

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

IN THE  
SUPREME COURT OF THE UNITED STATES

Azaniah Blankumsee — PETITIONER  
(Your Name)

vs.

DAYENA M. CORCORAN, ET AL — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

AZANIAH BLANKUMSEE #326-698  
(Your Name)

30420 BEVELLS NECK ROAD  
(Address)

Westover, MD 21890  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

### QUESTION(S) PRESENTED

- 1) Did the lower court err in granting defendant's Summary Judgement?
- 2) Did the Fourth Circuit err in affirming lower courts Decision?
- 3) Did the Fourth Circuit err by dismissing Janice Gilmore as a party?
- 4) Did both the Fourth Circuit and lower court misinterpret Established Law when considering the case at hand?
- 5) Did plaintiff establish deliberate indifference to his serious medical needs?
- 6) Is a bald allegation enough to deny medical treatment for a serious medical need?
- 7) Should the district court have granted Summary Judgement to defendant's without holding a hearing?

## 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:

MARYLAND DEPARTMENT OF PUBLIC SAFETY AND  
CORRECTIONAL SERVICES, DRCS; DAYENA M. CORCORAN,  
COMMISSIONER OF CORRECTION; WARDEN RICHARD J GRAHAM,  
JR.; ASSISTANT WARDEN, DENISE A GELSINGER, CO II  
CHRISTOPHER A. LOIBEL; WEXFORD HEALTH SOURCES, INC.;  
JANICE GILMORE, Medical Regional Administrator at W.C.I.;  
ROBUSTIANO BERRECA, Medical Administrator at W.C.I.;  
CO II, ALICIA A CARTWRIGHT; JANE DOE (TARA COTTRILL), Nurse  
at W.C.I.; Ryan Browning, Registered Nurse at W.C.I. /

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	3
STATEMENT OF THE CASE .....	4
REASONS FOR GRANTING THE WRIT .....	5
CONCLUSION.....	6

## INDEX TO APPENDICES

APPENDIX A Decision of The united States District court  
For the District of Maryland;

APPENDIX B Judgement of the united States court of Appeals  
for the fourth Circuit;

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

## TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

STATUTES AND RULES	AMENDMENTS VIII & XIV . . .	3-5
AMENDMENTS I & IV . . . . .		3-5

OTHER

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 B 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 \_\_\_\_\_ 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 JUNE 25 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: \_\_\_\_\_, 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).

**CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

AMENDMENT V III

AMENDMENT I

AMENDMENT X IV

AMENDMENT IV



### STATEMENT OF THE CASE

On the 14th of April 2016, After receiving and consuming his medication, petitioner walked towards his building (Housing) only to be stopped by an officer E Elliot, who said to petitioner, "I was told to search you". After searching petitioner and finding nothing, Loibel approached, and was told by ofc. Elliot, "he's clean", ofc. Elliot walked to the other side of the walk way onto the grass and found a medicine cup with medicine residue in the bottom of it; ofc. Loibel looked at me and said "Is this yours", did you drop that cup"; petitioner replied "No I did not", Loibel never witnessed petitioner drop the cup so petitioner was allowed to leave, and proceed to his housing unit;

later that night during medication, petitioner was denied his medication(s); The next morning, nurse Jani, advised petitioner that ofc. Loibel advised her that petitioner was caught hoarding meds.

Petitioner then filed an A.P.P. stating that ofc. Loibel vaguely and falsely advised nurse Jani that 'he'd hoarded meds'. Petitioner requested that the camera's from the compound on the day in question be used to show he did not drop any cup; Also to prove that Loibel abandoned his post, and could not have seen petitioner drop anything; The meds in the cup could have been tested as well - they were not; Instead, respondents accepted ofc. Loibel's allegations as true, without any evidence, such as: meds that was caught/hoarded; And, petitioner was never given an infraction for that serious offense; petitioner's medical treatment was discontinued, and he was denied any and all medical treatment for his serious medical needs for over 84 days;

The district court granted summary judgement, and the fourth circuit affirmed and dismissed in part;

## REASONS FOR GRANTING THE PETITION

- 1) Respondants violated Established Constitutional law; first, fourth, eighth and fourteenth amendments
- 2) The lower courts abused their Authority by granting Summary Judgment when Constitutional violations existed;
- 3) petitioner substantially proved that his medical treatment was interfered with by defendant Loibel, and all other defendants exhibited deliberate indifference to his serious medical needs by stopping his treatment based on defendants bald allegation, without evidence or a report/infraction;
- 4) defendants failed to order additional Scientific techniques such as x-rays, to determine if the discontinuance of petitioners medical treatment caused greater injury, such as carpal tunnel;
- 5) Petitioner was denied his First Amendment right to redress when defendants limited his being able to grieve without an Alternative;
- 6) petitioner should have been granted order, allowing him to change Jane doe name to cattrell, as her actions, along with petitioners denial of medical treatment for over 84 days proved defendants Intent and Intentional deliberate indifference;
- 7) There existed a genuine dispute as to material fact;
- 8) Respondants have never exhibited, or presented any Evidence of hoarding other than bald Allegations.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

*Spinal Bluntman*

Date: 7/2nd/2018