

ORIGINAL

No. 20-6010

Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

CEZARY WOJCIK,
Petitioner,

VS.

COOK COUNTY et, al,
Respondent,

ON THE PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS SEVENTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

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I. Question Presented

1. Did cook county defendants violate disabled Cezary Wojcik Constitutional Rights to provide disable person proper medical care-treatment with medication, violating Amendment VIII supported by Amendment XIV, statue 42 U.S. Code& 12102, statue ADA U.S.C. & 12101, statue 42 U.S.C. && 12131-12165, Statue 18 U.S.C.2340A, statue Disabled Prisoners' Rights, statue Rights of Inmates, Estelle v. Gamble, 429 U.S. 97 (1976), Michael Parish, at v. Sheriff of Cook County and Cook County, Illinois case 07-CV-4369?
2. Did defendant fulfill County Judge sentencing order violating statue 42U.S.C, Code & 12102, Statue ADA 42 U.S.C & 12101, 42 U.S.C. && 12131-12165, violating Amendment VIII supported by Amendment XIV?
3. Were there **Bias** in favor of defendants from judges of United States Court of Appeals for the Seven Circuit Chicago and Unites States District Court for the Northern District of Illinois, also violating constitutional rights of Amendment VII supported by Amendment XIV with their decision, when in original complain Plaintiff Attorney at that time requested Jury Trial?

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III. Table of Authorities

Cases

<u>Estelle v. Gamble, 429 U.S. 97 (1976)</u>	i,4,5,6
<u>Michael Parish, at v. Sheriff of Cook County and Cook County, Illinois case</u> <u>07-CV-4369</u>	i,7

Statutes

<u>42 U.S. Code § 12102</u>	i,2
<u>42 U.S.C. § 12101</u>	i,3,4,5,6
<u>42 U.S.C. §§ 12131–12165</u>	i,5,6
<u>(18 U.S.C. 2340A)</u>	i,4,5
<u>Prisoner's Rights</u>	4,6
<u>Disabled Prisoners' Rights</u>	i,4
<u>Rights of Inmates</u>	i,5,6
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Constitutional Provisions

United States Constitution, Amendment VII.....	7,8,9
United States Constitution, Amendment VIII.....	i,4,5,6
United States Constitution, Amendment XIV	i,4,5,6,7,8,9

IV. Petition for Writ of Certiorari

Cezary Wojcik respectfully petitions this court for a writ of certiorari to review the judgment of the Court of Appeals for the Seventh Circuit.

V. Opinion Below

The United State Court of Appeals for the Seventh Circuit produces Notice of Issuance of Mandate in May-26-2020 (App 1). In addition, United Court of Appeals issue order denying Cezary Wojciks' direct appeal on May-15-2020. That order is attached at Appendix (App 2).

VI. Jurisdiction

Mr. Wojcik's petition for rehearing was denied on May 15, 2020. Mr. Wojcik invokes this Court's jurisdiction under 28 U.S.C 1254 (1), having timely filed this petition for a writ of certiorari of the United States Court of the apples For the Seventh Circuit.

VII. Constitutional Provisions Involved

United States Constitution, Amendment VII

United States Constitution, Amendment VIII

United States Constitution, Amendment XIV

VIII. Statement of the Case

One of the many challenges for the field of corrections is the development of effective strategies to address the unique requirements of offenders with special health needs, ranging from appropriate housing to effective release planning. In order to use both the physical plant and human resources optimally, it is important to develop cost-effective, less restrictive strategies that mainstream offenders with special health needs. It is necessary to identify the many categories of patients with special health needs. These categories include: elderly offenders, the terminally ill, those with communicable and/or chronic diseases, physically handicapped, mentally/developmentally disabled, and blind/deaf offenders. Special medical housing is seen as an effective approach in managing offenders with special health needs.

On June 27th 2013, Cook County Judge by agreement between disables plaintiff attorney Kent R Brody and county prosecutor severed time ten days in CCJ Cermak Memorial Hospital. According to ADA code (42 U.S.C. § 12102) the judge also admitted in the case that Cezary Wojcik is **disabled** and had a serious medical issue, also deliberately providing both names A/K/A Anthony Avado to better uses medical records for plaintiff needs. Indeed, plaintiff's attorney admitted that Anthony Avado A/K/A Cezary Wojcik to be assigned to the Cermak

Memorial Hospital for his period of incarceration. Plaintiff Attorney also advice to bring all medication needed for the time of proceeding, also explained that medical treatment as well medication plaintiff will get in CCJ Cermak Memorial Hospital. Plaintiff's Attorney Kent R. Brody asked the judge for a copy of the order to hand over to Anthony Avado A/K/A Cezary Wojcik for the record, to show in CCJ arrival and future processing that everyone must obey judge's orders. After assigning the order, the Judge gave a copy to the attorney and plaintiff received own copy. Deputy Steve Kaloudis, who was present all the time in the court room, also retrieved a full copy of the Judge's orders, with both names of the plaintiff.

When sheriff S. Kaloudis started intake process, without Judge View and attorney, plaintiff didn't have absolute any influence on coming deliberate terrors by sheriffs and Cook County employee's. At the same time sheriff is obligated by constitution and other department of law and us codes to assist **disable** plaintiff, with necessary medical needs (like wheel chair, cane for walk, transportation car etc. ;) witch never happened by plaintiff request, statues ADA (42 U.S.C. § 12101).

Deputy S. Kaloudis deliberately took all of the copies of the Judge orders, including the plaintiff's copy, placed them in a plastic bag, and sealed the bag which was a disobedience of the Judge orders. In addition, deputy sheriff took away plaintiff medication. Plaintiff was at the time emotionally distress also was

very week, to help himself trying taking the medication as well explaining his condition to sheriff, Estelle v. Gamble, 429 U.S. 97 (1976).

By sheriff denying action plaintiff was discriminated, terrorized and torture mentally also physically, statues ADA (42 U.S.C. § 12101), statue (18 U.S.C. 2340A) relate to Amendment VIII supported by Amendment XIV. It was deputy S. Kaloudis's premeditated action to deliberately remove the copies of the order from the plaintiff's possession and medication.

The plaintiff was trying to convince deputy S. Kaloudis to obey and adopt Judge Sullivan's orders to leave all signed documents with the plaintiff for further processing in CCJ. However, deputy S. Kaloudis insisted that he would not do so, by torture confusing plaintiff, statues (18 U.S.C. 2340A). Deputy S. Kaloudis stated, "The court belongs to Judge and his rules, but the holding cell is my house and my rules." In addition, the deputy was sinister to the plaintiff and belligerent by stating, "Shut the fuck up!" The plaintiff was terrorized and intimidated but was subsequently urging deputy to provide both names Anthony Avado and Cezary Wojcik (what the Judge ordered during proceeding), also was begging for medical attention (medication) with sheriff contrary rejection, statues Prisoner's Rights, statue Disabled prisoners' rights are protected under §504 of the Rehabilitation Act of 1973, Estelle v. Gamble, 429 U.S. 97 (1976).

Deputy S. Kaloudis disregarded and denied using both names. Instead deputy S. Kaloudis used only one name, Anthony Avado. Proof shows that all sheriffs' documents erased the name Cezary Wojcik and was not used. At that time sheriffs start torture mentally plaintiff not providing with special medical needs to his disability having absolute power over plaintiff, statues (18 U.S.C. 2340A) relate to Amendment VIII supported by Amendment XIV, Estelle v. Gamble, 429 U.S. 97 (1976).

Consequently other deputies and Cook County employees were disquietingly not upholding the judge orders of using both names, to help obtain disable plaintiff's medical records. Ongoing process plaintiff informs other sheriffs that he is disable person and need help. Sheriffs stated they don't care and justify that plaintiff don't need that, by discriminate him, statues ADA (42 U.S.C. § 12101) (42 U.S.C. §§ 12131–12165), statues Rights of Inmates, relate to Amendment VIII supported by Amendment XIV.

After fingerprinting plaintiff asked sheriffs where they hold court order documents, what was placed in plastic bag, and how he can retrieve them? The answer was that sealed bag with inmate belongings will arrive in CCJ facility up to three days. Indeed that's what plaintiff attorney affirm after releasing from CCJ. Plaintiff was devastated waiting with other inmates for bus to be transported to CCJ. Plaintiff was try to explain and once more begging sheriffs to get medical

attention and wheelchair for transportation (request was denied), statues Prisoner's Rights, instead sheriffs handcuffs him with other inmates and they threw to bus, statues ADA (42 U.S.C. § 12101) (42 U.S.C. §§ 12131–12165), relate to Amendment VIII supported by Amendment XIV. By the time of riding in the bus plaintiff was injured and terrorized also terrify. At the time when bus arrived at CCJ facilities, plaintiff couldn't walk so asked again for wheelchair and medical attention, also medicine explaining his disability with refusal by sheriffs Estelle v. Gamble, 429 U.S. 97 (1976). Plaintiff was discriminated and that was also premeditated torture to show who is in power, statues ADA (42 U.S.C. § 12101) (42 U.S.C. §§ 12131–12165), statues Rights of Inmates, relate to Amendment VIII supported by Amendment XIV, statues Prisoner's Rights. On coming process plaintiff was explaining to several Cook County employee's what happened and what medical condition he has, however nobody pay attention to complaint, statues Rights of Inmates, statues Prisoner's Rights. Therefore plaintiff was housing in general population with no medical needs as well accessibility for disabled person, US. Department Of Justice Article, statues ADA (42 U.S.C. § 12101) (42 U.S.C. §§ 12131–12165), relate to Amendment VIII supported by Amendment XIV, Estelle v. Gamble, 429 U.S. 97 (1976). This implementation by sheriffs and Cook County employee's was against Judge Order, where plaintiff should be located in Cermak Memorial Hospital for his

period of incarceration what never occurred, affirm by Judges Order from Court of Appeals. That is typical practices by state employee's to discriminate, torture, terrorize and taking advance on disable persons and all inmates,

Case 07-cv-4369 United District Court for Northern District of Illinois.

IX. REASONS FOR GRANTING THE WRIT

In the process of litigation as pro se Judge ruled out always of the defendants favor (**Bias**). On May 1-2017 (Doc#100) defendants reported to the court that plaintiff deposition will take place on May 19-2017. The Horwitz Law firm initiate complain in Northern District of Illinois, then later stop cooperated with Plaintiff, not giving any documents and not corresponding with him. Plaintiff didn't have any other choice, but only to continue discovery. On deposition date plaintiff prepared motion with detail instruction what will be need (video tape, name of the sheriffs, paper documentation from court and transportation, also intake video and documents from the time plaintiff was incarcerated), for further continuation (hand delivered to Mr. Thomas E. Cargie, cook county state Attorney). After plaintiff deposition he met with defendant attorney Mr. Thomas E. Cargie, who offers \$500 (Amendment VII supported by Amendment XIV apply) to withdraw from the case, stated that as Pro se plaintiff doesn't have slightly chances to win this case in

district court, as well in Appeals Court. On May 26-2017 (Doc#101) defendants reported to judge that plaintiff has propounded additional discovery in open court with instruction, also intends to the video deposition of defendants. On July 6-2017 (Doc #102) plaintiff reported to judge inadequate response to discovery and defendants still not fulfill with plaintiff request. On Aug 11-2017 (Doc #105) defendant's attorney withdrawal substitution of counsel by tricky maneuver and replayed that are so confuse, also lied that they don't have any video tapes and cannot produce the evidence "additional safeguards". On Aug 14-2017 (Doc #106, #107) plaintiff filed motion to compel. On Aug 17-2017 (Doc #108) judge denied plaintiff motion to compel by defendants (**Bias**).

Despite to order from United State of Appeals for Seven Circuit to avoid erroneous deprivation of the right this Court should to clarify if all prestige high-ranking and very influential constitutional rights, statue, US code Department of Justice and ADA statue were put into effect. Court of Appeal accepts revive the case and find that defendant broke the principal rules not adopting Judge Order decision, but still refuse plaintiff for jury trial, Amendment VII supported by Amendment XIV.

Judges from the same court stated "We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court" (**Bias**). The merit of this case is the defendants deliberately and knowingly ignored plaintiff

Nothing changing the facts, that knowingly defendants violate the entire Civil Rights Act, Constitutional Rights and US Codes, by not providing Medical Care for disable plaintiff. Entire staff, sheriffs, Cook County employees, was informed verbally by plaintiff at same time begging for help. This is core argument on the merits to litigate this complain law suit. Judge from district court concluded that “defendants have been confused” (**Bias**). There is no other authority who may enforce that by own concept or action. The Judges in this case can’t implement any excuses for defendants; at same time they agree that defendants broke ordinances (judge from district court stated “perhaps they could do better job”) **Bias**. Judges **Bias** in district court by denying plaintiff to video deposition and other documents of defendants, resulted that plaintiff couldn’t have proper solid evidence, to presented arguments of the wrongdoing in this litigation.

The Court of Appeals’ erroneous decision circumvents premise, effectively permitting to discriminate, torturer, cruel and unusual punishments, also unnecessary pain (by city officials or county, or at state level) for all disables peoples. There is no room for any errors concerning humans live or health.

This case presents this court with opportunity to clarify “initiation” standards in the face of law on each level official who violate those principals and core of those Rules and Constitution Rights, what are the pillars of this Republic. Absent intervention by this court, the United States Court of Appeals for the Seventh

Circuit published decision will work to undermine the carefully-crafted procedural safeguards that this Court has spent the past several decades developing.

X. CONCLUSION

The essential core and undeniable grounds for which this appeal is presented are:
The judicial orders were not executed and carried by the defendants (Sheriff) as ordered by the Court.

For foregoing reasons, Plaintiff respectfully requests that this Court issue a writ of certiorari to review the judgment of the United States Court of Appeals for the Seventh Circuit.

Dated this August 20 day 2020

Respectfully Submitted by Plaintiff Pro se

C. Wojcik
Cezary Wojcik

XI. APPENDIX

Appendix 1 (App)	Notice of Issuance of Mandate
Appendix 2 (App)	Order of Court of Appeals Denying Rehearing
Appendix 3 (App)	Decision of Court of Appeals
Appendix 4 (App)	Brief of Plaintiff-Appellant
Appendix 5 (App)	Cases, Statutes, U.S. Codes, and Constitutional Provision