

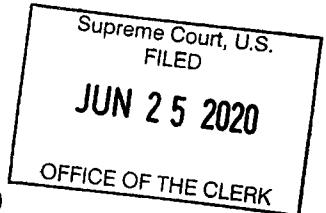
No. 20-5021

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Derrick Bl. Allen Sr. — PETITIONER
(Your Name)

STATE OF NORTH vs.
CAROLINA OFFICE OF ADMINISTRATIVE — RESPONDENT(S)
HEARING ET AL.



ON PETITION FOR A WRIT OF CERTIORARI TO

COURT OF APPEALS FOR THE FOURTH CIR.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Derrick Bl. Allen Sr.
(Your Name)

P.O. Box 51368
(Address)

DURHAM, N.C. 27717-1368
(City, State, Zip Code)

(919)450-7497
(Phone Number)

QUESTION(S) PRESENTED

PETITIONER, DERRICK ZU. ALLEN SR., RESPECT-
FULLY SUBMIT THIS PETITION FOR WRIT OF
CERTIORARI FOLLOWING THE UNPUBLISHED PER
CURIUM OPINION OF THE UNITED STATES COURT
OF APPEALS FOR THE 4TH CIRCUIT DISMISSING
PETITIONERS APPEAL.

QUESTIONS PRESENTED... WHETHER
PETITIONER COMPLAINT CONTAINS SUFFICIENT
FACTUAL MATTER TO SURVIVE A MOTION TO
DISMISS; AND WHETHER UNPUBLISHED
OPINIONS ARE DEEMED AS BINDING
PRECEDENT IN THIS CIRCUIT?

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:

STATE OF NORTH CAROLINA OFFICE OF ADMINISTRATIVE HEARINGS, Civil Rights Division, Human Relation Commission, Lanont Croins, Elouise Williams, Richard Boulden and GENE TROY.

RELATED CASES

- (1) DERRICK M. ALLEN SR. v. PHILLIP JORDAN ET. AL (COA DOCKET # 20-1109); UNITED STATES SUPREME COURT DOCKET # 19-8458.
- (2) ANNETTE MOORE [DERRICK M. ALLEN SR. v. ANNETTE MOORE ET. AL]; UNITED STATES SUPREME COURT DOCKET # 19-8752.
- (3) DERRICK M. ALLEN v. KINGWOOD APT. ET. AL.
1:19-cv-00992 (NCMD).
- (4) DERRICK ALLEN V. RENTGROW ET. AL.
1:20-cv-00256 (NCMD).

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TABLE OF AUTHORITIES CITED

CASES

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(1) ASHCROFT V. IGBAL, 556 U.S. 662 (2009); 129 S. CT. 1937, 173 L. ED. 2d. 868, 77 USLW 4387, 2009.

(2) BELL ATLANTIC CORP V. TWOMBLY, 550 U.S. 544

(3) CONLEY V. GIBSON 335 U.S. 41 (1957)... 45-46

(4) HUPMAN V. COOK, 640 F.2d. 497, 501 N7 (4th CIR. 1981); REYNOLDS AND RICHMAN, *Supra*."

(5) KING V. BLANKENSHIP, 636, F2d 70 at 72 (4th Circuit).

STATUTES AND RULES

42 U.S.C. 1983

42 U.S.C. 1331

42 U.S.C. 1982

OTHER

FED. RULE OF CIV. PROC. 8(A)(2).

RULES OF THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT 18(d)(i) -- AN UNPUBLISHED
OPINION MAY BE CITED FOR WHAT PRECEDENTIAL
VALUE IT MAY HAVE, ID. 18(d)(iii).

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 20-1130; 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 1:19-CV-00786; 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 05/21/2020.

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: 06/23/20, and a copy of the order denying rehearing appears at Appendix A.

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

THE EQUAL PROTECTION OF LAWS
GUARANTEED BY SECTION ONE OF THE 14TH
AMENDMENT OF THE U.S. CONSTITUTION.

STATEMENT OF THE CASE

HUMAN RELATIONS REFUSED TO INVESTIGATE Fair Housing Complaint (Fair Housing Inquiry #589728) I FILED against CRYSTAL KELSY OF CROSSROADS NORTH Hills in Raleigh, NORTH CAROLINA. THE REFUSAL IS OR WAS BASED ON INACCURATE INFORMATION DERIVED FROM MY CRIMINAL RECORD IN WHICH OFFENSE(S) HAVE BEEN DISMISSED/EXPUNGED.

IN ORDER TO SURVIVE A MOTION TO DISMISS, COMPLAINT MUST CONTAIN SUFFICIENT FACTUAL MATTER ACCEPTED AS TRUE TO STATE A CLAIM OF RELIEF THAT IS PLAUSIBLE ON ITS FACE. CLAIM HAS FACTUAL CONTENT THAT ALLOWS THE COURT TO DRAW AN REASONABLE INFERENCE THAT DEFENDANT IS LIABLE FOR MISCONDUCT. MOREOVER, UNPUBLISHED OPINIONS ARE MERELY ACCEPTED WHEN THERE'S NO CASE CITATION ON POINT.

REASONS FOR GRANTING THE PETITION

This petition should be granted because "All citizens of the United States shall have the same right, in every state and territory, as is enjoyed by white citizen thereof to inherit, purchase, lease, sell, hold and convey real and personal property" pursuant to 42 U.S.C. 1982.

I have been denied the right to purchase, lease and the equal protection of laws guaranteed by the 14th amendment of United States Constitution, section one. There has been a loss of liberty.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Derrick M. Allen Jr.

Date: 06/25/2020