

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Alphonso Haynesworth — PETITIONER
(Your Name)

vs.
DEPARTMENT OF Mental Health
STATE OF South Carolina — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Alphonso Haynesworth
(Your Name)

40 CORRECTION CASE 5825
1700 St. Andrews Terrace 2d, Bldg A
(Address)

Columbia, SC 29210
(City, State, Zip Code)

803-545-0333
(Phone Number)

QUESTION(S) PRESENTED

1) Conflict or whether unfair prejudice outweighs Probative Value for U.S. Court of Appeals to abuse its discretion to dismissing the petitioner case misconstruing the procedures and proceeding with another case that in no way involves with the procedures of 42 U.S.C. § 1983 2012 Complaint Petitioner filed this Complaint on July 25, 2016 against South Carolina Department of Mental Health that was then removed to District Court November 14, 2016, That 2012 Complaint was against South Carolina Department of Corrections?

2) Whether U.S. Court of Appeals error/and or mistake There Discretion with the wrong Complaint and for for Failure to recognize there opinion/ and/or decision of views was given to erroneous procedural process proceedings of the petitioner Case/Complaint?

3) Whether Discretion of unfair prejudice Due process proceedings warrants A clear Reversal in this issue?

4) Whether Conflict of an unfair Prejudice by dismissing the case without making a ruling on pending motion for attorneys

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:

South Carolina Department of Mental Health, Supt.
Kimberly Potholchuk, Cynthia Helff, Holly Scaturro
Versie Bellamy.

Attorney: Daniel Ray Setthana Jr.
Defendants McKay Law Firm

State of South Carolina: Christopher Morrow
Asst. Attorney General

U.S. Court of Appeals Fourth Circuit

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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 B to the petition and is

☐ reported at Opinion and order; 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 July 31, 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: August 22, 2018, and a copy of the order denying rehearing appears at Appendix C.

[] 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 Case involves Amendment XIV to the United States Constitution which provides All persons Born or naturalized in the United States and Subject to the jurisdiction thereof, are Citizens of the United States and of the State wherein they Reside, No State shall Make or enforce any law which shall abridge the privileges or immunities of Citizens of the United States, nor shall any State deprive any person of law, nor deny to any person within its jurisdiction the equal protection of the laws.

The Amendment is enforced by Title 42 Section 1983 United States Code: Every person, who under Color of any State Ordinance, Regulation, Custom or usage of any State territory, or the District of Columbia Subjects or Causes to be Subjected any Citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights privileges or immunities secured by the Constitution and laws shall be liable to the party injured in an Action at law, Suit in Equity, or other proper proceedings for Redress for the purposes of this Section any Act of Congress Applicable EXCLUSIVELY to the District of Columbia shall be Considered to be a Statute of the District of South Carolina.

STATEMENT OF THE CASE

Collateral order is a conflict of unfair prejudice by Dismissing the Case that involves the wrong proceedings to another Case 2012 Misconducting facts is arbitrary and capricious as erroneous due process without making a ruling resting on the merits, ignores, and pending motions that were not rule upon involving this Case within the scope and face of its complaints of an alleged assault that the respondents claimed the petitioner never reported that justify there reasons for disciplining that the medical record and incident report shows evidence that the petitioner did reported the assault and should not of been sanction with out proper investigation of a rightful due process

REASONS FOR GRANTING THE PETITION

Reasons is the importance of the question presented in this case that presents fundamental question of the interpretation of this Court's decision, The question presented is of great public importance because it affects the operation of Court systems in all Fifty states the District of South Carolina and hundreds of City and County jails, prison, mental institution, in view of the large amount of litigation over Court proceedings guidance on the question is also great importance to judiciary in addition the question is of great importance to public, because it affects their ability to receive fair decisions in Court proceedings to why this Court shall grant this petition.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Alphonso Haynesworth

Date: September 29, 2018