

19-5764

No. \_\_\_\_\_

**ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED

JAN 07 2019

OFFICE OF THE CLERK

OLA D. DICKENS \_\_\_\_\_ PETITIONER

Vs.

STATE OF ILLINOIS, et al., \_\_\_\_\_ RESPONDENT(S)

ON A PETITION FOR A WRIT OF CERTIORARI TO  
UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

OLA D. DICKENS, pro se

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RECEIVED

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SUPREME COURT, U.S.

### **QUESTION(S) PRESENTED**

1.) Whether circuit court made a mistake on order filed 12/04/2017, finding no basis in documents or records filed 11/07/2017, to conclude that any of Plaintiff's civil rights have been violated.

2.) Whether circuit court made a mistake by dismissing Plaintiff's claim on grounds that Plaintiff had no federal right to demand effective efforts by State or local law enforcement entities to investigate criminal or civil complaints.

Order filed by circuit on 01/05/2018.

3.) Whether circuit court made a mistake by dismissing Plaintiff's complaint on 12/04/2017, concluding that Plaintiff had not alleged a timely claim within court's jurisdiction and denying Plaintiff's attempt to amend claim, therefore violating Plaintiff's Seventh Amendment right to a jury trial.

4.) Whether circuit court made a mistake by concluding on order filed 12/04/17 that individuals don't have free standing rights to be free from surveillance.

## 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 judgement is the subject of this petition is as follows:

**Ola D. Dickens, *petitioner***

**vs.**

**State of Illinois *c/o* Kwame Raoul, IAG**

**Diane Saltoun**

**Patrick Hurley**

**Walter Michniak**

**Aaron Wright**

**Wells Fargo Home Mortgage *c/o* Codilis & Associates**

**Canadian National Railway**

**\_\_\_\_\_ *respondents***

## **TABLE OF CONTENTS**

OPINIONS BELOW.....	1
JURISDICTION.....	2
CONSTITUTIONAL PROVISIONS INVOLVED.....	3 – 9
CASES CITED.....	15 -16
STATEMENT OF THE CASE.....	10 – 12
REASONS FOR GRANTING THE WRIT.....	13 – 14
CONCLUSION.....	17

## **INDEX TO APPENDICES**

APPENDIX A .....	Decision of the United States Court of Appeals
APPENDIX B .....	Decision of the United States District Court
APPENDIX C.....	The Court of The United States Office of The Clerk ( on motion to extend time to file petition)
APPENDIX D.....	Decision of the Court of Claims of the State of Illinois
APPENDIX E.....	Decision of United States Court of Appeals (response to Rule to Show cause)
APPENDIX F.....	Order of United States Court of Appeals (on motion for extension of time to file Brief)
APPENDIX G.....	Order of United States Court of Appeals (granting request to proceed in forma pauperis)
APPENDIX H...	Decision of United States District Court (denying request to amend claim)
APPENDIX I.....	Notice of United States Court of Appeals (case opening and docketing statement)

## **INDEX TO APPENDICES**

APPENDIX J ..... United States District Court on Motion for  
Reconsideration

APPENDIX K ..... United States District Court Notice of Motion on  
Hearing

APPENDIX L ..... United States District Court Order on Complaint Filed  
11/06/2017

APPENDIX M ..... Complaint filed with IAG, Lisa Madigan

APPENDIX N ..... Wells Fargo Resolution and Order of Possession

APPENDIX O ..... Canadian National Railway complaints and IDHR Response

APPENDIX P ..... Police reports ( Hazelcrest)

APPENDIX Q ..... Firearms violation arrest and dismissal

APPENDIX R ..... Department of Justice correspondence

APPENDIX S ..... Satellite Surveillance systems capabilities

APPENDIX T ..... II. Governor's office response

APPENDIX U ..... case history complaint cv-07897

APPENDIX V ..... II. State Police response

APPENDIX W .....

APPENDIX X .....

APPENDIX Y .....

APPENDIX Z .....

## TABLE OF AUTHORITIES CITED

CASES.....	PAGE
1.) LEE V. KEMNA, 534 U.S. 362, 122 S. Ct. 877, 151 L. Ed. 820 [2002]...	3, 4, 10, 11
The high court held that the judge's arbitrary actions violated the defendant's due process rights, and it vacated the defendant's conviction.	
2.) OSTENDORF V. INTERNATIONAL – HARVESTER Co. (1982), 89 ILL. 2d 273..	3, 4, 11
The court specifically found that the defendant knowingly *500 gave false answers to interrogatories and intentionally withheld, without filing plaintiffs' request, test reports and other information demanded by the interrogatories. Such action, under the circumstances, the court concluded, inevitably tended to mislead opposing counsel into the belief that further inquiry was not needed and that he had received all that was available.	
3.) GRISWOLD V. CONNECTICUT, 381 U.S. 479 (1965), .....	3, 4, 5, 6, 13
The court explained that the right to privacy was inherent in the first, Third, Fourth, Fifth and Ninth Amendments. The Bill of Rights created "zones of privacy" into which the government could not intrude. "The First Amendment has a penumbra where privacy is protected from governmental intrusion... while it is not expressly included in the First Amendment its existence is necessary in making the express guarantees fully meaningful."	
4.) POE V. ULLMAN, 367 U.S. 497-1961, one of the most cited dissents in	4, 9, 11, 13
Supreme Court history. Justice Marshall Harlan II in Poe, dissents, "The full scope of liberty guaranteed by the Due Process Clause cannot be found in or limited by the precise terms of the specific guarantees elsewhere provided in the	

guarantees elsewhere provided in the Constitution. This 'Liberty' is not a series of isolated points picked out in terms of the taking of property: the freedom of speech, press, and religion: the right to keep and bear arms: the freedom from unreasonable searches and seizures: and so on. It is a rational continuum which, broadly speaking, includes a freedom from all substantial arbitrary impositions and purposeless restraints.

5.) McARTHUR V. ST MARY'S HOSPITAL OF DECATUR, 307 ILL. App. 3d at 335, 240 Ill. Dec 408, 717 N.E. 2d 501 ..... 4, 8, 10, 11

Based on the facts that the same acts of negligence were asserted against the codefendant doctors in the original complaint, the court concluded that the allegations against the defendant hospital in the third amended complaint related back to the filing.

6.) HAMDI V. RUMSFELD, 542 U.S. 507 (2004) ..... 11, 13, 14

The Supreme Court held that a citizen detained as an "enemy combatant" must be given notice of the reasons for the designation, and an opportunity to rebut the designation before a neutral tribunal. Hamdi's petition argued that as a U.S. citizen, he was improperly detained without charges, access to a tribunal or legal counsel.

7.) LAWRENCE V. TEXAS, 539 U.S. 558 (2003) ..... 5, 6, 7, 13

The Supreme Court held that intimate sexual contact between consenting adults is a liberty interest protected under the 14<sup>th</sup> Amendment's Due Process Clause.

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 Fed. Re App. P. 32.1; 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 October 23, 2018.

☐ 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 August 26, 2019 (date) on June 25, 2019 (date) in Application No. A C.

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**

1.) **AMENDMENT 1:** Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

2.) **AMENDMENT 4:** The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

3.) **AMENDMENT 5:** No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offense to twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be witness against himself, nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

4.) **AMENDMENT 7:** In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

5.) **AMENDMENT 8:** Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

6.) **AMENDMENT 9:** The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

7.) **AMENDMENT 11-ANNOTATION 3:** Aside from suits against States by the United States and by other States, there are permissible suits by individuals against States upon federal constitutional and statutory grounds expressly covered by the Eleventh Amendment in somewhat fewer circumstances.

8.) **AMENDMENT 14:** All persons born or naturalized in United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

9.) **720 ILCS 5/3-8:** Limitation on offense based series of acts. When an offense is based on a series of acts performed at different times, the period of limitation prescribed by this article starts at the time when the last such act is committed.

10.) **720 ILCS 5/10-1: a.)** A person commits the crime of kidnapping when he or she knowingly:

- 1.) and secretly confines another against his or her will;
- 2.) by force or threat of imminent force carries another from one place to another with intent secretly to confine that person other person against his or her will; or
- 3.) by deceit or enticement induces another to go from one place to another with intent secretly to confine that person against his or her will.

**11.) 720 ILCS 5/10-2**

- a.) A person commits the offense of aggravated kidnapping when he or she commits kidnapping and:
- 4.) wears a hood, robe, or mask or conceals his or her identity;
  - 6.) commits the offense of kidnapping while armed with a fire arm;
  - 7.) during the commission of the offense of kidnapping, personally discharges a firearm;

**12.) ANNOTATION 3 – ELEVENTH AMENDMENT ( suits against states)**

Aside from suits against States by the United States and by other States, there are permissible suits by individuals against States upon federal constitutional and statutory grounds expressly covered by the Eleventh Amendment in somewhat fewer circumstances.

**13.) 720 ILCS 5/26-4**

- a.) It is unlawful for any person to knowingly make a video record or transmit live video record of another person without that person's consent in a restroom, tanning bed, tanning salon, locker room, changing room or hotel bedroom.

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

(a-5) It is unlawful for any person to knowingly make a video record or transmit Live video record of another person in that person's residence without that person's consent.

(a-6) It is unlawful for any person to knowingly make a video record or transmit live video of another person in that person's residence without that person's consent when the recording or transmission is made outside that person's residence by use of an audio or video device that records or transmits from a remote location.

(a-10) It is unlawful for any person to knowingly make a video record or transmit live video of another person under or through the clothing worn by that person for the purpose of viewing the body or the undergarments worn by that person without that person's consent.

(a-25) It is unlawful for any person to, by any means, knowingly disseminate, or Permit to be disseminated, a video record or live video that he or she knows to have been made or transmitted in violation of (a), (a-6), (a-10), (a-15), or (a-20).

### **14.) 720 ILCS 5/14-2**

Sec. 14-2. Elements of the offense; affirmative defense.

(a) A person commits eavesdropping when he or she knowingly and intentionally

1. Uses an eavesdropping device, in a surreptitious manner, for the purpose of overhearing, transmitting, or recording all or part of any private conversation to which he or she is not a party unless he or she does so with the consent of all of

the parties to the private conversation;

2. Uses an eavesdropping device, in a surreptitious manner, for the purpose of transmitting or recording all or any part of any private conversation to which he or she is a party unless he or she does so with the consent of all other parties to the private conversation;

3. Intercepts, records, or transcribes in a surreptitious manner, any private electronic communication to which he or she is not a party unless he or she does so with the consent of all other parties to the private conversation.

4. Manufactures, assembles, distributes, or possesses any electronic, mechanical, eavesdropping, or other device knowing that or having reason to know that the design of the device renders it primarily useful for the purpose of surreptitious overhearing, transmitting, or recording of private conversations or the interception, or transcription of private electronic communications and the intended or actual use of the device is contrary to the provisions of the Article; or

5. Uses or discloses any information which he or she knows or reasonably should know was obtained from a private conversation or private electronic communication in violation of this Article, unless he or she does so with the consent of all of the parties.

#### **15) THE CYBERSTALKING STATUTE (720 ILCS 5/12-7.4)**

A person engages in Cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person and he or she knows or should have known the conduct would cause a reasonable person to fear for his or her own safety or the safety of a third person or to

suffer emotional distress.

**16.) 735 ILCS 5/2-616 (a), (b), (c)**

(a) At any time before final judgment amendments may be allowed on just and reasonable terms, introducing any party who ought to have been joined as plaintiff or defendant, dismissing any party, changing the cause of action or defense or adding new causes of defenses, and in any matter, either of form or substance, in any process, pleading, bill of particulars or proceedings, which may enable the plaintiff to sustain the claim for which it was intended to be brought or the defendant to make a defense or assert a cross claim.

(b) The cause action, cross claim or defense set up in any amended pleading shall not be barred by lapse of time under any statute or contract prescribing or limiting the time within which an action may be brought or right asserted, if the time prescribed or limited had not expired when the original pleading was filed, and if it shall appear from the original and amended pleadings that the cause of action asserted, or the defense or cross claim interposed in the amended pleading grew out of the same transaction or occurrence set up in the original pleading, even though the original pleading was defective in that it failed to allege the performance of some act or the existence of some fact or some other matter which is a necessary condition precedent to the right of or defense asserted, if the condition precedent has in fact been performed, and for the purpose of preserving cause of action, cross claim or defense set up in the amended pleading, and for that purpose only, an amended to any pleading

shall be held to relate back to the date of the filing of the original pleading so amended.

(c) A pleading may be amended at any time, before final judgement, to conform the pleadings to the proofs, upon terms as to costs and continuance that may be just.

**17.) 5 U.S. Code ss 3331. Oath of office**

An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: " I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

**18.) Constitution of the State of Illinois – ARTICLE XIII**

**SECTION 3. OATH OR AFFIRMATION OF OFFICE**

Each prospective holder of a State office or other State position created by this Constitution, before taking office, shall take and subscribe to the following oath or affirmation:

" I do solemnly swear (affirm) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of .... to the best of my ability."



## STATEMENT OF THE CASE

I, Ola D. Dickens, *pro se* petitioner, respectfully ask the United States Supreme Court to review the decision of the United States Appeals Court on case No. 18-1254, Ola D. Dickens v. State Of Illinois, et al. The petitioner asserts that she presented sufficient documentation to the circuit court to support claim alleging violation of civil rights protected under Title 42 USC ss 1983, 1985, 1986. 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 14<sup>th</sup> Amendments of the United States Constitution. Petitioner also filed with lower court two referrals for “whistle blower” protection, copies were included in documents mailed to this Court and all parties to this petition on January 9<sup>th</sup>, 2019. Petitioner states the she has been victimized and her civil rights violated for the past seven years and continues until this day. Petitioner also states that she has pursued justice diligently for the past seven years from local, county, state, and federal law enforcement and governmental agencies without avail. Petitioner further claims that her victimization is blatant and recorded ( on my arrests and in the Dirksen Federal building) under full knowledge, without intervention or investigation from law enforcement.

Petitioner first report of these criminal acts was to the village of Hazel Crest Pd. In the spring of 2012. I was arrested in Oct. 2012 on firearm violations for trying to protect myself from these criminals, my second report of these crimes was on my arrest and at my hearing, the firearm violation charges were dismissed without probable cause. I have enclosed a copy of arrest and dismissal in Appendix Q.

After I left the court hearing on these charges and was released from the custody of the Bedford Park P.D., was still being stalked and chased by these criminals using the audible capabilities of surveillance systems, I was convinced that I was under attack with gun fire. In my fragile state of mind, I fled to Great Lakes Naval Base and the State Police was called. This information I included in my complaint filed with the Illinois Attorney General. The complaint that I filed gave notice of the illegal foreclosure proceedings starting on my home. I have included a copy of those documents in appendix N. In June and July of 2014, I contacted the FBI, CIA and Secret Service for help, this information with confirmation numbers and dates are included in the IAG complaint.

My complaint with the IAG was dismissed based on false information obtained from the Village of Hazelcrest P.D., I have never been diagnosed with any form of mental illness nor did I have any police records for firearm violations. In this complaint I did give names of people that I spoke with at the Village of Hazelcrest P.D. I gave this same information to the District court, as well.

Petitioner states that she was not given a fair chance to present her case to the District Court. Her complaint is not without merit. The same allegations she made in 2014, to law enforcement agencies and IAG are still valid today. Petitioner states that she should have been granted legal counsel and granted a court hearing. Every attempt I made to amend complaint was dismissed.

I have not committed any crimes that would justify such cruel and unusual punishment, but still my pleadings are ignored. If I have been charged with such an offense, I have a constitutional right to know what they are and given a

and give a chance to rebuke the charges.

## REASONS FOR GRANTING THE PETITION

The reasons for granting this Petition for Writ of Certiorari, has already been penned by the Framers of the Constitution of the United States of America. The United States Constitution is the Supreme Law for all laws in this country. The preamble establishes the basic rights for all American citizens. The preamble states, "We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Is Justice blind? I too, am an American citizen, my rights to justice, general welfare and the blessings of liberty are not secure and are being denied. For the past seven years I have been tormented, tortured and stalked by criminals using illegal satellite surveillance systems. I have lost all rights to privacy. I am under surveillance twenty-four hours a day. I don't have privacy in the most private and intimate areas of my home, my bedroom or bathroom. I was fifty years old, ten years ago when this nightmare started. I was still able to conceive a child and further advance in my career, at sixty years old I am out of time. Because of my victimization I am no longer able to work in a career, that I was employed in for over thirty years. My life has been taken captive by these criminals.

Over the past seven years I have filed numerous complaints with all levels of law and government Agencies. My pleadings have been ignored. I pray this nightmare ends. I am suffering from the effects of long term stress. I struggle every day to keep my sanity.

I beg this court to grant this petition. I have a right to this blessing of liberty. These criminals should be brought to justice! Please send this message loud and clear, that it does not matter what position you hold in law or government, that you are accountable for the oath you took to defend the Constitution and you will pay for criminal acts. I have included a copy of portions of the article, Satellite Surveillance and Human Experimentation, by Paul Baird, in Appendix S. I fear I have been expose to the full capabilities of these illegal systems.

I hope and pray that these measures are in place.

1. A UN Satellite committee and non-lethal weapons inspectors.
2. An International Criminal Court prepared to handle class actions brought by the victims.
3. A growth in public awareness regarding the testing of experimental technologies.

(taken from Paul Baird's article)

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Ola D. Dickas (pro se)

Date: August 26<sup>th</sup>, 2019