

SUPREME COURT OF THE UNITED STATES

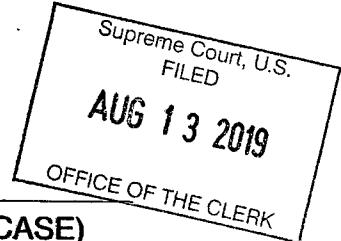
19-5881

ARTHUR O. ARMSTRONG PETITIONER  
(Your Name)

ORIGINAL

vs.

County of Greenville — RESPONDENT(S)  
Sheriff's Office  
ON PETITION FOR A WRIT OF CERTIORARI TO



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

PETITION FOR WRIT OF CERTIORARI

ARTHUR O. ARMSTRONG  
(Your Name)

8113 Pleasant Hill Road  
(Address)

Elm City, NC 27828  
(City, State, Zip Code)

252-218-2007  
(Phone Number)

## **QUESTION(S) PRESENTED**

Whether Petitioner is entitled to relief, pursuant to Rule 60(b)(6) of the Federal Rules of Civil Procedure or any relief.

Whether Petitioner was deprived of liberty and property without due process of law in violation of the Fourth and Fourteenth Amendments to the Constitution of the United States.

Whether petitioner was deprived of liberty and/or property without due process of law.

Whether Respondents violated petitioner's Fourth and Fourteenth Amendments to the Constitution to the United States.

Whether petitioner is entitled to his constitutional rights under the Fourth and Fourteenth Amendments to the Constitution of the United States.

## **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:

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER  
ENTITIES WITH DIRECT FINANCIAL INTEREST IN LITIGATION

Arthur O. Armstrong )  
vs, )  
Commonwealth of Virginia, et al )

ARTHUR O. ARMSTRONG, who is PETITIONER  
(Appellant/moving party or defendant)

makes the following disclosure:

1. Is party of public held corporation or publicly held entity?  
. ( ) Yes (X) No

2. Does Party have any parent corporation?  
. ( ) Yes (X) No

If yes, identify all parent corporation, including grandparent and great grand-parent corporation

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3. Is 10% or more of the stock of a party owned by a publicly held corporation or other publicly held entity? (X) No

If yes, identify all such owners:

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4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation? (X) No

If yes, identify and nature of the interest

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August 13, 2019  
Signature

C-1

## TABLE OF CONENT

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## INDEX TO APPENDICES

*AUG 27*

**APPENDIX A** ON ~~DECEMBER~~ 8, 2019, THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT DENIED PETITIONER'S PETITION FOR A WRIT OF MANDAMUS.

**APPENDIX B** ON MARCH 24, 2017, TRIAL COURT DISMISSED PETITIONER'S COMPLAINT AND DENIED HIS MOTION FOR RELIEF WITHOUT DUE PROCESS OF LAW IN VIOLATION OF THE FOURTH AND FOURTEENTH AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.

**APPENDIX C.** THE CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED IN THE CASE, SET OUT VERBATIM WITH APPROPRIATE CITATION.

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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 case in which the United States Court of appeals for the Fourth Circuit decided my  
case was Aug 27, 2019

The Jurisdiction of this Court is invoked under 28 U.S.C.S. 1254 (1)

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### **CONSTITUTIONAL PROVISIONS**

Fourth Amendment

Fourteenth Amendment

### **STATUTORY PROVISIONS**

28 U.S.C. 1254(1)

28 U.S.C. 1291

28 U.S.C. 1746

42 U.S.C. 1983

42 U.S.C. 1985

42 U.S.C. 1986

42 U.S.C. 1985(3)

## STATEMENT OF THE CASE

1. Appellant resides at 8113 Pleasant Hill Road, Elm City, North Carolina 27822. On September 21, 2010 respondent acted with racial profiling (Fourth and Fourteenth Amendments violations). Clocked petitioner with a radar gun (Fourth and Fourteenth Amendments violations) followed the petitioner (Fourth and Fourteenth Amendments violations). Stopprf petitioner (Fourth and Fourteenth Amendments violations) ,Made an entry without a warrant (Fourth and Fourteenth Amendments violations). made some falsity (Fourth and Fourteenth Amendments violations). Searched and seized his proprrty (Fourth and Fourteenth Amendments violations). Towed his car away (Fourth and Fourteenth Amendments violations). .

2. Appellee Greenville County is duly organized, existing and operating under the federal constitution and laws of the United States and is liable for a damages judgment entered against appellee Sheriff Department " in its official capacity" as a result of an action brought against it under 42 U.S.C. 1983 by appellant who had been violated by a sheriff deputy for transgression of the Fourth and Fourteenth Amendments to the Constitution of the United States.

3. In an action brought under 42 U.S.C. 1983, a judgment entered against appellee Greenville Sheriff's Office "in its official capacity" imposes liability on the County of Greenville, provided the County received notice and an opportunity to respond. Brandon v Holt (1985 US) 83 L Ed 878. 105 S Ct 873, 40 FR Serv 2d 861.

4. Appellee Christopher E. Rose is deputy sheriff who transgressed the Fourth and Fourteenth Amendments to the Constitution of the United States.

5. The Fifth and Fourteenth Amendments to the Constitution of the United States contain a due process clause. Due process deals with the administration of justice and thus the due process clause acts as a safeguard from arbitrarily denial of life, liberty or property by the Government outside the sanction of law. The Supreme Court interprets the clause more broadly however because the clause provides four protections: procedural due process (in civil and criminal proceedings), substantive due

process, a prohibition against vague laws and the vehicle for the incorporation of the Bill of Rights.

6. The Equal Protection Clause provides that no State shall deny any people within its jurisdiction the equal protection of the law.

7. That the conduct complained of was engaged in under color of state law and that such conduct subjected the plaintiff of the deprivation of rights , privileges and amenities secured by the federal constitution and laws of the United States while engaged in the conduct complained of.

8. On September 21, 2010 in Greenville County, Virginia, appellee Sheriff's Office "in its official capacity" failed to conform to the requirements of the federal constitution and laws of the United States when appellee acted with reckless indifference and wanton disregard for the truth or falsity and the rights of appellant and others when appellee, without probable cause, acted with, including, but not limited to: arbitrariness, capriciousness, malice, falsity, trickery, extortion, mail fraud, misrepresentative, deceit, trickery, gross negligence, active connivance, RICO, breach of contractual agreement, pattern of racketeering activity, obstruction of justice, thievery, racial profiling, conspiracy and racketeering, when appellee stopped, detained, assaulted and kidnapped the appellant, made an entry, without a warrant onto private areas of personal pemide of appellant; searched and seized his property and invaded his privacy in violation of the Fourth and Fourteenth Amendments to the Constitution of the United States. Then acted with active connivance in the making of the speeding and DWLR violation false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause and seized appellant's 2012 vehicle when the tow truck towed it away at the costs of \$300.00 without procedural and substantive due process of law in violation of the Fourth and Fourteenth Amendments to the Constitution of the United States.

9. On March 24, 2017, trial court dismissed petitioner's complaint and denied his motion without due pocess of law. On motion and just terms a party may move for relief from a final

judgment, order or proceeding, pursuant to Rule 60 (b)(6) of the Federal Rules of Civil Procedure which is the only provision available and may be invoked only in extraordinary circumstances when the reasons for relief does not fall between the list of enumerated reasons giving in Rule 60(b)(1)-(5).

10. As a direct and proximate result of appellee's action, appellant suffered continuing injuries including but not limited to: mental distress, psychic injury, injury to his reputation, humiliation and mental anguish. I pray for judgment in the sum of 125,000,000.00.

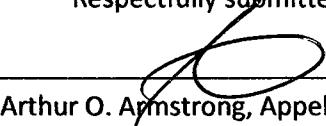
**WHEREFORE**, I pray for judgment in the sum of \$125,000,000.00 as follows:

1. Compensatory and punitive damages in the sum of \$125,000,000.00 under 42 U.S.C. 1983 - Civil Rights Act.
2. Intangible harm.
3. Attorney Fees under 42 U.S.C. 1988 - Attorney's Awards Act, or as a component of punitive damages.
4. Costs and expense of this action and such other and further relief as the court deems just and proper.

Respectfully submitted this the 13<sup>th</sup> day of August, 2016.

Respectfully submitted,

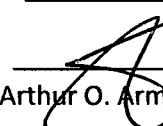
August 13, 2019

  
Arthur O. Armstrong, Appellant  
8113 Pleasant Hill Road  
Elm City, NC 27822

Appellant demands jury trial on all issues raise by the pleading in this action.

DEMAND JURY TRIAL

August 13, 2019

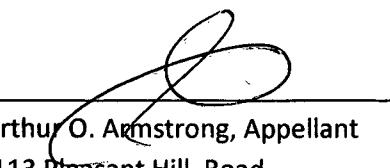
  
Arthur O. Armstrong, Appellant

VERIFICATION

I, Arthur O. Armstrong, being first sworn, deposes and says that he is the Appellant in the foregoing action and that the allegations set forth in the Complaint are true and correct to the best of

his knowledge and belief, except for those allegations set forth on information and belief, and as to those allegations, he believes those to be true.

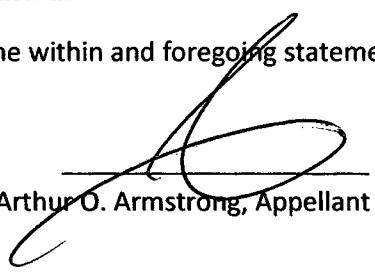
August 13, 2019

  
Arthur O. Armstrong, Appellant  
8113 Pleasant Hill Road  
Elm City, NC 27822

**AFFIDAVIT OF ARTHUR O. ARMSTRONG**

I swear under penalty of perjury under United States laws that the within and foregoing statements in the verification of pleading are true and correct (28 U.S.C. 1746.)

August 13, 2019.

  
Arthur O. Armstrong, Appellant

## REASONS FOR GRANTING THE PETITION

Review on a writ of certiorari is not a matter of right but of judicial discretion. A petition for rehearing for a writ of certiorari will be granted only for compelling reasons when:

- (a) A United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;
- (b) A state court of last resort has decided an important federal question in a way that conflicts with the decision with another state court of last resort or of a United States court of appeals;
- (c) a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decision of this Court.

The Court should grant the writ to make Petitioner whole again therefore satisfying due process of law which states that no life, liberty or property shall be denied from any citizen of the United States without due process of law nor shall any State deny any people within its jurisdiction the equal protection of the law. That the writ will make Petitioner whole again. That the writ will not only make petitioner whole again but would set forth precedent, a judicial decision that serves as a pattern in future situations that are similar or analogous; would help other citizens of this generation and generation to come in similar situation. It will send a message throughout the land and give conformity within the judicial system. And that every body will know that the Constitution of the United States protected the petitioner and that going forward, all citizens and all people in the jurisdiction thereof cannot be denied life, liberty or property without due process of law. State deprived the petitioner of liberty and property without due process of law in violation of the Fourth and Fourteenth Amendments to the Constitution of the United States. And that without the writ petitioner will be doomed forever.

A handwritten signature, appearing to be the letter 'S', is located at the bottom of the page.

Dooms day for the petitioner. That a lesson for the lower courts; make them more honest and respectfully of the law. That trial court's decision was erroneous when it dismissed Petitioner's complaint and denied his motion for relief without due process of law in violation of the Fourth and Fourteenth Amendments to the Constitution of the United States.

These are compelling circumstances and the petition should be granted  
WHEREFORE; petitioner respectfully prays that:

- 1, This Court grants the Petition for the writ, and
2. Such other and further relief as the Court deems just and proper.

Respectfully submitted this the 13<sup>th</sup> day of August, 2019

Respectfully submitted



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Arthur O. Armstrong, Petitioner

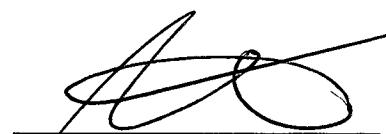
August 13, 2019

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## **CONCLUSION**

The Petition for a writ of certiorari should be granted.

Respectfully Submitted.



\_\_\_\_\_  
Arthur O. Armstrong, Petitioner  
8113 Pleasant Hill Road  
Elm City, North Carolina 27822  
cell phone 252-218-2007

August 13, 2019

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