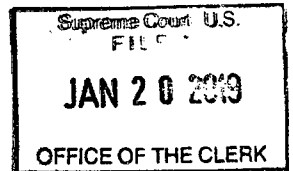


No. 18-9439

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



DANEA MICHELLE ADDISON
(Your Name) PETITIONER

VS.

STATE OF INDIANA RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

18-2143 CHICAGO CT. OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

DANEA MICHELLE ADDISON
(Your Name)

1809 LAMBERT ST
(Address)

INDIANAPOLIS, IN 46221
(City, State, Zip Code)

(317) 764-1305
(Phone Number)

QUESTION(S) PRESENTED

Why is the state of Indiana
"immune" from violations of the
ADA and the Constitution against
the petitioner?

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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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 CHICAGO, ILL.; 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☐ is unpublished.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 C the petition and is

☒ reported at INDIANAPOLIS, IN.; 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☐ is unpublished.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☐ is unpublished.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☐ is unpublished.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 _____.

[] 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 A.

☒ An extension of time to file the petition for a writ of certiorari was granted to and including Feb 14, 2019 (date) on March 26, 2019 (date) in Application No. 18A 972.

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).

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

AMERICANS WITH DISABILITIES ACT 35,104
2,300 PROTECTION OF PERSONS WHO ARE
ERRONEOUSLY REGARDED AS HAVING A CHEMICAL
DEPENDENCY;

AMERICANS WITH DISABILITIES ACT
CFR 35,178 STATE IS NOT IMMUNE UNDER
11TH AMENDMENT FOR VIOLATIONS OF ACT,
1ST AMENDMENT-FREEDOM OF IDENTITY,
5TH AMENDMENT-FREEDOM FROM
DOUBLE SEOPARDY;

8TH AMENDMENT-FREEDOM FROM
UNUSUAL PUNISHMENT.

14TH AMENDMENT-FREEDOM FROM
ARBITRARY ACTIONS OF GOVERNMENT.

4TH AMENDMENT-FREEDOM FROM
ILLEGAL SEIZURE OF PERSONS.

STATEMENT OF THE CASE

PETITIONER'S CHILDREN WERE REMOVED FROM 1985-1991 UPON A FABRICATED "CHEMICAL DEPENDENCY".

IN 1988, WHEN 2ND COUNTY OF MARION RECOMMENDED CHILDREN'S RETURN, HENRY CO REFUSED. PRE-ADOPTIONS WERE ARRANGED FOR BOTH; THE ADDISON'S FILED A REPORT WITH THE FBI, 10/88.

IN 1990, PETITIONER'S 9 YEAR OLD SON ATTEMPTED SUICIDE DUE TO ABUSE IN FOSTER CARE.

IN 1991, CASEWORKER BETH MCKEACHIE DID, IN FACT, TESTIFY THAT CHILDREN WERE REMOVED ON "PHONE CALLS", "NEVER INVESTIGATED". THE CASE WAS DISMISSED AS "LACKING IN EVIDENCE".

IN 1999, DONNA SPARKS 'FOUNDS' THE 1985 FALSE REPORT AT THE NEIGHBORHOOD COMMUNITY CENTER AND HAD DAUGHTER REMOVED ABSENT SUFFICIENT CAUSE. MARION COUNTY DID NOT CHECK RELEVANT RECORDS OR ALLOW PETITIONER TO SEE JUDGE.

PETITIONER FILED RES JUDICATA AND A.D.A. VIOLATIONS, "LACK OF JURISDICTION", "IMMUNE".

~~THE~~ COUNTY KEPT DAUGHTER UNTIL 18, AND MONEY RAN OUT; THEN THREW HER ON THE STREET. DAUGHTER, IN FACT, HAS CEREBRAL PALSY.

IN 1999, STATE ATTEMPTED 'MENTAL' S.S.D.

IN 2005, NEW GOVERNOR MITCH DANIELS FOUND AND DISSOLVED AN ILLEGAL UNIONIZATION OF THE STATE THAT INCLUDED SCHOOLS, MEDICAL, COMMUNITY AND SOCIAL SERVICES, FROM 1992-2005.

PETITIONER WAS LISTED AS "DIAGNOSED CHEMICALLY DEPENDENT" (85 REPORT) WITHIN THIS UNION. NAME WAS FINALLY CLEARED IN 2005. A 20 YEAR CASE.

DAUGHTER WAS TOLD THIS WAS THE REASON SHE WAS TAKEN AS A BABY.

PETITIONER NOW HAS GRAND-CHILDREN ASKING ABOUT SAME.

FAMILY HAS NEVER RECOVERED FROM ACTIONS AGAINST THEM.

PETITIONER SEEKS DAMAGES FOR HARM FROM VIOLATIONS OF RIGHTS.

THEY TOOK OUR WORLD; NOT RIGHT. THE PETITIONER WAS TRYING TO FINISH HER DEGREE TO MAKE THINGS BETTER FOR FAMILY AND WAS TOLD DAUGHTER COULD NOT COME HOME IF PETITIONER WAS IN SCHOOL. MARION CO. FOUND THE 'DIRT' AND RAN WITH IT AND HENRY CO. WAS BASED ON GOSSIP.

PETITIONER HAS NEVER GRADUATED, AND DISABILITIES ARE NOW WORSE.

THEY TOOK OUR CHANCE.

IN 1999, PETITIONER DID, IN FACT, HAVE A 2.89 IN A PHILOSOPHY MAJOR AND HAD BEEN APPROVED FOR GRADUATE WORK.

REASONS FOR GRANTING THE PETITION

THE PETITIONER AND FAMILY
ARE, IN FACT, UNITED STATES
CITIZENS AND ARE ENTITLED TO
CITIZENSHIP RIGHTS.

PETITIONER'S RIGHTS WERE
VIOLATED FOR 20 YEARS.

STATE IS NOT IMMUNE, ALTHOUGH
THEY CLAIM TO BE.

THIS FAMILY DESERVES
JUSTICE FOR HARM AND HORRORS
CAUSED TO THEM.

THEY TOOK A LARGE PART
OF OUR LIVES AND DEPRIVED
US CRUCIAL TIME TOGETHER.

IT WAS JUST WRONG,
AND WE DIDN'T DESERVE IT.

PETITIONER SEEKS TO
DEFEND HER CITIZENSHIP RIGHTS.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Manea G. Adelson

Date: _____

Conclusion

BEFORE THE PETITIONER BECAME "CHEMICALLY DEPENDENT" BY HENRY CO. THEY DID, IN FACT, ATTEMPT TO PLACE HER IN THE STATE HOSPITAL, WHICH WAS ONCE THEIR "EPILEPSY FARM" AND SEIZURE MEDICATION WAS HER ONLY 'DRUG'.

SHE CONSISTENTLY FOUGHT THE STIGMA OF EPILEPSY BEING "MENTAL", LATER FIGHTING TO DEFEND LEGITIMATE PHYSICAL DISABILITIES WHILE BEING LISTED AS "CHEMICALLY DEPENDENT" THROUGHOUT THE STATE, WHO LATER TRIED TO FORCE DISABILITY AS "MENTAL".

THE PETITIONER HAS BEEN AN EPILEPTIC SINCE 1978, DUE TO A HEAD TRAUMA, CONTROLLED BY MEDICATION.

THE PETITIONER HAS NEVER BEEN "CHEMICALLY DEPENDENT".

THE PETITIONER IS NOT "MENTAL".

THEIR TREATMENT OF HER, AND THIS FAMILY, HAVE BEEN BARBARIC.

THE A.D.A. IS CRUCIAL TO OUR SOCIETY IN CONTRADICTING WHAT THE PETITIONER VIEWS AS MEDICAL THINKING.

THE A.D.A. IS A VITAL LAW AND MUST BE PROTECTED.

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted October 3, 2018

Decided October 17, 2018

Before

William J. Bauer, *Circuit Judge*
Ilana Diamond Rovner, *Circuit Judge*
Michael Y. Scudder, *Circuit Judge*

DANEA M. ADDISON,
Plaintiff-Appellant,

No. 18-2143 v.

STATE OF INDIANA, doing business
as FAMILY & SOCIAL SERVICES
ADMINISTRATION,
Defendant-Appellee.

] Appeal from the United
] States District Court
] for the Southern District
] of Indiana, Indianapolis
] Division.
]
] No. 1:18-cv-01104-TWP-MPB
]
] Tanya Walton Pratt,
] Judge.

ORDER

Danea Michelle Addison blames the State of Indiana for events that happened years ago that destroyed her life. The district court distilled the allegations in Addison's civil rights complaint against the "State of Indiana d/b/a Family and Social Services Administration" to the following:

She alleges that the "State refuses knowledge of who (and exactly when) the plaintiff was placed on the State's felony child abuse listing absent any charges or allegations thereof – 1992-2005." She [further] alleges that she "was denied employment opportunities or freedom to leave to seek a better life for family." She [also] contends that her children were taken away illegally twice. Counties arranged adoption of her children "absent just cause." She [therefore] seeks "just compensation."

this is what Chicago sent

A 1

No. 18-2143

-Page 2-

The district court determined that Addison's complaint failed to state a claim upon which relief can be granted, but gave her additional time to replead her case. Addison could not do so to the district judge's satisfaction, and therefore she dismissed Addison's case, reasoning that the state was not a person suable under 42 U.S.C. § 1983 and also finding that no actions occurred within the applicable two-year statute of limitations.

Addison filed a timely notice of appeal. Her opening brief, however, pays almost no heed to the requirements of Rule 28(a)(8) of the Federal Rules of Appellate Procedure. The argument section is a mere 145 words long, stressing the state had no right to destroy her life and the lives of her family and the state therefore should have to pay. Addison offers nothing in the way of legal argument and provides no citation to legal authority beyond a vague reference to "1983 statute." She does not refer to the district court's decision – not mentioning the decision even once – and fails to identify how the district court's reasoning was wrong.

At best, Addison offers a hint of a possible argument in the summary of argument section of her brief: "Appellant believes that her constitutional rights supercede the states [sic] immunity. The appellant's rights should be upheld and [the] state held responsible for their actions." Such an undeveloped, unsupported belief is not nearly enough for our consideration. See *Yasinsky v. Holder*, 724 F.3d 983, 989 (7th Cir. 2013) ("[w]e will not entertain baseless and unsupported factual contentions or undeveloped legal arguments").

Although we "are generally disposed toward providing a [pro se] litigant the benefit of appellate review," even a *pro se* litigant like Addison must identify a basis for overturning the district court's decision and support her argument with citations to the record and relevant legal authority. See *Anderson v. Hardman*, 241 F.3d 544, 545 (7th Cir. 2001) (*pro se* litigants must comply with Fed. R. App. P. 28). Addison simply makes no argument as to how the district court erred. This appeal therefore is DISMISSED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DANEA MICHELLE ADDISON,

Plaintiff,

v.

STATE OF INDIANA DBA Family & Social
Services Administration,

Defendant.

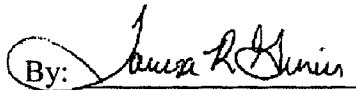
No. 1:18-cv-01104-TWP-MPB

FINAL JUDGMENT PURSUANT TO FED. R. CIV. PRO. 58

The Court having this day made its Entry directing the entry of final judgment, now enters FINAL JUDGMENT and this action is dismissed with prejudice.

Date: 5/16/2018

Laura Briggs, Clerk of Court

By: 
Deputy Clerk



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

DANEA MICHELLE ADDISON
1809 Lambert St.
Indianapolis, IN 46221

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DANEA MICHELLE ADDISON,)	
)	
Plaintiff,)	
)	
v.)	No. 1:18-cv-01104-TWP-MPB
)	
STATE OF INDIANA DBA Family & Social)	
Services Administration,)	
)	
Defendant.)	

**Entry Granting *In Forma Pauperis* Status, Dismissing Action, and
Directing Entry of Final Judgment**

I.

The plaintiff's motion to proceed *in forma pauperis*, dkt. [6], is **granted**.

II.

The plaintiff has responded to the order to show cause why this action should not be dismissed for failure to state a claim upon which relief can be granted. Although she argues to the contrary, the State of Indiana cannot be sued for damages in federal court. *Kolton v. Frerichs*, 869 F.3d 532, 535-36 (7th Cir. 2017). In addition, "a state is not a 'person' suable under § 1983." *Id.* at 536. Moreover, no constitutional violation is alleged to have occurred within the applicable two-year statute of limitations.

For the reasons discussed in the screening Entry of April 13, 2018, the action is **dismissed for failure to state a claim upon which relief can be granted**.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 5/16/2018



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

DANEA MICHELLE ADDISON
1809 Lambert St.
Indianapolis, IN 46221

**Additional material
from this filing is
available in the
Clerk's Office.**