

No. **19-6386**

Supreme Court, U.S.
FILED

SEP 13 2019

OFFICE OF THE CLERK

**IN THE
SUPREME COURT OF THE UNITED STATES**

XUEJIE HE ET. AL. ,

-PETITIONER(S)

vs.

GUTTBENBERG NJ POLICE DEPARTMENT ET. AL. ,

-RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

**STATE OF NEW YORK
COURT OF APPEALS**

PETITION FOR WRIT OF CERTIORARI

CORRECTED

XUE JIE HE , Pro Se

40 Ann Street Address

New York, New York 10038

3472689418

ORIGINAL

QUESTION PRESENTED

1. US visa:.....0187 , legal short-term stay, US visa:.....0012 , legal study abroad , life injury, can Petitioner get The Equal Protection Clause Of The Fourteenth Amendment to the United States Constitution?

2. Only one Hon. Janet DiFore Chief Judge, presiding, no more Judges, and Petitioner were not heard in a court[A-A]. Whether the State of New York Court of Appeals Ordered directly conflict with the Due Process Clause and the Equal Protection Clause Of The Fourteenth Amendment to the United States Constitution?

3. No papers having been filed in opposition thereto, no any evidence to support these Orders [A-A],[A-B], [A-C], [A-D], Whether the Order of the lower court directly conflict with an the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution?

4. The failure is shown by date to plead. According to Rule 55, CPLR Rule 320 (a), CPLR 3215(c) , so jurisdiction has been established. But the petitioner cannot obtain a default judgement, is it a violation of the Equal Protection Clause Of The Fourteenth Amendment to the United States Constitution?

5. Not fulfilling the obligation to inform, according to the Federal Civil Procedure Rules 37. (b)(2)(A) Is the fact that jurisdiction is asserted has been established?

6. Guttbenberg NJ Police Department modified the report of record of rape, and continued to fake Petitioner's Complaint in Memorandum Of Law In Support.Hudson County

Prosecutor's Office interrogated the petitioner as a prostitute, and threatened Petitioner at intimidation, and destroyed the record and Petitioner's exhibit at last. Refused to fulfill these obligation as by law enact. whether it is perjury; defamation; dereliction of duty ;Conspiracy against rights? that whether it is intentional act for refusing to an the Equal Protection, Deprivation of rights under color of law. under:

Perjury generally, 18 U.S. Code § 1621;

Defamation, 28 U.S. Code § 4101;

Conspiracy against rights , 18 U.S. Code § 241;

Deprivation of rights under color of law, 18 U.S. Code § 242;

and,

CarePoint Health accepts the chief complaint Sexual Assault, refusal to provide the Standards of comprehensive health care services. No to provide HIV preventives, birth control pills, Whether it is deliberate deprivation of the right to life, Criminal conspiracy? Criminal murder ? under:

Examination and treatment for emergency medical conditions and women in labor, 42 U.S. Code § 1395dd (b)(1)(d)(2)(A).

Conspiracy to interfere with civil rights , 42 U.S.C. § 1985(3)?

So GJPD, HCPO, CH ,

whether it is discrimination, and intentional? under:

Attorney General Standards for Providing Services to Victims of Sexual Assault (2nd Edition).

Equal access, 42. U.S.C. § 2000 a (a)

Racial Discrimination Act, 1975 (13)(b)(18A) (1)(a)。

7. Derek Smith Law Group, PLLC barred from access to business services due to the fact Petitioner cannot speak and write English sufficiently. Staten Island Legal Services and Legal Aid Society Breach of loyalty, and stopped the case service. Camba refused agent of appeal of case. Whether it is intentional act for refusing to the Equal Protection, Deprivation of rights under color of law, So, whether it is discrimination, molestation?

8. Garden Of Hope changed the locks of residence, and pried open the lock of wardrobe of Petitioner, stole all personal belongings, whether it is robbery and house-breaking, illegally eviction, breach of promise, discrimination? don't clean up public space sanitation, will be driven out of the shelter, whether it is a threat, intimidation, forced labor?

9. Mount Sinai Health System("MSHS"), Richmond University Medical Center refused to send Petitioner to hospital for medical tests and treatment for falls hurt. Metropolitan Dental Associates and New York University refused to treat teeth, whether it is discrimination, molestation?

MSHS false statement in public that Petitioner was a liar, and recorded into the medical record, whether it is insult and, Defamation?

10. New York police department refused report; destroyed the operation report; one the operation report replaced the other one; refused to provide police report, whether it is

dereliction of duty ;Conspiracy against rights? that whether it is intentional act for refusing to satisfy its legal obligations to an Equal Protection, Deprivation of rights under color of law, whether it is discrimination , molestation?

11.New York accepted to the non-legal names to bring an action against, and Execution of judgment, whether it is intentional act for refusing to an the Equal Protection, Deprivation of rights under color of law, So, whether it is discrimination , molestation?

12.Supermarket employees earn \$2,300.00 a month in New York that same in the Kunming China supermarket employees earn.The 22-year income of supermarket employees is ¥510,000.00 in Kunming China that can buy Petitioner's car. That Supermarket employees have a 22-year income of \$510,000.00 in New York, so In the amount claimed, the dollar and the renminbi equivalent?

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:

Heyangying Shi

-PETITIONER(S)

vs.

United States

New York

New Jersey

CarePoint Health

Hudson County Prosecutor's Office

Derek Smith Law Group, PLLC

Garden Of Hope

Mount Sinai Health System

Richmond University Medical Center

New York University

Staten Island Legal Services

Legal Aid Society

Camba

Trinity Church

New York-Presbyterian Hospital

Modern Medical, PC

Metropolitan Dental Associates

-RESPONDENT(S)

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INDEX TO APPENDICES

- APPENDIX A** ORDERED Mo.No 2019-413, that the motion for leave to appeal is dismissed upon the ground that it does not lie(see NY Const, art VI,§ 3);
ORDERED, that the motion for poor person relief is dismissed as academic. By State of New York Court of Appeals. (Only Hon. Janet DiFore Chief Judge, presiding. None other Judges). (Entered:06/28/19)
- APPENDIX B** ORDER PART 23 SEQ 003 that dismiss the complaint, granted as to Hudson county prosecutor's office. There is no jurisdiction as to movant because there exist no contact with New York State (Daimler AG v. Vauman, 134 S. Ct 746 (2012). Further, the complaint fails to state a claim cognizable at law and fails to assert a material allegation necessary to support any case of action (Basis Yield Alpha Fund v. Goldman Sachs Group, Inc,115 A.D.3d 128 [2014). By Supreme Court of the State of New York New York County (Hon. W. FRANC PERRY, III). (Entered:06/22/18)
- APPENDIX C** ORDER PART 23 SEQ 002 that dismiss the complaint, granted for the reasons stated on the record on May 3, 2018. By Supreme Court of the State of New York New York County (Hon. W. FRANC PERRY, III). (Entered:05/04/18)
- APPENDIX D** ORDER PART 23 SEQ 001 that dismiss the complaint, granted for the reasons stated on the record on May 3, 2018. By Supreme Court of the State of New York New York County (Hon. W. FRANC PERRY, III). (Entered:05/04/18)
- APPENDIX E** ORDERED M-5245 that the motion for leave to prosecute appeal, as a poor person for renewal is seeking the same relief (M-3396) , and is denied. upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon. By Supreme Court of the State of New York Appellate Division: First Department. (Hon. Judith J. Gische, Troy K. Webber, Jeffrey K. Oing, Anil C. Singh). (Entered:12/11/18)
- APPENDIX F** ORDERED M-3396 that the motion for leave to prosecute appeal, as a poor person, an order entered on or about June 22, 2018 is denied. By Supreme Court Of The State Of New York Appellate Division: First Department. (Hon. JUDITH J. GISCHE, K. WEBBER, JEFFREY K. OING, ANIL C. SINGH). (Entered:09/25/18)

- APPENDIX G** ORDERED M-3726 that the motion for leave to prosecute appeal, as a poor person, an order entered on or about May 04, 2018 is denied. By Supreme Court of the State of New York Appellate Division: First Department. (Hon. David Friedman, Barbara R. Kapnick, Marcy L. Kahn, Ellen Gesmer, Cynthia S. Kern,). ([Entered:10/02/18)
- APPENDIX H** ORDERED, that the motion fees are hereby waived ,show cause on June 21,2018 at 9:30II. By Supreme Court of the State of New York New York County (Hon. W. FRANC PERRY, III). (Entered:06/13/18)
- APPENDIX I** ORDER PART 23 SEQ 004 that proceed as a poor person denied as moot. By Supreme Court of the State of New York New York County (Hon. W. FRANC PERRY,III). (Entered:06/22/18)
- APPENDIX J** ORDER PART 23 SEQ 005 that denied for movants failure to appear for oral argument on October 4th, 2018. By Supreme Court of the State of New York New York County (Hon. W. FRANC PERRY,III). (Entered: 10/05/18)
- APPENDIX K** POOR PERSON ORDER DENIED that if the index number fee is not paid within 120 days of this order, the action will be dismissed by Supreme Court of the State of New York New York County(Hon. ARTHUR F. ENGORON). (Entered:09/06/18)

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Boddie v. Connecticut	401 U.S. 371 (1971)
Chopourian v. Catholic Healthcare West	(E.D. Cal. Feb. 29, 2012)
Reeves v. Sanderson Plumbing Products, Inc.,	530 U.S. 133 (2000)
Dustin v. Beckstrand	654 P.2d 368 (Idaho 1982)

STATUTES AND RULES

Fourteenth Amendment to the United States Constitution

10 U.S. Code § 892. Art. 92. (1)(3)

18 U.S. Code § 241.

18 U.S. Code § 242.

42. U.S.C. § 2000 a (a)

42. U.S.C. § 1985(3)

42 U.S. Code § 1395dd (b)(1)(d)(2)(A).

28 U.S. Code § 1915

Rule 37. (b)(2)(A)

Rule 55. (a)

CPLR § 3215 (c)

CPLR Rule 320 (a)

CPLR 3120

Racial Discrimination Act of 1975 (13)(b)(18A)(1)(a)

OTHER

Attorney General Standards for Providing Services to Victims of Sexual Assault (2nd Edition)

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. or,

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. : or

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits 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 Supreme Court of the State of New York New York County

_____court appears at Appendix B,C,D to the petition and is

☐ reported at_____; or,

☐ has been designated for publication but is not yet reported; or,

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: _____, 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. 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was June 27, 2019. A copy of that decision appears at Appendix A.

☐ 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

Fourteenth Amendment to the United States Constitution (Section 1.)

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

42. U.S.C. § 2000 a (a)

(a) Equal access

All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.

42 U.S. Code § 1985 (3)

Conspiracy to interfere with civil rights

(3) Depriving persons of rights or privileges

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of

depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

18 U.S. Code § 241

Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or

enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

18 U.S. Code § 242

Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien,

28 U.S. Code § 1915(a)(1)

(a) (1) Subject to subsection (b), any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress.

Federal Civil Procedure Rules 37. (b)(2)(A)

(b) (2) (A) For Not Obeying a Discovery Order. If a party or a party's officer, director, or managing agent—or a witness designated under Rule 30(b)(6) or 31(a)(4)—fails to obey an order to provide or permit discovery, including an order under

Rule 26(f), 35, or 37(a), the court where the action is pending may issue further just orders. They may include the following:

- (i) directing that the matters embraced in the order or other designated facts be taken as established for purposes of the action, as the prevailing party claims;
- (ii) prohibiting the disobedient party from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;
- (iii) striking pleadings in whole or in part;
- (iv) staying further proceedings until the order is obeyed;
- (v) dismissing the action or proceeding in whole or in part;
- (vi) rendering a default judgment against the disobedient party; or
- (vii) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination.

42 U.S. Code § 1395dd (b)(1)(d)(2)(A).

(b) Necessary stabilizing treatment for emergency medical conditions and labor,

(1) In general If any individual (whether or not eligible for benefits under this

subchapter) comes to a hospital and the hospital determines that the individual has an emergency medical condition, the hospital must provide either—

(A) within the staff and facilities available at the hospital, for such further

medical examination and such treatment as may be required to stabilize the medical condition, or

(B) for transfer of the individual to another medical facility in accordance with subsection.

(d) (2) (A) Any individual who suffers personal harm as a direct result of a participating hospital's violation of a requirement of this section may, in a civil action against the participating hospital, obtain those damages available for personal injury under the law of the State in which the hospital is located, and such equitable relief as is appropriate.

Racial Discrimination Act 1975 (13)(b)(18A) (1)(a)

13 Provision of goods and services

It is unlawful for a person who supplies goods or services to the public or to any section of the public:

(b) to refuse or fail on demand to supply those goods or services to another person except on less favourable terms or conditions than those upon or subject to which he or she would otherwise supply those goods or services;

by reason of the race, colour or national or ethnic origin of that other person or of any relative or associate of that other person.

18A Vicarious liability

(1) (a) an employee or agent of a person does an act in connection with his or her duties as an employee or agent; and

(b) the act would be unlawful under this Part if it were done by that person;
this Act applies in relation to that person as if that person had also done the act.

Rule 55. Default; Default Judgment (a)

(a) Entering a Default. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.

CPLR Rule 320 (a)

(a) Requirement of appearance. The defendant appears by serving an answer or a notice of appearance, or by making a motion which has the effect of extending the time to answer. An appearance shall be made within twenty days after service of the summons.

CPLR 3215 (c)

(c) Default not entered within one year. If the plaintiff fails to take proceedings for the entry of judgment within one year after the default, the court shall not enter judgment but shall dismiss the complaint as abandoned, without costs, upon its own initiative or on motion, unless sufficient cause is shown why the complaint should not be dismissed. A motion by the defendant under this subdivision does not constitute an appearance in the action.

CPLR 3120 (1)(i)

(The exclusive possession of one a party to the litigation.)

1. After commencement of an action, any party may serve on any other party a notice or on any other person a subpoena duces tecum:

- (i) to produce and permit the party seeking discovery, or someone acting on his or her behalf, to inspect, copy, test or photograph any designated documents or any things which are in the possession, custody or control of the party or person served; or

Attorney General Standards for Providing Services to Victims of Sexual Assault [A-96]

STATEMENT OF THE CASE

This case arises out of a February 09, 2016 in Guttenberg NJ Police Department ("GJPD") 6808 Park Avenue, Guttenberg NJ 07093.

GJPD's three policemen forged a report that it canceled rape fact [A-48] and the witness (GJPD found Chinese man translator)[A-49], that Petitioner letted boyfriend stop, stop, no[A-54], then sent Petitioner to CarePoint Health("CH"). GJPD forged an Investigation report again that Petitioner was voluntary and was not raped to Hudson County Prosecutor's Office ("HCPO") [A-50], and continued to forge Petitioner's Complaint in Memorandum Of Law In Support that the Chinese man translator in the CH[A-70] [A-96].

HCPO's two prosecutors interrogated the petitioner as a prostitute in Video Remote interpreter in the CH [A-VRI], and threatened Petitioner at intimidation, insulted that will check evidence [A-51] DNA to know how many people have sex with petitioner [A-VRI], and finally destroyed the record and evidence[A-52]. Refused to fulfill these obligation as by law enact [A-96].

CH accepted the chief complaint that Petitioner was Sexual Assault in VRI at the Christ Hospital[A-53], that vagina, uterus, anal bleeding[A-53], that day was the third day, didn't send the petitioner to medical forensic examination. Refusal to provide HIV preventives, birth control pills, and any pills[A-53], only cotton swab dipped blood in the womb, then sent Petitioner back home. Deliberate deprivation of the right to life [A-96].

Insult, fear, fear, body aches, pain lead to

Petitioner suicided unsuccessful, when Petitioner got evidence of criminals on [A-54],

had to back to China for treatment and an operation on March 28, 2016[A-55].

lost abstract thinking as an Architect, then had to unemployed in China on March 2016.

Uterine Fibroids, and heart disease on December 07, 2016[A-56], and if was infected HIV, [A-57] ?

Economic damages total: ¥28,108,358.60 [A-57-61] [A-33].

Petitioner came back the U.S from the China for Claim on March 21, 2017.

Derek Smith Law Group, PLLC barred Petitioner from access to business services due to the fact Petitioner cannot speak or write English sufficiently on April 5, 2017[A-62].

NY of NYC Rescue Mission broke the contract[A-63], illegally eviction, canceled bed on May 23, 2017, Petitioner was Angina on May 25, 2017[A-64]. lived in Garden of Hope (“GOH”) on May 26, 2017[A-74].

On July 28, 2017, H.S transferred College to New York for her mom. H.S started suffered emotional distress by personal Injury of mother, familial relationships were affect by Respondent injuries. H.S is only 20 years old.

The complaint for personal injuries settlement against Guttbenberg NJ Police

Department et. al Document filed by Xuejie He on August 31,2017 at Supreme Court Of The State Of New York New York County[A-47]. Poor person was refused [A-K].

Respondents filed jurisdictional motion as defense at the failure time [A-65-69], and concealed the truth again[A-70]. thereby Petitioner's personal Injury to happen again and again.

Trinity Church, New York-Presbyterian Hospital, Modern Medical.Pc,

beaten, attacked, defamation to Petitioners on October 30, 2017, Motion by Reply Affidavit [A-29] . This case has been accepted by the Supreme Court, NO. 18-9779.

Garden of Hope,

forced labor to Petitioner [A-75], changed the locks of residence [A-71] [A-72], and pried open the lock of wardrobe of Petitioner [A-73], stole all personal belongings and food on November 21, 2017. Breach of promise[A-74]. Recovery damages \$400,000 motion was provided by Reply Affidavit [A- 29].

Mount Sinai Health System("MSHS"), Richmond University Medical Center ("RUMC"), Metropolitan Dental Associates("MDA"), New York University("NYU"),

MSHS

refused to send Petitioner went in hospital for medical tests and treatment for fell down on the ice on March 23[A-76], on March 27[A-76], and on April 09 2018 [A-77]. Just painkiller cover up physical illnesses, and splint used for comminuted fracture of the distal radius , only sent Petitioner to Dr Weber , Dr Weber had to have an operation to Petitioner

on April 09[A-77]. MSHS Dr Javier Z gave up an operation to Petitioner on April 13, 2018.

RUMC

refused to treat disc protrusions, disc osteophyte complex and Concussion on April 19, 2018[A-78], only sent to appointment Neurology for Concussion.

MSHS

refused to treat cervical spine injury, public humiliation Petitioner in waiting room on August 31, 2018 [A-79].

Metropolitan Dental Associates (“MDA”) and New York University (“NYU”),

refused root canal treatment for defects teeth of Petitioner that fell down on the ice on March 23, 2018. it was eleven months [A-98] [A-99].

MDA

referred Petitioner to NYU Dentistry on first day September 10, 2018 [A-97], refused to provide medical records until on August 19, 2019 [A-101].

NYU

It was five months after, Dentistry referred Petitioner to Implant prosthetic of Dentistry Prosth on February 11, 2019[A-99], refused referral Petitioner to Endodontics on April 26, 2019 [A-99] [A-100].

The case of falling down on the ice has been accepted by the Supreme Court, NO.

18-9778.

Staten Island Legal Services("SILS") and Legal Aid Society("LAS")

refused to file a counterclaim to an eviction case NO.051338-18, that no Multiple Dwelling[A-86], forced payment of rent[A-79] and made personal injury to Petitioner [A-80]. The violation Petitioner's authorization just need one judgment [A-81], give up 8 months rent of one family residence, makes plaintiff has no condition to withdrew a lawsuit [A-82], and filed eviction case again at once, SILS [A-83]and LAS [A-84] stopped service on October 25, 2018.

Camba,

refused that agent of appeal of the eviction case and notice of eviction [A-92]was definitely to prevail Petitioner [A-85], that the plaintiff used nonlegal name [A-86], the plaintiff never signed on lease [A-80], breach of lease on March 6, 2019 [A-80].

New York ("NY") refused Law enforcement,

NY 911 Police number 21133 and 21587 at 6:13 Pm, and NYPD 109th Precinct refused to report about at 8:30 PM for illegally eviction and burglary on November 21, 2017[A-71] [A-72][A-29].

NY 911 refused to provide a operation report that property malicious damage and burglary on November 27, 2017 [A-73] [A-87][A-29]. NYPD 109th Precinct destroyed report of burglary on March 2, 2018 [A-88]. NY 911 refused to provide an attack report on the spot that four people attacked Petitioner at illegal trespass that Petitioner continued to vomit in

NY 911 refused to provide a operation report that property malicious damage and burglary on November 27, 2017 [A-73] [A-87][A-29]. NYPD 109th Precinct destroyed report of burglary on March 2, 2018 [A-88]. NY 911 refused to provide an attack report on the spot that four people attacked Petitioner at illegal trespass that Petitioner continued to vomit in the toilet on April 19, 2018 [A-89], that only sent Petitioner to RUMC. NYPD 120th Precinct used a threatened report (June 10, 2018) [A-90] to replace the attack report (April 19, 2018) no July 19, 2018 [A-91]. NYPD destroyed the attack report on April 19, 2018 [A-91].

New York ("NY") allowed Unauthorized Practice of Law, enforces an invalid judgment that name was an illegal name [A-92][A-86]. The application for loss claim form("LCF") filed to Office of the New York City Comptrolle ("ONYC.CO,") on May 29, 2019 [A-93]. ONYC.CO: assigned the claim number :2019P1015357, and will do our best to investigate and, settle your claim on June 05, 2019[A-94]. ONYC CO: claim been disallowed by failed to provide the date, location and, description on June 07, 2019 [A-95], but they were in LCF page 1-2[A-93]. NY was in violation of the Equal access.

On May 03, 2018, CAME on for trial, Judges bench adds a "judge", the trial judge read Memorandum of Law in Support by Respondent GNJPD. Petitioner filed a timely to oppose to false testimony [A-70], "judge" left first, then Judge issued an order that only trial judge signature[APPENDIX C], [APPENDIX D]. Obviously, this order exceeding jurisdiction.

On June 07, 2018, Petitioner filed motion to Dismiss Respondents's Personal Jurisdiction Pursuant to discovery CPLR 3120 [A-24].

ORDERED, fees are waived, show cause on June 21,2018 at 9:30 Am [APPENDIX H]. The Court confirmed that the Petitioner was entitled to redress.

On June 21,2018, the Court didn't have showed cause at 9:30 am, kept doing Jurisdiction trial at 10:00 am. [APPENDIX B], [APPENDIX I].

Petitioner filed a timely Notice of Appeal, and motion for poor person relief and transcript to on July 09, 2018 [A-17], and on July 24, 2018[A-9], and retrial motion on October 22, 2018 [A-5].

Respondent(s) did not plead. Petitioner didn't heard these orders in the court, September on 25, 2018 [APPENDIX F], on October 02, 2018[APPENDIX G], and on December 11, 2018 [APPENDIX E].

Petitioner didn't arrive that the case has been appealed on October 04,2018 [APPENDIX J].

Petitioner filed leave to prosecute appeal as a poor person to the State of New York Court of Appeals on April 18, 2019 [A-3].

Respondent(s) still did not plead papers in opposition thereto. Petitioner didn't heard the order in the court on June 28, 2019,[APPENDIX A].

H.S suspend its school that no money to pay for tuition on June 7, 2019.

The dream of H.S becoming a doctor was destroyed by the United States.

WHEREFORE Petitioner partys for judgment against Respondent :

liquidated damages, and reasonable attorneys' fees, any other and further relief that the court considers proper and costs as remedies for Respondents' violations of their rights.

REASONS FOR GRANTING THE WRIT

REASONS FOR GRANTING THE WRIT was the Court of judiciary discrimination:

Petitioner do not have money to pay Court. The Court of Appeal refused to triable.

More important, compelling reasons:

The State of New York Court of Appeals' ordered that there was not "any evidence" to support it; no papers having been filed in opposition thereto [A-A]and,

The State of New York Court of Appeals has entered a decision in conflict with the decision of another United States court of appeals and the Supreme Court of the United States on the same important matter;

Has so far departed from the accepted and usual course of judicial proceedings, sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power.

More important, More compelling reasons:

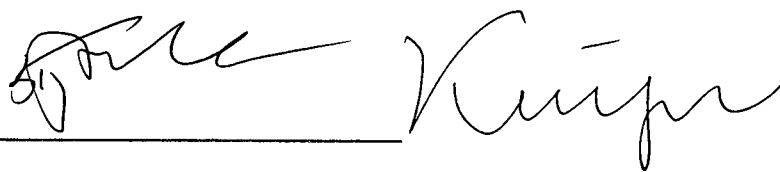
When a case is between two or more states, the Supreme Court holds both original and exclusive jurisdiction, and no lower court may hear such cases.

Emergency relief, Petitioner can't work, judicial discrimination exhausts the petitioner's all savings. H.S don't have money to pay for tuition. H.S is an international student.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: October 16, 2019