

19-8398

NO. _____

Supreme Court, U.S.
FILED

APR 17 2020

OFFICE OF THE CLERK

**IN THE
SUPREME COURT OF THE UNITED STATES**

JOSEPH WHITE- PETITIONER- (pro-se)

VS

DETROIT EAST COMMUNITY MENTAL HEALTH
et al,- RESPONDENT(S)

**ON PETITION FOR A WRIT OF CERTIORARI TO
THE MICHIGAN COURT OF APPEALS**

PETITION FOR WRIT OF CERTIORARI

JOSEPH WHITE
PETITIONER (PRO SE)
30585 SANDHURST DR.APT. 207
ROSEVILLE, MICHIGAN 48066
(586) 773-0251

ORIGINAL

QUESTIONS PRESENTED

1. Must a court overlook co- workers, supervisors, and organizational directors, to tease and to allow sexual harassment, thus creating a hostile environment on and off the job, so relentlessly morbid that it compelled staff to quit?
2. Must a court be the only authority responsible for the reshaping of statutes to fit the new world we live in to deter fraud and human abuse?
3. Must a court continue to have the authority to protect all vulnerable citizens from exploitations?
4. Must a court bare the burden of interpreting what is dishonesty or misrepresentation of facts that constitute penalty or not?
5. Must a court be the only court to interpret whether sexual harassment laws were broken and sanctions by organizational directors or not?

LIST OF PARTIES

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 :

MARILYN SNOWDEN
SHIRLEY CALHOUN
DORIS STERRETT
GATEWAY COMMUNITY HEALTH PROVIDER

Defendants - Appellees

TABLE OF CONTENTS

| | |
|---|-------|
| QUESTIONS PRESENTED | i |
| LIST OF PARTIES AND RELATED CASES..... | ii |
| TABLE OF CONTENTS | iii |
| INDEX OF APPENDICES | iii |
| TABLE OF AUTHORITIES | iv |
| OPINIONS BELOW..... | 1 |
| JURISDICTION..... | 1 |
| CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED..... | 1 |
| STATEMENT OF THE CASE..... | 2- 18 |
| REASONS FOR GRANTING THE PETITION..... | 18 |
| CONCLUSION | 18 |

INDEX OF APPENDICES

APPENDIX A- Order of the Michigan Court of Appeals dated August 5, 2019 denying plaintiff's Application for Leave to Appeal. COA No. 348605

APPENDIX B- Opinion And Order from the State of Michigan Wayne County Third Circuit Court dated 4/3/2019, denying plaintiff's Motion For Relief From Judgment. LC No. 11-011126-CZ

APPENDIX C- Order of the Michigan Supreme Court dated November 19, 2019, denying plaintiff's Application for Leave to Appeal SC No. 160201

APPENDIX D- Order of the Michigan Supreme Court dated March 3, 2020, denying plaintiff's Motion for Reconsideration. SC No. 160201

TABLE OF AUTHORITIES

CASES

| | |
|---|----|
| Bulloch v United States, 763 F. 2d 1115, 1121 (10, Cir.1985), | 16 |
| “Kenner v C.I.R.,387 F.3d.689 (1968); 7 Moore’s Federal Practice, 2d ed.,p.512¶ 60.23..... | 16 |
| Illinois v Fred E. Sterling, 357; Ill. 354; 192N.E.229 (1934)..... | 16 |
| Allen F. Moore v. Stanley F. Sievers, 336 Ill. 316; 168 N.E.259 (1929)..... | 16 |
| Dunham v Dunham, 57 Ill. App. 475 (1894), affirmed 162 Ill. 589 (1896);..... | 16 |
| Skelly Oil Co. v Universal Oil Products Co., 338 Ill. App 79, 86 N.E. 2d 875, 883-4 (1949);.... | 16 |
| Thomas Stasel v. The American Home Security Corporation, 362 Ill. 350; 199 N.E. 798 (1935)16 | |
| Liljeberg v health Services Acquisition Corp., 486 U.S. 847, 108 S. Ct. 2194 (1988) | 16 |
| United States v Balistrieri, 779 F. 2d 1191 (7 th Cir. 1985) (Section 455 (a))..... | 16 |
| Taylor v. O’ Grady, 888 F.2d 1189(7 th Cir. 1989)..... | 17 |
| Pfizer Inc. v Lord 456 F. 2d 532 (8 th Cir. 1972), | 17 |
| Levine v United States, 362, U.S. 610, 80 S Ct. 1038 (1960),..... | 17 |
| Offutt v United States, 348 U.S. 11, 14, 75, S. Ct.11, 13, (1954)..... | 17 |
| United States v Sciuto, 521 F.2d 842 845 (7 th Cir.1996)..... | 17 |

STATUTES AND RULES

| | |
|--|-------|
| 28 U.S.C. § 1257(a)..... | 1, 18 |
| 18 U.S.C. § 201,..... | 1 |
| 28 U.S.C. § 455(a),..... | 16,17 |
| Balistrieri, at 1202..... | 17 |
| re village of Willowbrook, 37 Ill. App. 2d 393 (1962)..... | 16 |

other

| | |
|---------------------|---|
| (Akabas, 1985)..... | 3 |
|---------------------|---|

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 from the Michigan Court of Appeals, the highest state court to review my case on the merits, appears at Appendix A to the petition and is an unpublished opinion.

JURISDICTION

The date on which the Michigan Supreme Court, the highest state court to deny discretionary review was on November 19, 2019. A copy of that decision appears at Appendix C

Plaintiff's timely filed motion for reconsideration was thereafter denied by the Michigan Supreme Court on March 3, 2020, and a copy of that order denying plaintiff's motion for reconsideration appears at Appendix D

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The UNITED STATES code in Title 18 U.S.C. § 201, provides for the prosecution of public corruption in the United States of America.

STATEMENT OF THE CASE

This case arose out of Plaintiff's employment at Detroit East Community Mental Health Center involves the wrongful termination, sexual harassment, credential abuse related to Medicaid fraud, and abuse of power structure.

On August 4, 2017 Plaintiff found fraud on the Wayne County Circuit Court private register of action that states : Statistical Closures 02/ 07/ 2013 Dismissed by party Case Status: 02/ 07/2013 final. This is clearly Fraud upon the court. plaintiff never dismissed his case., and the defendants attorneys continued litigation in this case for seven years. This new information represents abuse towards pro se litigants that only benefits people in administrative authority. This clearly shows that this action was done with malice and forethought. This action breaches the character of the court. Plaintiff Joseph White became aware of this fraud on the private register of action docket in his case and a client named Tiffany Wilson's case, after his wife Brenda white, found fraud on the register of action docket in both of her cases. In one of her case named: Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary W. Docks on the Macomb County Circuit Court public register of action it states: case number 2012-002017-NH Medical Malpractice file date 05/03/2012 closed Uncontested/Def/ Settled. and the public register of action also states: Case disposition Uncontested /Def/ Settled date 08/20/2012 case Judge Edward A. Servitto Jr. In plaintiff's wife other case named Brenda Ford White v O.L. Matthews M.D. et, al on the Wayne County Third Circuit Court private register of action docket it states: Statistical closures 01/ 10/ 2014 Uncontested/ Default / Settled case Status: 01/14/ 2014 final. Case: 13- 013472-NH. These cases was never settled, and the cases are still in the court, except for Tiffany Wilson's case. This is clearly a mock kangaroo court designed to pervert equal justice, and it clearly shows a pattern of corruption. And it is a violation of public safety.

To add insult to injury, the attorneys, Karen B. Berkery, Kristen L. Cook ,Brett J. Miller, Reginald G. Dozier, and plaintiff's former attorney April Kreger, and the law firm I.A.B. Attorneys at law rendered Tiffany Wilson a Detroit East eight year HUD Housing consumer homeless and voiceless in her civil case, and to show a further pattern of corruption and a violation of public safety, plaintiff Joseph White found fraud on the public register of action docket of Tiffany Wilson on August 4, 2017 , in the Wayne County Third Circuit Court, that states Statistical Closures 01/18/2013 Uncontested/ Default/ Settled/ Case Status: 01/24/ 2013 final. case name: Tiffany Wilson v Carl Coleman. et al, Case: 12-006875-CZ. An Application for leave to appeal was filed in the Tiffany Wilson v Carl Coleman et al, case with a Michigan Court of Appeals docket # of 340491. On February 16, 2018, Plaintiff Tiffany Wilson's application was

denied for lack of merit in the grounds presented. Tiffany Wilson was not able to file her application for leave to appeal in the Michigan Supreme Court, because she did not have a replicable attorney.

Fraud on the register of action was reported on all cases listed above to the Chief Commissioner Mark Stoddard, from the Michigan Court of Appeals Grand Rapids office. Mr Stoddard has made docket entries on the Court of Appeals docket for docket # 338125 Brenda Ford White v O L Matthews M.D. in regards to fraud. Mr. Stoddard has also made docket entries on the Court of Appeals docket for docket # 338256 Brenda White v Southeast Michigan Surgical Hospital et al, in regards to fraud. On 8/4/ 2017, Chief Commissioner Mark Stoddard made a docket entry on the Court of Appeals docket for docket# 333371 Joseph White v Detroit East Community Mental Health et al, in regards to fraud.

On August 15, 2017 plaintiff Joseph White, filed a Motion for Relief from Judgment in the Wayne County Third Circuit Court in regards to Fraud on the court. On September 15, 2017 the Motion Hearing was held in front of Judge Muriel D. Hughes. On October 4, 2017 Judge Muriel D. Hughes issued an Opinion and Order denying plaintiff's Motion for Relief from Judgment. The decision of Judge Muriel D. Hughes clearly shows that she wants to continue fraud on the court.

Judge Muriel D. Hughes conspired with Court Clerk Cathy Garrett, AFSCME Union officials , attorney Richard Mack, Judge Austin Garrett, Cathy Garrett's husband Keith Williams, Kathy Garrett's brother AFSCME Union president Al Garrett, and Paralegal Claude D. Boling to cover up for the Wayne County corrupt Machine.

Individual or the society at large responsible for causing this problem? Who is ultimately, responsible for solving it? As with most social problems, the individual is challenged to solve "his/her" problems faster than the society will address larger structural issues. For example through the definition of the family continues to evolve from a conventional model to many non-traditional forms, most employers continue to base their social policies regarding workers on the nuclear family structure (**Akabas, 1985**)

After Ten years at Detroit East Gateway Community Mental Health service providers, plaintiff was overworked, underpaid, humiliated, and sexually harassed by his supervisor Doris Sterrett . Plaintiff Joseph White, was ignored by administrative staff and peers. Plaintiff Found himself in a dark place for eight ½ years in a mock kangaroo court.

Joseph White, filed a Petition for Writ of Certiorari in the United States Supreme Court on September 17, 2015, and on February 3, 2016 a petition for rehearing was filed. On October 17, 2017, Joseph White filed a second Petition for Writ of Certiorari in the United States Supreme Court.

On January 26, 2018, Plaintiff Joseph White, filed a renewed motion for relief from judgment in the Wayne County Third Circuit Court in regards to Fraud on the court. On February 27, 2018, Judge Muriel D. Hughes issued an Opinion /Order denying plaintiff's renewed motion for relief from judgment, and plaintiff's application for leave to appeal was denied by the Michigan Court of Appeals on July 25, 2018, under docket: 342858. On October 10, 2018 Joseph White filed an application for leave to appeal in the Michigan Supreme Court, with a SC docket # of 158532.

On March 9, 2018, attorney Reginald G. Dozier, sent plaintiff Joseph White, a copy of Lewis & Munday, P C'S Motion to withdraw as legal counsel for defendants Detroit East Community Mental Health, Marilyn Snowden, Shirley Calhoun, and Doris Sterrett. On March 16, 2018, Plaintiff Joseph White, filed a response to Lewis & Munday P.C.'S Motion to withdraw as legal Counsel. On March 20, 2018, Kitch, Druthcas, Wagner, Valitutti & Sherbrook filed a Motion to withdraw as legal counsel for defendant, Gateway Community Health Provider. On March 26, 2018, plaintiff Joseph White, did a response to Kitch, Druthcas, Wagner, Valitutti & Sherbrook's Motion to withdraw as legal Counsel. On April 6, 2018, defendants attorneys Motion hearing was held in front of Judge Muriel D. Hughes. The Motion to withdraw as legal counsel was granted for the Lewis & Munday P.C.'S Law Firm. The order was signed on April 9, 2018. The Motion to withdraw as legal counsel was also granted for Kitch, Druthcas, Wagner, Valitutti & Sherbrook Law Firm, and that order was signed on April 6, 2018. The Order Granting Defendants Motion To Enforce Settlement was rejected and unsigned by Judge Muriel D. Hughes for Lewis & Munday, P.C. The Michigan Court of Appeals removed defendants attorneys Reginald G. Dozier and Karen B. Berkery from the docket as defendants attorneys on April 19, 2017, under docket # 342858

On November 30, 2017, Karen A. Spranger, Former Macomb County Clerk/ Register of Deeds did a reply to Investigation report, and she found fraud on the court in five cases: The Joseph White v Detroit East Community Mental Health et al,; Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary W. Docks; Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company; Brenda Ford White v O.L. Matthews M.D. et al,; Tiffany Wilson Carl Colman et al, Karen found that the Macomb County Circuit Court, Wayne County Third Circuit, Michigan Court of Appeals, and the Michigan Supreme Court, are all complicit in fraud to deny meaningful access. Also, she stated all of the cases listed were improperly and done with obvious intent, and it causes inappropriate register of action false statements. Former Court Clerk Karen Spranger, stated that plaintiff Joseph White and his wife Brenda White, were both charged illegal fees in their cases in this unusual circumstances of fraudulent dismissal by the Michigan Court of Appeals, Michigan Supreme Court Clerk's office, Judge Michael J. Talbot, Judge Elizabeth L. Gleicher, Judge Joel P. Hoekstra, District Commissioner Mark Stoddard, attorney Linda Garbarino, and attorney Robert G. Kamenec.

On August 29, 2019, Former Macomb County Clerk/ Register of Deeds Karen Spranger, came to Joseph and Brenda White's home for a second time, and she talked for 5 ½ hours she mentioned that her intentions was to clean up corruption in Macomb County Circuit Court, but she stated she was under scrutiny. She also stated that the system is broken. She mentioned that she was going to file a complaint with the secretary of state Jocelyn Benson, and she hopes to get her job back. She also stated that she was going to send a letter to Attorney General Dana Nessel.

On January 23, 2018, WDIV-TV Local 4 news Reporter Jason Colthorp, aired a story on the news and he covered up the details in the Joseph White v Detroit East Community Mental Health et al, case. Local 4 news also covered up plaintiff Joseph White and Tiffany Wilson's case on several occasions in 2016, while airing a story on Detroit East Community Mental Health and Gateway. Jason Colthorp, also did a FAKE news story and covered up my wife, Brenda White, cases on January 23, 2018 and January 24, 2018, where Jason Colthorp in the headline of his news story stated that Employee says Macomb County Clerk Karen Spranger pressured her to illegally alter record, and he was referring to Brenda White, court case in Macomb County Circuit Court. Plaintiff Joseph White, made numerous telephone calls to WDIV-TV Detroit news reporter Jason Colthorp, and WDIV news station asking them to correct a news story that aired on January 23, 2018 and January 24, 2018. To no avail.

On August 23, 2018, Plaintiff Joseph White, and his wife Brenda White, gave a copy of a complainants statement with exhibits in regards to a news story involving Jason Colthorp, Karen Spranger, and Lisa Emerson, to Kathy Smith Macomb County Circuit Court Clerk/ Register of Deeds, and Kathy, turned the complainants statements with exhibits over to Macomb County Circuit Court Corporate Counsel, John Schapka. Also, on August 23, 2018, Plaintiff Joseph White, gave a copy of the complainants statement with exhibits to Deputy Miller, at the Macomb County Sheriff's Office, and deputy Miller gave Joseph White a complaint # of 63058-18. Deputy Miller, stated he was going to put the complainants statement with exhibits in Detective Pintal box. On October 1, 2018, Joseph White, called Detective Pintal, and he left a voice message for Detective Pintal to return his call. On October 2, 2018 Detective Pintal returned plaintiff Joseph White's call. Detective Pintal, stated he had not seen the complainants statement with exhibits, and he could not find the complainants statement with exhibits. Joseph White, asked Detective Pintal if he wanted him to bring him another copy of the complainants statement with exhibits, and Detective Pintal, said no, because he would have to locate the original complainants statement with exhibits.

On Friday October 26, 2018, Detective Pintal, called Joseph White, to tell him he had found the complaint. Detective Pintal informed Joseph and Brenda White that they could file an addendum to their statement. Joseph and Brenda White met with a Macomb County Sherriff by the name of Mark Tillman, on Saturday October 26, 2018, at the Macomb County Sherriff's office. Sherriff Tillman gave Joseph and Brenda White, a new complaint number of 2018-00081302. On November 15, 2018, Joseph and Brenda White met with Detective Jeff Pintal, from Macomb County Sheriff's office to turn over more documents. Detective Pintal, told Joseph and Brenda White, he was going to turn over all of the documents over to Macomb County prosecutor Eric Smith.

On August 31, 2018, Plaintiff Joseph White, sent a copy of the complainants statements to Richard M. Lynch General Counsel of the Wayne County Third Circuit Court. On September 7, 2018, Mr. Lynch sent a letter addressed to Brenda and Joseph White, stating he received our mailing that included Complainants Statements dated August 23, 2018. After reading your documents, that I must again advise you that the issues presented are outside the scope of my office and of the Third Judicial Circuit of Michigan. Consequently, I take no action on this matter and consider it closed. On September 7, 2018, attorney Richard M. Lynch stated in an audio recording that the documents given to him address issues in Macomb County Circuit Court. Joseph White, has a copy of the audio recording dated September 7, 2018 and attorney Richard Lynch is breaking the law.

On September 25, 2018 Joseph White, received a threatening letter from WDIV/ Jason Colthorp attorneys BERNARDI, RONAYNE & GLUSAC regarding a cease and desist. Joseph J. Bernardi stated in his letter dated September 25, 2018, If you fail to cease and desist from making telephone calls to, leaving voicemail messages for and/ or sending email messages to WDIV and its employees, or if you have contact with WDIV and its employees, I will be forced to take appropriate legal action against you and will seek all available damages and remedies. On October 1, 2018 Joseph and Brenda White sent attorney Joseph J. Bernardi, from Bernardi, Ronardi, & Glusac, a letter with a copy of a complainants statement with exhibits requesting a correction in a news story that aired on WDIV on January 23, 2018 and January 24, 2018, and on October 29, 2018, attorney Joseph Bernardi, responded in a letter stating: Dear Mr. and Mrs. White: your letter of October 1, 2018 claims that you filed a Complainants Statement with the Macomb County Circuit Court Clerk and the Macomb County Sherriff's office If, and when we receive any inquires from a governmental agency we will respond accordingly. Absent any governmental inquires, there is nothing further to add. Sincerely, Joseph J. Bernardi. A copy of attorney Joseph J. Bernardi's threatening cease and desist letter, and a copy of Joseph and

Brenda White's letter addressed to Joseph J. Bernardi, was mailed to Detective Pintal, on October 1, 2018. In a telephone contact on October 2, 2018 Detective Pintal, from Macomb County Sheriff's Office stated that WDIV attorneys could not send a threatening letter regarding a cease and desist without an order from a judge.

On August 14, 2019, a request for investigation was filed by Joseph and Brenda White, at the Michigan Attorney Grievance Commission on attorney Joseph J. Bernardi, the attorney who represents WDIV/TV Local 4 News, in regards to a news story that aired on January 23, 2018 and January 24, 2018.

On October 8, 2019, the Michigan Attorney Grievance Commission responded in a letter that states: personal and confidential Joseph and Brenda White AGC File No. 19-2255, Dear Mr. and Mrs. White: This office received your Request for Investigation, however the allegations in your complaint are insufficient to warrant review by the commission. Accordingly, after careful review by the staff, this matter is being closed under the authority of the Grievance Administrator pursuant to Michigan Court Rule 9.112(C)(1)(a.) your Request for Investigation has been thoroughly reviewed. The facts as you have stated in your Request for Investigation do not constitute professional misconduct. We regret that we can be of no further assistance to you. Joseph John Bernardi has been provided with a copy of your Request for Investigation. If my staff or I can be of service to you in the future, please do not hesitate to contact us again. Very truly yours Cynthia C. Bulling, Assistant Deputy Administrator.

On June 26, 2012, plaintiff Joseph White, sent an initial complaint to the Recipient Rights and a follow-up complaint was filed over the telephone on April 3, 2018, with Recipient Rights, by plaintiff Joseph White, and Recipient Rights, turned the complaint over to DWMHA. The complaint was then Turned over to Michigan Attorney General Bill Schuette, with a complaint # of 31079 regarding Joseph White and Tiffany Wilson.

On September 18, 2018, plaintiff Joseph White, filed a complaint with the State of Michigan Department of Licensing and Regulatory Affairs Bureau of Professional Licensing Investigations & Inspections Division regarding defendant Doris Sterrett. On October 19, 2018, plaintiff Joseph White, received a letter from the Department of Licensing And Regulatory Affairs with a file # of 153355. The Department of Licensing And Regulatory Affairs stated that they have no jurisdiction over civil matters/ disputes.

On October 4, 2018 Joseph White, contacted Fox 2 News in Southfield Michigan, in regards to a news story by M.L. Elrick, on Karen Spranger, Macomb County Clerk Candidate Lisa Sinclair, and Candidate Fred Miller. Fox 2 news and M.L. Elrick, stated that they did not find any problems with Fred Miller public record check. Joseph White called Fox 2 News and told them that they failed to mention about Fred Miller and Karen Spranger's collusion with former Court Clerk/Register of Deeds Carmella Sabaugh, in an election scheme, and Carmella Sabaugh not granting a clear default in the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks, and the concealment of the Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company case. Joseph White, also mention that Jason Colthorp and WDIV did a fraud news story on January 23, 2018, and January 24, 2018, involving Former Macomb County Clerk/ Register of Deeds Karen Spranger, and Chief Clerk Lisa Emerson. Ken Martinek, from Fox 2 News, send Joseph White an email in regards to Joseph sending the news director Kevin Roseborough, a copy of Joseph and Brenda White Complainants Statement documents in regards to WDIV and Jason Colthorp fraud news cast.

On October 16, 2018, plaintiff filed his third Petition for Writ of Certiorari in the United States Supreme Court, and the petition was placed on the docket on October 29, 2018, as docket no. 18-6476, from a July 27, 2018, fraud order from the Michigan Supreme Court. Plaintiff Joseph White Petition was placed on the United States Supreme Court Website. Plaintiff's petition was denied without prejudice on January 7, 2019. The United States Supreme Court could not dismiss this case.

On January 24, 2019, plaintiff Joseph White filed a motion for relief from Judgment in the Wayne County Third Circuit Court. On February 15, 2019, plaintiff's hearing was held in front of Judge Muriel D. Hughes, without any defendants attorneys in the case. On February 15, 2019, the case was taken under advisement, and on April 3, 2019, Judge Muriel D. Hughes issued a fraud order denying with prejudice plaintiff Joseph White's motion for relief from Judgment.

This is clearly fraud on the court, and abuse of authority, Judge Muriel D. Hughes, and defendants attorneys has no evidence or proof to support their claim. This is another attempt to impede justice, and to run a pro se litigant out of court. Plaintiff Joseph White had enough evidence for this case to go to trial.

On April 22, 2019, plaintiff Joseph White, filed an application for leave to appeal in the Michigan Court of Appeals. Plaintiff also filed a motion to waive fees, and on May 30, 2019, plaintiff Joseph White's, fee waiver request was denied even though plaintiff veterans income is exempt from court cost. On August 5, 2019, plaintiff's application for leave to appeal was denied by the Michigan Court of Appeals on its own motion. The Michigan Court of Appeals found sanctions of \$500.00 warranted on the basis that plaintiff Joseph White's appeal was frivolous and vexatious. The Michigan Court of appeals had no grounds to assess sanctions, because the Michigan Court of Appeals has no supporting documentation or proof that plaintiff's appeal is frivolous and vexatious. The defendants attorneys are no longer in this case, and Plaintiff has presented enough evidence to show that his appeal has merit. plaintiff's appeal should not have been denied.

On October 4, 2018, Joseph White, contacted Fox 2 News in Southfield Michigan, in regards to a news story by M.L. Elrick on Karen Spranger, Macomb County Clerk Candidate Lisa Sinclair, and Candidate Fred Miller. Fox 2 news and M.L. Elrick stated that they did not find any problems with Fred Miller's public record check. Joseph White called Fox 2 News and told them that they failed to mention about Fred Miller and Karen Spranger's collusion with former Court Clerk/Register of Deeds Carmella Sabaugh, in an election scheme, and Carmella Sabaugh not granting a clear default in the Brenda White v Southeast Michigan Surgical Hospital and Dr. Gary Docks case, and the concealment of the Brenda R. White v EDS Care Management LLC and Travelers Indemnity Company case. Joseph White also mention that Jason Colthorp and WDIV did a fraud news story on January 23, 2018, and January 24, 2018, involving Former Macomb County Clerk/ Register of Deeds Karen Spranger, and Chief Clerk Lisa Emerson. Ken Martinek, from Fox 2 News send Joseph White an email in regards to him sending the news director Kevin Roseborough a copy of Joseph and Brenda White Complainants Statement documents in regards to WDIV and Jason Colthorp fraud news cast.

On August 20, 2019, Fox 2 News Reporter John Carlson, contacted plaintiff Joseph White, in regards to a three page letter with attachments that Joseph had given to Fox 2 News regarding a three page letter that plaintiff wife Brenda White, wrote regarding Karen Spranger, former Macomb County Clerk/Register of Deeds, Direct involvement in Joseph and Brenda White cases, in which Karen Spranger ,conspired with WDIV Local 4 News, Lisa Emerson, and Jason Colthorp. John Carlson, stated that he was going to talk to the director to see if he could redo the news story that Local 4 News aired. John stated that once a story has already aired, another station is hesitant to correct the news story. Fox 2 and the media at large covered up plaintiff Joseph White case and his wife, Brenda White cases.

On April 19, 2019, Plaintiff Joseph White filed a complaint on Marilyn Snowden complaint no. 155634 with the Department of Licensing And Regulatory Affairs for failure to report Doris Sterrett and Michigan public health code violations, as evidence by the following cases: People v Charles Thomas Jax. Case no. 2019- 001826-FH, U.S. v Tara Lee , Macomb County v James Stanley all defendants in these cases have been charged and will have due process. To add insult to injury Plaintiff contacted Ursula Henry, the attorney for DWMHA in regards to Doris Sterrett's predatory hidden files, and she has not return plaintiff's call.

On July 9, 2019, the Department of Licensing and Regulatory Affairs sent a final letter in regards to a complaint plaintiff filed on Marilyn Snowden, file no. 155634, the letter states that they have no jurisdiction over the nature of your complaint. Additionally, our office has no jurisdiction over civil matters/disputes, plaintiff states: what kind of oxymoron statement is that.

On March 28, 2019, Plaintiff Joseph White, spoke to DWMHA(Recipient right) by telephone, regarding the Joseph White v Detroit East Community Mental Health, et al, case. the recorded conversation on the thumb drive is in the Michigan Court of Appeals files.

On Wednesday September 4, 2019, plaintiff called the U S Attorney General's Office Eastern District. Plaintiff called to remind the attorney general office of the political fallout of plaintiff Joseph White case. Phone: No. (313) 226- 9100. The person who answered the phone stated he was not going to represent him. He later abruptly hung up the phone.

On September 6, 2019, plaintiff Joseph White filed an application for leave to appeal in the Michigan Supreme Court with a file no. of 160201.

On September 23, 2019, The Michigan Supreme Court placed on the docket that a notice letter to defendant Doris Sterrett was returned with notation "Deceased."

On November 18, 2019, plaintiff Joseph White, contacted the Michigan Supreme Court to inform the court that he would be sending the Michigan Supreme Court an audio recording on a flash drive in regards to a conversation between himself and Belinda Flowers, from the Detroit Rescue Mission Ministries, regarding Belinda's confession in regards to defendants Doris Sterrett and Shirley Calhoun, and plaintiff Joseph White's possible future need for a Subpoena.

The Michigan Supreme Court made a docket entry regarding plaintiff Joseph White's telephone contact with the court, and dated it for November 18, 2019.

On November 21, 2019, the Michigan Supreme Court received a flash drive from Joseph White, regarding a conversation between himself and Belinda Flowers. On November 22, 2019, the Michigan Supreme Court sent plaintiff White, a letter that states that they received the papers and flash drive that he had sent. The court had issued an 11/19/2019, order that denied his application for leave to appeal. The court could not accept any further pleadings in the matter other than a timely-filed motion for reconsideration under MCR 7.3119(G).

On December 4, 2019, plaintiff Joseph White, filed a Motion for Reconsideration in the Michigan Supreme Court, that included a flash drive that contained audio recordings.

The first audio recording sent to the Michigan Supreme Court was an audio recording of plaintiff Joseph White and Belinda Flowers, that was recorded on November 7, 2019. Plaintiff Joseph White, recorded a conversation between himself and the Director of Human Resources Belinda Flowers, from the Detroit Rescue Mission Ministries, regarding defendants Doris Sterrett and Shirley Calhoun. Belinda Flowers, made statements that defendants Doris Sterrett and Shirley Calhoun, were both fired from the Rescue Mission for some of the same reasons that was reported by plaintiff Joseph White, to the court and authorities, during their employment at Detroit East Community Mental Health. And it was not reported to the court by the attorneys. This proves that information has been illegally withheld from this case.

The Second audio recording submitted to the Michigan Supreme Court was recorded on November 25, 2019. Plaintiff Joseph White, recorded a conversation between himself and the office Manager Diane Marion, from Wayne State University, in regards to former Kitch Law Firm attorney Kristen Cook's conflict of interest, who is now assistant General Counsel at Wayne State University. Kristen Cook, was terminated from the Kitch Law Firm, because she violated the Kitch Law Firm code of ethics, endangering public safety to impede justice with plaintiff Joseph White and Tiffany Wilson's former attorney April Kreger, from I.A.B. Attorneys at Law. A Request for Investigation was filed at the Michigan Attorney Grievance Commission in regards to attorney Kristen Cook and April Kreger. To no avail.

Plaintiff Joseph White filed a police report with supporting documentation at the Detroit Police Department Twelfth Precinct on 12/11/2019 regarding defendant Shirley Calhoun's involvement with illegal housing and the murder of Sergeant Rasheen McClain. Report No. 19-1211-0163. Officer Ms. L. Andrews.

A copy of a document from the Detroit Police Department Twelfth Precinct dated 12/11/2019, with a police report no. of 19-1211-0163 (**exhibit A**) was filed in the Michigan Supreme Court on 12/ 16/ 2019, along with the following supporting documentation: a copy of an email letter from plaintiff to Dana Nessel, dated September 26, 2019, a copy of an email letter from plaintiff to Richard L. Cunningham, dated November 26, 2019, a copy of a letter dated 12/3/2019, from Richard L. Cunningham to plaintiff, head of the criminal division from Attorney General Dana Nessel's office. A copy of Plaintiff Joseph White's cover page dated 11/20/2019 regarding an audio recording of a conversation between Plaintiff Joseph White and Belinda Flowers, in regards to defendants Doris Sterrett, and Shirley Calhoun. A copy of plaintiff Joseph White's application for leave to appeal dated 9/6/2019, and a copy of plaintiff's States Bar complaint dated 1/13/2018, filed on private investigator Charles and Cynthia Martell. Joseph White gave Copies of the same listed documents with supporting documentation to sergeant Rasheen McClain's son in law Sam Berry, as the Twelfth Precinct requested him to do. Sam Berry, owns several lefty's Cheesesteak restaurants.

On 12/16/2019, a copy of an obituary regarding the death of defendant Shirley Calhoun, who died on November 23, 2019 was also filed in the Michigan Supreme Court on 12/16/2019.

On 12/20/2019, Plaintiff Joseph White, filed a police report and a witness statement at the Roseville Police Department in Roseville, Michigan (**exhibit B**) regarding plaintiff Joseph White's family member Shallie Rashanda Renee Myles and Shallie's husband Latari Myles, in regards to Shallie and Latari's harassment and threats made against Joseph White, in a recorded telephone conversation verified by Roseville Police Department. Joseph White's relative Shallie Myles, husband is related to the defendant Shirley Calhoun. Shirley was involved in referring Detroit East client's and prisoners to illegal housing, and this information was reported in plaintiff Joseph White's discovery in the Wayne County Third Circuit Court. Shallie and Latari Myles, withheld that they were related to defendant Shirley Calhoun, and they withheld other information in regards to the illegal housing.

On 12/16/2019, A copy of a Roseville Police Department Police Report and a Witness Statement regarding Shallie Rashanda Renee Myles and her husband Latari Myles, and a copy of a register of action in regards to Jajuan Keenan Parks, was filed in the Michigan Supreme Court. Jajuan Parks was released from jail on parole and he was placed in illegal housing that was ran by deceased defendant Shirley Calhoun and her ex husband Douglas Calhoun. As a result of the continued corruption surrounding this case, a homicide investigation has taken place, because Judge Murial D. Hughes, from the Wayne County Third Circuit Court, allowed defendants attorneys to continue withholding evidence and to withdraw from this case. A police officer was killed by the name of Rasheen McClain, by Jajuan Parks. Defendant Shirley Calhoun's nephew Dontez Calhoun, was killed and his brother Christian Calhoun, was shoot by the same shooter and severely wounded. A citizen by the name of Nathaniel Loyd, was also killed by the shooter Jajuan Parks.

On January 6, 2020, attorney Timothy D. Tomlinson, from the law firm of York, Dalan & Tomlinson P.C. the City Attorney for the City of Roseville, did not call plaintiff's family members into court for questioning as plaintiff requested him to do. Attorney Timothy D. Tomlinson wrote a letter and sent a copy to Latari Myles, as plaintiff Joseph White, also requested him to do, that states: Although it appears as though criminal activity may have occurred. We are not going to request the issuance of a complaint and arrest warrant at this time. We strongly caution that activity of the nature alleged in the incident reports will not be tolerated. Please refrain from any contact with Joseph White, including in person, by phone, email, social media(i.e. Facebook, Snapchat, Instagram etc.) Any future incidents of this type may result in the issuance of a warrant. Should you have any question regarding same, feel free to contact me. We remain. Very truly yours, York, Dolan & Tomlinson, P.C. Timothy D. Tomlinson Roseville City Attorneys. (**exhibit C**).

On January 13, 2020, plaintiff Joseph White, received a telephone call from Officer Johnathan Ross, from the Gross Point Farms, Michigan Police Department, regarding Shallie Rashanda Renee Myles, and Latari Myles. Officer Ross stated that Shallie and Latari came to his office. Mr. Ross also stated in an audio recording that he appreciate Plaintiff Joseph White taking a few moments to speak with him and explaining to him what was going on, hopefully this will all get taken care of. Officer Ross stated his badge no. was 74.

Plaintiff Joseph White filed numerous audio recordings in support of his case in the Michigan Supreme Court on 2/4/2020, 2/13/2020, and 2/26/2020, On March 3, 2020, the Supreme Court issued another fraud order denying plaintiff Motion for Reconsideration impeding Justice.

On September 26, 2019, Plaintiff Joseph White and his wife Brenda White, sent an email letter to Michigan Attorney General Dana Nessel's office requesting that her office intervene in Joseph and Brenda White, criminal cases. (**exhibit D** attached.) On November 26, 2019, Plaintiff Joseph White and Brenda White, sent an email letter to Richard L. Cunningham, head of the criminal Division in regards to him sending an ending letter to Joseph and Brenda White, after he stated in a telephone conversation that his office would not be handling their cases. (**exhibit E** attached) On December 3, 2019, Richard L. Cunningham, responded in a letter that states:

Dear Mr. and Mrs. White: This letter is written in response to your request that the Michigan Attorney General intervene in several lawsuits in which you are a party. In your request you cite several different civil actions, but assert that the Court of Appeals has determined that these cases are criminal, You state that the Court of Appeals issued orders recognizing those cases are criminal, but you failed to provide copies of any such orders. I have considered your request and reviewed the Court of Appeals records concerning the cases in which either one of you was a party. I am simply not persuaded that there is any valid basis for the involvement of the Attorney General in your lawsuits. Likewise, I see no basis for any criminal proceedings based on the information you presented. Within the scope of prosecutorial discretion, I am closing our file on this matter without further action. (**exhibit F** attached)

On January 22, 2020, Plaintiff Joseph White, and his wife had a face to face meeting with Richard Lynch, General Counsel of the Wayne County Third Circuit Court. Mr. Lynch, gave his permission to record the conversation. Mr. Lynch told plaintiff Joseph White, he was not his attorney, and he wished him the best of luck. Mr. Lynch, accepted documents from Joseph White, to review. Mr. Lynch returned Joseph White's documents with a letter dated January 22, 2020, addressed to Joseph and Brenda White, Mr. Lynch letter in the third paragraph states in summary, neither the court nor I can advise you on, represent you in, advocate on your behalf relative to, or investigate for you in the various claims that you present. Each of these actions exceeds the scope of the Courts's role and my role within the Court. Entire letter attached. (**exhibit G**)

On January 29, 2020 Joseph and Brenda White had a telephone conversation with Connie, from state Senator Paul Wojno's office, in regards to their cases, and Connie stated that there is nothing they can do at this point, because the cases are in the court. The audio recording of Joseph and Brenda White with Connie has been sent to the Michigan Supreme Court with Joseph White case, under docket no. 160201. This is another excuse by State Senator Paul Wojno's office to continue to impede justice.

On February 20, 2020, Joseph and Brenda White, contacted the City of Detroit Mayor Mike Duggan's office, and they spoke to a person by the name of Karen, and recorded the conversation. Karen, listened and she took notes in regards to plaintiff Joseph White, case and his wife cases. Karen, stated she was going to forward this information to their Constituent Service Department, and they will report directly to the Mayor and inform him, and if they need more information or have any questions they will contact Joseph and Brenda White. A copy of the audio has been sent to the Michigan Supreme Court. On March 2, 2020, Joseph and Brenda White, contacted Mayor Mike Duggan's office a second time and spoke to Karen, and they requested that Karen, contact Constituent Service Department, to ask them to send Joseph and Brenda a letter, and Karen stated that she would contact Constituent Service Department in regards to them sending a letter. Mayor Mike Duggan's office did not send a letter.

Joseph White, received a letter from the Governor of Michigan Gretchen Whitmer, dated March 9, 2020, The Governor thanked Joseph White, for contacting her regarding his concerns. attached (**exhibit H**).

On March 27, 2020, Joseph White, sent Chief Judge Timothy M. Kenney, from the Wayne County Third Circuit Court, a copy of his letter regarding the cover up of Plaintiff Joseph White's case that led to an investigation into the death of police officer Rasheen P. McClain. attached (**exhibit I**).

On Monday April 13, 2020, Sergeant EBY, returned Joseph White's call, and in a recorded conversation Sergeant Eby, stated he had completed his investigation and he gave the information to the officer in charge at the Twelfth Precinct. Sergeant Eby, agreed that there was a relationship between the cover up of the illegal housing reported by Joseph White, in discovery. The illegal housing ran by deceased defendant Shirley Calhoun, her ex husband Douglas Calhoun and Gearld Calhoun, lead to the untoward shooting of police officer Rasheen P. McClain by Jujuan Parks a parole. On Thursday April 16, 2020, Joseph White, ordered a copy of the police report regarding the complete investigation.

The dangers of no trial, and no witnesses, represent nothing less than murder, collusion, and abuse of authority. This case was an act of traitorous sentiments that deflects from what America claim to be.

Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court." In *Bullock v United States*, 763 F. 2d 1115, 1121 (10, Cir. 1985), the court stated "Fraud Upon the court" is fraud directed to the Judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ...It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function ---thus where the impartial functions of the court has been directly corrupted." "Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." *Kenner V C.I.R.*, 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512¶ 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final.

"Fraud upon the court" makes void the orders and judgments of the court. It is also clear and well-settled Illinois law that any attempt to commit "Fraud upon the court" vitiates the entire proceeding. *The people of the state of Illinois v Fred E. Sterling*, 357 Ill. 354; 192 N.E. 229 (1934) ("The maxim that fraud vitiates every transactions into which it enters applies to judgments as well as to contracts and other transactions."); *Allen F. Moore v. Stanley F. Sievers*, 336 Ill. 316; 168 N.E. 259 (1929) (The maxim that fraud vitiates every transaction into which it enters"...) In *re village of Willowbrook*, 37 Ill. App. 2d 393 (1962) ("It is axiomatic that fraud vitiates everything".); *Dunham v Dunham*, 57 Ill. App. 475 (1894), affirmed 162 Ill. 589 (1896); *Skelly Oil Co. v Universal Oil Products Co.*, 338 Ill. App 79, 86 N.E. 2d 875, 883-4 (1949); *Thomas Stasel v. The American Home Security Corporation*, 362 Ill. 350; 199 N.E. 798 (1935)

Under Illinois and Federal law, when any officer of the court has committed "fraud upon the court" the orders and the judgment of that court are void, of no legal force or effect.

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Liljeberg v health Services Acquisition Corp.*, 486 U.S. 847, 108 S. Ct. 2194 (1988) (what matters is not the reality of bias or prejudice but it's appearance); *United States v Balistreri*, 779 F. 2d 1191 (7th Cir. 1985) (Section 455(a) "is directed against the appearance of partiality, whether or not the judge is actually biased." ("section 455(a) of the Judicial Code, 28 U.S.C §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process.")).

The court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her or his impartiality might reasonably be questioned. " Taylor v. O'Grady, 888 F.2d 1189 (7th Cir. 1989). In Pfizer Inc. v Lord 456 F.2d 532 (8th Cir. 1972), the court stated that " It is important that the litigant not only actually receives justice, but that he believes that he received justice."

The supreme court has ruled and has reaffirmed the principle that " justice must satisfy the appearance of justice "Levine v United States, 362 U.S. 610, 80 S. Ct. 1038 (1960), citing Offutt v. United States, 348 U.S. 11, 14, 75 S. Ct. 11, 13 (1954). A judge receiving a bribe from an interested party over which he is presiding, does not give the appearance of justice. Recusal under Section 455 is self – executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself or himself sua sponte under the stated circumstances." Taylor v. O' Grady, 888 F. 2d 1189 (7th Cir. 1989). Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that " We think that this language (455(a) imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed. "Balistrieri, at 1202. Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the Law.

Should a judge not disqualify himself as required by law, then the judge has given another example of his "appearance of partiality " which, possibly, further disqualifies the judge. Should another judge not accept the disqualification of the judge then the second judge has evidenced an "appearance of partiality" and possibly disqualified himself/herself. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal force or effect. Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. United States v Sciuto, 521 F. 2d 842 845 (7th Cir. 1996) (" The right to a tribunal free from bias or prejudice is based , not on section 144, but on the Due Process Clause.")

If you are non- represented litigant, and should the court not follow the law as to non-represented litigants, then the judge has expressed an "appearance of partiality" and, under the law, it would seem that he/she has disqualified him/herself.

However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on the subject. Notice that it states "disqualification " is required and that a judge must be disqualified" under certain circumstances.

The Supreme Court has also held that if a judge wars against the constitution, or if he acts without jurisdiction, he has engaged in treason to the constitution. If a judge acts after he or she has been automatically disqualified by law, then he or she is acting without jurisdiction and that suggest that he is then engaging in criminal acts of treason, and may be engaged in extortion and the interference with interstate commerce. Courts have repeatedly ruled that judges have no immunity for their criminal acts. Since both treason and the interference with interstate commerce are criminal acts. no judge has immunity to engage in such act.

REASONS FOR GRANTING THE PETITION

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

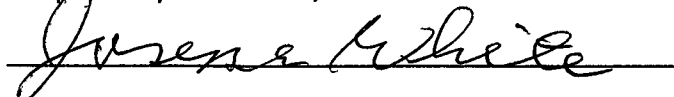
Equality before the law, like universal suffrage, holds a privileged place in our political system, and to deny equality before the law delegitimizes that system...When these rights are denied, the expectation that the affronted parties should continue to respect the political system ...

that they should continue to treat it as a legitimate political system--has no basis. The abuse of power by a public or private official for private gain. Corruption is so common that it is expected when ordinary business or citizen interact with government funds or officials. We must continue to hold ourselves accountable. A person who does not hold themselves accountable to anyone, holds themselves accountable to nothing.

Conclusion

For the reasons stated in this petition for writ of certiorari, petitioner Joseph White prays this Court issue a writ of certiorari.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Joseph White", is written over a horizontal line.

Date: April 17, 2020