evidence stating the Plaintiff's appeal had been made out of time, although the Plaintiff filed in time by First class mail with USPS on May 11th 2018, responding to judgment entered on April 16th 2018.

The Plaintiff petitioned for rehearing with new evidence suggesting the US was a party to the egregious criminal actions of The Crown in New Zealand.

The USCA dismissed the Plaintiff's petition for rehearing on October 26th, 2018.

The Plaintiff suffered damages not only physical, but psychological, and emotional as he experienced what is known by medical experts as the trauma of victimization, for over one year while being destitute, held in servitude, prevented from providing his own means of subsistence, subjected to a malicious prosecution, not being granted equal rights to justice, not being granted medical treatment for his injuries etc.. all in an effort to "cover up police actions in assaulting him" i.e. The Plaintiff.

The Plaintiff continues to suffer physical injuries which leave him categorized under category two of the United States Federal Policy of Categorizing persons with disabilities. The Plaintiff is categorized as category two significantly disabled, due to having his arm wrenched backwards while hand cuffed and compliant. The Plaintiff has a witness statement by one Nicole Meiring stamped by a Justice of the Peace in New Zealand which in their country is equivalent to testimony given on stand at trial.

The significant damage to the Plaintiff's shoulder and back prevent the Plaintiff from returning to his career as a Commercial Fishing Deckhand in Alaska where the Plaintiff made Five-

Hundred dollars an hour as a green horn his first season in Alaska.

The Plaintiff now gets Social Security Income which was not backpaid properly, and should have been granted whilst being stranded over seas, instead it was not granted for more than a year after returning to the United States of America.

The Plaintiff's MRI showing the damage to his back was taken two and a half years after the injury occurred and significant damage can still be seen, the bi lateral scapula scan has not even been officially documents due to the fact that a doctor wouldn't order it.

As such it would appear the extent of the cover up continued in America through the subversion of American Medical Practitioners.

REASONS FOR GRANTING WRIT OF CERTIORARI

- A. Redress has yet to be found in this matter as those who assaulted the Plaintiff have never been brought to justice.
- B. The damages suffered by the Plaintiff have yet to be acknowledged.
- C. Those responsible for the egregious human rights violations suffered by the Plaintiff have not been held accountable for their actions.
- D. The injuries sustained by the Plaintiff continue to persist to this present day.
- E. This is the last court for the Plaintiff to seek redress in before requesting the United Nations look into the case due to all domestic remedies being exhausted not only in the United States but also in New Zealand.
- F. The evidence provided by the Plaintiff is irrefutable and proves that The Crown should not be granted immunity under the FSIA Foreign Sovereign Immunities Act.
- G. The Plaintiff's Notice of Appeal to the USCA in D.C. was in time.

Conclusion

The Plaintiff continues to seek redress against The Crown for egregious human rights violations.
The Plaintiffs cases are reported on www.pacer.gov and www.NZlii.org

DATE: Jan 15th 2019

SIGNATURE:

A handwritten signature in black ink, consisting of several overlapping, stylized strokes that form a cursive-like shape.