

MAR 27 2020

OFFICE OF THE CLERK

19-8200

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Don Farley,

Petitioner,

vs.

Carl Parson,

Respondent.

PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE TENTH
CIRCUIT

Don Farley
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ORIGINAL

QUESTIONS PRESENTED

1. Was Farley denied his First Amendment Right of Free Speech and Fourteenth Amendment of due process?
2. Did the U.S. District Court fail to exercise reasonable control over the mode and order of examining witnesses and presenting evidence to make the procedures effective for determining the truth?
3. Did the U.S. District Court error in not allowing any of Farley's exhibits and exclusion of evidence?
4. Was invasion of privacy proved for a political candidate?
5. Did the District Court error in allowing irrelevant information and evidence to be presented?
6. Did the District Court error on impeaching Farley, for arguing a false and fabricated document that had not been presented, while Farley was on the witness stand testifying against himself?
7. Did the District Court error in not presenting proper instruction as to First Amendment rights as to free speech?
8. Did the Plaintiff meet the Court's instruction on burden of proof "the party who seeks to recover on a claim has the burden to prove the note was false or that it caused him any damages"?
9. Did the District Court Error pursuant to Federal Rule of Civil Procedures 26(3) and Federal Rule of Evidence 1002?
10. Did the District Court error in proceeding with the trial, allowing irrelevant evidence once Farley asked for a mistrial, to be excused and was not in attendance?

11. Did Parson's evidence and requirements meet the criteria of this case?
12. Were all of the objections by Plaintiff's counsel during Farley's opening and closing statements which caused a tremendous amount of confusion acceptable to the Federal Court Procedures?

PARTIES TO THE PROCEEDING

Parties to the proceeding in the United States Court of Appeals
of the Tenth Circuit were Petitioner, Don Farley, and,
Respondent, Carl Parson.

RELATED CASES

United States Court of Appeals for the Tenth Circuit Case
Number 18-5125

United States District Court for the Northern District of
Oklahoma No. 16-CV-423-JED-JFJ

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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

The opinion of the United States court of appeals at Appendix A to the petition and is unpublished.

The opinion of the United States district court appears at Appendix B to the petitioner and is unpublished.

JURISDICTION

The date on which the United States Court of Appeals decided my case was January 13, 2020.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS
INVOLVED

1. First Amendment Rights of free speech.
2. Fourteenth Amendment of due process.
3. Federal Rule 60 relief from judgment or order, presenting documents, not original and had been altered Rule 60(B)(3)(4).
4. Federal Rule of Evidence 611(I) procedures effective for determining the truth.

5. US. App. D.C. 300, 333, 750 F.2B 970, 1002 context of political candidates.
6. Federal Rule of Civil Procedure 51(D)(1)(2)(A) claim of error and Fed. R. Civ.P. 51(D)(2) plain error Farley was not aware that he had the right to object to Jury Instructions.
7. Federal Rule of Civil Procedure 26(3) disclosure of evidence.
8. Federal Rule of Evidence 1002 false promissory note.
9. Burden of proof as to punitive damages.
10. Irrelevant evidence.
11. Did Plaintiff's evidence and requirements meet the criteria of the case?

STATEMENT OF THE CASE

In reviewing the decision of the United States Court of Appeals, Tenth Circuit, I thought it was a difference case that the Appellee had sued me In District Court (1 of 4 suits) instead of the merits of case 18-5125. Although the decision magnifies my claims and defense as to irrelevant to this case, as it shows Appellee's quest of claims against Farley as really being proof of his guilt of the accusations against Farley. Parson knows the truth about the matters, particularly about Leon Farley and Don Farley, the brothers relationship, for over forty years and the family's ability to work things out, which Parson has been against going on nine (9) years. Every petition Parson has filed has been untruthful which makes it plain to see why no one would want him for their state representative; and therein lies the truth.

The note Farley sent to Mr. Ben Sherrer, the elected representative of District 8, was a private political note which contained information about Parson that was personal knowledge of the Farley family. Twenty (27) months after Leon Farley's death. Parson was able to convince Leon's children to perjure themselves and join him in the filing of a false probate petition in return for assets, debt free, and big bucks in punitive damages that he really wanted for himself. Parson has used the same tactics in this case – having Leon's children lie on his behalf.

Parson so far has been successful in his claims against Farley due to having counsel, Will Wright, who will use his knowledge of the law to twist the facts and prey on Farley's inability to defend himself. Will Wright's communications with Farley lead Farley to believe that they were pursuing the merits of the claims in this case, but as you can see from the decision of the 10th circuit, (Appendix A and Appendix E errors), they relied on evidence presented from another case that Farley objected to as being irrelevant.

During discovery, Farley, for the most part was following Wright's lead until Farley realized Wright was not following court procedures. Farley provided Wright with all documents he requested prior to discovery cut off, but Wright did not reciprocate. Farley had to make phone calls to Wright, send letters and file motions with the court to no avail (refer to Appendix B, tab 4, 5, 6 and Appendix C). Wright refused to cooperate with document requests and witnesses for deposition. In preparing the pre-trial order, Wright and Farley would agree on the contents, then Wright would do something different to the point where Farley gave up and refused to sign the order. Reference appendix B, tab 5 where Wright blamed Farley with inappropriate action and the Court went along with him. Refer to Appendix B tab 4, 5, 6, also, appendix B, tab 17, page 60, line 16; Farley, while testifying on the witness stand, Higgins submitted and questioned Farley about a lot of documents that had not been produced or discussed at pretrial conference or in the pretrial order. Farley objected, the Judge overruled the objection and told Farley the exhibit needed to come in, but none of Farley's were allowed in, unless they were on the pre-trial conference order.

Farley filed a motion for order to compel Plaintiff to answer discovery requests and the Court denied the motion (refer to 1/12/2018 TS No. 46&47 Appendix C). From the beginning, Wright and the Court had no respect and acted burdened to have to deal with a pro se action.

The Court would not allow Farley's exhibit one which had a letter from Kay Lee (who Parson claims as step mother) stating Parson had been on drugs which would have proven all of Farley's claims except the statement that Parson had cheated on his wife (refer to Appendix B, tab 6, exhibit disclosure, line #1).

Will Wright presented as evidence a promissory note and commercial guaranty of CDF, Inc. that Farley had signed off on as an officer, which was not an original. The document had been cut & pasted with information from other documents. The document had not been offered to Don Farley prior to him being on the witness stand. Farley objected numerous times until the Judge finally told Farley he was impeached. The presentation was such a surprise as the document had been subpoenaed in another case that had been quashed. Farley was so taken back with this action that he went unconscious. It was though all of the air had been sucked out of the jury section as you could tell the jury thought Farley had been lying to them. This is the reason Farley requested a mistrial, along with not understanding the judge's ruling that Farley was impeached. Farley thought that it meant that he was through and he wouldn't be able to do anything further in his defense. Farley respectfully requested to be excused from the proceedings and the Court.

REASONS FOR GRANTING THE PETITION

1. The U.S. District Court failed to exercise reasonable control over the mode and order of examining witnesses and presenting the evidence, to make the procedures effective for determining the truth and considering the defendant was pro se.

- A. Jury Instructions
- B. Sufficiency of evidence
- C. Exclusion of evidence, final pre-trial order
- D. Impeachment evidence
- E. Punitive Damages

2. The Court denied Farley's Motion to Order Parson to Compel discovery requests (refer to Appendix B TS 46 and 47, 1-12-2018.
3. Farley was not allowed to present his First Amendment Right of Free Speech and Fourteenth Amendment of Due Process.
4. No jury instructions on First Amendment Right of Free Speech and Fourteenth Amendment of Due Process.
5. Claim of Error and plain error.
6. Farley believes this Court and the attorneys had no respect and felt burdened with having to deal with a pro-se case and provided no toleration or consideration to this action.
7. Errors that the U.S. Court of Appeal for the 10th Circuit considered and relied upon outlined in the judgment as "background".

CONCLUSION

The truth still exists; the truth still matters; insistence that it doesn't is belligerence and a threat to our most fundamental institutions and the foundations of our democracy. If we continue to disregard it, everyone loses.

The petition for a writ of certiorari should be granted.

Respectfully submitted this 27 day of MARCH,
2020.

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