

ORIGINAL

20-5406

No. _____

In the
Supreme Court of the United States

Supreme Court, U.S. FILED AUG 15 2020 OFFICE OF THE CLERK
--

IN RE ABDUL MOHAMMED, PETITIONER,

On Petition for Writ of Mandamus/Prohibition to
the United States District Court for the Northern
District of Illinois and the Executive Committee
of the United States District Court for the
Northern District of Illinois

**PETITION FOR WRIT OF
MANDAMUS/PROHIBITION**

Abdul Mohammed
Pro Se Petitioner
258 E. Bailey Rd, Apt C,
Naperville, IL 60565
(630) 854-5345
aamohammed@hotmail.com

August 14, 2020

RECEIVED AUG 19 2020 OFFICE OF THE CLERK SUPREME COURT, U.S.

QUESTION PRESENTED

The questions presented are:

- 1) whether the Executive Committee's Order entered against the Petitioner on August 13, 2020 is legal;
- 2) whether the individual Respondents who are also Federal Judges can harass and retaliate against the Petitioner with prejudice towards Petitioner's race, religion, color, ethnicity, citizenship, disabilities etc.

PARTIES TO PROCEEDING

Petitioner (Respondent in the Executive Committee's Order and Mandamus Petitioner in this court) is Abdul Mohammed.

Respondents in this court are United States District Court for the Northern District of Illinois, Chief Judge Rebecca Pallmeyer, Judge Jorge Alonso, Judge Gary Feinerman, Judge John Blakey, Judge Ronald Guzman, Judge Robert Gettleman and Members of the Executive Committee of the United States District Court for the Northern District of Illinois.

TABLE OF CONTENTS

QUESTIONS PRESENTED	2
TABLE OF AUTHORITIES	4
PETITION FOR WRIT OF MANDAMUS	5
OPINIONS BELOW	5
JURISDICTION	5
STATEMENT OF THE CASE	5
REASONS FOR GRANTING MANDAMUS	11
CONCLUSION	13

APPENDIX

Appendix A

**Order of the Executive Committee
(August 13, 2020) App-001-002**

TABLE OF AUTHORITIES

Cases:

<i>Ringgold-Lockhart v. County of Los Angeles</i> , No. 11-57231 (9 th Cir. 2014)	6, 10,11,12
<i>Cheney v. United States Dist. Court for D.C.</i> (03- 475) 542 U.S. 367 (2004) 334 F.3d 1096)	5
<i>Pennsylvania v. Muniz</i> , 496 U.S. 582, 595-96 (1990)	7
<i>Doe v. the United States</i> , 487 U.S. 201, 212 (1988)	7
<i>Watts v. Indiana</i> , 338 U.S. 49, 54 (1949)	8
<i>Mohammed v the State of Illinois</i> , Case.No.20-cv-50133, ND.II	8
<i>Mohammed v Judge Jorge Alonso et.al</i> , Case No. 20-cv-3481, (N.D.Ill).....	9

Constitutional Provisions:

1 st Amendment Right to Petition.....	11, 12
Due Process and Equal Protection Clause of the 5 th Amendment.....	11,12
Due Process and Equal Protection Clause of the 14 th Amendment.....	11,12

PETITION FOR WRIT OF MANDAMUS

This case presents unique events which has culminated in retaliation and harassment against the Petitioner by the Executive Committee and the individual Respondents who are Federal Judges with prejudice towards Petitioner's race, color, religion, ethnicity, national origin, citizenship and disabilities etc. A Federal Judge can only hold office during his/her good behavior and the behavior of the individual Respondents is far from good

OPINIONS BELOW

The Executive Committee's Order is reproduced at App-001-002.

JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C. 1651. The judgment of the Executive Committee was entered on August 13, 2020. A Writ of Mandamus is an order from a court to an inferior government official ordering the government official to properly fulfill their official duties or correct an abuse of discretion. (See, e.g. *Cheney v. United States Dist. Court for D.C.* (03-475) 542 U.S. 367 (2004) 334 F.3d 1096.)

STATEMENT OF THE CASE

On August 13, 2020 the Executive Committee entered an Order in which it stated that after entering the first Executive Committee Order on June 17, 2020 the Executive Committee again met on July 6, 2020 and "determined that Abdul Mohammed's efforts in this District have become burdensome to the Committee, straining the resources of the Court and the Clerk's Office, therefore **IT IS FURTHER ORDERED** that for

a period of 12 months from the date of this order, any complaints, motions, or presentments received from Abdul Mohammed shall be discarded unfiled". The Petitioner would like to bring to this court's notice that the Executive Committee Order of August 13, 2020 is nothing but a response to the Petitioner's pending Petition for Writ of Mandamus in this court (Case # 20-5136). In Case # 20-5136 the Petitioner pointed out the shortcomings from the proceedings which lead to the entering of Executive Committee Order of June 17, 2020. The Petitioner pointed out in Case # 20-5136 that without a **Notice and Opportunity to be Heard, Adequate Record for Review, Substantive Findings of Frivolousness or Harassment and Narrow Tailoring of the Executive Committee Order**, the Executive Committee Order is illegal and void *ab initio* pursuant to *Ringgold-Lockhart v. County of Los Angeles*, No. 11-57231 (9th Cir. 2014). The Executive Committee Order of August 13, 2020 is an effort in vain by the individual Respondents to somehow bring the Executive Committee Order of June 17, 2020 in compliance with *Ringgold-Lockhart*. The Executive Committee and the courts of the individual Respondents are prime examples of "Kangaroo Courts" where judgements are entered first then the pleadings of the Defendants/Respondents are reviewed later. The United States Supreme Court's frequent references to the historical abuses of the Star Chamber in its defense of our own constitutional safeguards also have striking analogies in the present case. For example, the Star Chamber's abuses are considered to have been a primary motivating force behind the development of the protections against compelled self-incrimination

contained in the Fifth Amendment:

This definition of testimonial evidence reflects an awareness of the historical abuses against which the privilege against self-incrimination was aimed. "Historically, the privilege was intended to prevent the use of legal compulsion to extract from the accused a sworn communication of facts which would incriminate him. Such was the process of the ecclesiastical courts and the *Star Chamber* – the inquisitorial method of putting the accused upon his oath and compelling him to answer questions designed to uncover uncharged offenses, without evidence from another source. The major thrust of the policies undergirding the privilege is to prevent such compulsion". *Pennsylvania v. Muniz*, 496 U.S. 582, 595-96 (1990) (emphasis added) (quoting *Doe v. the United States*, 487 U.S. 201, 212 (1988)). Like the suspects called before the *Star Chamber*, the Petitioner was given no real choice but to have his constitutional rights violated, left, right and center by the Executive Committee and the individual Respondents, to tolerate crimes and torts committed against him by the Executive Committee and the individual Respondents and to tolerate physical and mental injuries committed against him by the Executive Committee and the individual Respondents. Similarly, the United States Supreme Court has referenced the *Star Chamber* to illustrate the distinction between our modern accusatorial system and the antiquated inquisitorial system:

"Ours is the accusatorial as opposed to the inquisitorial system. Such has been the characteristic of Anglo- American criminal justice since it freed itself from practices borrowed by the Star Chamber from the Continent whereby an

accused was interrogated in secret for hours on end. Under our system, society carries the burden of proving its charge against the accused, not out of his own mouth. ...The law will not suffer a prisoner to be made the deluded instrument of his own conviction.' The requirement of specific charges, their proof beyond a reasonable doubt, the protection of the accused from confessions extorted through whatever form of police pressures, the right to a prompt hearing before a magistrate, the right to assistance of counsel, to be supplied by government when circumstances make it necessary, the duty to advise an accused of his constitutional rights-these are all characteristics of the accusatorial system and manifestations of its demands". *Watts v. Indiana*, 338 U.S. 49, 54 (1949) (emphasis added) (internal citations omitted). Executive Committee and the courtrooms of the individual Respondent, hardly "freed" from the practices of the Star Chamber, have many of the characteristics of an inquisitorial system. Further the Petitioner requests that this court take judicial notice of the dismissal of *Mohammed v the State of Illinois*, Case.No.20-cv-50133 which was dismissed by Judge Blakey in concert with the other individual Respondents and the Executive Committee in an unlawful manner when Judge Blakey dismissed the case Case.No.20-cv-50133 , he ruled that the complaint is dismissed because it is in violation of Rule 8. In his minute order which dismissed the Case.No.20-cv-50133, Judge Blakey ruled that the Petitioner's complaint is 1,125 pages (with an additional 2,852 pages of exhibits) when in fact the complaint was only 558 pages with 3419 pages of Exhibits and Judge Blakey added 567 pages to the complaint and made the length of the

complaint as the cause of dismissal under Rule 8. Further the minute order which dismissed the Case.No.20-cv-50133 stated that Judge Blakey was not able to detect one single Federal Claim when in fact there were 28 State Law Claims. A Judge who adds pages to a complaint on his own and removes Exhibits on his own and rules State Law Claims as Federal Claims has not been heard before. Judge Blakey had earlier tried to dismiss Case.No.20-cv-50133 under 28 U.S.C. § 1915A but when the Petitioner informed Judge Blakey that he is not a prisoner and 28 U.S.C. § 1915A only applies to the Prisoner, Judge Blakey used Rule 8 as a pretext to dismiss Case.No.20-cv-50133 in an unlawful manner as described above. Further the Petitioner requests this court to take judicial notice of *Mohammed v Judge Jorge Alonso et.al*, Case No. 20-cv-3481,(N.D.Ill) which was dismissed by Judge Manish Shah on June 29, 2020 and nowhere in his order which dismissed the Case No. 20-cv-3481, Judge Shah stated that the complaint was frivolous but when the Petitioner submitted his Application to proceed on his appeal In Forma Pauperis to Judge, as per information and belief the Executive Committee and the individual Respondents pressurized Judge Shah to certify the appeal as frivolous and not taken in good faith and to deny Petitioner's Application to proceed on his appeal In Forma Pauperis and which was eventually denied by Judge Shah who ruled in his order that the appeal will be frivolous and not taken in good faith after he did not ruled the complaint as frivolous when he dismissed the Case No. 20-cv-3481. The statement of the individual Respondents in the Executive Committee Order of August 13, 2020 that they considered Petitioner's Responses before

entering the Executive Committee Order of June 17, 2020 is a big lie from pathological liars who also call themselves as Federal Judges. Further the individual Respondents punished the Petitioner for filing the Notice of Appeal and Application to proceed on appeal In Forma Pauperis against the Executive Committee Order of June 17,2020 in the District Court. Petitioner called the District Court and the Seventh Circuit to ask whether he can file his Notice of Appeal and Application to proceed on appeal In Forma Pauperis against the Executive Committee Order of June 17,2020 in the District Court after the Executive Committee Order of June 17,2020 and both the District Court and the Seventh Circuit informed the Petitioner that he has to file the Notice of Appeal and Application to proceed on appeal In Forma Pauperis against the Executive Committee Order of June 17,2020 in the District Court as a matter of law. The Executive Committee Order of August 13, 2020 states that the Application to proceed on Appeal In Forma Pauperis filed by the Petitioner on June 26, 2020 is one of the cause for entering of the Executive Committee Order of August 13, 2020. In *Ringgold-Lockhart* the court ruled, "Most troubling, the district court's list includes the Ringgolds' response to its tentative order finding them vexatious. As explained, the Ringgolds had a due process right to be heard on this matter. The district court faults the Ringgolds for "reiterating old facts and arguments" in their response to the court order. As the Ringgolds had to argue that their filings were not frivolous, such repetition was inevitable. What's more, the district court invited their response, so it is particularly inappropriate to hold it against them". Just like

Ringgold-Lockhart, in the instant case the Executive Committee has punished the Petitioner for filing his Responses in the Executive Committee against the Motions to have him declared a vexatious litigant and for filing his Application to proceed on Appeal In Forma Pauperis after inviting the Petitioner to file his Application to proceed on Appeal In Forma Pauperis in the District Court. Further the Executive Committee Order of August 13, 2020 was entered in retaliation of Petitioner's Writ of Mandamus and Motion for Judicial Notice in Case # 20-5136 pending in this court. The fact that Executive Committee Order of August 13, 2020 was entered after it was determined by the Executive Committee on July 6, 2020 to enter such an Executive Committee Order, shows that the Executive Committee Order of August 13, 2020 was entered in retaliation of the Petitioner's Petition for Writ of Mandamus and the Motion for Judicial Notice filed on August 12, 2020 and served upon the individual Respondents on August 12, 2020. When the Executive Committee had determined on July 6, 2020 to enter the Executive Committee Order, why did they wait until August 13, 2020?

REASONS FOR GRANTING THE PETITION

In face of the arguments made above Executive Committee's Order of August 13, 2020 offends *Ringgold-Lockhart* and in addition, the Executive Committee's Order of August 13, 2020 was entered in violation of the Petitioner's 1st Amendment Right to Petition the government, 5th and 14th Amendment Rights to Due Process and Equal Protection because there was no **Notice and Opportunity to be Heard** and no hearing

was held, because there is no **Adequate Record for Review**, because there is no **Substantive Findings of Frivolousness or Harassment**, because the Executive Committee's Order of August 13, 2020 was not **Narrowly Tailored**, because the Executive Committee's Order of August 13, 2020 usurped matters upon which it has no jurisdiction whatsoever (Plaintiff's complaints filed in State Court and other District Courts) and because the Executive Committee punished the Petitioner for filing his Responses in the Executive Committee against the Motions to have him declared a vexatious litigant and for filing his Application to proceed on Appeal In Forma Pauperis after inviting the Petitioner to file his Application to proceed on Appeal In Forma Pauperis in the District Court. The Executive Committee erred in entering the Executive Committee's Order of August 13, 2020 in violation of the Petitioner's 1st Amendment Right to Petition the government and also by not affording Plaintiff the Due Process and Equal Protection rights' requirements of the 5th and 14th Amendment as mentioned in *Ringgold-Lockhart*. The Petitioner has no other avenue of seeking relief because there is no adequate record for review which is one of the requirements for the entry of a pre-filing order pursuant to *Ringgold-Lockhart*. Hence the Executive Committee's Order of August 13, 2020 is void *ab initio*. Further this court should decide whether the individual Respondents can remain Federal Judges because their behavior as described above is far from good and the Federal Judges can only remain in their positions during "good behavior". For a complete understanding of how the Executive Committee and the individual Respondents have harassed

the Petitioner with prejudice towards his race, religion, color, ethnicity, national origin, disabilities etc., please take judicial notice of the Petition for Writ of Mandamus and the Motion for Judicial Notice pending in this court (Case # 20-5136).

CONCLUSION

For the reasons set forth above, this court should grant the Petition for Mandamus/Prohibition and vacate the Executive Committee's Order of August 13, 2020.

Respectfully submitted,
Abdul Mohammed
Pro Se Petitioner
258 E. Bailey Rd, Apt C,
Naperville, IL 60565
630-854-5345
amohammed@hotmail.com

Abdul Mohammed

August 14, 2020