

No. 19-3965

20-1544

IN THE
SUPREME COURT OF THE UNITED STATES

Felicia Ross pro se — PETITIONER
(Your Name)

VS.

Peregrine Health Services et.al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO FILED

MAR 13 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

FELICIA ROSS

(Your Name)

97. E. Interstate

(Address)

Bedford, Ohio, 44146

(City, State, Zip Code)

440-241-2383

(Phone Number)

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Questions Presented

Did the District Courts err by not allowing Due Process?

Did the District Courts err by not considering the rights of a protected citizen in the rule of law when considering procedural due process?

Did the District Courts properly exercise its ruling of Due Process rule of law considering Liberty?

Did the District Courts err in not considering counsel? Why would the courts ignore the request for counsel, when in fact that was the court's reason for dismissing the claim?

Under U.S.C 1915 (e) Defendants claim the case was dismissed.

Did the District Courts properly exercise an unbiased ruling, toward a pro se litigant?

Did the District Courts err, in 28 U.S. Code 1654 appearance personally or by counsel?

Did the District Courts err, by dismissing Ross v. Peregrine Health Services et.al and allowing Ross's rights as a citizen to be taken away by a Government Agency, (RailRoad Retirement Board)?

Should asking the Districts Court for counsel, under U.S.C 1915 (d) as a pro se, and the courts give no answer, to the request and dismiss the case, is that a Violation of Procedural Due Process?

Did the District Courts respect the legal requirement that is owed to a person under Due Process Clause?

Did the District Courts err when they overlooked deprivation of Life, liberty, Happiness, or Property?

Did the District Courts follow equal protection under the law? Substantive due process

Did the District Courts err in not allowing Ohio code 2113.01 to be considered? (Probate Court Letter). Evidence

Did the District Courts err in not allowing protection from the power of the State?

Should the District Courts give a single definition on what constitutes a pro se defending their own civil rights?

Did the District Courts overlook the material facts?

Did the District Courts abuse the process? By dismissing the case under 1915(d).

Did the District Courts of Appeals for Sixth Circuit follow procedure on appeals 2505.01 (2),(3) or 2505.02 enforce or protect (Substantial right)?

Did the District Courts dismiss because of lack of standing, the plaintiff had no case, no evidence?

Did the District Courts err by not allowing Due Process?

Did the District Courts err by not considering the rights of a protected citizen in the rule of law when considering procedural Due Process Clause.

LIST OF PARTIES

Peregrine Health Services, Inc; McCrea Manor Nursing and Rehabilitation, Murrey Wellington
Funeral Home, Nancy Murrey; Laura Livingston, Aultman Hospital; Embassy Healthcare,
Grande Oaks Nursing Home and Rehabilitation; Cleveland Clinic; Cleveland Clinic South
Pointe; CareSource; United States Railroad Retirement Board
did the District Court err by not
allowing Due Process?

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Cases

Pierce v. Carskadon, U.S. 234 (1872)

Plessy V. Ferguson 18 May 1896)

Brown V. Board of Education 17 May (1954)

Sweatt v. Painter (1950)

Animal Legal Defense Fund v. Glickman, 943 F. Supp. 44 (D.D.C.(1996),

Lochner v. New York 198, U.S. 45 1905.

Hovey v. Elliot 167 U.S. 409 1897,

Kwock Jan Fat v. White 253 U.S 454

Moore v. Dempsey (1923)

Plako v. Connecticut (1937) 302 U.S. 319

Webster v. Redmond (1980)

Vitek v. Jones (1980) 445 U.S 480

Londenor v. Denver, 210 U.S 373, (1908)

Data Processing Svc. org. v. Camp 397 U.S. 150 (1970)

NAACP v. Button 371, U.S.415 (1963)

Barlow v. Collins 397 U.S. 159 (1970)

Hewitt v. Helms 459, U.S. 460 (1983),

Kwock Jan Fat V. White 253, U.S 454,(1920).

Holmes & Ketcham v. Walton, (1780).

STATUTES AND RULES

Ohio Revised Code 2109.01

14th Amendment Section 1

O.R.C 2903.33

O.R.C 2913.73

O.R.C 2109.02

O.R.C 2913.01

Due Process Clause

Title 2501.01

Title 2113.01

Title 42 U.S.C 1983

Title 42 U.S Code 3617

Rule 38

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

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A 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 B 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 _____ 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 _____ court appears at Appendix _____ 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 October 8, 2019.

☐ 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: October 20, 2020, and a copy of the order denying rehearing appears at Appendix _____.

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

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

☐ For cases from **state courts**:

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

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

14th Amendment Section 1 Due Process,

28 U.S.C 1915 (a)

28 U. S.C 1915(d)

28 U.S.C 1654

Substantive and Procedural Equal Protection Clause, and Equal Justice

Civil Rights act 1866

Federal Rules of Civil Procedures Rule 38 right to a Jury Trial

O. R.C. 1337.17

O.R.C. 1337.16

O.R.C. 2913.43

O.R.C. 2109.01

O.R.C. 5101.61

O.R.C. 2305.10,

O.R.C 2109.04, Fiduciary Bond.

O.R.C 3701.74

O.R.C 3701.78

O.R.C 3727.78

O.R.C 2307.61

O.R.C 2113.01

(Michigan Legislature), Public Health Code ACT Section 333.20201 368, (1978)

28 U.S.C.1915 (e).

Title 42 U.S.C 1983

Title 42 U.S.C 3617

STATEMENT OF THE CASE

Plaintiff, Felicia Ross, a member of the protected Class by Title VII, Title VI, and the 14th Amendment filed a claim in The United States District Court Northern District of Ohio on November 20th, 2017 JUDGE ADAMS.

Plaintiff Filed in the United States Northern District Court of Ohio July 1st, 2019, JUDGE ADAMS 5:19 CV 1500, for Civil Rights Violations, and Violations of O.R.C. 1337.17, 3721.15, 2913.43, 5101.61, 2305.10, Denial of O.R.C 3701.74 by Defendants, (Michigan Legislature), Public Health Code ACT Section 333.20201 368, 1978, bank accounts closed, personal items, destroyed family home torn down, Hovey v. Elliot 167 U.S. 409 1897, negligence, theft, harassment, Intimidation, threats (verbal), mental abuse, psychological abuse, just out right cruelty for the respect of Liberty toward the Plaintiff. Lochner v. New York 198, U.S. 45 1905. The case was dismissed under 28 U.S.C.1915(e). Plaintiff filed in November believing she had a Right, under 42 U.S.C 1983. Case was dismissed under 1915 (a) (3). Plaintiff Filed an Appeal, a Filing fee was paid, \$505.00 on September 27th, 2019 A Petition for Rehearing was filed on September 13th, 2020, an order was docketed on October 20th, 2020, denying petition for rehearing. A filing fee was paid.

Plaintiff filed in Probate Court to follow court rules and procedures, A JUDGEMENT ENTRY case #232895 by PROBATE COURT of Stark County, OHIO JUDGE DIXIE PARK, IN RE: ESTATE of GLADYS K. BROWN (Deceased) was docketed on November 5th, 2018. A Letter of Authority was appointed on November 27th 2018, case # 232895 a CERTIFICATE OF APPOINTMENT AND INCUMBENCY which was awarded. O.R.C 2109.04, Fiduciary Bond.

Plaintiff suffered tremendous harassment, injustice, Civil Rights violations, (religious) mental abuse, psychological abuse, verbal threats, while leading up to filing a claim against Defendants for the denial of O.R.C. 1337.17, O.R.C 3701.74, O.R.C. 2109.02, Ohio Statutes Title 21 XXI Courts Probate, Due process under 28 U.S.C 1915 (a) and 1915(d)

Plaintiff filed a claim against Defendants, for harassment, witnessing torture, Animal Legal Defense Fund v. Glickman, 943 F. Supp. 44 (D.D.C.(1996), intimidation, mental abuse, psychological abuse, fraud, deceit, theft, malicious conduct, fraudulent intent, Data Processing Svc. org. v. Camp 397 U.S. 150 (1970) telephone threats, mental cruelty, constructive fraud, negligence, duress, emotional distress, extrinsic fraud, fraud in the inducement, threats, violations of Breach of Peace, and denying civil rights as a religious person.

Plaintiff filed a claim as a Civil indigent litigant against Defendants Peregrine Health Services et.al, and was granted to proceed in Forma Pauperis. Courts deprived plaintiff a pro se of Liberty without a proper trial, which violates Due Process, Moore v. Dempsey, 261 U.S .86 Londenor v. Denver, 210 U.S 373, (1908),

The Court dismissed the case without prejudice. Plaintiff, pro se, filed an appeal, that case was dismissed, each case was dismissed because of none attorney credentials. A court appointed attorney was requested and should have been appointed as (stand by), Barlow v. Collins 397 U.S. 159 (1970) The Courts knew that the Plaintiff specified that she could not get an attorney because of poverty.

That is a Violation of Due Process. Plaintiff requested a jury, Holmes & Ketcham v. Walton, (1780). The Courts overlooked all the facts that pertained by not allowing evidence to this case. Hewitt v. Helms 459, U.S. 460 (1983), Violations of Rule 38, demanded, Right to a Jury Trial.

Plaintiff filed for rehearing, asking the courts for a court appointed attorney if possible, and to allow evidence, the case was dismissed. Violation of 14th Amendment, Equal protection under the law. Kwock Jan Fat V. White 253, U.S 454,(1920).

The Courts abused their discretion by applying the wrong legal standard, stand by counsel should have been appointed, when asked. Plaintiff never waived a request for Counsel. Moore V. Dempsey 261, U.S 86 (1923)

The Courts were biased because of pro se status, and overlooked what the case was really filed for and that is injustice, facts against, Government, U.S Railroad Retirement Board, Cleveland Clinic, CareSource, Peregrine Health Services, Embassy Health Services, Murrey Funeral Home, all Defendants that are in the list of parties.

Felicia Ross believed that she could file a claim as administrator because of a Probate court administrator letter. Plaintiff Ross believed by filing in probate that she had standing, NAACP v. Button 371, U.S.415 (1963) and given the go ahead that she had the right to file as administrator. Just because a plaintiff files as administrator does not mean that the Courts have a right to not follow the rules and procedures of the Court of Law, which is Due Process.

Felicia Ross has a claim against Peregrine Health Services et.al for violation of her Civil Rights, resulting in loss of property, companionship, subjected to harassment, mental, verbal abuse, fraud, theft, phsycological abuse, torture, humiliation, intimidation.

Felicia Ross was denied Due Process, the rule of law, a fair hearing, and to be heard. as a protected citizen from criminal laws that may be biased, discriminatory and or otherwise unfair.

The Courts overlooked the filings as pro se, stating the interest of the Plaintiff, was an heir and

next of kin, plaintiff meant herself, her interest, no other names were listed. Plaintiff was a next of kin that is the reason she had rights by the COURT. Plaintiff was an heir, that was the reason she took care of HER AUNT Plaintiff was a next of KIN, That is why she took care of her Family. Plaintiff filed on her behalf, Plaintiff was violated while taking care of her aunt, we would not be here today if the defendants allowed the Plaintiff to do her duties by law and as a family caregiver and provider. (Probate) Plaintiff had rights before Probate. (family rights) (POA rights). The Courts did not determine poverty was untrue, or that there was a malicious, or frivolous filing, or no case for standing.

The Courts did not dismiss the case for not stating a claim on which relief can be granted.

The District Court did not ask if Plaintiff needed counsel, while continuing dismissing the case because of none attorney credentials.

Material factual matter was overlooked in the decision, and offended the basic principles of Due Process.

A Federal Constitutional aspect of Plaintiffs arguments was ignored.

REASON FOR GRANTING THE PETITION

Plaintiff Felicia Ross, respectfully petitions for a Writ Of Certiorari; to review, United States Court Of Appeals For the Sixth Circuit, and the United States District Court of The Northern District Of Ohio, The United States Northern District Of OHIO the Ross v. Peregrine et.al case was filed twice in the Northern District Of Ohio, on November 20th 2017, and July 01, 2019 in this case Since this is the Court of last resort I'm asking for a fair trial. Plaintiff has a meaningful opportunity to be heard.

This is an exceptional circumstance where 28 U.S.C 1915 (d) is concerned.

To send up a case review of Plaintiffs claims, and grant a fair trial.

To avoid erroneous of the right to Due Process, (Substantive and Procedural).

To protect the Plaintiffs Litigation from the mistaken and unjustified deprivation of life, liberty, and property.

Opportunity for evidence to be presented, and be allowed assistance of counsel. (Stand by Counsel)

As a citizen of the United States to not be deprived of a fair process.

The opportunity to be heard with the fundamental principles of fairness.

Because justice has not been served.

To make sure Plaintiff as a Civil litigant gets a fair and justice, constitutional process in THE UNITED STATES OF AMERICA and make sure this never happens again in America.

Biased Court rulings, in regards to pro se litigant Felicia Ross. being treated unfairly by the judicial system because of poverty.

Felicia Ross, v. Peregrine Health services et.al case should be heard and a Petition for a Writ of Certiorari should be granted, because of the substantial evidence that needs to be presented.

What makes a process fair? by weighing all the evidence. The Constitution was written for a purpose and that purpose meant all Citizens who have a right to a fair trial.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Elaine T. Pro Se

Date: March 12th 2021