

*Smith*

*Court*

NO. 19-5896

In the Supreme Court of the United States

Mitchell Dinnerstein  
Petitioner

v.

Burlington County College  
Respondent

On Petition for writ of Certiorari  
To the United States Court of Appeals  
For the Third Circuit

Petitioner's Response to  
Respondent's Brief in opposition to  
The Petition for a Writ of Certiorari

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## Pages

1 ..... Cover Page, not numbered

7 ..... My Brief in response to Mr. Smith's Brief  
Opposing my Petition for Certiorari

1 ..... Certification of Compliance

1 ..... Certification of Service

I find it necessary to address intentionally misleading statements made by Mr. Ralph R. Smith, 3<sup>rd</sup> Esq. Which was obviously done to change the facts of the case to fit his false narrative to discredit the victim, that being myself, in a civil rights case. He also is trying to mislead the court regarding critical facts to fit his legal interpretation of presidents to defeat my petition for Certiorari.

### **My Reply to Mr. Smith. interpretation of my questions**

1. That is not what I meant, Judge Hillman of the 3<sup>rd</sup> circuit ordered the Lawyer defending Burlington County College in opened court to give me the tape that is mentioned in my exhibit (X) in my Brief. He did that right after I requested it as discovery right then in open court. Get the Transcript. I think the part of rule 56 the judge abused his discretion on was, 56(d)(3) "issue any other appropriate order" it could mean anything. And what he did was not appropriate.

2. According to the first page of the Opinion of the district judge dated, Nov 21, 2017. I was not acting Pro Sa. The lawyers for Burlington County College where Pro Sa. The facts are, I am not a lawyer and never have been and they are Lawyers. And to jump to page 21 of Mr. Smith's Brief. Mr. Smith assert that Judge Hillmans name appearing on his opinion as defense counsel was due to a missed space "On Behalf of Defendant **HILLMAN District Judge.**" If you look at the first page of the Opinion (It's in my Petition.) Mr. Smith's assertion that the mistakes are due to a missed space is untrue. He is trying to mislead this court.

3. When I worked in the courthouse in Trenton NJ for GSA as an Electrician there where only three or four Justice department lawyers working in Trenton. I think it was the same for Camden. So, it's not a leap of faith that the government Law firm for the 3<sup>rd</sup> Circuit of NJ. Had less than ten lawyers. So, Judge Hillman was a member of the Government law firm, that defended GSA When I quit Because my civil rights where being violated and the US congress placed itself above the law. I believe Judge Hillman started working for the third circuit government law firm one year after I quit. But I also believe that is when the investigation and hearing took place. In any event I remember Michel Chertoff was the Lawyer of record for GSA, so Judge Hillmans boss, in his government law firm was the lawyer for GSA. I am not saying Chertoff did anything illegal. At the time congress did set itself up above the law and prosecutors flipped to defend the government. But that doesn't make it right. On exhibit (X) in my brief on the tape I said

something like this to the assistant directorate of security at Burlington County College, your harassing me because I am Jewish. Do you think you scare me? I worked for GSA and they harassed me because I am Jewish also. They basically tortured me and the guy that cowrote the Patriot act who said its ok to torture people defended them.

The day I was told not to show up by someone in Judge Hillmans Chambers because the discovery hearing was canceled was after the tape in (X) come to light. I believe it was canceled because they listened to the tape. That's why Judge hillman locked me out of my case, and said I was making false statements, and breaking the rules. That's why the Judge prematurely ended trial. That's why Judge Hillman flipped and represented the defendant. So again Mr. Smith is misleading this court. I am not lying.

4. My position is a federal Judge abused his discretion to exclude evidence for personal reasons. And in doing so violated my civil rights and my right to due proses.

5. I have never had any legal representation in anything connected to this trial, prior to or during the trial. The improper, and I feel deviant abuse of discretion has been done to deny me my civil rights and due proses by Judges and many of my adversaries in the proceeding; and by the people and organization who were supposed to be helping me involved in the proceeding.

6. The Supreme Court of the United States is the final authority in interprets the law. This is the facts of this case.

(a) The District court judge Represented the defendant who already had counsel in the proceedings.

(b) A Pro Sa litigant was locked out of the discovery proceedings after the judge found out in exhibit (X) of my case brief that he had a personnel stake in the trial. Which should have made him recuse himself.

(c) The judge ignored several requests from me for time to prepare my case. I was preparing my case brief. I am dyslexics and have trouble expressing myself in writing. The judge said I was delaying the trial for delay

sake, which is factually untrue. That same Judge has granted others time to prepare their cases in his court.

### **Argument**

I am not powerful. I don't control millions of dollars in discretionary federal and state block grants. I am not building a campus on the opposite corner of the Federal Courthouse in Camden NJ. I don't have law firms that would line up to represent me because I have funds, they can network, and can give them constant flow of cases because of my deviance.

I am Just one person, with a keyboard and a mouse on a snack table. And the keyboard keeps sticking and it is really frustrating me. I have an old computer hooked up to my TV. What do I have to offer what can I do to advance a District Judges career? I believe he clerked for the president's sister. I believe he worked for Justice Alito. But he got turned down for a seat on the appellate court. That's why he did what he did. To suck up to powerful politicians. And it was easier for the appellate court to just go along. But we are a nation of laws. And, no one, group, or organizations, should be above the law. And the trust given to the people administering and interpret the law is a sacred trust. If the problem was or is Government embarrassment hold the proceedings out of the public eye and seal the records. But it was easier to slander me saying I yelled profanities at my supervisor, which I did not and is not supported by the record.

On the top of page twenty of Mr. Smith's Brief. He says I stated the appellate court reinforced negative stereotypes and I did not explain it. In their opinion they said I accused Jews of being Anti-Semitic. Page 4 of the Appellate Brief, "... the District Court determined that Dinnerstein's generalized, subjective beliefs that Jewish members of the College's administration are "going to discriminate against...anyone who is not their friend" and "they are not going to listen to you and do what you say if you're Jewish" The Colleges Lawyers said I accused Jews of being Anti-Semitic, I did not. I said they are not Jews. But the District Court Judge Lied and the Appellate Court reinforced that anti-Semitic lie. This was done to isolate me and make me seem like a nut. And, to place the blame of the Colleges corruption on Jews. It was not Jews. The Courts cut and pasted to

fit a false narrative why would they exclude every other kind of person from my accusations of anti-Semitism? Why is there anti-Semitism in the U.S. and other places? The propaganda short answer is, Jew are not supposed to be Pious or trustworthy, and are destructive to Society. They won't work, always are gaming the system to steal from non-Jews and are not loyal to their countries, they are only loyal to other Jews and a secret society and finally are guilty of Deed. That is all Lies. Jews have been scapegoated with these lies for a long time. It has caused millions of lives. It has excluded Jews from having fulfilling lives. It is a western civilization norm to punish Jews for things they didn't do. Also, it Justifies ignoring their rights under their government's laws. And to ignore their humanity. And America has followed the traditions of anti-Semitism in western culture. And a great deal of the negative stereotypes has its modern-day roots in Christianity. So, by Excluding all others and only blaming Jews the Appellate Court falsely reinforced negative anti-Semitic stereotypes. It falsely used Jews being deviant to not rule for me. I never said only Jews were Anti-Semitic. The appellate court was protecting Christians and Muslims by blaming only Jews. That is a violation of the civil rights act of 1968.

Jews are the, other, the outsider, the unknown. That is why most Jewish holidays are about other people's trying to violently oppress, exile or exterminate Jews. So, most Jewish holidays are like this, they tried to kill us again. We are still here. Let's get together and praise God. And let's eat. That is what it means to be a Jew. Since Jews have been historically oppressed, we have a duty to help other people when they are made the, other, the outsider, and the unknown. That is why, I tried to help other being oppressed like Mr. Carhart a janitor who killed himself because of the College's harassment. I wanted to defend people who could not defend themselves and failed. I as Jew was used as a scapegoat by the college. People were so busy hating me they could not see what management was doing to them at the college. It's exactly what has been done over and over by totalitarian states. It works so good; governments have started using it against other minority groups to, steal power and money, to distract the people, and to keep the power and money. It's so simple, the leader tells the people, "your problems are not your fault, not the leader's fault, or the oligarch's fault, it's the boogeyman's fault. And, we need more money, you must give the leader your total allegiance, and fight to defeat the bogymen."

being educated and or in positions of authority does not exclude people from being tricked by the lies and fear of the boogeyman. If all us Americans stop hating each other, we can join together, and go after the corruption, lies, and take our country back. We just have to stop being afraid and hating each other. And that could happen if the courts empowered the people with the rights enumerated in the of United States Constitution. That is what the Civil Rights act of 1968 is about.

Mr. Smith said I had opportunity for discovery so you should not grant my Petition for Certiorari. Under the magistrates I tried to settle, and the opposing council and the magistracies did not act in good faith. Under the district Judge I was locked out and I only got what opposing council wanted to give me. I did not get a chance for real Discovery and my rights were violated. Mr. Smith wanted to change the fact to fit the presidents that fit his false narrative. That is not right.

Mr. Smith did not mention the unconstitutionality of the arbitrary and caprices civility codes and the oppressive force it exacts on American society. And its destructive effect on due proses and free speech. And the vital need for this court to address and clarify its legality under our Constitution.

Mr. Smith said I did not mention damages I seek. It is Itemized in my case brief. The section is titled, Damages, Pages 46(b)-56. You have my case brief in Washington.

Mr. Smith said This court should disregard N.J.'s "pay to play" I think he is defending corruption? He also wants the court to ignore the reason why the district judge represented the Defendant and locked me out in a trial he was presiding over. What happened during my employment with GSA in part was. Over my objections my supervisor Kept grabbing and touching my genitals. He once snuck up behind me when I was peeing in a urinal touched my tactical from behind and said, "See you top peeing when I do that." He made me scape, repair and repaint tens of thousands of square feet of peeling lead paint, Battleship gray, and Red Lead, without safety equipment. He ordered me work hundreds and hundreds of hours fixing, work on, or in asbestos contaminated areas without protective equipment. He ordered me to work with corrosive chemicals such as sulfuric acid without protective equipment. He admitted to making anti-Semitic stamens under oath in a hearing he said, "If I knew you were coming, I would have baked A kike." You can still get the record. He stuck

his fingering my Ear. I was repeatedly punched and kicked by the HVAC technician. My foot was repeatedly stomped on. Machinery was rigged to injure me. I did report him to his supervisor, but nothing substantive came of it. It made things worse. He and others also tried to hurt minority Judges and magistrates. Now why would he and others in the maintenance shop do all that? Because they were gun enthusiasts who were followers of the philosophy of hate laid out in the Turner Diaries. And they didn't like the liberal Jew, they were also jealous I had security clearance from when I worked for the Navy and none of them did. That's why they hated me. And the United States congress and Justice department covered it all up. Because they were above the law. That is why I had to be discredited and I had to be silenced before all that and more came out. I asked Judge Hillman to put a gag order on what was on the Tape in my exhibit (X) in my brief because it is embarrassing to me. But it was easier for him to just end the case as soon as he could by representing the defendant. He flipped as a judge. That is vital to this motion for Certiorari. Again Mr. Smith wants to change the facts to help his case. There is a lot of other times in Mr. Smith Brief he changed the facts to fit his argument. I hope I covered the important ones.

The anti-Semitic actions I have explained and the, Lasa far, or oppressive and sometime violent response by government and private authorities is not out of place as what I as a Jew normally expect in my day to day life. I only can tell you what happened to me. And I swear its all the truth.

### **Conclusion**

I have shown the court reasons that my petitions should be granted because of my rights being violated. I have shown the court the vital need to American Society that this court clarify rule 56 and civility code on college campuses. Especially at this time in our republic. And I have shown the court chinks in the armor of the experiment we call America that it can fix. I still Love my Country the USA even after everything that has happened. I still love my state NJ. But that does not mean I can't bad mouth them or be mad at them. Or its representatives when I don't like what they have done. I am sorry I can't write well. But someone who did communicate exceptionally explained how I feel a long time ago. And I hope all Americans



feel this way as well. It is from one of Americas greatest Presidents when he was a state legislature 1839.

Abraham Lincoln," The probability that we may fall in the struggle ought not deter us from the support of a cause we believe to be just; it shall not deter me. If ever I feel the soul within me elevated and expand to those dimensions not wholly unworthy of its Almighty Architect, it is when I contemplate the cause of my county, deserted by all the world beside and I standing up boldly and alone and hurling defiance at her victorious oppressors. Here, without contemplating consequence, before High heaven, and in the face of the world. I swear eternal fidelity to the just cause, as I deem it, of the land of my life, my liberty and my love. And who, so thinks with me, will not fearlessly adopt the oath I take. Let none falter, who thinks he is right, and we may succeed. But, if after all, we shall fail, be it so. We still shall have the proud consolation of saying to our conscience, and to the departed shade of our country's freedom, that the cause approved of our judgment, and adorned of our hearts, in disaster, in chains, in torture, in death, we never faltered in defining."

I think it's one of the best First Amendments argument ever.

For those reasons please Grant my Petition for Certiorari.

Verry respectfully yours,

Mitchell Demester

10/18/2019