

No. 18-8890 ORIGINAL

FILED
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OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

CARL LEE JONES — PETITIONER
(Your Name)

vs.

Willie Smith, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals, Sixth Circuit.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

CARL LEE JONES, #758104
(Your Name)

Marquette Branch Prison 1960 W.S. Hwy, 41 South,
(Address)

Marquette Michigan 49855
(City, State, Zip Code)

M.D.C.
(Phone Number)

QUESTION(S) PRESENTED

Medical Knee And Hcv. Disease And medical Denial Treatment.

The United States court of appeals has entered a decision in conflict with the decision of another United States Court of Appeals on the same important matters; And in conflict with the decisions of the United States Supreme Court and the U.S. Court of Circuit Appeals. Courts. Pursuant to:

ESTELLE V. GAMBIE, 429 U.S. 97, 104 (1978).

ERICKSON V. PANDUS 551 U.S. 89, 92-94. (2007).

ARCHS V. FREY, 992 F.2d 1450, 1455 [651 (civ. 1993)].

IBRAHIM V. O.C. 463 F.3d 3, 6-7 [O.C. (civ. 2006)].

ESTELLE 42 U.S.C.S 1983.

FITZ 28 U.S.C. 1331, 1334 [A 1-4].

SUPREME Court of THE UNITED STATES.

RULE 10.

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:

Carl Lee Jones, #758104,
Willie Smith et al.,
Dr. Craig Hutchinson
Dr. Roger Gerlach

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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 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 is unpublished.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 _____ 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 is unpublished.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 1-3-2019, order entered.

No petition for rehearing was timely filed in my case. *YES - PENDING.*

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 ND.

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

U. S. Constitutional 8th Amendment.

U. S. Constitutional 14th Amendment.

U.S.C. 42, U.S.C. 1983, Section 28 U.S.C. 1915(e).

Under Title, 28 U.S.C. A. SEC. 1331, 1334, [A-1-4]

STATEMENT OF THE CASE

CARL Lee Jones & Pro se, Michigan Prisoner, appeals the district court's Judgment in favor of the defendants in his 42 U.S.C. 1983. case.

And Denial of adequate medical treatment for 5 years primary During my Long Suffering and discomfort with Right Knee illness without any advanced oversees specialized orthopedics knee surgery as was demanded. See, Jones, 758104, MDOC. (BOP) Medical Records dated on 12-12-2018. M.D. Timothy EKpo, orthoplastic knee surgeon.

The District Court did not treat my verified complaints as an affidavit for Summary Judgment purposes. Alleging that he has been denied serious medical needs and knee surgery.

REASONS FOR GRANTING THE PETITION

The U.S. District Court error when it entered Summary of Judgment in the defendants favor, and denying Mr. Jones his Rights to discovery and care of equal Justice by Statute 8th, amendment.

The U.S. Court of Appeals for the Sixth circuit error by not appointing the case for evidence Review to see examine the medical Records and error by failure to Grant his motions for attorney and discovery of medical Records from the (MDoc) FBOP, dated on 12-12-2018 and the prisoner medical Records dated within this case. See, motions for Records.

The U.S. Court of Appeals error when it entered Judgment In favor of Defendants and Failed to obtain medical Records on Mr. Jones, knee Surgery, For Arthroplasty- Total knee take out and knee Replacement, on 12-12-18):

The Court error by failure to Allow the case go before A Jury Trial for the matters to be heard by experts Doctors That Did Mr. Jones, knee Surgery on 12-12-18. DR. Timothy EKPO.

The case should be Allowed to go before Trial by Jury with medical

Mr. Jones. Should have been provided with the Medical Prison Health Records to prove his Complaints in his case of Medical Inadequate Medical Care that he received from the Defendants as he was Demanding for medical Treatment for his HCV disease And for his Right-Leg-Knee, in which he never Received for over five 5 years while during his incarceration, medical treatment was Being Intentional Denied by M.D. Roger Gerlach, Defendant as A result of his Bad Decisions and Clinic delivered his own care that performed failure to my Health needs. On 12-12-2018, MDOC, Taken Mr. Jones, To The Henry Ford Hospital And did A Fully Arthroplasty Total Knee replacement. **CONCLUSION** M.D. Timothy EKpo, Surgeon Specialist-orthopedic. See, Jones, 758104, Medical Knee Surgery Dated Dec. 12-12-18). MDOC. The Defendant's Said theres no serious need for knee replacement or Surgical needs. See DR. Roger Gerlach, medical statement. Question why did orthopedics M.D. order knee surgery if I did not need knee replacement surgical The petition for a writ of certiorari should be granted. I Request For A Jury Trial So All Facts In my mdoc medical Records would be Seen And Viewed by the court's And that Defendants DR. Roger Gerlach will be held Accountable. Respectfully submitted, In The best of Justice. Roger Gerlach will be held

Carl L. Jones * 758104

Date: April 15th, 2019.

I have Suffer 5 years because This M.D. Mr. Gerlach Denied me knee surgery that I needed Bad pain, discomfort, distress. Suffering Days & Nights without the right adequate care. Wrong