

19-8246

No. \_\_\_\_\_  
In The

Supreme Court of the United States  
GREGORY THOMAS,

Petitioner,

v.

TOM CORBETT, ET AL., GOVERNOR OF  
PENNSYLVANIA, JOHN E. WETZEL, ET  
AL., SECRETARY OF CORRECTIONS,  
SHIRLEY R. MOORE SMEAL, DEPUTY  
SECRETARY OF CORRECTIONS, HIS  
POLICY EXECUTIVE BOARD MAKERS  
SUED IN THEIR INDIVIDUAL CAPACITIES  
AND OFFICIAL CAPACITIES,

Respondents

On Petition For a Writ of Certiorari  
To The United States Court of Appeals  
For the Commonwealth Court  
Of Pennsylvania

PETITIONER FOR WRIT OF CERTIORARI

Gregory Thomas, Pro'se litigate  
SCI-Albion  
10745 Route 18  
Albion, PA 16475-0002

ii

PARTIES TO THE PROCEEDINGS  
Petitioner is Gregory Thomas  
Respondents are four employees of  
The Pennsylvania Department of Correction:  
And Governor of the State of Pennsylvania  
Tom Corbett  
John E. Wetzel  
Shirley R. Moore Smeal /and Policy Makers.

Supreme Court, U.S.  
FILED

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I

## QUESTIONS PRESENTED

1. Whether the Pennsylvania Department of Corrections Visiting policy violates the Religious Land Use and Institutionalized Person Act of 2000, U.S.C. § 2000cc et seq. (2006), when it prohibits a religious conjugal visit request not to stay overnight. To the extent the prison policy allows the LGBTQ Prisoners to marry and live in the same prison as cellmates.
2. Whether the Pennsylvania Department of Corrections cellmate policy Discriminates against heterosexual inmate who requested a religious Conjugal Visit, Under the Religious Land Use and Institutionalized Person Act. Not to stay overnight But authorizes the LGBTQ inmates to live together as cellmates and spouse -Married to one another .
3. Whether Pennsylvania Department of Corrections Prayer Oil Policy Prohibiting Petitioner from possessing Prayer Oil in his cell for Worship Burdens Petitioner's Religious Exercise and Violates his RLUIPA right.

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CONCLUSION

New York and California, and Washington State all have Conjugal Visit, the Free Spouse is allowed her Marriage Status Visit Overnight.

The Hoffmann, Dickerson and Dunn (2007) point out that conjugal visitation helps to improve the functioning of a marriage by maintaining an inmates role as husband or wife, improve the inmate behavior while incarcerated, counter the effects of prisonization, and improve post-release success by enhancing the inmates ability to maintain ties with his or her family. Additionally because conjugal visitation is reported to reduce homosexual activity and because AIDS is often spread by homosexual activity, conjugal visitation may help to attenuate the spread of AIDS in prison.

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42 U.S.C. § 2000cc-5(7)(a)	

We're entering in interregnum where the institutions of incarceration don't work for all because of new constitutional laws and both society members – we need to build new ones compatible to new laws, statutes, with constitutional protections for all citizens- The free family members.

The Courts are somewhat left behind, where conjugal visits are concern, because the Institutions that have them no longer refer the them as Conjugal Visits, the now called Family Visits because any direct family member can visit overnight.

# **PETITIONER FOR WRIT OF CERTIORARI**

Petitioner, Gregory Thomas, respectfully asks  
This Court to issue a writ of certiorari to review  
Decision of the Pennsylvania Supreme Court  
Entered in this case on July 17, 2019

## **OPINIONS BELOW**

The July 17, 2019 opinion of the Pennsylvania  
Supreme Court is ordered with the Appellee's  
Motion to Quash Appeal is granted, without  
Prejudice to Appellant's ability to raise the claims  
Therein on appeal form a final order of the  
Commonwealth Court See United States Orgs. For  
Bankr. Alts. Inc. v. Dep't of Banking, 26 A. 3D 474  
(PA.2011).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

The Religious Land Use and Institutionalized  
Person Act. Of 2000. 42 U.S.C. § 2000cc et seq.  
(2006).

Congress shall make no law.....abridging the  
right of the people ...to petition the Government  
for a redress of grievances.

Rule 8 of the Federal Rules of Civil Procedure pro  
vides, in pertinent part:

(d) Pleading to Be Concise and Direct;  
Alternative; Inconsistency...

The March 22, 2019 opinion of the Commonwealth  
Court of Pennsylvania set forth, the accompany  
order. Granted in favor of Respondents on the  
claims presented to the Court, the religious conjugal  
visit, and the worship prayer oil. At No. 458 M, D,  
2013.

These RLUIPA Questions will not be addressed by  
the lower Courts federal and State of Pennsylvania  
because they feel the courts have already answered  
the questions.

## **JURISDICTION**

The Pennsylvania Supreme Court of Appeals  
entered its final judgment on July, 2019. Petitioner  
is requesting this Court to finalize the questions  
under RLUIPA and Discrimination, and Equal  
Protection Clause.

(2) Alternative Statements of Claim or Defense.  
A party may set out 2 or more statements of a claim  
Or defense alternatively or hypothetically, either in  
a single count or defense or in separate ones,...

(3) Inconsistent Claims or Defenses. A party may  
State as many separate claims or defense as it has,  
Regardless of consistency.

(e) Construing Pleadings. Please must be construed  
So as to do justice.

Rule 56 of the Federal Rule of Civil Procedure provides,  
In pertinent part:

(c) Procedures....

(3)... The court need consider... the cited materials.-

## INTRODUCTION

In the past, all Federal Courts have ruled Conjugal visits are not protected by any laws or Constitutional protections. This rational was rooted in history of laws before same-sex marriage laws. States with authorized same-sex marriage laws where prisoners can marry another prisoner in the same prison and prison policy authorizes inmates to become cellmates by compatibility presents two constitutional questions unanswered by this court that effects Societal Marriage institutions which effects today's society as a whole. The Discrimination question for a heterosexual inside the prison walls, who request a conjugal visit and the RLUIPA Question of burdening the religious right to a conjugal visit for the free spouse. Petitioner's religion states he is ordered by his LORD to provide his wife her sexual intimacy rights as a form of worship, when she makes that requests for it. 'Or she has a right to Divorce him.

In this case, the Petitioner is being threaten by divorce because of the religious burdening from Pennsylvania Department of Corrections Visiting Policy. **THE PRAYER OIL** all Federal Prison allow prisoners to possess prayer oil in their cells for worship prayers, and 40 state prisons sale prayer oil in the prison commissary and allow P.Oil, in their cells for worship. Pennsylvania allowed prisoners to possess prayer oil in cells for 40 years and now it's prohibited because of a new administration.

Each American Prison has its own theory of why conjugal visits are not protected by state and federal laws and constitutional protection. The difference is that this case presents first impressions and seeks relief under a federal Civil Rights statutes specifically designed to protect the religious exercise of prisoners. 42 U.S.C. § 2000cc et seq. (2006) And Bill of Rights protects the Petitioner and the (RLUIPA), and under a precedent that requires robust and individualized application of strict scrutiny, *Gonzales v. O Centro Espirita Beneficente Uniao Vegeta*, 546 U.S. 418 (2006).

The state- imposed burden on petitioner's religious practices Prayer oil for all 5 prayers in his cell, and His religious obligation to provide sexual intimacy to his wife on a visit not to stay overnight. Respondents say they can allow no exceptions to the religious request for a conjugal visit and prayer oil to possess in his cell because of security concerns. But the defense is not tenable when forty state prisons allow prayer oil in commissary and all federal prisons allow prayer oil in cells. And 4 American State prisons allow conjugal visits to stay over night. And Respondents prisons allow prisoners to marry other prisoners in the same prison and live in the same cell together.

The defense is also untenable because the evidence offered to support it is too weak to satisfy RLUIPA's compelling interest test or to merit any deference from same-sex spouse within the prisons living together as cellmates. The prejudice is rooted in draconian old prison history of thinking; before the same-sex laws from this court. The defendants issues raised are post-hoc rationalizations for bureaucratic stubbornness, or worse.

## STATEMENT

1. Petitioner Gregory Thomas, also know as Jamal Mandela, is an inmate of the Pennsylvania Department of Corrections. Petitioner is a devoted Muslim who seeks to place prayer oil on his body for 5 obligated prayers of worship in his prison cell. In accordance with the religious obligations of his faith and the OBLIGATION worship of sexual intimacy to his wife. In according with the teaching of Prophet Muhammad's Hadith. And the Noble Quran of Islamic law. Petitioner believes that faithful Muslims should obey the saying and teachings of the Prophet Muhammad's hadith AND the Noble Quran by his Lord Allah. Surah 4:80.

The LGBTQ inmates are living together in the same cells as married spouses. This meth, that prisoners lose their sexual intimacy right by coming to prison is just that a meth. Prisoners can have sex with same-sex prisoners at any time and its legal and prison policy from the Respondents authorizes it. The policy is clear, it states unconsensual sex is prohibited. And the opposite is also true, consensual is legal for same sex spouse.

2. Petitioner stated the religious obligations presented is "sound hadith, a subject of much study in Islam, refers to the reliability with which a teaching is attributed to the Prophet. Petitioner cited the Sahih Al-bukhari, which is widely accepted as the soundest, or most authoritative, collection of hadith. Multiple reports of the same teaching are further evidence of soundness. This court must understand Prison life is not the same Now because of same-sex marriage laws. The rights of the LGBTQ community of inmates are upheld to the highest degree, but the heterosexual inmate's religious rights are being denied. The Free Spouse is not in prison. If a spouse is sent to prison and the FREE spouse decides to support and save her family and marriage, today's prison visiting rules should not be a burden to the free persons religious rights and obligations that is due from the imprison spouse. Constitutional sexual intimacy protections IS NOT AN OPEN AND SHUT QUESTION ANY longer.

3. Petitioner sought permission to possess prayer oil in his cell for all 5 worship prayers through the prison grievance process and exhausted that potential remedy. And to have a religious conjugal visit with his wife, night to stay overnight. Throughout the grievance process and ensuing litigation petitioner took a conservative approach to relief, although he understands hadith to require him to provide sexual intimacy rights to his wife for 72 hours. Petitioner viewed the night to stay overnight as a "compromise." Respondents rejected petitioner's offer. Because of the non-sexual rooted theory and prejudice for inmates in prison life.

4. Having exhausted his administrative remedies, petitioner filed a complaint, and a motion for a preliminary injunction relief.

The Pennsylvania Supreme Court recommended that Summary Judgement be granted to the respondents. The issues at bar is first impression questions. Rooted in history.

The Pennsylvania Courts answers to the questions presented here were technical rationals a Practice and Custom rooted in judicial history when answering questions about conjugal visits. Not addressing the RLUIPA claim according to those protected rights. In examining a pro'se Complaint, the court must liberally construe the plaintiff's pleadings, and apply the applicable law regardless of whether to pro'se litigant has mention it by name. **Dluhos v. Straberg**, 321 F.3d 365, 369, (3d Cir. 2003). All "doubtful questions" are to be resolved in favor of the Plaintiff. **Gray v. Occidental Life Ins. Co. of Cal.**, 387 F.2d 935, 936 (3d Cir. 2003).

The States that have Conjugal visits have recorded the prisons are safer when conjugal visits are implemented.

**Prisoner's Rights Project**  
199 Water Street NY 100 NY10038  
See Policies and Procedure  
for the Family Reunion  
Program. The data is clear  
what benefits the Conjugal  
visits plays for prison  
security and family and

**Prison Reforms that aid  
Society Family Units.**

The court below treated this Pro'se inmate as if he was a train attorney, in violation of the rulings by this court. Why? It was easy and the question is one for this court. No court will answer this question after the samesex laws ruled on by this court.

The Court is reminded that the considerations underlying the factual specificity requirement "must be balance against the equally important policies that pro'se litigant not be denied the opportunity to state a civil rights claim because of technicalities, and that litigation, when possible, should be decided on the merits." **Kauffman v. Moss**, 420 F.2d 1270 1276, (3rd Cir. 1970)

In the Eighth Circuit, these statutory grounds have been expanded to include cases in which the evidence is one- side that no further proceedings are necessary. J.A. 170 Johnson v. Bi- State Justice Center/ Ark. Dep't of Corr., 12 F. 3d 133, 136, (8<sup>th</sup> Cir. 1993). The States and Society, the Courts, has open the door to LGBTQ civil rights, then they must all tolerate what walks through those civil right doors, prison doors, Religious rights. The free spouse is not in prison, their tax paying citizen requesting their religious rights protected by Equal Protection, RLUIPA, AND the First Amendment.

The Pennsylvania Supreme Court refuse to adopt the RLUIPA standards and answer the questions under the RLUIPA Statute. Yick Wo v. Hopkins, 6 SCt, 1064, 118 U.S. 365, U.S. Cal. 1886. Sovereignty itself belongs to the people. The people spoke- samsex marriages is the law. Inside prison and out. The free spouse.

### SUMMARY OF ARGUMENT

This case presents a basic question of statutory interpretation: Dose the Religious Land Use and Institutionalized Persons Act mean what it says or should the legislative history interpreted to trump the statutory text and require extreme deference to defendant's prison officials? The petitioner believes it is his Religious Obligation to provide sexual Religious intimacy to his wife ordered by the Quran and hadith's of the Prophet. The petitioner's wife is threaten to Divorce him. The respondents has placed a burden on petitioner's religious rights because he is a heterosexual. Respondents visiting policy violates Equal Protection for petitioner. Discriminates against petitioner, violates his RLUIPA request for his wife religious right.

I. RLUIPA's text say that a substantial burden on a prisoner's exercise of religion can be justified only if imposition of that burden on the prisoner is the least restrictive mean of furthering a compelling government interest. This is the same strict-scrutiny standard that applies under the Religious Freedom Restoration Act. (RFRA). Which this Court enforced according to its terms in O Centro, 546, U.S. 418. The two statutes are in pari material and substantially identical in their key provisions. RLUIPA also places the burden of proving compelling interest and least restrictive means on the government, but the Supreme Court of Pennsylvania explicitly shifted that burden to the petitioner.

II. Respondents bear the burden of proving their affirmative defense under strict scrutiny because they have plainly imposed a substantial burden on petitioner's exercise of religion. They prohibit him from complying with a compulsory obligations of his faith and backed that prohibition with serious and cumulative penalties.

III. A. Respondents have not come close to demonstrating either compelling interest or least restrictive means. At least forty states and all federal prison systems allow inmates to possess prayer worship oil in their cells. At least four of the most dangerous and larger prison allow conjugal visits. Respondents cannot demonstrate a compelling interest without explaining why the rule that works in these prison systems would not work in Pennsylvania. Far from doing so, respondents freely admitted they rely on the old laws and ruling before same-sex marriage laws allowed same-sex prisoners to marry one another, live together in the same prison cell.

B. They gave no example of any harm to security just exaggerated rational because they dislike the conjugal visit request. Respondents claim inmates can start a fire with the prayer oil, but gave no example of it every happening, and did not mention they no longer cell lighters.

Finally, respondents have personal prejudices against the same-sex laws, so they refuse to make the exemptions required by RLUIPA, instead they refer to other states' rulings before the same-sex laws. This simply shows their refusal to take RLUIPA seriously; the statute works by requiring religious exemptions. In the Men's Prison Commissary list; Under Category Cosmetics; The respondents sell women, Mascara Black, eye pencil, Black, Lipstick, red/blue/shade. Oz/ Lipstick, Pink shade. Oz/ Lipstick, brown. 1.3oz/ eye pencil Black brown 0.0005oz. Under-Undergarments in this men prison Commissary list, women's briefs White, female Sports bra Quantity 3. This equal protection is not available for the petitioner, or petitioner's free wife, and she is aware of it and threaten divorce.

C. The Lower Court accepted this rational from respondents not because it demonstrated a compelling interest and least restrictive means, but because they had to defer to prison officials. To be sure, the legislative history mentions "due deference to the experience and expertise of prison and jail administrations;" but the legislative history cannot shore up defective rational arguments just to deny RLUIPA rights, much less override the statutory text. If any deference is due, it is due to the cumulative experience of the forty prison systems that would allow petitioner to possess prayer worship oil in his cell for all his prayers each day, and the four large dangerous prison system that would allow him a conjugal visit according to their policy- not to the conclusory and implausible old arguments made in this case which does not answer the questions according to RLUIPA.

Some way affected by the prisoner's religious claim. That is not what RLUIPA says.

The Religious Land Use and Institutionalized Persons Act provides: "No government shall impose a substantial burden on the religious exercise of a [prisoner]" unless "the government demonstrates that imposition of the burden on that person- (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest." 42 U.S.C. § 2000cc-1(a).

This statutory standard was enacted to supplement the much weaker standard for prisoner claims under the Free Exercise Clause, which requires only that the burden be "reasonable related to legitimate penological interests." *O'Lone v. Estate of Shabazz*, 482 U.S. 343, 349 (1987) (quoting *Turner v. Safley*, 482, U.S. 78, 89 (1987)). It is that weaker constitutional standard that the lower court's analysis parallels. But RLUIPA's statutory rule is different.

RLUIPA creates a distinct statutory standard providing "heightened protection" for religious exercise. *Cutter v. Wilkinson*, 544 U.S. 709 714 (2005). RLUIPA allows "prisoners to seek religious accommodations under the same standard as set forth in RFRA [the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb et seq.]

D. The courts below according to orders are technical and based on a mindset before same-sex marriage laws, and abject deference that cannot be squared with the statutory text. Instead of applying RLUIPA, they applied the usual rational-basis standard applicable to certain categories of prisoners' constitutional claims under *Turner v. Safley*, 482, U.S. 78 (1987). And wrongly shifted the burden of proof from the respondents to petitioner. But RLUIPA was enacted to provide a statutory alternative to the *Turner* standard, and it explicitly places the burden of proving compelling interest and least restrictive means on respondents. When prison officials refuse to adhere to laws and constitutional protected rights they don't approve of the run to other states, who think like them. In this case no state has answered the question of Religious Conjugal visit; Not to Stay Over Night. And prayer worship oil to possess in inmates cell is accepted in all federal prisons, and 90% of states. Respondents feel RLUIPA law goes too far. According to the conversation I had with them.

## ARGUMENT

### I. RLUIPA Enacts a Statutory Standard of Compelling Interest and Least Restrictive Means.

A. The courts below required near-total deference to prison officials under RLUIPA – so much deference that in order to prevail, an official need simply name a penological interest in

*Gonzales v. O Centro Espirita Beneficiente Uniao do Vegetal*, 546 U.S. 418, 436 (2006). This standard is "the strict scrutiny test." *Id.* at 430.

The core provisions of RLUIPA were copied nearly verbatim from RFRA; these provisions are in pari material and substantively identical. Compare 42 U.S.C. § 2000cc-1 (a) (RLUIPA) with 42 U.S.C. § 2000bb-1 (RFRA). But Congress's careful coordination of the two statutes did not stop there. Section 7 of RLUIPA amended RFRA to eliminate all references to state law (thus conforming RFRA to the Court's decision in *City of Boerne v. Flores*, 521 U.S. 507 (1997)), and to incorporate into RFRA the definition of "religious exercise" enacted in RLUIPA. See 114 Stat. 803, 806 (2000) (RLUIPA); 42 U.S.C. § 2000bb-2(4) (RFRA). When one statute amends an earlier, related statute, this further reason to construe the two statutes together. See, e.g., *Abbott v. United States*, 131 S. Ct. 18, 28-29 (2010).

Both statutes provide that government may substantially burden the exercise of religion only if it "demonstrates" that it has used the least restrictive means to further a compelling interest. 42 U.S.C. § 2000cc—1(a) (RLUIPA); 42 U.S.C. § 2000bb1 (b) (RFRA).

Both statutes define "demonstrates" as "meets the burdens of going forward with the evidence and persuasion." 42 U.S.C. 2000cc-5(2)(RLUIPA) 42 U.S.C. 2000bb-2(3)(RFRA); O Centro, 546 U.S. at 428 (interpreting this provision of RFRA). The Pennsylvania Supreme Court refuse to address or answer the questions present in this appeal. It is therefore insufficient to permit prison officials to defeat a RLUIPA claim merely by asserting a general interest in prison security. Which is what all lower courts do when confronted with a Conjugal Visit request, whether it be a religious request or other conjugal visit request.

RLUIPA is also broader than RFRA one respect. RLUIPA provides that "[t]his chapter shall be construed in favor of a broad protection of religious exercise, to the maximum extent permitted by the terms of this chapter and the Constitution." 42 U.S.C. 42 2000cc-3(g).

B. The legislative history of RLUIPA indicates that the statutory standard of compelling interest and least restrictive means is to be administered "with due deference to the experience and expertise of prison and jail administrators." But at the outset, it is important to note that legislative history cannot override statutory text.

A. If a American citizen go's to prison and the spouse decides to indoor the pain and separation for the years away; her religious right to keep her family together should not be burden by prison official visiting rules, she should be allowed to retain her religious rights, just as other free persons visiting their spouse in American prison. New York, California, etc.

This old meth that prisoners lose their sexual rights to have sex because of their imprisonment. Is an old meth and lie, petitioner can have sex whenever he wants to, he just cannot have sex with a women, or his wife. But he can have sex with a man. And its legal. AND okay with prison staff. Is normal.

The prisoners do not need the prison or the state officials to marry them, those days have changed. Prisoner now hold Minister degrees and marry inmate to inmates all the time. It's cheaper and more private. The courts must take their old ancient thinking of prisons out of the stone ages.

## II. Respondents Have Substantially Burden Petitioner's Exercise of Religion.

Respondents have not seriously disputed that they substantially burden petitioner's religious exercise. RLUIPA defines "religious exercise" to include "any exercise of religion, whether or not compelled by, or central to, a system of religious belief." 42 U.S.C. 2000cc-5(7)(a). Here, petitioner's obligation to provide a religious conjugal visit not to stay overnight to provide the religious intimacy according to the hadith of the prophet Muhammad and the Noble Quran. And to possess Prayer worship Oil in his cell for all his obligatory prayers is being denied. When respondents have never contested petitioner's sincerity.

Respondents have explicitly burden this religious exercises: If the petitioner violates the rule against visiting policy's he must suffer the consequence include progressively escalating disciplinary action. And label a bad person.

III. Discrimination becomes a question for a Heterosexual who request a religious conjugal visit not to stay overnight.

RLUIPA religious conjugal visit request becomes a question. Petitioner is not a lawyer and doing the best he can. Marriage is older than the constitution. Marriage is a major part of society. We are going full blast on LGBTQ rights in all our institutions and neglecting Heterosexual religious rights.

I do not know what else to stay. Equal Protection should be afforded to everyone. The free person is not in prison and should not be force to give up her religious rights. The petitioner is being harm of losing his wife and family. She is threatening divorce.

Request to be heard on CERTIORARI.



Petitioner Arguments for all 2 Religious Questions and RLUIPA Protections.

The First Amendment provides, in part, that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Familiar with life under the established Church of England, the founding generation sought to foreclose the possibility of a national church. By forbidding the establishment of religion "and guaranteeing the free exercise thereof" the Religion Clause ensured that the new Federal Government-unlike the English Crown-would have no role in inference of religious tenets and others. Petitioner is protected in part that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." This Court have said that these two Clause "often exert conflicting pressures," "Cutter v. Wilkinson 544, U.S. 709 919(2005) and that there can be "internal tension...between the Establishment Clause and the Free Exercise Clause,

However, these questions have not yet been addressed since same-sex laws that has open the door even wider for Free Exercise Protections within prison walls and its doors to the free person. Marriage between a man and a woman seems to be unprotected these days. Marriage between a man and a woman is not treated equal in prisons these days. Marriage between the imprisoned person and the free spouse is not protected as the LGBTQ community inside prison walls. Example; In Pennsylvania Prisons, when the heterosexual inmates receive a visit from a spouse, they cannot touch them doing the visit, kiss, hug, embrace show affection, but the LGBTQ inmates are never questioned when they show affection to their spouse, on visits, the prison officials and staff are afraid to get political harassment. Petitioner has no legal remedy at law. But to ask this Honorable Court to address the Constitutional Questions. Does RLUIPA protect petitioner and his wife religious rights at issue under the circumstance presented. And is it Discrimination to allow same-sex inmates to marry and live together as cellmates but deny a RLUIPA request. Is petitioner protected by Free Exercise Clause and RLUIPA to possess prayer oil in his cell for worship?

Petitioner did the best he could without legal assistance. And petitioner has a learning disability, and is hearing impaired.

"Tilton v. Richardson, 403 U.S. 672, 677 (1971) (plurality opinion). Not so here. Both RLUIPA AND Religion Clause bar the government from interfering with the decision of religious practice as understood by petitioner and his wife. Controversy between church and state over religious tenets is hardly new. In 1215, the issue was addressed in the first clause of Magna Carta. There the King John agreed that "the English church shall be free, and shall have its rights undiminished and its liberties unimpaired."

Prisons have changed since same-sex marriage laws. Male prisoners are marrying male prisoners and it's legal, living together in the same prison cell and spouse. Prisoners no longer have to depend on the state to marry them.

This leaves the questions presented here.

PRAYER OIL: Every Federal Prison allow prisoners to possess prayer oil in their cells for worship. Forty American State Prisons do the same. Pennsylvania prisons allowed the same but every new administration chooses to violate RLUIPA at will.

The Honorable Justices in this Court has explain in new cases the RLUIPA creates a distinct statutory standard providing "heightened protection" for religious exercise. Cutter v. Wilkinson, 544, U.S. 709, 714 (2005).

Addition on visits, if petitioner shows affection to his wife on a visit, he will be punished with loss of visits, no more visits for a year or more and sent to the segregated unit the (hole). But if a member of the LGBTQ inmate shows affection nothing will happen to them. Prisons are not the same as courts new them before. Same-sex Marriage laws changed everything.

## Conclusion

For the foregoing reasons, this Court  
Should issue a writ certiorari to  
review the Judgment And Opinions  
of lower State Courts because -  
because the lower Courts depended  
of Federal Court Rulings And Opinions.  
Which have not Answered the Questions  
Since New Supreme Court laws of  
RLUIDA - Its Statutes; And Same-sex  
Laws.

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