

No. 19-6872

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED  
NOV 25 2019  
OFFICE OF THE CLERK

JAMES RAY CLARK — PETITIONER  
(Your Name)

vs.

LMC HOSPITALS; UNKNOWN — RESPONDENT(S)  
DOCTOR, LMC HOSPITAL  
ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEALS FOR FOURTH CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

JAMES RAY CLARK  
(Your Name)

P.O. BOX 1058  
(Address)

BURGA W N.C. 28425  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

### QUESTION(S) PRESENTED

IF A DOCTOR PERFORMS EMERGENCY SURGERY ON A PETITIONER IN A COMA, MAKES INCISION AT INCORRECT LOCATION, THEN STICHES UP WOUND AND MAKES SECOND CORRECT INCISION, HAS SURGEON COMMITTED CRIMINAL ACT IF HE CONCEALS MISTAKEN INCISION?

SURGEON NEGLECTED TO PROPERLY REVIEW PETITIONER'S IN COMA MEDICAL RECORDS UPON ARRIVAL AT HOSPITAL EMERGENCY ABOVE, RESULTING IN HIS NOT RECEIVING DAILY INSULIN FOR OVER 30-DAY PERIOD, CAUSING BOTH KIDNEYS TO SHUT DOWN, ENDING UP ON DIALYSIS FOR OVER ANOTHER MONTH, THEN CONCEAL THE SECOND NEGLENT ACT.

HAS THAT DOCTOR COMMITTED A SECOND CRIMINAL ACT AND ENTITLING PETITIONER TO COMPENSATORY AND PUNATIVE DAMAGES?

WAS PRO-SE PETITIONER ENTITLED OF DISTRICT COURT'S LIBERAL CONSTRUCTION OF COVER-UP OF NEGLENT ACTS, AS CRIMINAL ACT OF MEDICAL IN DIFFERENCE?

## 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:

N.C. ATT. GEN. JOSHUA STEIN P.O. BOX 629 RALEIGH  
N.C. 27602

## RELATED CASES

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## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
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## STATUTES AND RULES

## OTHER

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 B 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☒ is unpublished.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 A 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 APRIL 5, 2019.

☐ 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: NOV. 15, 2019, and a copy of the order denying rehearing appears at Appendix B.

☐ 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**

28 U.S.C. § 2101(E)

8TH AMD. U.S.C. CRUEL AND UNUSUAL PUNISHMENT



### STATEMENT OF THE CASE

DEFENDANT(S) IN CONSPIRACY COVERED UP MISTAKEN INCISION ON ~~WROTE NECK SIDE~~ DURING SURGERY AND ALSO FAILLURE TO PROPERLY REVIEW MEDICAL RECORDS OF A TYPE (I) DIABETIC PATIENT IN COMA, DURING MEDICAL EMERGENCY, RESULTING IN COVER-UP OF BAD INCISION AND KIDNEY FAILLURE INJURY, AND 6-MONTHS OF PAIN AND SUFFERING, FROM BADLY INFECTED RASH (1) FOOT LONG BETWEEN LEGS.

ERIKSON V. PAROLIS 551 U.S. 89 (2007) (PRO-SE COMPLAINT CONSTRUED LIBERALLY WAS SUFFICIENT TO PLEAD ALLEGATIONS OF MEDICAL INDIFFERENCE ARISING FROM DENIAL OF MEDICATION).

### REASONS FOR GRANTING THE PETITION

PETITIONER IS ENTITLED TO REMAND WITH INSTRUCTIONS FOR DISTRICT COURT TO GRANT SUMMARY JUDGMENT FOR \$700,000 PUNATIVE DAMAGES FOR CONDUCTING COVER-UP OF NEGLEGEANT ACTS.

PETITIONER HAS COLORABLY SHOWN COVER-UP OF NEGLEGEANT ACTS, RISING TO CRIMINAL AND CIVIL RIGHTS VIOLATIONS, CAUSING CRUEL AND UNLAWFUL PUNISHMENT, OF PAIN AND SUFFERING, WEARING 6-MONTH DIAPER TREATMENT OF BAD INFECTION BETWEEN LEGS, AND HAVING TO GUESS AT WHAT CAUSED HIS PAINFUL CONDITION, IN ORDER TO SEE THAT ITS PROPERLY TREATED, BY NURSES.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

X James Ray Clark

Date: Nov. 21, 2019