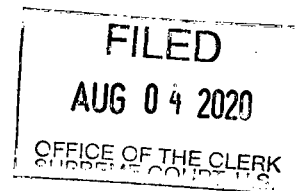


No. 20-5336

ORIGINAL



IN THE
SUPREME COURT OF THE UNITED STATES

Matthew Jones -PETITIONER

Vs.

Police Captain Alice Brumbley -RESPONDENT

ON A PETITION FOR A WRIT OF CERTIORARI TO

Delaware Supreme Court

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Do government employees enjoy immunity from committed crimes and civil prosecution?
2. Must a plaintiff prove the facts of the Case in the Complaint and Opening Stages of the Case?

LIST OF PARTIES

☒ All parties appear in the caption on the cover page.

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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
judgments below.

OPINIONS BELOW

☒ For cases from **state courts**:

The opinion of the Delaware Supreme Court, Case Number 546, 2019, appears
at Appendix A to the petition and is

☒ not reported

The opinion of the Superior Court of Delaware, Case Number S19C-10-32,
appears at Appendix B to the petition and is

☒ not reported.

JURISDICTION

[X] For cases from state courts:

The date on which the Delaware Supreme Court decided my case was

June 5th, 2020.

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

Code § 2101 .

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. *Phillips v. County of Allegheny* 515 F. 3d 224, 229 (3d Cir. 2008)
2. U.S. Constitution, Article 3 Section 2
3. 42 U.S. Code 1983 Civil Rights
4. 14th Amendment to the U.S. Constitution
5. 8th Amendment to the U.S. Constitution
6. Del. Code Title 11 Subsection 205 (e)
7. *State v. Lodermeier* (S.D. 1992)
8. 18 U.S. Code § 2255
9. *Ex Parte Young* (1908) 209 U.S. 123
10. *Martin v. Voinovich* 840 F. Supp. 1175 (1993)
11. *Clinton v. Jones*, 520 U.S. 681 (1997)
12. 28 U.S. Code § 2674
13. 28 U.S. Code § 1442
14. Delaware Code Title 10 Chapter 40 (c)
15. Article 1 Section 9 of the Delaware Constitution
16. *Doe v. Cates* 499 A.2d 1175(Del.1985)
17. *Smith v. New Castle County Vocational Technical School District* 574 F. Supp. 813 (D.Del 1983)

18. *Sherman v. State Department of Public Safety*, 190 A. 3d 148 Supreme Court of Delaware (2018)
19. *Brookfield Const. Co. v. Kozinski*, 284 F. Supp. 94

STATEMENT OF THE CASE

“The Court must accept all factual allegations in a complaint as true and take them in a light most favorable to a pro se plaintiff,” *Phillips v. County of Allegheny* 515 F. 3d 224, 229 (3d Cir. 2008).

U.S. Constitution, Article 3 Section 2, states “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--**to controversies to which the United States shall be a party**;--to controversies between two or more states;--between a state and citizens of another state;--between citizens of different states;--between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.”

42 U.S.C. Section 1983: Anyone under color of law who causes or subjects anyone in U.S. jurisdiction to the deprivation of any Constitutional rights shall be liable to the injured party in an action of law. The *14th Amendment* makes the 8th Amendment applicable to the States. The *8th Amendment* protects me from cruel and unusual punishments.

Prosecution of a crime defined as a "sexual offense" by section 761, can be commenced at any time. Prosecution of a class A felony (rape in the 1st degree) may be commenced at any time. There is no statute of limitations for these sex offenses in Delaware (Del. Code Title 11 Subsection 205 (e)). In judging the statute of limitations for various crimes, it is akin and similar to the receiving of stolen goods. The statute does not begin to run on continuing offenses until the offense ends, *State v. Lodermeier* (S.D. 1992). The U.S. Code civil remedy for a sexual violation is \$150,000 per time, per violation, 18 U.S. Code § 2255.

The U.S. Supreme Court ruled in *Ex Parte Young* (1908) 209 U.S. 123 that police officers and precincts may be sued. *Martin v. Voinovich* 840 F. Supp. 1175 (1993) and *Clinton v. Jones*, 520 U.S. 681 (1997) maintained that government employees, even the highest ranking, are not immune to being held to our laws. 28 U.S. Code § 2674, 28 U.S. Code § 1442, and Delaware Code Title 10 Chapter 40 (c) establish that government employees, including police officers, and police stations, can be held liable to tort claims. Article 1 Section 9 of the Delaware Constitution explicitly writes that the State can be sued. It is supported by Delaware Case Law in *Doe v. Cates* 499 A.2d 1175 (Del. 1985), and *Smith v. New Castle County Vocational Technical School District* 574 F. Supp. 813 (D.Del 1983). *Sherman v. State Department of Public Safety*, 190 A. 3d 148

Supreme Court of Delaware (2018) dismissed State claims of sovereign immunity when a police officer raped a woman in custody in New Castle County.

“An officer who acts in violation of the Constitution ceases to represent the government”, *Brookfield Const. Co. v. Kozinski*, 284 F. Supp. 94.

EVENTS

I sued Police Captain Alice Brumbley, leader of the Delaware State Police Troop 5, for Civil Rights violations occurring during the commission of many heinous and unconscionable crimes committed by the Police Captain and her police officers against me. The crimes included, but were not limited to, Attempted Murder, Rape, Battery, and Pedophilia.

For more than 10 years, an barrage of police officers, including the Captain, came unprovoked to my mother's home, more than once a month, to assault, batter, and rape me. The rapes were so violent that they should be considered attempted murder. They did permanent damage to my body. If I do not receive expensive treatments involving stem cells in the near future, I will die from their woundings. The police officers often came to my home in uniform. They led me and my mother to separate bedrooms. While one or more of the officers guarded my mother in my room, one or more of the officers forced me into her bedroom. Once there, I was forced to disrobe. The police officers often brought a small amount of cocaine and forced me to use it. I was often handcuffed to my bed post. Next, I was forced to give each officer oral sex. Once they were erect, they would anally penetrate me. The anal sex was violent, with me always resisiting. They would bend and contort my body in

extreme ways. My anus would always bleed. When they were through, they always threatened me not to tell anyone before they left. They said that nothing would change if I told anyone about it.

The rapes caused my facial hair to grow sparsely. My hair color changed from blonde to brown to black to red. I never grew hair on my chest. Hair fell off my legs. My muscles and bones never fully developed. I developed obesity, high sugar, high cholesterol, and heart diseases. Some of my fingers and toes, and my nose remains out of position.

On December 3, 2019, The Superior Court of Delaware Ordered that my claims were “factually frivolous because they are based on delusional factual scenarios.” Judge Craig Karsnitz found that the claims were “malicious.” The Court wrote that it “forewarned” me that if I file another complaint based on these “delusions” that I will be subject to the impositions of “substantial sanctions pursuant to the Superior Court Civil Rule 11.” On June 5th, 2020, the Order of Chief Justice Seitz, and Justices Valihura and Vaughn, Affirmed the Decision.

REASONS FOR GRANTING THE PETITION

My lawsuits are accurate accounts of the timeline of my life spent being victimized, persecuted, battered, and otherwise injured. Mainly, nearly all of my assailants have been employees of the U.S. Judicial Branch of Government, its Police Powers, and its State Actors. My life may be ending, and my cause of death will be that I was treated illegally by your office of government. My blood is on your hands. This case may be your final opportunity to affirm the laws of the United States, the U.S. Constitution, the Delaware Code, and the U.S. Case Law. In past cases, Judges have decided to treat me as a criminal for reporting criminal activity.

From my birth until the age of puberty, I was used as a sex slave. In the first years that I was able to, when I was 16 years old, I sued for relief from it in the Delaware Superior Court. My lawsuit's dismissal laid the foundation for my persecutions that were yet to come.

The Superior Court found me to be delusional and my claims to be false. In the years following the judgment, it helped change my status from the highest ranking student in Delaware (a President's Education Award winner, the recipient of the highest score on the Delaware State Test, a student who started attending college in the 8th Grade), to the status of a dangerous mental patient

who is a threat to myself and others. For years after my initial hospitalizations, I was medicated too highly to function or defend myself from the diagnosis. My health was also failing from the innumerable rapes and beatings, and also from the medications. Part of the healing from something as severe as anal rape is the body shutting down to recover.

By the time that I reached adult age, I had lost all of my friends. Dead: due to pedophilia, police and gang violence, and drug abuse. The few survivors who started kindergarten with me were a mix of those in jail, those living in identity theft (possibly on the police force or working for a mobile crisis unit), the few that had married, a few that dropped out of school to start working at a young age, and a few who had greatly relocated.

To seek relief, I contacted every law firm in Sussex and Kent Counties. I contacted over 150 law firms in New Castle County, Delaware, and the Philadelphia, Pennsylvania, area. No one was interested in doing *pro bono* work, working for an affordable rate, or working for a percentage of potential monies won. No one was interested in working for me for the public good.

My mental health Court ordered diagnosis states that I cannot communicate on my own. This includes writing and speaking. It states that I cannot control my body movements. It states that I cannot stay in a consciousness that is in reality. This is a long standing diagnosis that still holds.