

18-8088

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

FEB 11 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

SCDC # 298627

Steve L. W. Menius

— PETITIONER

(Your Name)

VS.

Warden Sephane et al

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

(Columbia S.C.)

report & recommendation

(Virginia, Richmond)

4th circuit

UNITED STATE DISTRICT COURT (R & R) UNITED STATES COURT OF APPEALS

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Steve L. W. Menius

(Your Name)

Lee Correctional Institution

990 Wisacky Hwy F2 unit Rm # 1163

(Address)

Bishopville S.C. 29010

(City, State, Zip Code)

704 460-8138

(Phone Number)

→ James Walden

→ Steve Lee Walden Menius

→ my brother in Gastonia N.C.

RECEIVED

FEB 21 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Address
change:

Plaintiff paroling to

Question(s) Presented

1) ADA 42 U.S.C. §§ 12101-12213 - Adoption - Addition - Personality disorder
IS there a law that protects me from (Houston v. Lack)
as the honorable Judge Grossett states is my default?

a) Does the fact that I filed because of fear
of losing the right to present the "on-line lynching"
(which is a federal crime) mean anything to the
P.L.R.A.? Did not one ^(SCDC) Policy change cause all this?

b) Does the P.L.R.A. understand what it feels
like to be beat half to death by five men payed
to do so and to be humiliated to death and
walk in that humiliation - to take it all
and to grow from it? ^{I don't care if it was inmates}
^{but if it was agents -}

c) IS the P.L.R.A. Constitutional if it
allows S.L.E.D. Due to "Security threat issues"
to twist policy and conditions to send my
grievance to "Police Services" and not the Ad-
ministrative Law Court? Doesn't this show something?

Conflict of Interest response Date: 6/25/2018 10:09 A.M.
Kiosk reference # 18-00946966 Titled
Police Services is a division of S.L.E.D. ★ Defendant Grievance

Author § 20475613

"your grievance was processed and returned to you b/c
you had exceeded the time frame for filing this grievance.
Nbsp." "it did not meet the standards for police services"

Appendix C: request form(s) from

Lockup indicate the State caused the (15) or (8)
day deadline default. I still tried to file
a grievance but the State sent my grievance
to police services. It was undue delay
and I feared to lose the opportunity to
present federal jurisdiction into my case
from being lynched and it being placed

on-line. Isn't there a video interview ^{(CI) unit}
^(Greenwood unit)
^{at Broad River}

Therefore, you did not receive a Step(2) as it was not processed
formally. Nbsp

Police
services
refused
to
send me
a
Step(2)
Grievance
form

QUESTIONS PRESENTED

2) On page 3 of 7 of the United States District Court in the district of South Carolina "Report and Recommendation" by Magistrate Judge, Paige J. Gossett, quotes, *Woodford v. Ngo*, 548 U.S. 81, 90 (2006) (quoting *Pozo v. McCaughtry*, 286 F.3d 1022, 1024 (7th Cir 2002)). Stating: "Satisfaction of exhaustion requirement requires 'using all steps that the agency holds out, and doing so properly.'"

Kiosk reference # 18-00940966 "Grievance" 6/25/2018'
10:09 A.M.

response Date: 6/25/2018' 10:09 A.M.

Author EC0475613

"Your grievance was processed and returned to you because you had exceeded the time frame for filing this grievance. NBSP. it did not meet the standards for Police Services. NBSP. There, for, you did not receive a Step (2) as it was not processed formally. NBSP. Catch 22 →

a) I thought the Administrative law Court was Step (2) and not Police Services?

b) Who is "Police Services" to deny me a Step (2) grievance form? Administrative law Court?

c) What are Police Service Standards? Who are these people who can deny me access to the federal court system from a State Agency?

3) Is my life in danger because someone was trying to set me up to die in here? Torture me. And now I'm about to max my sentence out and I'm caught between Joyner and Brian Stirling and the military as well as state police agencies and people dying.

* Have they forced me to sue them to ensure justice be served upon my death?

• I don't care about money, I want justice. (13 million is for the 13 members of the Sentencing guideline commission (Duties and Responsibilities))

Questions Presented

- 4) On page 6 of 7 on the "Report and Recommendations" the Honorable Judge ~~and~~ ⁱⁿ Grossett states that I did not file a Step (2) prior to filing an instant lawsuit.
- So she is saying that "police services" can use the fact that I didn't file a grievance in (5) or (8) days per the P.L.R.A. (Even though the State willfully and purposefully deprived me all property well beyond (5) or (8) days in lock up) Yet that default has no ~~bearing~~ on the actual grievance processed even though the State had me in a death dorm and state agencies were the ones responsible for setting it all up. Is this the purpose of the P.L.R.A.?
- 5) If S.L.E.D. is "police services" and I have a law suit on S.L.E.D. then isn't "Police services" a little biased towards me? Isn't all police Agencies and the military bias towards me? Grievance Coordinator?
- a) How can they be the ones stopping my law suit? (Pl's Resp. in opp'n, ECF No. 58 at 1-2.)
- b) Doesn't my law suit contain elements involved outside of (S.C.D.C) pertaining to the South Carolina Court system in general? (ie) (my adoption and subsequent convictions) Gordon McBride, Jim Cox, and the States forensic psychologist Michael Friedman (but I'm not sure of his name) testified against me
- c) I want to know what these people injected me with in those "injections" in (F-5)
- Who is inmate Benjamin Grosnell?
- How does he have doctors skills - Fake Fly in my cell. (operation surprise party)

QUESTIONS PRESENTED

6) Was time constraints an issue? Default (1) or (2) years?
I got lynched (at the time) over one year ago prior to filing an instant lawsuit. I was worried and plus almost dying (and be^{ing} surrounded by death) tends to prompt reaching help in any way shape or form to validate help actually exist.

7) Does help exist? I did what I had to do.
I knew the (5) or (8) day deadline was violated. Yet I still filed my 1983 due to the fact that I still planned to run my grievance and §1983 because of said default being state created. My default was no default at all because my lynching occurred over a year prior and it was necessary to process or run both at the same time or risk losing the ability to bring up my lynching which has both effected me and affected my soul. [Justice has risin^g within me and I'd see this through.] Adoption!

* Even now (2) years has past since my lynching and doesn't it seem reasonable to anyone to think that the administration has labeled one for death if they willfully and purposefully send one to a death dorm from another death dorm? Kiosk reference # 17-741189 11/10/17 6:32pm - does indicate this fact prior to any grievance long before the assault by Benjamin Grosnel, that caused this action. The State has broken all the rules and admitted the fact via the local Media "ie) Operation Surprise Party" which is special circumstances to say the least. The premise that I only have (5) days and am not due immediate relief is ridiculous because this is an UNAMERICAN ACT. My life has been placed in Jeopardy. Double Jeopardy 5th 14th Amendment violations Triple

QUESTIONS PRESENTED

8) If "OPERATION SURPRISE PARTY" is an admission, (Publicly announced) via the media of military and police Agencies involved in a subterfuge in (SCDC)...

... doesn't this give federal jurisdiction and negate the P.L.R.A. because of the military in (SCDC)?

a) Isn't it reasonable to assume bias in a system that I'm suing having full control over my process of grieving? Didn't I still file knowing of a state created default?

b) Isn't "Police Services" a division of S.L.E.D.?

Isn't SLED a Defendant?

c) How can (SCDCS) mission statement or motto "be" Service, Servility, and "Safety"?

1) How is it safe when two officers are compelled to control and correct (250) inmates?

2) Isn't it true that all they can and have been "doing" is running behind a steel door and locking us all in until hours pass before a rapid response team can be coordinated?

3) Is "ten" hours a rapid response?

4) In this view doesn't dorm "capacities" and "Consent Decrees" come into play? Overcrowding causes these riots to be overly large and it takes a small army of (50) to (100) men (or women) to control (100) to (200) men (or violent felons).

a) Isn't this simple math and out of balance with an 8th Amendment duty to protect?

5) In this view doesn't "Consent Decrees" look like congress giving up on mental health and compromising christian morality in concession to mercantiles?

[Community pressures, and all other unchristian stress vectors that are perpetuated by media as an industry for government. Doesn't this violate the 1st Amendment?

Reasons why the criminal
Court system is bias towards
Christian values in the 14th Amendment.

(No mental health defense)
Personality disorders

QUESTIONS PRESENTED

9) Is it wrong for me to be angry with a state that told me I was lying 12 $\frac{1}{2}$ years ago, about mental issues concerning my adoption... then due to circumstances involved with a State Subterfuge of revenge and criminal investigation I get caught up by the military or some kind of "Action" in prison that I am simply trying to finish my time. Yet in (F-5) I found a fake fly in my cell. This led to me acting out toward the agents in (F-5). I started saying, "I was gonna sue them for my adoption." Then I guess the crazy bastards experimented on me and "4 separate injections" ~~at~~ instantly stop^{ed} using ice after two solid years of shooting it almost non-stop. Yet hind sight is 20/10 because how was all this ICE and phones in (SCDC) all of a sudden? Once I found a fake fly in my cell I started realizing that I was being monitored. Yet I am christian. You can not find fault in my day to day activities; they are all honest. Yet I only had a drug problem I use to fix my lack in personality. [That is all any true addict is doing.] Not all people use drugs as a recreational activity. They may be coping with something underneath or even a subconscious block. This is a hole in criminal justice exploited by a war on drugs. [It shouldn't be a war on drugs but a war on mental health and psychology; instead of using it as a means to an end of perverting liberty and justice; because the media is salvation not a non-renewable resource but love and Nature's God. It seems that a check on media in terms of the mental health (longterm) effects that affect violence, drugs, sexual immorality ect... doesn't and "show" on any network exploit these every single day and are not taxed for this perversion of reality?

The hole is psychology and mental health and media has no place using it to sell things.
→ 1st Amendment violation
(innocent people mastered in war-on-drugs)

QUESTIONS PRESENTED

10)

Did not Jesus make a whip of cords and run the money changers out of the temple and claim you have made the church a place of merchandise?

Industry has perverted the first Amendment and innocent children are influenced by these business ethics that rob societies of an establish Christian Heritage. All those deaths in Europe (1300-1700's) (John Calvin) (3 different popes at one time) → Protestants - America

- A) Isn't mental health more important considering the fact that smoking can be legislated yet Pride can not? New Testament Law of Love.
- B) Isn't Christianity the only religion that explains life in all its moral dimensions giving instruction in law? GOD'S LAW OR "NATURE'S GOD"?
- C) Isn't marriage a sacred institution straight church out the bible? Homosexuality? Legal? ↗ state violation
- D) Are we not married to GOD and Natures GOD through Christ Jesus no matter what liberally diverse sect created in Democracy?
- E) Are not Democrats actively sold-out to Hollywood in Active Attack on these same christian values found in the Torah via Abraham and Patriarchy? (i) Bible out of Schools?
- F) Didn't we save the Jews from Hitler and re-establish Jerusalem for them and the laws of the Torah?
- G) Then how can it be crime and punishment when punishment indicates obedience as in old testament ways of thinking?
- H) Isn't psychology only being used to sell merchandise in commercials on T.V. "Media" Networks that are all tied into state Agencies perpetuating the business interest of Globalization leading to inflation, diversity in liberalism; which has a linear relationship to immorality being related to prison overcrowding, impulse disorders, relative

Questions Presented

- 11) Does the fact that the majority of my requests to staff (ie) request to warden dated Jan 6th being (hand generated) or homemade indicate that the State didn't give me any request or grievance or any property at all prior to Jan 6th over two weeks after being placed there? [Protective Custody after assault in (F-5)]
- A) doesn't this violate the rules or policy law for filing grievances and isn't it a procedural break along with Police Services being a backup to screw me over?
 - B) If S.L.E.D. had any agent in (F-5) at the time I am claiming then how does S.L.E.D. get to dictate my grievance?
 - C) Isn't this entire premise crazy to expect someone to have to wait and (5) or (8) day deadline rules that are set up to pervert the details affording the State to tinker with life, liberty, privileges and immunities because some military personnel got tricked into fear of a charge of sexual misconduct on a minor? [Does two wrongs make a right?]
 - D) I wonder if God is gonna have a hands off doctrine with all these so called sons of God? Servants - Duties and Responsibilities
 - E) Is not Justice equated with righteousness? Isn't Jesus the King of Righteousness? Therefore, isn't new testament law superior to old testament punishment ideas in reformation involving military tactics?

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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Campaign of harassment - Calhoun v. Hargone 312 F.3d 730
(5th cir 2002) writte v. Wisconsin Dept of corr. 434 F.3d 1031 7th cir 2010

-Deliberate Indifference -
Brown v. N.C. Dept of Corr. 612
F.3d 220, 723 (4th cir 2010)

Title II validly abrogates State Sovereign Immunity
Rehab Act → Totality of the Conditions

Myers v. Huddley **TABLE OF AUTHORITIES CITED** 101 F.3d 542 (8th cir 1996)

Johnson v. Avery 393 U.S. 483, 484, 489-90 (1969)
CASES Farmer v. Brennan 511 U.S. 825 **PAGE NUMBER**
833 114 S.Ct 1970 128 L.Ed. 2d 811 (1994)
- Butler v. Durant - recent (SCDC) case involving misconduct
Estelle v. Gamble, 429 U.S. 97 (1976)
Lee v. Washington 390 U.S. 333 (1968) (per curiam)
Gomez v. Toledo 446 U.S. 635 640 100 Sct 1920 64 L.Ed 2d
572 (1980) see Hall v. Quillen 631 F.2d 1154 1155-56 (4th cir) 1980
Arthurs v. Aiken County (S.C. App. 1999) 338 S.C. 253 525 S.E. 2d
542, rehearing denied, Certiorari granted
Calhoun v. Hargone 312 F.3d 730 (5th cir 2002)
Wilson v. Seiter, 501 U.S. 294, 305 (1991)

Palmer v. Johnson 193 F.3d 346 (5th cir 1999) Sentence Carding
STATUTES AND RULES South Carolina Law Code 1976 § 24-26-20 ^{Duties & Responsibilities}
Maxwell v. Mason - Basic necessities in solitary confinement.
Hudson v. Palmer - No iron curtain.

Doesn't S.L.E.D. or Agencies of S.L.E.D. under a subterfuge
of criminal investigations negate police services from
the objective stand point of bias? (ie) "Operation

Suprise Party" Broad River at
Doesn't sending me from ~~the~~ Prison to (F-5) unit Lee
Prison show culpability if I told them at Lee, what
was happening to me and why I cut myself and they
still set me up to die.

Conflict of Interests

OTHER (SCDC) changed their policy. (It has to be
written down.) They started letting officers wear street
clothes and inmates run these overcrowded dorms. Also,
(SCDC) has violated rules of discovery because I have no
discovery what so ever other than copies of my own
records. The states entire defence is the P.L.R.A. in
which they created the first default not to mention
police services hijacking my grievance which is S.L.E.D. a defendant

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 Notice of Judgment Jan. 25th 2019; 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 Report & Recommendation Oct 19 2018; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**: *I have no copies of my original grievance nor police services return - I've sent them to the District Court*
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.

I have no discovery

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 Jan. 25th 2019.

☒ 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: _____, 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).

Lynching is a federal offence if it is placed on-line or otherwise; especially if the administration advocates it. Doesn't (F5) unit at lee prison indicate that.

[] 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

The Constitutional and Statutory provisions involved in this case are concerned with mental health as well as state misconduct involving negligence, cruel and unusual punishment; and it all ties into my conviction where I asked for mental health help prior to conviction. The state brought a psychologist into (F-5) unit who had, Benjamin Gosnel, administer "4" separate injections that somehow gave me an "off switch" to hard drugs. My entire effort thus far have been in pursuing this treatment for all "Addicts" because this is a cure. (I stopped shooting Ice after (2) solid years and haven't looked back since those "4" separate injections.) Who in their right mind (if they are christian) wouldn't want the world to know that there is a cure? The crazy part is the realization that (SCDC) and Congress along with "Consent Decrees" are unconstitutional because its not in the name of GOD or "Natures GOD" that they endeavor to provide salvation but industry has taken the place of the Catholic Church and one pervert is no excuse for another if industry robs christian heritage in Capitalism, ^{§ 3:77 (prison overcrowding)} Therefore, the 1st Amendment violation of Industry (or State) using Media to sale Superficiality and glamour as christian values has caused bi-polar disorders in the sense of right and wrong. Hollywood is an industry that uses psychological persuasion in Media (as well as any Advertisement firm) protected by lawyers. [Those are the great Satan that controls Congress to allow criminal and civil breaks in justice catering to industry or mercantiles.] These are UNAMERICAN ACTS. [Democrats Advocating Homosexuality as diversity in Liberalism is a french concept not American?] Industry is to blame. Add all this up against State criminal courts not allowing mental disorders as a defence is unconstitutional. Period.

STATEMENT OF THE CASE

If Justice is blind and has no conscience then it isn't Justice or righteous

Mr. Brian Stirling, Director, of (SCDC) came on the local new Media and publicly announced that for two years they have had "multiple" Agencies in (SCDC) undercover and working with the military. Under these subterfuges caused by cellphones and overcrowding as elements of riot I have been abused. (SCDC) knows the law. They know that prison violence and overcrowding are linear. (U.S.C. § 3:77 Prisoners Rights) SCDC took this responsibility on as a duty to protect under the "eighth Amendment (Farmer v. Brennan)" yet they had "Agents" in here bring^{ing} in cell phones using tech Apps. to spy and harm other inmates while using other inmates to help? Was Mark Keel (the head of SLE.D.) aware of this? Was the Governor? Now I'm trapped in a case where people have died and now I'm worried I'm next. I literally had to cut myself to escape from, Broad River, one year after being lynched by (5) black gang members. Someone was putting money on-line to have me harmed. [Inmates can make thousands of dollars scamming and hire other inmates to kill each other via a GreenDot App?] This is crazy! [However, (SCDC) decided to "join them" instead of "beat them".] They had agents in here acting like inmates and gang members and I got mashed up in their "process". [My "victim" was ex-military, Detective Terry Anderson.] It makes me wonder, if that is why I got singled out to be murdered in Marion unit at ~~Broad River~~ and (F-5) unit "Ridgeland" unit here at Lee? Murder → Please help me because I'm about to get out of prison.

REASONS FOR GRANTING THIS PETITION

"The believer should place no 'stumbling-block' before weaker believers." "Take heed lest by any means this liberty of yours becomes a stumbling-block to them that are weak" (1 Cor. 8:9). Paul continues that "all things are lawful; but not all things edify" (1 Cor. 10:23).

Liberty is therefore limited by the principle of expediency. Action must be judged good or bad in the light of its effect on the moral and religious life both of the doer and of all those whom he may influence. The believer cannot do what is innocent for himself if his action will have a harmful effect on others. There is no such thing as an isolated Christian; he belongs to a redeemed community. He has binding "responsibilities" to all other members of that community. He cannot disregard the weak from his superior position of strength (if strength it be). He exists, in one sense, for his neighbor's good. "Let no man seek his own, but every man another's" (1 Cor. 10:24). He is not to use his "liberty for an occasion of the flesh, but [he is] by love [to] serve . . . another" (Gal. 5:13). He will exercise his freedom in conformity to the higher law of love. Love does not insist upon its own rights when that means trampling upon another's "Conscience". Love will not act so as to dull another's spiritual sensitivity. Love will not knowingly draw another into sin. Love smoothes out paths for the other person; it does not place stumbling-blocks before him.

Carl F. H. Henry
CHRISTIAN PERSONAL ETHICS

Pgs. 428-429

10 "our liberty should be used; if it conduces to ^{the} our neighbor's edification; but ~~that~~ if that be not beneficial to our neighbor, it should be abridged."

Calvin Institutes, III XIX, xii.

[Signature] Feb 3rd
2019

Fuller Theological Seminary
Pasadena, California

CONCLUSION

In conclusion, I, Steve L.W. Menius, Addict, (and classed in a minority of adopted children) claim my right and heritage as a Christian to "individually" seek justice not just for (SCDC) prison system wrongs but due to the "totality of the conditions" and for prison reform in the area of mental health. I am mental health in the sense that I have lived it thus far. I've suffered through adoption in Addiction leading to incarceration(s). (I am your system.) Who is better qualified than me (who has been in and out of this system) to objectively point out (in a key note speech) to "12" jurors the fact that state agencies and the media "grant" each other when they need to be non-political and non-bias. Industry is violating the 1st amendment and the lawyers that allow this is our own state and Federal "lobbyist." [Is it any wonder inmates in here fly red and blue "gang" colors when Republicans and Democrats do the exact same thing?] Isn't this a reflex reaction of "cause and effect" created by anger and discontent in our system? Isn't this Capitalistic concept of "competition" perpetuated in greed and corruption because it's based on business ethics and not Hebrew Christian Ethics? In this view hasn't separation of Church and State separated me (as an "individual") from the 14th Amendment; because how can your entire career be base on ethics that sells merchandise when actively hiding behind a false idol of money? [No matter what is placed on television they still are selling things.] The ultimate ideation of winning or losing is it based on money or position; It is based on Salvation ethics. Isn't that why we swear on a bible? We Fear God. Right?

The petition for a writ of certiorari should be granted.

Respectfully Submitted,

Steve L.W. Menius

Date: Feb 3 2019