

No. 18-8774

ORIGINAL

Supreme Court, U.S.
FILED

MAR 14 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

John TURNER

— PETITIONER

(Your Name)

VS.

State of Nevada on Behalf of A.M.C.

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

NEVADA SUPREME COURT

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

PETITION FOR WRIT OF CERTIORARI

John TURNER

(Your Name)

E.S. 1 P.O. BOX 1219

(Address)

ELL, NV 89301

(City, State, Zip Code)

776

(Phone Number)

RECEIVED

APR - 5 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

How can suit be time barred, although petitioners claim was one of false imprisonment? *Wallace v. Kato*, 127 S. Ct. 1091

Oncale v. O'Keefe, 422 U.S. 235, 249-250, 109 S. Ct. 573, 102 L. Ed. 2d 574 (1979)
reversed 10w two years.

Does structural error qualify as a fundamental miscarriage of justice? *Arizona v. Fulminante*, 499 U.S. 279, 111 S. Ct. 2246 (1991)
Tumey v. Ohio, 273 U.S. 510, 47 S. Ct. 437, 71 L. Ed. 749, 50 ALR 1243 (1927),
was a judge who was no impartial.

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:

*LOS ANGELES ANTI-OBSCENITY POLICE DEPARTMENT, DISTRICT
ATTORNEY'S OFFICE, H.R.S.I., F.B.I., C.C.P.C., S.P.C.C.*

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 *Order of Apprehension*

APPENDIX B *Case Summary Case No. A-17-151567-C ; 1-1-2016 Court Minutes*

APPENDIX C *Order Denying Petitioning ; order Denying Petition for review*

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

PAGE NUMBER

CASES *Hedrick v. Howard*, 512 U.S. 477, 462-07, 114 S. Ct. 2364 (1994) 5
Keating v. Credit, 706 F.2d 377
Miller, 514 F.3d at 1092
Brewer v. United States, 614 Fed. Appx 426

STATUTES AND RULES

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 ____ 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 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 8th Judicial court 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.

JURISDICTION

☐ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was _____.

☐ 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 12-20-18. A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: 11-16-2018, 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. § 1257(a).

1/2 U.S.C. §§ 125, 126

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Just like people on the outside, prisoners have a fundamental constitutional right to use the court system.

This right is based on the first, fifth & fourteenth Amendments to the Constitution. Under the first Amendment, ~~we~~ have the right to "petition the government for a redress of grievances," & under the fifth & fourteenth Amendments, ~~we~~ have a right to "due process of law." Put together, these provisions mean that ~~we~~ must have the opportunity to go to court if I think my rights have been violated. This right is referred to as the "right of access to the courts."

STATEMENT OF THE CASE

ON 2-27-2012 petitioners were arrested for subject by LWA150 after returning to work petitioners lived from registering his felonies.

ON 10-22-2012 petitioners were found guilty by jury trial, ON 12-12-2012 petitioners were sentenced to Nevada Dept. of Corrections Term. minimum: 30 months, maximum: 20 months. ON 1-16-2013 notice of appeal filed, ON 1-14-2014 order of reversal; remand filed in The Supreme Court of The State of Nevada No. 62161. ON 6-23-2015 petitioners criminal charge were dismissed in District Court Clark County, Nevada Case No. C-12-208221-1 Sept. 21.

ON 7-14-2015 petitioners were released from N.M.C.'s H.I.S. to North Las Vegas jail due to scheduled status check. Petitioners were not actually released from custody until 7-18-2015.

ON 6-27-2017 petitioners state civil rights complaint were filed due to petitioners having to mail documents late to court to be involuntarily filed complaint were not filed started. ON 7-31-2017 judicial officer Mark A. Denton denied motion concerning petitioners receiving documents not filed started.

ON 8-15-2017 petitioners writ of habeas corpus on defendant N.M.C.'s were filed. Court had not filed verdict against N.M.C.'s as they had defaulted pursuant to N.T.C. rule 55.

ON 10-16-2017 defendants motion to dismiss were granted ON 12-1-2017 order of dismissal filed by defendant N.M.C.'s ON 3-30-2018 order granting defendants motion were filed.

REASONS FOR GRANTING THE PETITION

Heck v. Humphrey, 512 U.S. 477, 466-87, 114 S. Ct. 2364 (1994) ("Extra order to recover damages for alleged unconstitutional conviction or imprisonment or for other harm caused by actions whose unlawfulness would render a conviction or sentence invalid, 25-1923 Plaintiff must prove that the conviction or sentence has been reversed on direct appeal, expunged by executive order, declared invalid by a state tribunal authorized to make such determination, or called into question by a federal court's issuance of a writ of habeas corpus...")

Petitioner Application to Proceed In forma pauperis were filed well within the statute of limitations.

Petitioner had to send her to District Court Clark County, Nevada State Civil Rights Complaint due to it not being filed stamped. Notice of motion filed 6-29-2017

Petitioner being deemed a vexatious litigant is ~~not~~ abusive tactic being used by defendant to State of Nevada on rel. 11-2001. As in DC case no. 33A02609 they were sanctioned for such litigation. This tactic is commonly used as Petitioner were deemed to be vexatious only after futile attempts to obtain Court Minute Orders. Ketting v. Cox, 706 F.2d 37, 382 (2d Cir. 1983) (1985). See: Miller, 541 F.3d 21 2018, Brewer v. United States, 614 Fed. Appx 426

Petitioner case no. A-17-757567-C were filed in District Court Clark County, Nevada as of now 2-14-2019 all of Petitioner State Civil Rights Complaint have been dismissed; Petitioner believes that is due to a formal statement of charges were filed against District Court Judge 4-19-2018 case no. 765-14 Nevada Supreme Court.

Continued Reason for Granting The Petition

Petitioners can show that at conviction by the Court: defendant N. 300th is District Court Civil Court, never wanted defendant return to prison but had not given petitioners timely notice of release. Yet when petitioners filed motion to relief he were released as defendant N. 300th filed in motion to clear petitioners as vexatious litigant.

Therefore petitioners should at least be given the relief of order filed in case no. A-7-73253 of being declared a vexatious litigant to be vacated by means of this petition.

Whereas petitioners request this Court to at least notice: full action of the due process violation of denied 8th & 14th District Court against petitioners.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

John Turner

Date: 3-13-2019