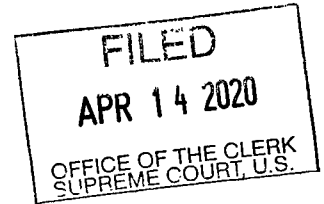


19-8348 ORIGINAL
No. USCA9 No. 19-15512



IN THE
SUPREME COURT OF THE UNITED STATES

Roland I. Kethand, Sr. — PETITIONER
(Your Name)

vs.

e.g. "ETAL" — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT No. 19-15512.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Roland I. Kethand, Sr. AO134841
(Your Name)

Holmua Corr. Facility, 99-902 Honolulu Road
(Address)

Aiea, Hawaii 96701
(City, State, Zip Code)

Wife e.g. "J.K." 808-344-5495
(Phone Number)

Continue

e.g. "ETAL" - Respondents

Kaiser Permanente Clinic, 80 MAHALANE Street

Wailuku, Maui, HAWAII 96813 - Subsidiary of KPMP

Professional Employees in The Field of Registered Nurse

Tammoder, Valerie V. (RN)

Payne, Colette C. (RN)

Quigless, ANN S. (RN)

Thriplett, Patricia L. (RN)

Professional Employee in The Field of Medical Assistant

LAU, NATASHA A.M. (MA)

Professional in The Field of and Doctor of Medicine

LAZAREN, Brian D. Jr. (MD) Medical Doctor

Kaiser Foundation Health Plan, Inc, Parent Company

Health Care Provider #7;

HAWAII HEALTH Systems Corporation parent Company at

Maui Memorial Medical Center and Health Care Provider #2

No STAFF, Nursing, Technical, or Doctors presented.

Hawaii Commercial Facilities STAFF/OFFICIALS

QUESTION(S) PRESENTED

ON December 22, 2015, before Attending Physician Doctor Bien O. LAZARIN, Dr. sent Shane Kehano home with AZITHROMYCIN 250 MG ORAL TAB. Take 2 TAB THEN Follow-up with 1 TAB Daily For The Next 4 days For Flu. On The 26th of December 2015, Doctor Bien O. LAZARIN, by The LAB RESULTS KNEW That Shane Kehano had PNEUMONIA. By Not Calling Him Down To Kneisa Permanente Clinic, 80 MATHUANI STREET, WAILUKU, MAUI, HAWAII 96793. Either Hospitalized Shane For PNEUMONIA? Medical Malpractice Deliberate Indifference has been Established From Sub-OPTIMUM Medical Care and by This? Shane Kehano was Taken To MMMC by EMS Ambulance To MMMC Emergency, Then ICU. (ingress with Short of Breath, Injustice, TACHYCARDIA, Tachypnea, LLQ Abdominal Pain).

If Doctor Bien O. LAZARIN, on December 22, 2015 sent Shane home Alone with Z-PACK, Antibiotics in Pill Form of Augmentin / Clindamycin and Penicillin. Is A Possibility Shane would not have have had Shortness of Breath, Injustice, TACHYCARDIA, Tachypnea, LLQ Abdominal Pain and be Alive Today? Shane died December 26, 2015.

Maui Memorial Medical Center. Health Care Provider. Attorneys Incorrectly Said, "Kehano said MMMC Caused The Alleged Reaction?" No, MMMC was in The RED of Millions of Dollars and gave Shane Sub-OPTIMUM Medical Care. see APPENDIX V, page 310. I Introduced Linda L. Linell. HHSO and only behind Limble for the Acts and Omission of its Employees.

Omission: 1. MMMC and KHP Do Not Have A Gastroenterology Laboratory To See What is Really hurting Shane, So They were treating
see Additional PAGE 2. Through Pages, 16.

Continue

Question(s) presented

Shane by guessing, without a Culture?

Early this year 2020, Petitioner Kehrano's wife Lynn, ALL
Expense paid by KFH. From MMHC to Honolulu Shuttle, Hotel,
Shuttle to Kaiser Gastroenterology Lab to Check on our grand-
daughter e.g. S.L. with Abdominal Issues. So, both HealthCare
Providers Looked OPTIMUM Scientific Findings and Correct
Antibiotics Medication to RED THE Monster in Shane that
Cascaded Organ Failures and Death of Shane on Decem-
ber 29, 2015, Don't you Agree?

MMHC page 311. Lines 22, 23. denies any error or omission
on the part of THE MMHC STAFF Causing injury or damage
to Shane Kehrano; deliberate to difference 12-26-2015, -12-29-2019?

Page 311, Lines 24, 25, 26, 27, 28, 29, 30 it SELF-EXPLANATORY TO THE
Causing injury or damage to Shane Kehrano because For 3-days
basic Trouble Shooting / diagnosis

There was a Failure in Trouble Shooting (Diagnosis) procedure
which failed to detect The Collapse of body functions which
Resulted in my Son's Death.

The detection of an INITIAL Minor Symptom that was

Additional Page 2.

Continue

Question(s) Presented

Not Monitored Escalated into a Larger Physiological Issue. These Manifest Symptoms which should have been obvious in a Hospital Atmosphere Clouded by Medical professionals were Missed.

The blatant inattention on Uter. Neglect of my 36 year old son's increasingly detrimental physical state allowed the subsequent Organ Failures and ultimately his Death.

This shows MUMC STAFF may be Liable for their Failure to Act if it Causes a Constitutional Violation. Right to Live, Care and Unusual Punishment. "Acts of Omission are Accountable... except as Act of Commission". MUMC and KFHP STAFF, employees, who know, or reasonably should know of a Constitutional Violation may be held Liable if they Fail to do anything about it. KFHP Doctor had the Power to Transfer Shane to Honolulu, Kaiser Hospital on Family Request to get Optimum Medical Care? That Request was Denied by Attending Physician "Not enough bed space". Shane could have been sent to Queen's Medical Center? He would be alive today.

Another Clause in § 1985(2) provides for Actions Against

Continue

Questions Presented

persons who conspire to obstruct "The due course of Justice" in state courts with intent to deny any citizen the equal protection of the laws on to harm a citizen for enforcing or attempting to enforce the right to equal protection. In Addition § 1985(3) provides for Damages Action against person who "conspires... for the purpose of depriving... any person or class of person of the equal protection of the laws, or of equal privileges and immunities under the laws, and § 1986 provides for damages liability for anyone "who having knowledge that [A § 1985 conspiracy] is about to be committed does nothing about it. 42 U.S.C. § 1986. Why?

Apparently, Peter Konec Kehn's Peter Konec have been denied of equal protection of the laws ever since he filed this lawsuit on behalf of his son Shane Kehn's Malpractice, Medical Malpractice, Negligence, Deliberate Indifference Result to his death

Medical Inquiry Conciliation Panels, Department of Commerce & Consumer Affairs, State of Hawaii, MECP No. 2018-060. Did not Filed By Parties Motion For a Writ of Habeas Corpus And Testimony MECP Hearing, Dated January 24, 2019, Time: 9:00 A.M., Place: Department of Commerce and Consumer Affairs,

CONTINUE

Questions Presented

MECP Room, 335 Merchant Street, Honolulu, HI 96813.

Medical Inquiry Conciliation Panel Board Would File Only The Defendants/Attorneys Motions and Response but NOT The Plaintiff Roland F. Kehau's Motion and Certificate of Service on October 29, 2018. Show's Bias, Double Standard and Protection of the Laws, Conceal. See Appendix G, page 160-164.

Also Ex Parte Motion, For A Writ of Habeas Corpus Indictment on Kaiser Foundation Health Plan, Inc. and Hawaii Health System Corporation. Chief Executive Officer, Certificate of Service. APPENDIX G, pages 166-171.

Also Motion Ex Parte, Motion For A Writ of Habeas Corpus Witness - AT Large. APPENDIX G, pages 172 - 181.

These Motions Were Evidence, to have The U.S. District Court, District of Hawaii, to Review and Rule on it, but it turns out U.S. District Court Judge "Hello, We are returning the enclosed Documents because they appear to be directed to the following Venue: Medical Inquiry and Conciliation Panel, STATE OF HAWAII. U.S. District Court Judge Susan Oki Mellorey, Sh. Fed Venue From U.S. District Court, District of Hawaii To

Continue

Question(s) Presented

Medical Inquiry Conciliation Panel is Unconstitutional, AM
 I Not Connect? See Appendix G, page 116, Feb. 21, 2019

U.S. District Court Judge Susan D.K. Mohrway in APPENDIX J,
 page 192, Lines 5 Through 8, Verbatim, ⁵¹ Kehmno Seeks To
 "hold Halawa Correctional Facility (HCF) prison
 " Officials Liable for the Death of his son, Shame
 8) Kehmno, in December 2015. Judge Shifted The Liability
 on Halawa Correctional Facility (HCF) prison Officials. That
 Which is Unconstitutional, AM I Not Connect?

Halawa Correctional Facility Deprived Plaintiff Kehmno
 To go to The Medical Inquiry Conciliation Panel Hearing on
 January 24, 2019 at 0900, MECP Room and by Telephone
 Call by Case Manager Paul Niesen Double Standard. Why?

Inmate Grace, HCF Officials Okay To Have A.C.O.s
 To escort Grace To Hilo by Plane For Court Hearing
 and back.

Another Inmate, get To go To Triple For Examination
 H.C.F. Officials Okay it. ACO Escorted him There and back.
 Kehmno is a U.S. Navy Combat Veteran, with 217 Combat Hours,
 Engaged The enemy on Seven Occasions and After 26 years
 brought his Custody level From Closed To Medium and Now Minimum.
 Is it Not Double Standard and Violation of Art. IV Sec. 2 of the U.S.
 Const.?

Additional Page 6.

Continue Questions Presented

Was it Abusive use of Power that Doctor Bien O. LAZATEN sent Shane home with Only a Z-PAC Antibiotic AZITHROMY-
cin for Four (4) More days and on the 24th of December 2015,
Knew he (Shane) had Pneumonia and did nothing? To call
him in and prescribe Augmentin (for bite; That a monster
in Shane is eating him from the inside and prevent Abdominal
Pain) Along with Clindamycin, Prednisone for his Lungs and
Whooping, on Hospitalized Shane, but to Doctor LAZATEN,
SHANE is Just Another Minority or a body to him, Correct?

Doctor LAZATEN is THE Doctor in Charge on Shane that
Devised SHANE's Mother Abigail to send him to Honolulu for
Optimum Medical Care and did nothing to save Shane.
He's the Doctor Liable for SHANE's Death and The Corpo-
ration he works for, Krusen Foundation Health Plan, Inc.
This would all have been taken care of on December 24, 2015,
when Doctor LAZATEN [LAZATEN] took the time and have his Nurse
Call Shane to come in and pick up more antibiotics on hospi-
talized him? Sending a Sick man home with sheets of
information to treat yourself is like when his father went to
3rd Surgical Army Hospital in Cam Ranh, Vietnam. Removed for
eign Platter, wound open, with Antibiotics and took on The Krusen
Again, in 1970. A Sick man have No time to read this Filler
Material if he gave Shane to read or Added in his Report?
Isn't this lack of THE Highest Quality Care on Shane?

Continue

Questions Presented

Wouldn't you return to Kaiser Clinics on December 26, 2018
 Complaining of Abdominal pain and Shortness of breath
 Tachycardia (excessively rapid heartbeat), Tach-
 pnea (Swift "breath Respiration," used esp. to form words denoting a kind
 of breathing or Condition of the Respiratory System hyperpnea
 Respiratory - adj. pertaining to or serving for respiration) - inhalation
 and Exhalation of Air, Breathing.

Jaundice - ! Also Called icterus. Yellow discoloration of the skin, white
 of the eyes etc., due to increase of bile pigment in the blood
 THROMBOCYTOPENIA (12-28-2015) is an abnormal decrease in the
 Number of blood Platelets [120-25] ?

See APPENDIX E, pages 62, Closing Statement to 64, Appendix E
 page 64 through 71. Stipulated Facts, on hand and Very highly
 Well Known Gray's Anatomy with 827 illustrations, written
 by Henry Gray, Fellow of The Royal College of Surgeons and Lec-
 turer on Anatomy at St. George's. First Published in 1901,

Remember, HEALTHCARE Provider #1 and HEALTHCARE Provider #2
 did not Release Stipulated Facts on December 26 through December 29,
 as if they were hiding Sub-Optimum Treatment and there is
 NO! Autopsy Scientific Finding to Support Their Defense.
 THAT THE NEGLIGENCE OF DOCTORS is Called Medical Malpractice,
 Alleging deliberate indifference.

Additional Page 8.

Continue

Questions Presented

To Avoid Malpractice, The Doctor must Utilized Ordinary Knowledge, Skill and Care both in diagnosis and in Treatment. December 24, 2015, Pneumonia Doctor did not test on but let Azithromycin (Antibiotic) and designed for Flu, To Rid Pneumonia.

Under The "Informed Consent" doctrine, doctors must also provide their Patients with enough information about the risk of Medical Treatment that they can decide sensibly whether to submit to Treatment. Refer To Cites, Additional page 15

The Standard of Care by Doctors of Health Care Provider #1 and Staff and Technicians of Health Care Provider #2. Resulted in Treatment of Medical Care on Shane Kehms, Caused in Oxygen Frictions and Death, It's Reckless and Callous, Unsympathetic. See Appendix V, page 310. Line 19, 20 and 21, Nor

Can They provide Medical Treatment.

So, who was Treating Shane Kehms for the days of December 26, Through December 29, 2015 until Shane's Death?

Is This Why HHSC, Appendix V, page 311, Lines 22, 23 "denies any error or omission on the part of the MMHC Staff causing injury or damage to Shane. Because MMHC Staff Did Nothing To Provide Medical Treatment HHSC is

Continue

Questions Presented

Liable Causing More Injury or Damage TO SITANE's Organ Failures, Caused from Lungs, Abdomen, ^(SITANE) Liver, Kidneys, Heart, Stroke and Heart Attack then expired. Unsympathetic HHSC was not treating SITANE, his oldest brother gave his baby brother water because he was Thirsty. Accountable Ad. 1. Furnishing grounds for a lawsuit: Accountable Negligence. Why didn't ATTORNEYS Representing HAWAII HEALTH SYSTEM (COMPONENT) Submit a Full Response Prehearing Statement, so PLAINTIFF Kehrno would know who is HHSC Physicians, Nurses and Technical Staff by ATTORNEYS Representing HHSC Act and Omission (Something Left Out, Not done) be held Liable. See Appendix V, page 310, Lines 21, "Now

Can They provide Medical Treatment."

PLAINTIFF Kehrno believe THAT MMHC / HHSC is Absolutely Liable For Cascaded Injury or Damage TO SITANE Kehrno's Organ Failures. Resulted in his Death, KFHP, Inc is also Liable For Medical Neglect on December 24, 2015 by Not Following-up on SITANE's Results on 12-24-2015 to Hospitalized SITANE on boost his Antibiotics and Predisone for Wheezing, Shortness of breath. Amoxicillin / Clavulanate 875/125mg. Morning and Evening on Amoxicillin / Augmentin. Though in the RED OF Millions until July 30, 2017. KFHP, Inc Doctor should have Done many Things but did not? To let SITANE die Why? Why did HHSC ATTORNEYS Utilized Linguistic Fraud in Appendix V, page 310, Line 14. and Line 16.?

Additional Page 10

Continue

Question(s) Presented

Did Kaiser Foundation Health Plan, Inc., Health Care Provider #1 and HAWAII HEALTH SYSTEMS CORPORATION Health Care Provider #2, Provide THE HIGHEST Quality Care For SHANE KEHANO During December 26, 2015 Through December 29, 2015, Time of Shane's Death? PERKELOER KEHANO IS NOT A VEXATIOUS LITIGANT?

THEN \$25 Million is Less For Injury or Damage Shane did suffer before his death as HHSC says in Appendix V, page 310, Line 21, "NOR CAN THEY PROVIDE TREATMENT." SO, STIPULATED FACTS, December 26, 2015, Provide No Treatment, December 27, 2015, Provide No Treatment, December 28, 2015, Provide No Treatment, December 29, 2015, Provide No Treatment, THAT RESULTED IN CASCADED ORGAN FAILURES THAT CAUSED THE DEATH OF SHANE KEHANO, THAT IS WHAT HHSC ATTORNEYS SAID? HIGHEST Quality Care, NOT SATISFIED.

Prospective Injunctive Relief in Compensatory Damages in The Sum of \$1.25 Million Dollars and Prospective Injunctive Relief in The Sum of \$25 Million in Punitive Damages For Medical Malpractice, Reckless and or Careless Not providing The Highest Quality Medical Care on Shane, and Suffered excruciating Pain, Cruel and Unusual Punishment before his Death. Shane told his brother, HHSC, did NOT hing but WAIT, WAIT, FOR WHAT, DEATH?

Additional Page 11.

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:

SEE ADDITIONAL PAGE 1.

RELATED CASES

SEE ADDITIONAL PAGE 12 THROUGH PAGE 16.

Continue

Related Cases

U.S. District Court Judge said Peterson Kehring Accused 45th Strike
Not Statutory or Colorable Claim/STATE CLAIM.

Gibbs V. Ryan, 160 F.3d 160, 162 (3d Cir. 1993) (3 Strike rule does
Not Apply to in forma pauperis status granted before PLRA was
enacted),

McLean V. U.S., 566 F.3d 391, 397 (4th Cir. 2009) (Dismissal
without prejudice for failure to STATE CLAIM does NOT
COUNT AS STRIKE because it is NOT Adjudication on Merits,
AND CLAIM MAY BE LATER "REVIVED BY COMPETENT PLEADING"),

Kinrade V. Spankman, 117 F.3d 949, 951-52 (6th Cir. 1997)
(3 Strikes provision) does NOT Apply to habeas Corpus CLAIM

O'NEAL V. Price, 531 F.3d 1146, 1156 (9th Cir. 2008) (in forma
pauperis Complaint dismissed at screening stage and Complaints
dismissed for a reason NOT enumerated in § 1915(g) both Count
as Strikes). DAVIS V. KAN. DEPT. OF CORR., 507 F.3d 1246,
1249 (10th Cir. 2007) (Dismissal for failure to present any
conceivable legal ^{any} ~~new~~ Counts as frivolous appeal
towards 3 Strikes). Rivera V. Allin, 144 F.3d 719, 730
(11th Cir. 1998) (Strikes before enactment of PLRA Count

Continue

Related Cases

For purpose of SIMONE, Abrogated on other grounds by Jones v. Bock, 549 U.S. 129 (2007); Hunt v. Soc. Sec. Admin., 544 F.3d 308, 311 (D.C. Cir. 2008) (revocation of in forma pauperis status appropriate when prisoner brought over seventy "absurd and frivolous" suits against people, institutions, and inanimate objects for thousands of dollars in damages), But see e.g., Thoms v. Hues, 473 F.3d 440, 443-44 (2d Cir. 2007) (dismissal of Appeal for filing prematurely before Trial Final judgment had been entered by Lower Court did not Count as STRIKE because it was Cumberly defeat and did not render Appeal frivolous. Then Gibbs v. Ryan, 160 F.3d 160, 162 (3d Cir. 1998), followed by Mohr v. U.S., 566 F.3d 391, 397 (4th Cir. 2009); Maryfield v. Tex. Dep't. of Criminal Justice, 529 F.3d 599, 617 (5th Cir. 2008) (dismissal for failure to state Claim do not Count as STRIKE when reversed); Kincaid v. Spaulding, 117 F.3d 949, 951-52 (6th Cir. 1997)

U.S. District Court Judge, Susan Oki Mollway, District of Hawaii Shifted Venue To Medical Inquiry Conciliator Panel; Shifted Liability To Hawaii Correctional Facility Prison Officials. SHIFTING Burden

See Appendix G, page 116 - Venue, SHIFTING Place of Norton
See Appendix J, page 192. Lines 5, 6, 7, 8. Judge SHIFTING Burden

Continue

Relating Cases

OF Liability TO Habeas Connecticut Facility's Prison Officials
Who Plaintiff Added on For Depriving Plaintiff to be present
at MECP Hearing, January 24, 2019, 0900, MECP Room, and by
Telephone Call to MECP RU.

UNCONSTITUTIONAL Burden Shifting

Francis V. Franklin, 471 U.S. 307, 325 (1985) (Jury Instruction Shift-
ing burden of proof on intent element to defendant UNCONSTITU-
TIONAL).

Sandstrom v. Montana, 442 U.S. 510, 524 (1979) (Jury Instruc-
tion shifting burden of proof on Mental STATE UNCONSTITUTION-
AL).

Patterson v. N.Y., 432 U.S. 197, 212-16 (1977) (STATE May
Not Shift burden of persuasion on statutory element of
Murder).

see, e.g., Moon v. Pate, 186 F.3d 26, 33-34 (1st Cir. 1999) (Cir-
culation requiring inference of Motive from Absence of
Circumstances Showing justification or excuse UNCONSTITU-
TIONALLY relieved prosecution of burden of proving be-
yond Reasonable doubt each element of Murder).

18 U.S.C., 28 U.S.C., 42 U.S.C., 45 U.S.C., Absolute Judicial Immu-
nity.

Additional 14.

Continue

Relating Cases)

See id at 269-71. Prior to the enactment of the Federal Courts Improvement Act of 1996, Pub. L. No. 104-317, 110 STAT. 3847 (Codified as Amended in scattered sections of 18 U.S.C., 28 U.S.C., 42 U.S.C., 45 U.S.C.), Absolute Judicial immunity did not prevent a prisoner from seeking injunctive relief on Attorney's Fees in § 1983 Actions. See *Pulliam v. Allen*, 466 U.S. 522, 541-44 (1984) (Judicial Immunity No bar to prospective Injunction Against Judge who imposed bail on individuals charged with nonfelony offenses), superseded by statute, 110 STAT. 3847, Section 309(c) of the Federal Courts Improvement Act Amends § 1983 by providing that, in an Action Against a Judicial Officer, "Injunctive Relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable." 110 STAT. 3847, 3853 (Codified at 42 U.S.C. § (Section) 1983)), Section 309(c) Mandates that "No Judicial Officer shall be held Liable for any Costs, Including Attorney's Fees, in any Action brought Against such Officer... Unless such Action was Clearly in excess Against Judicial Officers Acting in Official Capacity. Acting Under Color of Federal Law/Authority, Shifting Burden of Liability to Medical Inquiry Conciliators Person and Shifting Burden of Liability to Hospital Connectional Facilities Prison Officials and Umbrella Health Care Providers" and 2

Continue

Related Cases

Kaiser Foundation Health Plan, Inc., Health Care Provider #1 and HAWAII Health System Corporation, Health Care Provider #2, by NOT providing THE HIGHEST Quality Care on Shave Kehoe That led to his unfortunate Death by Melvin Panatier, Deliberate Indifference From December 22, 2015, December 24, 2015, December 26, 2015 Through December 29, 2015.

Reynolds V. Giuliani, 506 F.3d 183, 191 (2d Cir. 2007) (STATE OF. FIDELITY can be Sued in Official Capacity for Injunctive Relief Only when STATE is Moving Force behind deprivation)

MECP STATE OFFICIALS, HAWAII Correctional Facility, STATE OF. FIDELITY is Moving Force behind deprivation.

Fraser said THAT Serious damages to Future Health is Actionable
Fraser V. Brennan, 1145 Ct. at 183, Citing Helling V. McKinney,
U.S. , 113 S Ct. 2475, 2480 (1993) Nexus Word Prisoners'
Fraser, holds THAT prison OFFICIALS Must do what is Reasonable,
1145 Ct. at 183-84. NOT what is easy, Interfering and shutting
down MECP Hearing and Telephone Call to MECP run

OPINIONS Below

1.

FOR CASES OF THE UNITED STATES COURT OF APPEALS AT APPENDIX
A, page 2.

No. 19-15512.

Filed March 24, 2020

D.C. No. 1:19-cv-00018-SOM-KJM.

DISTRICT OF HAWAII, Honolulu ORDER

Before: WALLACE, CANBY and TASHIMA, Circuit Judges

KEHANO's petition for Panel rehearing (Docket Entry No. 23)
is Denied.

No further filing will be entertained in this closed case.

APPENDIX C, page 22

No. 19-15512, D.C. No. 1:19-cv-00018-SOM-KJM, Filed December 16,
2019, MEMORANDUM

Before: WALLACE, CANBY and TASHIMA, Circuit Judges

DISTRICT JUDGE SUSAN OKI MOLLING in my Motion to Deduct FFP.

CV-19-00018-SOM-KJM From Docket Filing Fees of \$350.00. She e-
lected to send the \$350.00 back to my wife Joya L. Kehano, 162 Ma-

HENA Street on P.O. Box 532599, Kehei, Maui, Hawaii 96753. IF

IT WAS SENT, I DON'T KNOW? IF MY WIFE WANTS TO TELL ME SHE WILL

When a young inmate who practice UFC and calls me to his

Cell and tells me, he'll slap my face. (A 71 year old ADA) THAT

is imminent danger, I must end it first! Though Nothing

Happened.

Additional IF.

Continue

OPENION Below

APPENDIX D, page 30, 31.

No. 19-15512, R.C. No. 1:19-CV-00018-SOM-KJM. Filed May 30, 2019, Order Below: Leavy and Ben, Circuit Judges

Accordingly, within 21 days after the date of this Order, Appellant shall complete and file with this Court the enclosed authorized form, which direct the prison officials at Appellant's institution to assess, collect and forward to the Court the \$505.00 Filing and Docketing Fees for this Appeal. — My brother Ralph sent the \$505.00 It was sent back because IEP was not on a Limbo of being Granted. Then my brother Ralph sent the \$505.00 upon my request, it was paid

THE OPINIONS OF THE UNITED STATES DISTRICT COURT APPEARS AT APPENDICES E, F, G.

For Cases From State Courts: APPENDIX U, page 306, Frontback THE HAWAII SUPREME COURT SENT ARE THE FOREGOING THAT THE SECOND CIRCUIT COURT FORWARD TO THE HAWAII SUPREME COURT. AS ORDER BY THE HONORABLE PETER T. CATHILL, Second Circuit Court Judge, STATE OF HAWAII IN ORDER STRIKING Pleading Certificate of Service

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42 U.S.C. § 1983 Civil Rights Action

28 U.S.C. § 1331 (a) provides for Federal Court Jurisdiction of "All Civil Actions Under The Constitution, Law, or Treaties of The UNITED STATES" Older Cases may refer to a \$10,000 "Amount in Controversy," This requirement has been replaced.

See 42 U.S.C. § 1997e (e); physical injury resulted in Death prospective Injunctive Relief Against STATE OFFICIAL

The Federal Courts Improvement Act of 1996.

L. No. 104-317, 110 STAT. 3847 (Codified as Amended in scattered

Sections of 18 U.S.C., 28 U.S.C., 42 U.S.C., 45 U.S.C.),

110 STAT. 3847, 3853, (Codified 42 U.S.C. § 1983)

Section 309 (a) Mandates,

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SIXTH AMENDMENT TO THE UNITED STATES CONSTITUTION

EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION

ELEVENTH AMENDMENT TO THE UNITED STATES CONSTITUTION

FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION

110 STAT. 3847, SECTION 309 (a) OF THE FEDERAL COURTS IMPROVEMENT

ACT AMENDS § 1983, 110 STAT. 3847, 3853 (CODIFIED AT 42 U.S.C. § 1983)

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KFHP Professional Employees Involved.

December 22, 2015, RNT to Dr. Brian D. LAZAREN,

Dr. M.D. Kaiser Permanente Clinic, 80 Mauna-

Laui Street, Wailuku, Maui, Hawaii 96793,

LAU, NAINSHA A.M. (M.A.), MA AT 12/22/2015

2:36, 2:51 P.M. 253-254.

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Prescribed AZITHROMYCIN 250 MG

Oral Tab Antibiotic; Lisinopril 20 MG

Oral Tab 1X daily, For Blood pressure

Cyclobenzaprine 10 MG Oral Tab (Muscle)

Protonix 90 MG (Acid Reflux) 1 AM HLHPAA

2 Puffs every 4 hours as needed for wheezing

on Shortness of Breath. 8-5-4-2015 (END)

8-3-2016? Have died 12-29-2015

Benzonate 100 MG Oral Cap 3X's a day

For Cough Diphenhydramine HCL 25

MG Oral Cap 5 tabs 3/23/2015

278

THROMBOCYTOPENIA 12-24-2015

ICD-10-CM D69.6 For L

ICD-9 CM 287.6 For L

Signal 12-24-2015, 8:58 A.M. by

LAZAREN, BEN O. J., (MD) LID 278

INF 9 yrs. ADULT (INFLUENZA) INFLUENZA

PHIPS (PNEUMOCOCCAL polysaccharide,

Pneumonia) Tdap (ADACEL) Tetanus, dip

hteria, Neisseria meningitidis) MHL 4/8/2013

Quigley, Annie S. (RN) 12/26/2015

A.M. 1148 Called 911

Triple T, Patricia L (RN) RN AT 12/26/

2015

279-280.

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APPENDIX Q Triplett, Patricia L (RN), RN at
 12/26/2015, 2:02 P.M. Status Sigvel
 Stander, KENNEDY is a 36 year old male,
 Identity Verified with LAST NAME and
 Date of Birth. 11:45 TO NTC bed 4 via
 Wheelchair directly from Work up room.
 S/O present. SOB. Shortness of Breath,
 Irradiate, No abdominal pain. Placed on
 Cardiac Monitor, ST on Monitor.
 11:58 Discharged with Medics for Emer-
 gent Transport to Mount Memorial
 Medical Center ("MMMC") ED,
 Report given to Medics. Tamara
 with D2 at 2:10; Leg Lock Left AC 280.
 Progress Note by Hoke, W.K., (on A (PA-C),
 PA-C at 12/26/2015 5:57 P.M.
 PAC (Physician) Asst. 3rd (PA-C)
 S:
 He Complains of dizziness and SOB since
 this AM. Was seen 12/22 for Cough, Fever
 and dehydration. CXP Normal. Was
 given Tylenol, IVF and Rocephin. Sent
 home with Z Pack. Returns today with
 Significant dizziness SOB and LLQ pain

Continue

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APPENDIX Q. That started this morning upon
working up and has worsened.
No known h/o Liver disease

I have reviewed the diagnosis in the
problem list below and find them stable
unless noted below

Active Non-Hospital Problems Diagnosis

*Thrombocytopenia [D69.6]

12/2015 platelets [Platelets]

Objective:

Assessment/PLAN:

281.

Progress Notes by Holweik, Lori A (PAC)

PAC AT 12/26/2015, 5:57 P.M. (Continued)

1. Shortness of Breath

2. Jaundice

3. Achy Pain

4. Achy Pain

5. LLQ Abdominal Pain

To ER Now

911 Called and Patient Transported

To MMC for further evaluation

ELG Orders and Results

All Flow Sheet Data (12/26/2015, 0000 -

12-26-2015 2359, Encounter Vitals

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HAWAII Health Systems Corporation

CADES SCHWITZ

Kristine S. SHLEGELMAN 6957-0

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Janet A. Pempsey 10774-0

Carlos SHUTE Building

100 Bishop Street, Suite 1200

Honolulu, HI 96813-4212

Honolulu, HI Telephone (808)

521-9200

Responsive PreHearing

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HAWAII Rules of Penal Procedure

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without Paying Filing Fee

Approved and SO Ordered

1st Peter T. Cahill (SCL)

Judge of The Above - entitled Court. 317-319.

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STATE OF HAWAII, Filed Sept. 25, 2017

Short Title: Roland E. KETANO, Sr. V.

Kaiser Permanente Clinic &

Maui Memorial Hospital

STATE OF HAWAII, CV No. 17-1-03601

September 13, 2017, Denial Clerk 321-327

APPENDIX Y. LAW OFFICE OF

JAN K. APO, December 14, 2017

Dear Mr. Ketano, Sr.:

Thank you for considering our Law Firm,
however due to Mr. Apo's Travel Schedule
and heavy Case Load, he is unable to take
your Case.

Should you desire to pursue this matter,

Please Understand

that in the STATE OF HAWAII requires that
you file a Legal Claim within two (2)
years after the date of the Incident

Sincerely, Law Office of JAN K. APO

Nomi Kusachi

330, 331

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Short Title: CV No. 17-1-03601

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MANDATE Filed April 1, 2020

As December 16, 2019 Start of 90 Days

Mailed to The Clerk of THE Supreme

Court

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THE Allegations of Denial of Medical Care Amount to "Intentionally interfering with the treatment once prescribed," which the Supreme Court has specifically cited as an example of unconstitutional deliberate indifference to — medical needs. Estelle v. Gamble, 429 U.S. 97, 105, 97 S. Ct. 285 (1976). THE unjustified denial witnesses — with no supporting evidence, and the failure to give meaningful statement of reasons for the decision are all plain violations of due process. Pearce v. Revell, 471 U.S. 491, 497, 105 S. Ct. 2192 (1985); Superintendent v. Hill, 472 U.S. 445, 457, 105 S. Ct. 2768 (1985); Dyson v. Koeik, 689 F.2d 466, 467-68 (3d Cir. 1982). On its face, then, this is a Meritorious Case

OTHER

Supreme Court Rule 13.1., 2., 3., 4., 5.

Supreme Court Rule 38. (c).

Supreme Court Rule 39.

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 See Additional Pages 17 and 18.

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix ^{Des} ~~A, C, D~~ A, C, D 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 ^{Des} ~~E, F, G~~ E, F, G 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 U to the petition and is was submitted to Hawaii S. Ct.

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Supreme Court of the United States court appears at Appendix App. 5 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 March 24, 2020.

[] 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: March 24, 2020, and a copy of the order denying rehearing appears at Appendix A, page 2.

[] An extension of time to file the petition for a writ of certiorari was granted to and including Ø (date) on Ø (date) in Application No. Ø A Ø.

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

See Additional PAGE 18.

[] For cases from **state courts**: See Additional PAGE 18.

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

[] A timely petition for rehearing was thereafter denied on the following date: Ø, and a copy of the order denying rehearing appears at Appendix Ø.

[] An extension of time to file the petition for a writ of certiorari was granted to and including Ø (date) on Ø (date) in Application No. Ø A Ø.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

42 U.S.C. § 1981 a(b)(1) (Punitive Damage Award proper in § 1983 case involving "Reckless or Callous disregard" for Plaintiffs Rights and "intentional Violation of Federal Law. Citing Smith v. Wade, 461 U.S. 30, 51 (1983).

Now, 42 U.S.C. § 1981 a(b)(1) (Punitive Damage Award in § 1983 if Respondent engaged in Discriminatory practice with "Malice" or Reckless indifference to Federally protected Rights." Which may be a higher standard than that of Smith v. Wade);
 Fourteenth Amendment to the U.S. Constitution
 42 U.S.C. § 1983.

See Additional Page 19.

STATEMENT OF THE CASE

Plaintiff Ronald I. Kethano, Sr. Father of Decedent SHANE Rudy Wilki Wilki Kethano, A 36 year old, Hard Working Man, Providing for his Family is in Court for Civil Action, on Medical Mal Practices, Deliberate to difference Wrongful Death on Son Shane, Deprived of THE HIGHEST Quality Care on The Minority.

Comes Now To Quash Part and Plaintiff to For What of Certain Opening and Closing STATEMENT on This Civil Case U.S.CA9 No. 19-15512. Raised basic Trouble Shooting or Diagnosis on Shane Kethano.

There was a failure in Trouble Shooting / diagnosis which failed to detect THE Collapse of body Functions which resulted in my Son's Death. THE Detection of an Initial Minor Symptom THAT WAS NOT Monitored, Cascaded into a Larger Physiological Issue. These Manifest Symptoms which should have been obvious in a hospital Atmosphere Clouded by Medical Professionals were Missed.

The blatant inattention or utter Neglect of my 36 year old son's increasingly detrimental Physical STATE Allowed The Subsequent Organ Failures and ultimately his Death.

Kaiser Foundation Health Plan, Inc. Health Care Provider #1 and HAWAII HEALTH SYSTEM CORPORATION. Health Care Provider #2 Obviously did NOT provide THE HIGHEST Quality Care on Shane while he was in Their Immediate Medical Care. Subsequent Organ Failures, several days from Seeking Medical Attention on December 22, 2015; December 26, 2015, Allergic Reaction, Emergencies, Admitted, December 29, 2015. Ultimately Shane Died in Pain.

See APPENDIX G, PAGE 155, 156.

REASONS FOR GRANTING THE PETITION

Comes Now Petitioner Pro Se Roland I. Kettano, Sr., To Address
THE Honorable Judges of THE SUPREME COURT OF THE UNITED
STATES Who is giving The Privilege of Filing For What or Certe-
or me To Have Closure and To Correct THE Wrong THAT ALL
Respondents is Liable OF.

As Percovered in This Case. Percovered Keltano Son Experienced, A Dice, Grave Experience in December 23, 2019 Through January 2, 2020. December 23, 2019, Keltano was Transported to Queen's Medical Center, Emergency Room. A Team of Doctors there to them there and another Team of Doctors on Surgical Team on Standby. Keltano Suffered from Blood Clot in his Bladder from Over Administering Lavonox Shots for Blood Clot by Injection below his belly button, A.M. and P.M., 7:00 - 7:30. Everyday for the First 5 Month and No Monitoring in a way to Notice Lumps and Discoloration to the Area.

Upon Arriving To Queens Medical Center. Doctors was on hand writing. A Team of Doctors on Hand/Hands On and by Doctor Horowitz. A Team of Surgical Doctors on Standby. A Female Doctor gave Kehano 15 Staples on Kehano's Left Leg To Close The Wound, he received when he Passed-Out. Bumped his head and hit The Floor, his leg was stuck to his wheel-
Chair
he used for leverage from his bunk to the Toilet, approximately 6 Feet in distance.

Besides Doctor HOROWITZ and Doctor SPEAKS, A 3rd Doctor asked KENNEDY, "Do You want to be Resuscitated?" KENNEDY SAID "Yes".

AND THAT DOCTOR LEFT. First Catheter into KENNEDY'S Bladder removed and replaced by the biggest Catheter QM had that was inserted into KENNEDY'S Bladder through his Penis. Pain on top of Pain.

Given Pina Pills For Pina and Laxative For Constipation After Eight (8) of Not Having to do #2. Doctor Hronowitz by Request of Kehmo Through the Attending Registered Nurse. Nurse gave Kehmo the Shot. A Little while later #2. Then Kehmo could walk, but his Scrotum was the Size of a Bread Fruit. Kehmo was Released after Doctor Hronowitz Removed 15 Staples and a Beautiful Female Doctor in Place of Doctor Spinks Released Me on January 2, 2020. Its like Doctors don't go home. They always Rip in and Chees on Kehmo.

For this Experience and Knowledge of THE HIGHEST Quality Care? My Son Shave. HIGHEST Quality Care by Health Care Providers was Not Satisfied.

CONCLUSION

For the foregoing Reason. Certiorari should be granted in this case Requesting in Prospective Injunctive Relief in Punitive Damages of \$25. Million from Health Care Providers KPH P. Inc. and HISC and \$1.25 Million from H.O.F. STATE OF IL. The petition for a writ of certiorari should be granted. And ALL Relief Petitioner is Entitled to

Respectfully submitted,

Richard A. Kehmo Sr.

Date: April 13, 2020

"E.G. ETAL"

Respondents,

Kaiser Foundation Health Plan, Inc., Health Care Provider #1

Lyons, Brandt, Cook & Heamatsu

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A Law Corporation

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CADES SCHUTE

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Honolulu, HI 96813-4212

Telephone: (808) 521-9200

ATTORNEYS FOR HEALTH CARE PROVIDER #2

HAWAII HEALTH SYSTEMS CORPORATION

Continue

"E.g ETAL." Respondents

Holawa Correctional Facility

Prison Officials,

Lyle Antonio, Chief of Security. (Now Deputy Warden)

Gary Kaplan, Administration

Keoni Moieran, Unit Team Manager, Module 2.

Paul Niesen, Case Manager, Module 2, B Block,

Now Case Manager for Module 4.

99-902 Momiua Ln, Rd.

Aiea, Hawaii 96701

Respondents,