
In the Supreme Court of the United States

19-5398

(INDEX NO.)

(CURRENTLY IN THE 2ND CIR. CT. UNDER
DOCK. NO. 18cv12064(LLS)(SDNY), 19-39)

ORIGINAL

CESTUI QUE STEVEN TALBERT WILLIAMS

v.

UNITED STATES OF AMERICA, et al.

Supreme Court, U.S.
FILED

JUN 21 2019

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ON PETITION FOR WRIT OF CERTIORARI

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SUPREME COURT, U.S.

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JULY 24, 2019

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

CESTUI QUE STEVEN TALBERT WILLIAMS — PETITIONER
(Your Name)

vs.

UNITED STATES, ET AL. — RESPONDENT(S)

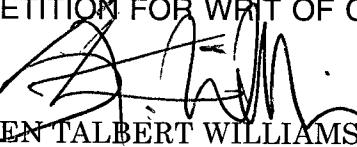
ON PETITION FOR A WRIT OF CERTIORARI TO

SOUTHERN DISTRICT COURT OF THE STATE OF NEW YORK
Cestui Que Steven Talbert Williams v. USA, et al.

18cv12064(LLS)(SDNY), 19-39(2d Cir.)(JAC)(PWH)(JMW)

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

PETITION FOR WRIT OF CERTIORARI


STEVEN TALBERT WILLIAMS, CESTUI QUE

(Your Name)
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Qualified in New York County
My Commission Expires 12/18/2021

7/25/19

QUESTION(S) PRESENTED

1. **Fed. R. App. P. 27, L.R. 27(d), (g), (i), L.R. 40.2 and 22 NYCRR §500.20(d)** (pendent jurisdiction):
 - a. Will the Court provide for questioning upon **Fed. R. App. P. 27, L.R. 27(d), (g), (i)** and **L.R. 40.2** of the *Local Rules and Internal Operating Procedures of the Court of Appeals for the Second Circuit*, local statute **22 NYCRR §500.20(d)** (collateral claims of pendent jurisdiction) for the recently provided dismissal of *CESTUI QUE STEVEN TALBERT WILLIAMS v. UNITED STATES, ET AL.*, 18cv12064(LLS)(SDNY), 19-39(JAC)(PWH)(JMW)(2nd Cir. Ct.) (see Appendix A and B. U.S. S.Ct. Rule 14.1(i)(vi)) and what delineates “*an adequate, alternative mean[] of obtaining relief*” when judicial officials cite “*Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004)” for a reason to dismiss reconsideration motions?
 - i. Upon affirmation of a justified reconsideration by PLAINTIFF (see Appendix B. U.S. S.Ct. Rule 14.1(i)(vi)), will the Court see just to provide a *sua sponte* order to reopen the above trial (Dock. Nos. 19-39), by writ of error, in question of **Fed. R. Civ. P. 60**?
2. **U.S. S.Ct. Rule 11:**
 - a. Under Rule 11 of the Rules of the Supreme Court of the United States (U.S. S.Ct. Rules), seeking review of a district court judgment before a judgment within an appeal, if the district court’s judgment references associated appeal trials, may those associated appeal trials be sought for review within the same certiorari, either under U.S. S.Ct. Rule 11 and/or U.S. S.Ct. Rule 12.4 (closely related multiple judgments)?

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, denying reconsideration (by Hon. Cabranes and Hon. Hall, “ <i>Judge Walker has recused</i> ”) (Doc. “ <u>187</u> ” of <i>Cestui Que Steven Talbert Williams v. United States, et al.</i> , 18cv12064(LLS)(SDNY), 19-39(2nd Cir. Ct.)(JAC)(PWH)(JMW), dated June 11, 2019).
APPENDIX B	PLAINTIFFs’ “ <i>Motion For Reconsideration</i> ” (with appendices and exhibits), Doc. “ <u>171-1</u> ” of <i>Cestui Que Steven Talbert Williams v. United States, et al.</i> , 18cv12064(LLS)(SDNY), 19-39(2nd Cir. Ct.)(JAC)(PWH)(JMW).
APPENDIX C	MANDATE (by Hon. Cabranes and Hon. Hall, “ <i>Judge Walker has recused</i> ”) (Doc. “ <u>188</u> ” of <i>Cestui Que Steven Talbert Williams v. United States, et al.</i> , 18cv12064(LLS)(SDNY), 19-39(2nd Cir. Ct.)(JAC)(PWH)(JMW).
APPENDIX D	ORDER, denying the filing of appendices and exhibits (Doc. “ <u>183</u> ” of Dock. No. 18cv12064(LLS)(SDNY), 19-39(2nd Cir. Ct.)(JAC)(PWH)(JMW)).
APPENDIX E	
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
<i>Cestui Que Steven Talbert Williams v. United States</i> , 18cv12064(LLS)(SDNY), 19-39(2nd Cir. Ct.)	i, ii, 1, 2, 4, 5
<i>Cestui Que Steven Talbert Williams v. United States</i> , 137 U.S. S.Ct. 1611(2017)	5
<i>Cheney v. U.S. Dist. Ct. for D.C.</i> , 542 U.S. 367, 380–81 (2004), 334 F.3d 1096 (vacated and remanded)	i, 5
<i>Cohens v. Virginia</i> , 19 U.S. (6 Wheat.) 264 (1821)	5
<i>Delgado v. New York City Department of Correction</i> , 797 F.Supp. 327, 23 N.Y.D. 4th Ed. 626 (S.D.N.Y. 1992)	5
<i>Skil Corp. v. Millers Falls Co.</i> , 541 F.2d 554, n. 16 (6th Cir., 1976)	5
<i>Wilbur v. United States, Ex Rel. Kadrie</i> , 281 U.S. 206, 218 (1930)	4

STATUTES AND RULES

U.S. Const. Art. 3, §2, Cl. 1	2, 4
U.S. S.Ct. Rule 10	2, 4
U.S. S.Ct. Rule 11	i, 3
U.S. S.Ct. Rule 12.4	i, 3
U.S. S.Ct. Rule 14.1(i)(vi)	i, 3
Fed. R. Civ. P. 5(d)	5
Fed. R. Civ. P. 60(a), (b)(1) to (b)(6), (d)(1) to (d)(3)	i, 3
Fed. R. App. P. 27	i, 3
L.R. 27(d), (g), (i)	i, 3
L.R. 40.2	i, 3
49 U.S.C. §30301(d)(7)	5
15 U.S.C. §26	5
5 U.S.C. §552(b)(7)	5
5 U.S.C. §552a(l)(1)	5
22 NYCRR §500.20(d)	i, 3

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 *U.S. Court of Appeals for the Second Circuit*; or,
[] has been designated for publication but is not yet reported; or,
 is unpublished. (Mandamus Action. Dock. Nos. 18cv12064(LLS), 19-39(2nd Cir. Ct.); Reconsideration ORDER; see MANDATE, Appendix C))

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 July 8, 2019 (MANDATE, Doc. 188 of Dock. No. 19-39(2nd Cir. Ct.); Appendix C; an appeal from Dock. No. 18cv12064(LLS)(SDNY))

No petition for rehearing was timely filed in my case.

A timely petition for ~~rehearing~~ ^{reconsideration} was denied by the United States Court of Appeals on the following date: June 11, 2019, and a copy of the order denying ~~rehearing~~ appears at Appendix A ^{reconsideration}.

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).

- Additionally enforced under: U.S. Const. Art. 3, §2, Cl. 1; U.S. S.Ct. Rule 10.
- See Appendix D, ORDER, denying appendices and exhibits (Doc. 183 of Dock. No. 19-39(2nd Cir. Ct.)); as may be enforced as a question of public importance.

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

- Q1. Fed. R. App. P. 27, L.R. 27(d), (g), (i), L.R. 40.2 and 22 NYCRR 500.20(d)**
(U.S. S.Ct. Rule 14.1(i)(vi); Fed. R. Civ. P. 60);
- Q2. U.S. S.Ct. Rule 11** (U.S. S.Ct. Rule 12.4)

STATEMENT OF THE CASE

This matter is brought before the *Supreme Court of the United States* ("U.S. S.Ct.") from an appellate action associated to the trial of *Cestui Que Steven Talbert Williams v. United States*, 18cv12064(LLS)(SDNY), where such seeks questioning of a provided ORDER, denying a reconsideration motion (claimed unconstitutionally provided by the appellate); as such is in further questioning of a federal court's use of *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380-81 (2004) to dismiss reconsideration motions (especially when PLAINTIFFs' attempts to seek "*an adequate, alternative mean[] of obtaining relief*" were allegedly prevented by clerical officers and judicial officials). Sanctions are not sought, however, the reopening or remand of the trial to the U.S. S.Ct. is sought, *sua sponte*. U.S. Const. Art. 3 §2, Cl. 1; U.S. S.Ct. Rule 10. See *WILBUR v. UNITED STATES, ex Rel. KADRIE*, 281 U.S. 206, 218 (1930), "*to direct the retraction or reversal of action already taken[.]*"

REASONS FOR GRANTING THE PETITION

Granting permission to review this matter should be had in the interest of justice to delineate specific parameters for judicial officials to use when providing opinions for reconsideration motions, as well as the use of *Cheney v. U.S. Dist. Ct. for D.C.* ("Matter of Cheney"), 542 U.S. 367, 380–81 (2004), 334 F.3d 1096 (vacated and remanded), where a response from the court should consider Matter of Cheney's reference to "substitu[tion] for the appeals process" [emphasis added] prior to dismissing the matter for the petitioner failing to "demonstrate... adequate alternative means to obtain the desired relief;" as such would "ensure" continuity of seeking justice; especially when PLAINTIFF had various filed motions within the district and appellate courts denied from the obtaining of relief (such as having all defendants listed in the appeal that were listed in the district court's attached document to the complaint for *Cestui Que Steven Talbert Williams v. United States*, 18cv12064(LLS)(SDNY)). See Matter of Cheney:

"three conditions [are] satisfied: (1) The petitioner must demonstrate that he or she lacks adequate alternative means to obtain the desired relief, thus ensuring that the writ is not used as a substitute for the appeals process; (2) the petitioner must demonstrate a clear and indisputable right to the writ; and (3) the Court must be convinced, given the circumstances, that the issuance of the writ is warranted. See Cheney v. U.S. Dist. Court, 542 U.S. 367, 380-81 (2004)."

See also PLAINTIFFS' Motion for Reconsideration (Appendix B):

"requests for various orders (to be enforced on the District Court) within the 'Petition For Peremptory Writ Of Mandamus, In Re.: Cestui Que Steven Talbert Williams v. United States, et al.' (Appendix F) were to ensure continuity and integrity of the appeal and not to disrupt, or impede upon, or 'substitute... the appeals process' in determination of a verdict for monetary relief. See Matter of Cheney, 'cannot be faulted for attempting to resolve the dispute through less drastic means.' See also SKIL CORP. v. MILLERS FALLS CO., 541 F.2d 554, n. 16 (6th Cir., 1976)), 'properly exercise jurisdiction over the action.' See also DELGADO v. NEW YORK CITY DEPARTMENT OF CORRECTION, 797 F.Supp. 327, 23 N.Y.D. 4th Ed. 626 (S.D.N.Y. 1992), '[c]ourt has jurisdiction to supervise orderly completion of litigation and to avoid procedural abuses injurious to any party[']..."

"See COHENs v. VIRGINIA, 19 U.S. (6 Wheat.) 264 (1821):

"[t]he judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the Constitution. We cannot pass it by because it is doubtful. With whatever doubts,... we must decide it if it be brought before us. We have no more right to decline the exercise of jurisdiction which[,... otherwise,] would be treason to the Constitution[']..."

"12. Reconsideration is insisted, where an order issued for the claimed hidden filing of the Motion For Fed. R. Civ. P. 60(a), (b)(1) to (b)(6), (d)(1) to (d)(3) (Coram Nobis/Coram Vobis): Cestui Que Steven Talbert Williams v. United States, 137 U.S. S.Ct. 1611(2017) (15 U.S.C. §26; Fed. R. Civ. P. 5(d); 5 U.S.C. §§552(b)(7), 552a(l)(1); 49 U.S.C. §30301(d)(7))' (see Exhibit 11 for claims), would have provided the Appellate Court sufficient information and new evidence (see Exhibit 5) for the appeal to be deliberated upon (not substituted for)." [highlighting and emphasis omitted] Id. at 4, 5, 14.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


Steven Talbert Williams, Cestui Que (PLAINTIFF, Pro Sé)

Date: July 23, 2019


DUNDRE STEVEN PERRY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PE6368561
Qualified in New York County
My Commission Expires 7-18-21