

20-5414

ORIGINAL

No.

19-1443

FILED

AUG 13 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Aimee Lewis

— PETITIONER

(Your Name)

Seventh Circuit Court - South Dakota
Unified Judicial System, — RESPONDENT(S)
individual and official Capacity, et al.

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals, Eighth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Aimee Lewis

(Your Name)

Temporary:

808 Kimberly Circle #D

(Address)

Rapid City, SD, 57701

(City, State, Zip Code)

605-391-1512

(Phone Number)

New Address;

1360 Firfly Cir.
Colorado Springs
CO, 80916

QUESTION(S) PRESENTED

- Why is it that a dismissed, temporary shelter order which was the only piece of evidence used during the hearing, was enough to violate my Constitutional/Civil rights to be a parent?

- If our Founding Fathers, who gave us Constitutional rights, so that our Government would have boundaries and not violate these rights, what gives one judge that represents an entire Circuit the ability to trounce on my civil rights?

- What did I do that was wrong, that would constitute me losing my son and therefore rights to my child?

- How is it that Joshua Gednaiske, whom of which was tried and convicted of

domestic abuse against not only myself but also my minor child B.G., was found or viewed to be a more fit parent?

- If this is the normal standard within the

United States of America, then why are there so many minor children living

in bad situations?

- Does America really believe in separating

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:

1. Seventh Circuit Court - South Dakota Unified Judicial System
2. Rapid City Police Department
3. Pennington County Sheriff's Department
4. Debra Watson, Watson Law Office, P.C.
5. Joshua Gednalske - remove from Defendant's list.
6. Dwayne Gednalske - remove from Defendant's list.
7. Janice Gednalske - remove from Defendant's list.

RELATED CASES

- 1) File # 51 CIV 14-0193
- 2) 5:18-CV-05071-JLV
- 3) No: 19-1443

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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 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,

unsure ☐ 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,

unsure ☐ 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 B to the petition and is

☐ reported at _____; or,

unsure ☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The opinion of the U.S. District of South Dakota court appears at Appendix C to the petition and is

Western Division

☐ reported at _____; or,

unsure ☐ 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 March 24th, 2020 (03/24/20)

☐ 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: March 17th, 2020, and a copy of the order denying rehearing appears at Appendix D.

☐ 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 January 24th, 2020 (01/24/19) 2020
A copy of that decision appears at Appendix B.

Unsure ☐ 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

Constitutional

1. 1st Amendment: abridging Freedom of speech
2. 4th Amendment: The right of the people to be secure in their persons, houses, and effects against unreasonable searches and seizures shall not be violated.
(i.e. would not let me speak to employees of the Court house
i.e. the 7th Circuit Court took my child away from me, revoked my rights unreasonable)
3. 5th Amendment: no person shall be deprived of life, liberty, or property, without due process of law. (My child is my life)
4. 9th Amendment: rights shall not be construed to deny or disparage others.
(I feel the defendant's lawyers have construed information to deny and disparage me)
5. 14th Amendment: No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the U.S., nor shall any state deprive any person of life, liberty, or property without due process of law.

Statutory

The State of South Dakota had no grounds to revoke my parental rights. Joshua Gednalske (my son's biological Dad) threatened to kill my son and I when my son was approx. 2 1/2 years old. Joshua was arrested and convicted, however, the court in Rapid City, SD, still allowed my child to be with him unsupervised. Joshua has been physically abusive with us as well. Another incident entailed Joshua cutting the power steering to my vehicle. Despite Joshua endangering my son, the City of Rapid City took my child and placed him into the care of an individual who Joshua

STATEMENT OF THE CASE

- The Defendants Violations are Federal Violations - this is why I did not file with South Dakota's Supreme Court.
- I have been without my child for practically two years now. I miss him dearly. Please mandate that the State of South Dakota returns my son to me.
- The State of South Dakota has caused so much harm and pain that it is indescribable.
- I have missed out on my child's life due to their lies and deceit.
- Nowhere in the United States Constitution does it state that a parent lose all except for 50% legal custody, where they once held 100% of both legal and physical custody, due to unproven allegations; this is exactly what the 7th Circuit Court of South Dakota did.
- The 7th Circuit Court of South Dakota had no grounds to remove my parental rights.
- I am of the opinion that this U.S. Constitutional violation may be in direct correlation to a sex discrimination, under Title VII, disparate-treatment case that I filed.
- In other words, I think it is possible the 7th Circuit Court removed my child from my care out of retaliation for being

Additional Statements:

During the initial hearing, Judge Brown told me, in Court, that my son B.G. was supposed to be with me. This record can be found by pulling the hearing's transcript.

Just recently, I have managed to become a producer for State Farm. As of now, I am making minimum wage. I also have managed to rent a Condo, where there is more than enough room for my child.

I have five weeks left before I will acquire my Human Resource Management Graduate Certificate. I as well obtain the following: B.S. in Organizational Leadership, a M.Mgt with an Emphasis in Human Resources, and an MBA with a Emphasis in ~~Human~~ Human Resources. I plan on working towards a Doctoral Degree in Education; this will be January 202

I have prayed everyday for my son. I did not deserve this and I know he did not either. Please help. No one else will help. I miss him so much. In Jesus Name I Pray, Amen.

REASONS FOR GRANTING THE PETITION

- College student and Graduate
- Experiencing Financial hardships
- Effects of COVID-19
- Loss of employment
- Obtaining stable and decent employment has been difficult
- I have a Bachelor's, two Master's Degrees, and soon a Graduate Certificate in Human Resources (HR); therefore, high student loan debt.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Aimee Lewis

Date: April 15th, 2020