

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

\_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_

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

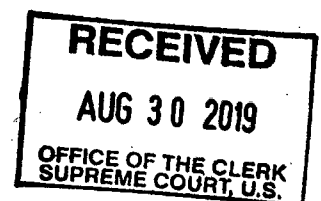
PETITION FOR WRIT OF CERTIORARI

OLA D. DICKENS, pro se

154 E. Sycamore St.

Kankakee Il. 60901

662-219-5158



## APPENDIX A

# UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



Office of the Clerk  
Phone: (312) 435-5850  
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## FINAL JUDGMENT

October 23, 2018

Before: MICHAEL S. KANNE, Circuit Judge  
DAVID F. HAMILTON, Circuit Judge  
AMY C. BARRETT, Circuit Judge

No. 18-1254	OLA D. DICKENS, Plaintiff - Appellant  v.  STATE OF ILLINOIS, et al., Defendants - Appellees
<b>Originating Case Information:</b>	
District Court No: 1:17-cv-07897 Northern District of Illinois, Eastern Division District Judge Rebecca R. Pallmeyer	

The judgment of the District Court is **AFFIRMED** in accordance with the decision of this court entered on this date.

form name: c7\_FinalJudgment(form ID: 132)

**NONPRECEDENTIAL DISPOSITION**

To be cited only in accordance with Fed. R. App. P. 32.1

**United States Court of Appeals**

**For the Seventh Circuit**

**Chicago, Illinois 60604**

Submitted October 23, 2018\*

Decided October 23, 2018

**Before**

**MICHAEL S. KANNE**, *Circuit Judge*

**DAVID F. HAMILTON**, *Circuit Judge*

**AMY C. BARRETT**, *Circuit Judge*

No. 18-1254

**OLA D. DICKENS**,  
*Plaintiff-Appellant*,

*v.*

**STATE OF ILLINOIS, et al.**,  
*Defendants-Appellees*.

Appeal from the United States District  
Court for the Northern District of Illinois,  
Eastern Division.

No. 17 C 7897

**Rebecca R. Pallmeyer**,  
*Judge*.

**ORDER**

Ola Dickens clearly is distressed, but her pleadings are difficult to follow. Dickens alleges that police and government officials failed to investigate her concerns that she is being stalked, surveilled, and threatened, though details are scarce. We also

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\* We have agreed to decide the case without oral argument because it would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C). The defendants were not served with process in the district court and are not participating in this appeal.

understand her to allege that she was arrested twice, in October 2012 and July 2015, and to challenge the general validity of these arrests. There is no obvious link among the events Dickens discusses but she appears to allege an overarching scheme to harm her. The district court dismissed the case, and we affirm.

Before turning to the merits of Dickens's arguments on appeal, we consider the procedural posture of the case. Dickens filed this pro se suit on July 12, 2017, and petitioned to proceed in forma pauperis. *See* 28 U.S.C. § 1915. The district judge granted this request but struck the complaint because she was "unable to determine from the current complaint that Ms. Dickens has any non-frivolous claim for relief." The judge granted Dickens leave to file an amended complaint that "provide[d] specifics about the identity of the wrongdoers, the actions they took, and the dates on which the alleged wrongdoing took place." Dickens responded by filing six proposed amended complaints. She dated the first two November 7 and named the State of Illinois as the sole defendant. One of these contained a ream of exhibits. She filed four more complaints later that month, each against different defendants. The judge considered all six collectively as the "amended complaint" and concluded that "Dickens's difficulties do not support a timely federal claim." She dismissed the case and then denied Dickens's motion for reconsideration.

Section 1915(e) "directs courts to screen all complaints filed with requests to proceed IFP and provides that 'the court shall dismiss the case at any time' if, among other things, the action is frivolous or malicious or 'fails to state a claim on which relief may be granted.'" *Luevano v. Wal-mart Stores, Inc.*, 722 F.3d 1014, 1024–25 (7th Cir. 2013) (quoting 28 U.S.C. § 1915(e)(2)); *see also Coleman v. Labor and Industry Review Comm. of Wis.*, 860 F.3d 461, 465 (7th Cir. 2017). The district court, which did not specifically invoke § 1915(e), concluded that the amended complaints, taken together, failed to state a claim. We therefore apply the same standard that applies to motions under Federal Rule of Civil Procedure 12(b)(6) and assess whether Dickens's allegations, taken as true, state a plausible claim for relief under any possible legal theory. *See Arnett v. Webster*, 658 F.3d 742, 751 (7th Cir. 2011). We agree with the district court that they do not.

Dickens's appellate brief primarily restates the allegations she made in the district court—that she has been stalked and threatened by "criminals using illegal surveillance systems" ever since she complained of noise from a nearby railway. She alleges that government entities, including the Illinois Attorney General, and law enforcement officers from at least three different municipalities failed to investigate her

claims. She also refers vaguely to the foreclosure of her home and loss of her job. She argues, therefore, that the district court made the following “mistake[s]” by dismissing her complaint: (1) “finding no basis” in her exhibits “to conclude that any of plaintiff’s Civil Rights have been violated”; (2) concluding that she “had not alleged a timely claim within [the] court’s jurisdiction”; and (3) “concluding that individuals don’t have free Standing rights to be free from surveillance.”

Dickens filed form complaints for civil-rights cases brought under 42 U.S.C. §§ 1983, 1985, and 1986. We find no allegations that could be interpreted to state a claim for relief under § 1985, which “permit[s] recovery from a private actor who has conspired with state actors” to, among other things, deprive a person or class of persons of the equal protection of the law. *Fairley v. Andrews*, 578 F.3d 518, 526 (7th Cir. 2009). 42 U.S.C. § 1985(3). Nor do we see a plausible claim that any defendants refused to prevent such a conspiracy for purposes of § 1986. *See Preddie v. Bartholomew Consol. Sch. Corp.*, 799 F.3d 806, 820 (7th Cir. 2015). The complaint’s allegations are simply too general and conclusory. Moreover, liability under § 1986 depends on an underlying violation of the plaintiff’s civil rights. *See id.*

But Dickens’s allegations do not state a claim for such a violation, and so her § 1983 claim also was appropriately dismissed. We cannot discern allegations that could add up to a possible violation of due process or equal protection. To the extent she challenges either her 2012 or 2015 arrests under the Fourth Amendment, her claims would be barred by the two-year statute of limitations under § 1983 for claims brought in Illinois. *See Wallace v. Kato*, 549 U.S. 384, 387 (2007). The district court appropriately considered that affirmative defense because it is evident on the face of the pleadings. *See Jones v. Bock*, 549 U.S. 199, 215 (2007). Another impediment to Dickens’s § 1983 claim is her failure to identify specific state actors who personally participated in the conduct of which she complains. *See Colbert v. City of Chicago*, 851 F.3d 649, 657 (7th Cir. 2017), *cert. denied*, 138 S.Ct. 657 (2018). Finally, as the district court correctly concluded, Dickens does not have a constitutional right to compel police or others to investigate her concerns about the stalking, surveillance, and other harassment she alleges. *See Town of Castle Rock v. Gonzalez*, 545 U.S. 748, 756 (2005). Dickens lacks authority for her contention to the contrary.

Finally, contrary to Dickens’s argument, the district court was not required to sift through her many exhibits to tease out a valid claim. *See United States v. 5443 Suffield*

*Terrace, Skokie, Ill.*, 607 F.3d 504, 510 (7th Cir. 2010). We note, however, that the order makes clear that the district judge read every page.

AFFIRMED

## **APPENDIX B**





to have "made a complaint" against the Canadian National Railway, but is not otherwise specific about the identity of the person or persons who have stalked and threatened her. In fear for her life, Ms. Dickens alleges, in 2012 she left her home in Hazel Crest, Illinois, armed with a gun. Local law enforcement allegedly "knew what [Ms. Dickens] was experiencing" and not only "failed to intervene," but arrested her in October 2012, charged her with unlawful use of a weapon, and held her in custody at a hotel in Bradley, Illinois.

Presumably as a result of these events, Dickens alleges that she filed a complaint in September 2014 with the Illinois Attorney General in which she reported that she had been stalked and surveilled for two years. She told the Attorney General that her life had been threatened as a result of a complaint she made against the Canadian National Railway, but the AG dismissed her complaint, and the alleged harassment has continued, resulting in "stress-related symptoms."

Respectfully, nothing about these allegations supports the conclusion that Ms. Dickens's civil rights have been violated. An individual does not have a free-standing right to be free from surveillance, nor does a citizen have a right to demand that her complaints be investigated by law enforcement authorities. Plaintiff appears to believe that her 2012 arrest was improper, but she has not alleged that she was arrested without probable cause. To the contrary, in her complaint against Ms. Saltoun, Ms. Dickens makes reference to an episode involving a charge of "theft of labor or services" in July 6, 2015—but she also admits that "I did trespass on David Anderson's property and used an electric outlet, because my power had been disconnected." If Ms. Dickens was arrested or charged for this July 2015 conduct, her admission likely defeats any challenge to the arrest. And even if such an arrest, or the one in October 2012, were improper for some reason, any federal lawsuit challenging them would be barred by the two-year statute of limitations for claims under 42 U.S.C. § 1983.

In addition to her proposed complaints, the court has reviewed dozens of documents attached to one of the November 7, 2017 submissions. The documents reveal that Ms. Dickens has had numerous contacts with various law enforcement agencies. The court finds no basis in these records for the conclusion that any of Ms. Dickens's civil rights have been violated. The documents include:

- August 2011 complaints concerning what Ms. Dickens believed to be excessive noise from railroad car at the Markham rail yard.
- A copy of Ms. Dickens's August 29, 2012 notice of resignation from her position as a home health worker.
- A police report of an October 2, 2012 incident in which Bedford Park Police were called to the Sleep Inn because Ms. Dickens was "hiding in the laundry room at the hotel." When she emerged, Ms. Dickens reported that someone was trying to kill her. At Ms. Dickens's direction, Bedford Park officers contacted Hazel Crest Police officers, who warned that Ms. Dickens was known to carry a gun. Bedford Park officers retrieved a loaded .38 Taurus handgun and charged her with aggravated unlawful use of a weapon.
- Court records reflecting Ms. Dickens's conviction of those charges in December 2012 in the Circuit Court of Cook County.
- An October 23, 2012 notice from Illinois State Police advising Ms. Dickens that her Firearm Owner Identification Card had been revoked.
- Checking account records dated October 14, 2012.
- A November 7, 2014 letter from Patrick Hurley, Mediation Coordinator for the Consumer Fraud Bureau of the Illinois Attorney General. Mr. Hurley reported he had investigated

Ms. Dickens's complaint about the Canadian National Railway and declined to take any action, but noted that she was free to pursue the claim on her own.

- March 2015 e-mail correspondence in which Ms. Dickens asked what had happened to the gun taken from her by the Bedford Park Police in September 2012.
- A March 18, 2015 order approving the report of sale after foreclosure of residential property.
- A March 31, 2015 letter from the Office of the Attorney General denying Ms. Dickens's request for "financial assistance under the Illinois Crime Victims Compensation Program" on the basis that the Hazel Crest Police Department had "no record of a police report on the incident upon which your claim is based."
- An April 24, 2015 decision from the Illinois Court of Claims on Ms. Dickens's request for compensation pursuant to the Illinois Crime Victims Compensation Act. The decision explains that the Hazel Crest Police Department had no record of an incident of "stalking, kidnaping and violation of order of protection," the offense for which Ms. Dickens sought compensation.
- A May 4, 2015 letter from the Department of Justice explaining that Ms. Dickens's complaint of harassment did not "provide sufficient details or evidence to warrant action by this office."
- Records reflecting an August 2015 conviction in the Circuit Court of Cook County for "theft of labor/services/property."
- An August 11, 2015 letter to the United States Supreme Court in which Ms. Dickens reported that she had been stalked, harassed, and threatened.
- September 2015 e-mail correspondence with state officials in which Ms. Dickens asks whether the official were "making any progress" on her claims of being "harassed, stalked, under constant surveillance and threats."
- A copy of Ms. Dickens's complaint to the Cook County Sheriff's Office of Professional Review concerning "illegal" eviction in September 2015.
- Records of a November 2015 incident in which Bradley police officers were called to the Comfort Inn in Bourbonnais because Ms. Dickens had refused to pay for her room; when officers discovered an outstanding warrant, they arrested her and inventoried property in her possession.
- Ms. Dickens's handwritten complaint, filed with the Cook County Sheriff's Office of Professional Review on November 16, 2015, concerning her October 2012 arrest. Ms. Dickens asserted in this complaint that the arrest was in retaliation for complaints she had made against the Canadian National Railroad dating back to 2009. She claimed to have received threats from a railroad employee, in response to which she rented a car and fled from gang members who had been hired by the railroad to kill her.
- A December 2, 2015 letter from the Wells Home Fargo Mortgage division of the Wells Fargo Bank, advising that after an investigation, Wells Fargo had concluded that the foreclosure proceedings were carried out lawfully and that Ms. Dickens had been given an appropriate opportunity to retrieve her personal property.
- Court documents and correspondence relating to a foreclosure on residential property in Hazel Crest and enforcement of an order of possession in early 2016.
- A January 2016 complaint to Ms. Dickens's lender that she had been "locked out of [her] property, illegally."
- A May 29, 2016 complaint to the Internal Revenue Service, claiming that Wells Fargo Bank had filed a "fraudulent tax statement" falsely asserting that Ms. Dickens had abandoned her property.
- An August 2016 complaint about staff in the Illinois Attorney General's Office—specifically, their failure to investigate Ms. Dickens's "illegal incarceration in the Cook

County Jail" and continuing retaliation by Hazel Crest police. She complained further that "no law enforcement agencies" had helped to address the "victimization" she had experienced. She noted that she had been "illegally evicted from [her] home in Hazel Crest," and had fled to Minnesota.

- August 2016 e-mail messages exchanged between Mr. Dickens and Rita Robson of the Illinois Advocacy Office for Children and Families. In these messages, Ms. Dickens complained that she was "being held a political prisoner" and that she had been "stalked and threatened" on August 3, 2016 by Leslie Hindman, who was "using some type of stolen satellite system to stalk [Ms. Dickens]." In a February 3, 2017 message to Ms. Robson, Ms. Dickens complained that Ms. Hindman had taken children out of the State of Illinois and had been "us[ing]" those children "to commit criminal acts against [her] since 2012."
- Records of an August 2016 e-mail exchange with Joan Pernecke, an attorney with the Child Protection Division of the Cook County State's Attorney's office. Ms. Dickens explained in her messages to Mr. Pernecke that she (Ms. Dickens) was in Milwaukee, Wisconsin, but was concerned that Leslie Hindman was "in possession" of her children and had deprived those children of education. Ms. Dickens appeared to believe that Leslie Hindman was "in possession of surveillance equipment, provided by the State of Illinois," and that as a result, Ms. Dickens was required to cancel a doctor appointment scheduled for September 8.
- Undated documents printed from the internet describing satellite surveillance capabilities in the hands of "corrupt 'businessmen,' / oppressive government agencies / media 'invaders'."

The court concludes from this troubling history that Ms. Dickens's difficulties do not support a timely federal claim. This case is dismissed.

ENTER:



Dated: December 4, 2017

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REBECCA R. PALLMEYER  
United States District Judge

## **APPENDIX C**

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

June 25, 2019

Ola D. Dickens  
154 E. Sycamore Street  
Kankakee, IL 60901

RE: Dickens v. Illinois, et al.

Dear Ms. Dickens:

The above-entitled petition for writ of certiorari was postmarked January 7, 2019 and received January 11, 2019. The papers are returned for the following reason(s):

The petition fails to comply with the content requirements of Rule 14. A guide for in forma pauperis petitioners and a copy of the Rules of this Court are enclosed. The guide includes a form petition that may be used.


The appendix to the petition does not contain the following documents required by Rule 14.1(i):

The lower court opinion(s) must be appended.

It is impossible to determine the timeliness of the petition without the lower court opinions.

Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

A copy of the corrected petition must be served on opposing counsel.

Sincerely,  
Scott S. Harris, Clerk  
By: 

M. Blalock  
(202) 479-3023

Enclosures

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