19-5957

IN THE
SUPREME COURT OF THE UNITED STATES

TWILA HAYNES

PETITIONER,

VS.

RIVERSIDE PRESBYTERIAN APT.

RESPONDENT(S)

APPEAL No. 519 EAL 2018
Superior Court No 2896 EDA 2017
APPLICATION No. 19A23

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEAL FOR THE SUPERIOR COURT OF PENNSYLVANIA EASTERN DISTRICT

NAME OF COURT THAT LAST RULED ON MERIT OF YOUR CASE.

PETITIONER FOR WRIT OF CERTIORARI

TWILA HAYNES
5233 FLORENCE AVE
PHILADELPHIA PA. 19143
(267) 320-8905

Date: 08/30/2019

ORIGINAL

QUESTION PRESENTED

Under Pa. Rule 240

Where Petitioner Constitutional rights violated? **Yes**
Did the court abuse it discretion? **Yes**
Did the Court Commit an error of law? **Yes**

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PETITIONER FOR WRIT OF CERTIORARI

Petitioner Twila Haynes Respectfully petition this court for Writ of Certiorari to review the Opinion of the Superior Court of Pennsylvania affirming the order of Common Pleas Court of Philadelphia County.

JURISDICTION

This is a direct appeal from a final order of the Court of Common Pleas, Philadelphia County, denying Petitioner In Forma Pauperis (I.F.P.)

A party who is without financial resources to pay the costs of litigation is entitled to proceed *in forma* Pauperis.

CONSTITUTION AND STATUTORY PROVISIONS INVOLVE D

Rule 240 (b)
Rule 240 (j)(1)
7TH Amendment United States Constitution

STATEMENT OF THE CASE

On August 29, 2017 Haynes, commenced this action by filing a complaint with the Philadelphia County Court of Common Pleas. The order is of a decision from the Common Pleas, Haynes failure to state a claim upon which relief can be granted. Sept.1, 2017 the court entered an order dismissing Petitioner complaint and ***in forma* Pauperis**.

REASON FOR GRANTING THE WRIT

CERTIORARI SHOULD BE GRANTED BECAUSE THE RULE ADOPTED BY THE PA. COURTS WILL HAVE SIGNIFICATION NATIONWIDE IMPACT

I

Certiorari should be granted because the rules adopted by Pa. supreme court and other Courts will have a signification nationwide impact. The Pa. Supreme court order denying petitioners' petition for allowance of appeal was an error of law Under **Pa. Rule 240 (j)(1)**

II

CERTIORARI SHOULD BE GRANTED TO RESOLVE A CONFLICT BETWEEN THECOURT OF APPEALS

The Pa. Court interpretation of **Rule 240 (j)(1)** directly conflict with the In ***forma Pauperis*** statute.

Under Pa, r.c.p. 240(j)(1) the court has determined that petitioners' complaint is untrue and frivolous.

1. Definition of untrue is making false statements.

2. Definition of frivolous is one that "lack an arguable basis either in law or fact. Petitioner complaint alleged breach of contract, Negligence and violation of ADA. The court reviewed the complaint, in conjunction with the petition to proceed in forma Pauperis, and dismissed the action as frivolous. The court order dismissing petitioners' IFP and complaint under Pa. 240 (j)(1) was wrong under Pa. rule 240 (j)(1) the court must determine if the complaint lack an arguable basis either law or fact. In the court opinion the fact was clearly stated in petitioners' Twila Haynes complaint. These facts were Breach of Contract, Negligence and Violation of Americans Disability Act.