

No. 19-5342

ORIGINAL

Supreme Court, U.S.  
FILED

JUL 06 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

L. T. FULKER JR. AKA  
KITWANA OMARI MBWANA. — PETITIONER  
(Your Name)

vs.  
CORITZEN CORRECTIONAL HEALTH CARE,  
KRISTINE NYQUIST — CHUNG OH. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF THE UNITED STATES

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

SIXTH CIRCUIT  
PETITION FOR WRIT OF CERTIORARI

L. T. FULKER #132271

(Your Name)

MARQUETTE BRANCH PRISON  
1960 U.S. HIGHWAY 41 SOUTH

(Address)

MARQUETTE MICHIGAN 49855

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

(1) DID THE DISTRICT COURT ERRA WHEN IT FOUND THE PETITION PROCEEDING IN FORMA PAUPERIS, HAD NOT ALLEGED AN ADEQUATE CLAIM OF IMMINENT DANGER OF SERIOUS PHYSICAL INJURY UNDER 28 U.S.C. § 1915(g)? IN CONFLICT WITH THE DECISION OF THE UNITED STATES SUPREME COURT.

2. DID THE DISTRICT COURT ERRA WHEN IT CONSIDERED INADMISSIBLE HEARSAY EXHIBITS ATTACK TO THE PRO SE COMPLAINT IN LIGHT OF MATERIAL ALLEGATIONS IN THE PRO SE COMPLAINT CONTRARY TO THE COURT ANALYSIS.

## 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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## OTHER

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POINTER V. WILKINSON, 502  
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SHEPHERD V. MARBLEX, 23 F.3d  
491, 492 (6th Cir. 2001).

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, 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☒ is unpublished.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 B, C 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☒ is unpublished.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 April 22, 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).

☐ 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).



## STATEMENT OF THE CASE

THE PLAINTIFF TUCKER FILED AN APPLICATION TO PROCEED IN FORMA PAUPER, AND A COMPLAINT AGAINST CORISON CORRECTIONAL HEALTH CARE AND SW. OF ITS EMPLOYEES, KRISTINE NYQUIST AND CHUNG CA, PLAINTIFF TUCKER. ASSESSED THAT THE DEFENDANTS WERE DELIBERATELY INDIFFERENT TO HIS SERIOUS MEDICAL CONDITION OF BEING DENIED (1) INSULIN-DEPENDENT DIABETES MEDICATION, (2) AND DENIED MEDICAL TREATMENT FOR SERIOUS MEDICAL CONDITION OF HAVING HEPATITIS-C, AND DENIED PLAINTIFF TUCKER MEDICAL TREATMENT FOR THOSE CONDITIONS IN RETALIATION FOR FILING GRIEVANCES AGAINST NYQUIST AND CH.

PLAINTIFF TUCKER, ADULT AND INCAPABLE BY REFERENCE THE APRIL 22, 2019, FINDING OF FACTS, IN SUPP. OF THIS STATEMENT OF THE CASE, PLAINTIFF TUCKER ASSESS IN THIS PROSE COMPLAINT THAT THE EXHIBITS ATTACH TO IS WARE: INADMISSIBLE HEARSAY STATEMENTS. SEE PLAINTIFF TUCKER. PROSE.

## REASONS FOR GRANTING THE PETITION

THE DISTRICT COURT AND THE UNITED STATES SIXTH CIRCUIT ERRED WHEN IT FOUND THAT PLAINTIFF TURNER COMPLAINT, TAKEN AS A WHOLE DID NOT ALLEGE, AN ADEQUATE CLAIM OF IMMINENT DANGER OF SERIOUS PHYSICAL INJURY UNDER 28 U.S.C. 1915g.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

L. J. Dunn #132271

Date: MAY 15, 2019