

19-8368

Supreme Court, U.S.
FILED

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IN THE
SUPREME COURT OF THE UNITED STATES

JAMAAL GITTENS

PETITIONER

v.

TRANSFORCE

PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES FOURTH CIRCUIT

PETITION FOR A WRIT OF CERTIORARI

Jamaal Gittens

Marlene Street

Charlotte NC 28208

ORIGINAL

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Fourth Circuit Memorandum Opinion

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Plaintiff Motion for reason on why District court decision should be reversed

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I. QUESTION PRESENTED

Does the Rooker- Feldman doctrine bar district court subject matter jurisdiction from independent claims

II. PETITION FOR WRIT CERTIORARI

Petitioner Jamaal Gittens respectfully prays that a Writ of certiorari to reverse lowers judgment

III. OPINIONS BELOW

Jamal Gittens v TransForce, Fourth Circuit Court unpublished opinion November 25, 2019

IV. JURISDICTION

Jamaal Gittens petition for rehearing was denied January 14 2019, Jamaal Gittens invokes this court's jurisdiction under 28 U.S.C.1257 having timely filed petition for writ certiorari within 90 days

V. STATEMENT OF THE CASE

August 2018, I called the corporate office of TransForce and spoke with David Carroll in Human resource, I told him if he receives a court order from Domestic relations pertaining to child support, just make sure it bears a jurist signature according to law (nothing more) Pursuant to 28 USC 1691 All writs process issuing from a court of the United States shall be under the seal of the court and signed by the clerk thereof; All seizures must be supported by oath, affirmation Required by the fourth amendment. David said hasn't received any yet, he will look out for it, September 12, 2018 I notice that child support was deducted wages; I called human resources and spoke with Michelle Garvin about the garnishment, I asked her did the court order bare a signature, she said no, it just says JUDGE, I spoke with David Carroll that day, he informed me that he will not stop the garnishment until he receives a court order from the state of Pennsylvania.

October 2018, I filed a claim under 42 USC 1983 against TransForce; repartitioned an amended to a federal question 28 U.S 1331, due to error on my part, the color of law claim wasn't fit for TransForce, my petition was denied by district, fourth circuit

Joseph E Schuler, attorney for TransForce, researched, presented to District; a child support judgment from the state of Pennsylvania, I made references to the unconstitutionality of domestic relations; district court concluded that they lacked jurisdictions pursuant to the Rooker-Feldman doctrine

VI. ARGUMENT

The suit I filed against TransForce was an independent claim; Evans v Corday case 2090vc-587 (S.D. Ohio March 26 2012) the Rooker-Feldman only applies to state court losses complaining of injuries caused by state court judgments commenced, inviting district to review, and rejections to **those judgments**, here, my suit was about TransForce not having a valid warrant, to seize property, it was unlawful seizure, plus they're charging a child support processing fee with this invalid court order; which denies me due process under the fourteenth

The Rooker Feldman Doctrine does not bar District court from civil litigations *skinner v Switzer* 562 U.S 521 (March 7, 2011) nor Federal questions, "constitutional challenges about a statute or ruling governing a decision may be challenge in a federal action, a state courts decision is not viewable to lower federal courts" *skinner v Switzer* 562 U.S 521 (March 7, 2011) see *District of Columbia ct of appeals v Feldman* 460 U.S 462 at 487(1983)

VII. CONCLUSION

The Rooker Feldman doctrine didn't bar district court subject matter jurisdiction, I filed an independent claim; my petition was in an entirely different state. The Doctrine does not bar plaintiff from proceeding, courts are precluded from exercising **Appellant** jurisdiction neither Rooker nor Feldman elaborated a rationale for a wide reaching bar on the jurisdiction of lower federal courts; the Rooker-Feldman doctrine has never been applied to dismiss a claim for want of jurisdiction *Lance v Dennis*, 546 U.S. 459 (2006)

My complaint had been misconstrued to believe that I amended it to negligence, all I said was I'm seeking damages for negligence, when I petitioned a federal question 28 U.S. 1331 it should have been granted, unless "beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief *Haines v Kenner* 404 U.S. 519(1972)

Pro se complaints are held to a less stringent standard than those drafted by attorneys. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). A federal district court is charged with liberally construing a complaint filed by a pro se litigant to allow the development of a potentially meritorious case. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) court errs without instructions on how to repair pleadings *Platsky v CIA* 953 f.2d 26 (2d Cir. (1991)

Joseph E Schuler, argument before the court, is not that TransForce acted in compliance with law; they shouldn't be relieved based on the Rooker- Feldman doctrine,. District could have discarded what it was believed conflicted with the doctrine, rather than dismiss my entire claim.

WHEREFORE, the reasons stated herein, I petition an amended to a federal Question 28 U.S
1331, remand back to district court

Type or printed notary name

_____ Seal

- Place Notary Signature Above -

My commission expires

_____ Date

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