

19-5940

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

SEP 01 2019

OFFICE OF THE CLERK

SCOTT PETERS MS2851 — PETITIONER
(Your Name)

VS.

DR. YOUNG SUN KIM — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

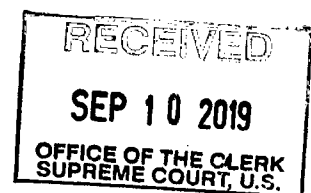
7th CIRCUIT COURT OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

SCOTT PETERS MS2851
(Your Name)
MSU X-A26
711 KASKASKIA STREET
(Address)

MENARD, ILLINOIS 62259
(City, State, Zip Code)

N/A
(Phone Number)



QUESTION(S) PRESENTED

- ① Petitioner Questions Whether Discrimination of Equal Opportunity Because of Social Economic Deprivation And Legal Disability Should Be Allowed To Defeat Petitioner's Right To Appeal.
- ② Petitioner Questions Whether The correct Controlling Precedent was Applied when THE District Court Ruled ON "PETERS" Complaint.
- ③ Petitioner Questions whether His Disabled Veterans Status Entitles Him to the Level of Care V.A. would Provide, AND whether He lost His Rights to obtain Treatment For THE Damages He Suffered in the Service OF the Country.
- ④ Petitioner Questions whether the District Court IS USING THE Appeals Process AS A way to Prevent AN Indigent Appellee From Questioning His Ruling.
- ⑤ Petitioner Questions whether THE District Court MADE A good faith Effort to correctly Adjudicate THE Petitioner's complaint or Did Not Because of Political Reasons. Due to the fact numerous Facts were IN ERROR or incorrect in His orders.
- ⑥ Petitioner Questions whether Doctor Kim's Motivations To Be A witness At Petitioner's Criminal Case were Legal IN SO FAR AS THE Doctor Patient Relationship OR Privileged Information UNDER HIPAA AS NO HIPAA Disclosure Form or any Form was used. (SEE Doc 97-9 Filed 3-19-18).

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:

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4,5
REASONS FOR GRANTING THE WRIT	9
CONCLUSION.....	10

INDEX TO APPENDICES

APPENDIX A	THE appeal Answer From the 7th circuit court of Appeals
APPENDIX B	THE OPINION FROM THE DISTRICT COURT Northern District Western Division,
APPENDIX C	THE Reconsideration Answer From the 7th circuit court of Appeals
APPENDIX D	THE ORDER From the District Court Northern District Western Division
APPENDIX E	THE ORDER From the District Court Northern District Western Division,
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
GRIFFIN V- ILLINOIS	76 S.Ct 585
HAINES V- KERNER	404 U.S. 519
MIRANDA V- County of Lake	900 F. 3d 335
Tennessee V- LAWE	541 U.S. 509
PARRAH V- Taylor	451 U.S. 527
GONZALEZ V- FREEMAN	663 F. 3d 311
Heard V- Western Services	09-CV- 499
GUTIERREZ V- PETERS	111 F. 3d 1364, 1373
ANDREW KINGSNORTH Treating Heavies	328 Brit. med. J. 59
ARNETT V- WEBSTER	658 F. 3d. 742, 751
FARMER V- BRENNAN	511 U.S. 825
STATUTES AND RULES	
42 U.S.C. 1483	5,
42 U.S.C. 12101-12131 SECTION 504	4, 8
42 U.S.C. 12102(1) Paragraph (3)	4, 8
42 U.S.C. 12102(4) (A)(B)(C)(D)(E)(F)(G)(H)(I)(J)(K)(L)(M)(N)(O)(P)(Q)(R)(S)(T)(U)(V)(W)(X)(Y)(Z)	4, 8
ADA AMENDMENTS Act major life activities (A)(B)	4, 8
ADA 28 CFR Part 35.103	4, 8
ADA 28 CFR Subpart A General Part 35	4, 8
38 U.S.C.A. UNITED STATES CODE ANNOTATED Veterans Benefits	4, 8
HIPAA, Health Insurance Portability and Accountability Act	6,

OTHER

WWW.MAYOCLINIC.ORG/Diseases-conditions/Inguinal-Hernia/ 6,
 Symptoms-causes/symptoms-20351547
 ANDREW KINGSNORTH Treating Inguinal Hernias, 328 Brit. med. J. 596,
 PLN, December 2018 CORRECTIVE SOLUTIONS REPLY: BY ED LYON. 6,

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 _____; 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 _____.

☐ 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: 9 May 2019, and a copy of the order denying rehearing appears at Appendix A.

☐ 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).

☐ 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

ILLINOIS CONSTITUTION ARTICLE I SECTION 2

ILLINOIS CONSTITUTION ARTICLE I SECTION 19

ILLINOIS CONSTITUTION ARTICLE I SECTION 24

UNITED STATES CONSTITUTION AMENDMENT VIII

UNITED STATES CONSTITUTION AMENDMENT XIV

UNITED STATES CONSTITUTION ARTICLE XI

AMERICANS WITH DISABILITIES ACT 42 USC 12101, 12131

AMERICANS WITH DISABILITIES ACT 42 USC 504 F

AMERICANS WITH DISABILITIES ACT 42 USC 12102(4)(A)(B)(C)(D)(E)(i)(i)(ii)(iii)(iv)

AMERICANS WITH DISABILITIES ACT AOA AMENDMENTS ACT Major life activities (A)(B)

AMERICANS WITH DISABILITIES ACT 35.101, 42 USC 12131

AMERICANS WITH DISABILITIES ACT 28 CFR Part 35

AMERICANS WITH DISABILITIES ACT SUBPART A General Part 35

AMERICANS WITH DISABILITIES ACT 28 CFR Part 35, 103(i)(i)(B)

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT 45 CFR 164.152

SUPREME COURT RULES OF PROFESSIONAL CONDUCT (JUDGES)

AMERICAN BAR ASSOCIATION Rules of Professional Conduct

CHAPTER 38 UNITED STATES CODE ANNOTATED VETERANS BENEFITS.

STATEMENT OF THE CASE

Plaintiff "PETERS" WAS DETAINED IN THE McHENRY County Detention Facility ON ATTEMPTED MURDER CHARGES WERE LEVELED ON HIM WHEN POLICE OFFICERS ASSAULTED HIS HOME, THINKING THEY WERE INTRUDERS AND INFEAR FOR HIS LIFE UNDER THE CASTLE DOCTRINE HE DEFENDED HIS HOME AND FAMILY. WITHOUT RESOURCES HE WAS FOUND GUILTY. AND CONVICTED. WHILE AWAITING TRIAL AND AFTER TRIAL "PETERS" WAS HAVING PROBLEMS WITH THE MEDICAL STAFF AND SHERIFFS OFFICERS, DUE TO THE FACT OFFICERS WERE INJURED IN THE ASSAULT OF HIS HOME. "PETERS" HAD A PREVIOUSLY PROBLEMATIC HEENIA AND WAS DIAGNOSED AS NEEDING SURGERY FROM THE VETERANS ADMINISTRATION DUE TO THE FACT IT WAS DANGEROUS. PLAINTIFF "PETERS" ALSO HAD SEVERE HEALTH AND SKELETAL ISSUES THAT HAPPENED IN A SEVERELY INJURIOUS INCIDENT WHEN A SCOUT VEHICLE LANDED ON TOP OF HIS MIDSECTION CRUSHING AND (E+D) SMASHING ALL HIS BONES AND SPINE AND DAMAGING MANY OF HIS INTERNAL ORGANS. HE WAS ISSUED SEVERE PAIN KILLERS (E+D) HYDROCODONE AND VALIUM FOR HIS SEVERE PAIN. AND OTHER MEDICATIONS SUCH AS NURATIV FOR NERVE DAMAGE. AND MEDICATIONS FOR THE SEVERE ARTHRITIS FROM THE VETERANS ADMINISTRATION. "PETERS" WAS ALSO ISSUED A STATE OF ILLINOIS HANDICAP OR (E+I) "ADA" PLACARD AND USED ASSISTIVE DEVICES TO BE ABLE TO AMBULATE. SHOWING HE WAS A QUALIFIED INDIVIDUE UNDER THE AMERICANS WITH DISABILITIES ACT. UPON ARRIVING AT THE FACILITY HIS CAR WAS BROKEN AND TAKEN. HIS PAIN MEDICATIONS HYDROCODONE AND VALIUM FOR HIS SEVERE PAIN WAS TAKEN AND DISCONTINUED. THERE WERE SEVERAL INCIDENTS

STATEMENT OF THE CASE

of Abuse, "Peters" at some point began having his Hernia Act up. And was also hurt when corrections made "Peters" while in Population challenge the ability to move in congestion of population with an assistive device and was injured. "Peters" also fell on other occasions and was forced to remove the wheel chair, when it became convenient to remove the chair by the state the doctor Kim and command testified to remove it without any Rehabilitation. "Peters" attorneys for his criminal case nor his civil case produced anyone to Re But the action. "Peters" was now forced to use crutches Painfully and the wheel chair for the courts convenience was used for outside the cell. "Peters" Hernia was extremely Painful with him asking on no less than five occasions to be assessed and given treatment. No treatment was ever given to dissipate the Pain. Because of Fear of being Railroaded Further by the Court "Peters" After trial and Enroute found a nurse who helped push his intestines back into his abdominal cavity and Relieving the Pain. As long as his finger was holding it in place, getting "Peters" back to court. After "PETERS" was convicted THE County and Doctor Kim Kick the can of "Peters" Medical Problems Down the Road to Stateville and the DOC. When "Peters" got to Stateville an inmate showed "Peters" how to file a 1983 For the abusive treatment at the McHenry County Detention Center. "Peters" did. (Ex 105).

PETERS ALSO FOUND AT LATER THE ATTORNEY FOR KIM FILED "PETERS" DEPOSITION INCLUDING PROTECTED MEDICAL INFORMATION AND STATEMENTS OF MEDICAL AND MEDICAL TREATMENT TO THE PUBLIC TO ABUSE HIM. (SEE Doc 97-9) -5- (Filed 3-19-18). Incompetent counsel.

ARGUMENT

"Peters" Believes Now As He Did In The Beginning of the case. That the District Court Judge is sympathetic to McHenry County. Virtually impossible for me to prove as legally handicapped as I am. However, THE JUDGE past sits with the Grey Gauger case out of McHenry. And in my case THE JUDGE has gone out of his way to insure He gets any case pertaining to me. An excessive force case I filed, He consorted with another Judge in the southern District to give me strikes for something that was not my fault at all and then ruled against me, to again use the appellate sanction so I could not appeal and his opinion could not be challenged. Here it has been done again. AS THERE is no such appellate process. THERE is what the District Judge orders and that's the law. Why even if I have an appellate court and a supreme court they sit with both be discontinued. In any case THIS Judge Errored He has interpreted THE FACTS. Such as at one point He argues AN INGUINAL HERNIA is different than THE HERNIA I Had. But then cites A Mayo Clinic fact as applying to it. Further He states I only saw a doctor once, But ITS fact by the doctor himself it was at least five times to three other doctors and him the Director twice. He wants to use a case Miranda v. County of Lake as precedent when there are (Ex 23) many other courts holding different precedents. And many other LANDMARK cases cite exactly what happened to me, THE JUDGE wants to ignore the AOA and HIPAA. He wants to allow the Doctor to kick the can down the road which is a dangerous precedent to set SEEING these doctors got someone killed AT (Ex 23) Lake County in Miranda. How many need to die? correct case Saloubous has one of the worst records in THE Business. PLN Article By Ed Lyon They Have Had Almost 1400 Federal lawsuits because of there treatment. And at least 30 deaths. "Peters" Abdominal Hernia was removed and repaired By IDOC. Shortly later, But He was subjected to unnecessary pain that could

Argument

Have Been Remedied BY Doctor Kim, And THE Court took Advantage of "Peters" Legal Disability Haines v - Kerner causing Him to suffer the indignation that McHenry county put Him Through, "Peters" Almost lost His life IN the injuries He sustained And Had to suffer the indignity of THE Sheriff's office of McHenry county Because They Held all the Assets to Be Able to Blame "PETERS" For there mistakes so they couldn't get sued, OR loose there JOBS. How could "Peters" stand in the face of Agents that Have the Brotherhood and Backing of THE Full Force of the United States Government when "Peters" Has nothing, And they continue to oppress "Peters" His Constitutional Rights BY Slammering Him Because of His Socio Economic status And Not Allowing Him to Appeal Because He Has no money. But THE Court can take it anyway And still Not Look at your Appeal. Might as well as spit in your face. To Think "Peters" Defended THE Constitution At one time. Then to let Kim Laugh in A Veterans Face After treating Him Like CRAP. And go into a Court And Basically say I don't care what the governments Doctors say About Mr "Peters" injuries. That's all Bullshit I'm THE Authority And nothing Happened to "Peters" And Hes A Faker And Full of CRAP And Don't Pay attention to that Protrusion where His Intestines are Hanging out of His Belly Button, or the Fact A vehicle landed on His midsection And shattered Everything. Hes A Faker And the Federal Court will Back me up on it. He only Has a BAA Placed And A 100% Disability Rating From V.A. Because Hes Full of CRAP! He only SEEN About 30 Doctors who all said the same thing. THE MARRIES Handicap And Has severe Health And Skeletal Problems.

Argument

Whether this court looks at this or not I hope this country changes because if this is how the constitution protects people now. There is no hope and the constitution is toilet paper. I've put forth all the cases that apply, I've put forth all the statutes even those from the state of Illinois. May be that is where the problem is because the state of Illinois constitution has no provision for a section on cruel and unusual punishment. I guess Illinois doesn't care about cruel punishment. Or what a doctor says about your health without your permission. which is OK because in case McHarey county 1521290, the attorney says that I can't have any medical information on the police to prove credibility of these statements because it's in the IROC. Well how do you defend yourself? you can't, some more or that what's good for the government is not good for you. We will say what you can or cannot have, because we have all the police, we have all the doctors, we have all the documents and we are not going to give you or let you see anything. And we are not going to let you rebut it. Basically, you're not handicapped because we say you're not! Don't pay attention to what those documents say! You're not injured or suffering because we say you're not suffering. Don't pay attention to the intestine hanging out of your belly button. You're not innocent because we say you're not innocent, no we're not going to give you the documents or your video to prove it. You're guilty because we say you're guilty. And no you were never in the military because we say you were not in the military. Don't pay attention to that. Honorable discharge on the wall. I guess this court will speak for itself. or will it. I doubt it.