

RULE 44 STATEMENT

I, SHA'RON A. SIMS, DECLARE UNDER PENALTY OF PURJURY, THAT I PRESENT THIS PETITION IN GOOD FAITH AND NOT FOR REASONS OF DELAY. THE PETITION RAISE SUBSTANTIAL QUESTIONS OF LAW, WHICH WHICH WASN'T PREVIOUSLY PRESENTED IN THE THE PARTIES. SIMS ASSERT THAT HIS COURT SHOULD FIND THESE ISSUES WARRANTING OF THIS COURT'S ATTENTION.

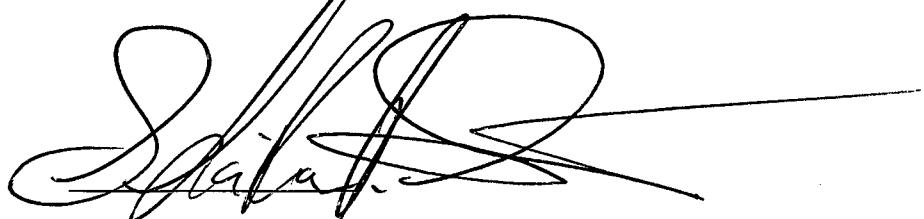
THE ISSUES RAISED ARE:

1) CONSIDERING THAT THIS COURT, WHEN PASSING ON MOTIONS TO DISMISS, DIDN'T CONSIDER, NOR DID ANY PARTY IN THOSE CASES RAISE, THE 7TH AMENDMENT'S "PRESERVATION" CLAUSE AND THE IMPACT THAT THIS COURT'S RULING IN *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, *Ashcroft v. Iqbal*, 556 U.S. 662, *Tellabs Inc. v. Makor Issues & Rights*, 551 U.S. 308, AND *Comcast v. National Association of African-American-Owned Media*, 589 U.S. ____ (2020) WILL HAVE ON THAT CLAUSE, SIMS ASKS THE COURT IF THE HOLDING WITHIN THOSE CASES WITHSTAND THE CONSTITUTIONAL REQUIREMENT OF THE 7TH AMENDMENT AND WHAT IS "PRESERVED" BY THE 7TH AMENDMENT'S "PRESERVATION CLAUSE."

AND,

2) SIMS RAISES THE QUESTION OF WHETHER OR NOT THIS COURT'S DISCRETIONARY REVIEW POLICY COMPORTS WITH ARTICLE III'S CONSTITUTIONALLY GRANTED JURISDICTION REQUIREMENT.

THE WORD "SHALL", WITHIN ARTICLE III, APPEARS TO BE A COMMND, NOT DISCRETIONARY IN NATURE, IF THIS BE SO, THEN A QUESTION AS TO THE CONSTITUTIONAL AUTHORITY OF THIS COURT, OR THE CONGRESS, ACTING ALONE OR IN COOPERATION, TO REDUCE THE COURT'S DOCKET TO DISCRETIONARY IN CASES WHICH "ARISE UNDER" THE CONSTITUTION IS CONCERNED. THERE APPEARS TO BE A SMALL NUMBER OF CASES WHICH NEITHER CONGRESS, NOR THIS COURT, CAN GIVE, OR SUSTAIN, A DISCRETIONARY POLICY FOR.



SHA'RON . SIMS

PRO SE.

6-3-2020