

No. 19-5397

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

JUL 22 2019

OFFICE OF THE CLERK

CHARLES DONELSON — PETITIONER
(Your Name)

vs.

Q. Tanner — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEAL

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

PETITION FOR WRIT OF CERTIORARI

Charles Donelson

(Your Name)

1683 Boardway/RT 53

(Address)

JOLIET IL 60434

(City, State, Zip Code)

N/A

(Phone Number)

RECEIVED

JUL 29 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

Whether the Seventh Circuit prisoner lawsuit forms for District Court Create a fraudulent Execution of Information

Whether the Seventh Circuit Application of Hoskins v Dart 633 F3d 541 (7th cir 2011), Riverav Drake 767 F3d 685 (7th cir 2014) Fraud Standard is inconsistent with its other cases against Prison official trust fund audit or ledgers, cases abuse of discretion Perez v Fenoglio 792 F3d 768 7th cir 2015 Litigation

Whether the Seventh Circuit Fraudulent Action is Contrary to Other Circuits As Applied to the Circumstance in Donelan Case

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] 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:

Dunelson
v

Saleh Obaisi

Latonya Williams

Lanne Mores

Jerry W Hussong

Randy Pfister

Walter Nicholson

Weeford

Steve Meeks

James Laris

Dolker

D Johnson

Bennett

John / Jane Docs 1-7

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TABLE OF AUTHORITIES CITED

CASES

Hoskins v Dart 633
Rivera v Drake
Perez v Fenoglio

PAGE NUMBER

633 F.3d 541 7th Cir 2011
767 F.3d 655 7th Cir 2015
792 F.3d 765 7th Cir 2015

STATUTES AND RULES

28 USC § 1254

28 USC § 1915

42 USC § 1983

Fed Rules Civil Procedure 59(e)

F.R.C.P. Rule 11

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☒ is unpublished.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 B 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 24 2019.

C.D. ☒ err.

☒ 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: July 17, 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. § 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

PRISON REFORM LITIGATION ACT

DUE PROCESS U.S. CONST. IV, 7 14

Art. III section 2

28 U.S.C. 1915.

STATEMENT OF THE CASE

Charles Donelson an inmate in the Illinois Department of Correction lodge a civil right action utilizing both the court standard forms and some extra sheets that allege prison officials acted with deliberate indifference in violation of the Eighth Amendment when they forced him to eat off food trays that were unsanitary that got him sick and admitted to by the officials and medical records. H-Pylori the official did not want to tell me that I was sick. The outside agency health care provider contacted me stating a schedule visit is necessary but IDOC medical provider refuse to schedule then later treat the issue I suffered in extreme pain. Donelson was restricted from filing lawsuit without first going to the Executive Committee for the authorization to sue. I must send all my complaints and inform pauperis to them to screen prior if allow to sue. The Executive Committee allowed my filing to be filed and assign a case number. Any defect would be identified by them that don't add up the case would not be allowed to go to a judge. The district court judge instantly said there was a problem with the Application to proceed in forma pauperis. The Certificate and trust fund ledger were inconsistent sign by IDOC. Denied that Application. The court also said the litigation history was incorrect. The court said it conducted a research of both federal and state cases and found state cases missing and the federal cases was either I did not tell them that a certain case was dismissed due to in forma pauperis said no money.

but the case was listed and said it was dismissed as the form requires information and case that said stayed but actually had been left settled cases. Petitioner had said he used a generated copy from another lawyer on his case history and wrote out history on another paper that which never came back from the law library nor notice it was gone. The court wanted more information than the form required. Disposition e.g. pending, denied, - the court want how - Illinois Court of Claims was not wrote by any attorney nor my self for it was assume Illinois Court of Claims is not a court when I submitted my case history. There was cases submitted that were not assign a case number and on another from Sangamon County the Assistant Attorney General put down the wrong number. Again other cases status nor on the attorney form was wrote out. The state of Illinois had a budget crisis no budget so this cause a problem with trust fund audit and paper. The District Court define the lack of paying filing fees and that I

had a strike that I never was told about - no IFP granted then.

The Litigation history was not fraudulently referred to the court

And the trust fund where I missed money due to constant problems with trust fund at Stateville and the case history of the trust ledger shows the problem by IDOC. Once I pointed this out the court backed up off that but hit the lack of pay. I did not lie - see *Perez v Fenoglio* 792 F3d 768 (7th Cir 2015) IDOC has a history of this act known by the court. The money I miss was a little out of the six month window. When I got the 12 month audit I then discovered the missed money. This was not fraud or lying. Southern Illinois form paragraph 10 for example says You are required to disclose any other lawsuits you filed while you were in

Prison or Jail e.g. Civil Action brought
under 42 USC § 1983 or other law

When I wrote Judge Baker about
the strike that I was never told
nor my attorney recruit knew
U.S. District Judge Baker said
he would not get involve on how
another judge new a case decision
08 CV 03186

REASONS FOR GRANTING THE PETITION

Would be that the Seventh Circuit interpretation of Fraud and the forms for Informa pauperis and Certificate SPEAK at odd one require Six month the form require 12 months you are to ask for 4 months Trust Fund Audit, the Litigation history and Issue in this Case is not as the Cases Cited

The SEVENTH Circuit only has one case but my issue does NOT arise to the Level of Hoskins,

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Charles Womson

Date: 7-21-19