

20-200

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Morgan Mccoy,

— pro se —

Petitioner,

.v.

Michael Bullock,

Tarry House Inc.,

Respondent.

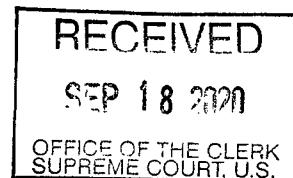
**On Petition for Writ of Certiorari
to the Supreme Court of Ohio**

SUPPLEMENTAL BRIEF OF PETITIONER

Akron, Ohio – 44320

Morgan Mccoy 234.571.2490

914 Copley Rd., Apt.3 Petitioner — pro se



SUPPLEMENTAL BRIEF OF PETITIONER

Following that Supreme Court Rule 15.8, Petitioner Mccoy lodges this suits supplemental brief so he might get addressed therewith 'other intervening matter not available – last filing', to wit THIs harassing him further & inconsistent statements.

The evidentiary foundation of Mr. Mccoy's lawsuit is his Chevy SUV. THI's getting rid of said car-SUV legally, rebutting Mr. Mccoy's ownership of it and thus its evidentiary basis, would not be unlawful. Yes but, getting rid of said Chevy SUV illegally, as w/a suborning of its theft, would be unlawful. In the matter now before the Court Infra, THIs 'John the maintenance man' becomes instrumental so this case.

That said, a 'Minnie', hereon quoted, of THIs Belvidere Apartments- Apt. #1, said to Mr. Mccoy, 'John the maintenance man told us they don't know who's it (Mr. Mccoy's Chevy SUV) is'. A Thomas Beach, hereunder quoted, said to Mr. Mccoy, 'John asked me to file an abandoned car petition and I can have it (Mr. Mccoy's Chevy). THI agents have persisted in so extrajudicially harassing Mr. Mccoy, as lately as August 2020, about his SUV's ownership. Mr. Mccoy fearing further action and feeling a pressure so to 'show his papers' to end this insulting defense sent pertinent part copies of said car-SUV's bill of sale & title to THI & Defense May & June, 2020.

Yes but Mr. Mccoy due a safe parking spot out back of his THI apartment, said car doors locked end of June, 2020- someone popped the locks, took the battery and Beach and Minnie have been using said automobile as a dump truck. These actors

in the matter say that this was, yes but again, w/their having asked John the THI maintenance man whether he knew who owned Mr. Mccoy's car-SUV —John informing them that he *didn't* know and *encouraging* their appropriation of it.

Mr. Mccoy believes that THI's intervening acts so, as per John, absolve Mr. Mccoy of what had been a duty to keep his said automobile from becoming a nuisance. Yes but the crux, point of fact, is that said car-SUV being the evidentiary foundation of said lawsuit— rendering Mr. Mccoy's SUV an 'abandoned' nuisance to be removed, Mr. Mccoy believes, was THI's *unambiguous* intent.

These are extrajudicial matters. Mr. Mccoy has little inkling what should be done about them. He attests w/this pleading, having August 7th through 13th 2020 by email informed THI Defense & THI, what such attempt to take Mr. Mccoy's legally owned & parked car constitutes, given the context, is THI's suborning an: intentional further distressing of Mr. Mccoy; theft by deception; tampering w/evidence; obstruction of justice- in what can no longer be construed as good faith. That in what Mr. Mccoy attests without hyperbole smacks a bit of a continuing enterprise.

End of February '20 ('last filing' January '20), Mr. Mccoy now writing in third person would through email record in first person an account of the following: while supervising a 'TNT' man who sprays for pests monthly, THI's 'John the maintenance man' -that's what he's called around THI- asked Mr. Mccoy, 'Do you know who owns the Chevy Blazer out back?' Mr. Mccoy responded, 'I own it and you know it: I've been going back & forth w/Mike (Bullock) nearly two years about just that. The lawsuit?' John on behalf of Bullock would then attempt said suborning of said car's theft.

THI hasn't stopped harassing Mr. Mccoy. As a reason he might but surmise that THI is desperate to not lose this case. Mr. Mccoy & Mr. Beach having had words, Mr. Mccoy listening and Mr. Beach talking, w/Mr. Mccoy showing Mr. Beach his bill of sale & title to said SUV, concluding they'd been 'played (hoodwinked)' by THI, Mr. Mccoy figures that basically Mr. Beach figures this over and will cease & desist.

Mr. Mccoy's car parked the last 2 years on the THI lot, John, ground-keeping right hand man brawn to Bullock's brain, is, ostensibly, privy to such THI 'needs-to-know'. Yes but, John's statements deny as Ferracane's statements (Re. Resp. Tr. Ct. 'Affidavit of Victor Ferracane') affirm Mr. Mccoy's car ownership: each inferring the others belief's or disbelief's disingenuous inconsistency -there none again better to do that than these- John *asking*, who owns car, 2020; Ferracane *saying*, '(car) owned by Mccoy – no – action (to be) taken', 2018 (that juxtaposing 'not available – last filing').

John, understanding or having should've understood that, he left Mr. Mccoy's car 'untouched' *until* Mr. Mccoy showed THI his bill of sale, May, 2020. Mr. Mccoy surmises, THI's case based on the car being 'abandoned', they panicked. Men may believe— or not, what they cannot prove. Yes but they must TRULY believe— or not. Yes but more broadly & succinctly to the point, there's no believable justification for THI's disbelieving Mr. Mccoy's ownership of said SUV. Mr. Mccoy's arguing so is buttressed by the unreasonableness of THI's 'John (the Maintenance Man)' disbelieving Mr. Mccoy's telling him that said SUV is his; John disbelieving THI camera footage that said as much; John disbelieving Mr. Mccoy's bill of sale w/title that said as much, these disbelievings defying credulity in what, again, can no longer be construed as

good faith. The standard more likely than not John, sadly an addict and/or compromised by his THI employ or relationship otherwise, doesn't get a more likely better benefit of an implied character comparison w/the cop who'd had no horse in the race and who's report found Mr. Mccoy said Chevy SUV's owner (similar 'juxtaposing' Supra).

Employee-declarant John accomplices THI. His intent to harass Mr. Mccoy may be inferred from his presence, his being a THI employee and his *conduct*. Defendant-boss Bullock's respondeat superior failures to act evidence that specific intent and allude existence of conspiracy and defendant's & declarant's participation in it. Similarly, we've the seemingly conscripted THI agent-declarants', Beach & Minnie, court privilege: no new witness/evidence on appeal; and statements against interest (Beach promised a THI job, Infra; Minnie's THI housing) showing THI employee/co-conspirators John & Ferracane statements inconsistent. As per a complicity, co-conspirator statements may be used one against the other w/then the declaration of each the declaration of all- as alluded by opposing party's statement rules and in furtherance of conspiracy. Mr. Mccoy attests that Beach & Minnie statements inferred to him to wit THI still 'believed' the car abandoned as per, as laid out following, damning extrinsic evidence of prior inconsistent statements: again:

Minnie- 'John the maintenance man told us they don't know who's it (Chevy) is'.

Beach- 'John asked me to file a abandoned car petition and I can have it (the Chevy)'.

Those are also exceptions to the rule against hearsay; recorded recollections of a fresh memory (August 2020 emails); and admissible hearsay within hearsay.

Below is evidence received *prior* proffer of those out of court declarations:

THI- 'When Ferracane discovered – Chevy was owned by – Mccoy – no further action was taken'- Re. Resp. Tr. Ct. 'Affidavit of Victor Ferracane'- Supra, 'juxtaposing'.

Yes but it appears to Mr. Mccoy, Beach getting rid of Mr. Mccoy's SUV was a quid pro quo w/Beach, a tradesman, saying to Mr. Mccoy as per statements against interest- his being looked at for a THI maintenance job seemed contingent on said car petition; Minnie's THI housing alluded to too- retaliation, given facts, possible.

Beach & Minnie statements are consistent. THIs Ferracane & John statements -compared, contrasted, whatever way you look at them- appear by reasonable lights inconsistent dissemblings, these ultimately illustrating as more likely than not a further harassing of Mr. Mccoy. Ferracane's Affidavit also swore before its 'no further action was taken' lull, to 'not know' Chevy was owned by Mr. Mccoy- John's extrajudicial statements echoing that as more the case w/this continuing, pretextual, bad faith harassing of Mr. Mccoy (that juxtaposing Rule 15.8 'not available at – last filing').

John is THI's ground keeping head of maintenance. Reasonable minds may presume probable he is tasked by his boss Bullock on all things THI: grounds, maintenance & Mr. Mccoy's SUV. John's failure at a forthcoming w/Beach & Minnie as to even Mr. Mccoy's professed ownership of said SUV is evidence of THI's guilty mind. Cagey silence is even still silence and should be considered an admission of guilt as per civil law. Yes but, even more than that this has been, on THI's part, a most subtle game of throw the rock & hide the hand: harass, deny & get rid of the evidence. THI's

inconsistent dissembling, w/THI suborning as outlined in the matter now before the Court, is again evidence of THI's consciousness of guilt; that Bullock did not properly produce the Ferracane affidavit. John's & Ferracane's statements attempt defying a law of non-contradiction, a black & white binary: there can be but one that's true, one that's not and the one that's not is an additional indicting of THI's credibility. That is not opinion. That's fact based and, demonstrable by fact datum in the matter now before the Court, trial court granting THI summary judgment was plain error.

Conclusion:

With foregoing & just basis Mr. Mccoy requests that this Court grant certiorari and, court's in the era of Covid closed, enter judgment summarily for Petitioner—there left nothing more for a jury to do.

Respectfully submitted tuesday the 8th of September, 2020.

/ s / Morgan Mccoy :. %

A handwritten signature in black ink that reads "Morgan Mccoy". The signature is fluid and cursive, with a small "Z" at the end.