

20-6127 ORIGINAL  
No. \_\_\_\_\_

Supreme Court, U.S.  
FILED

OCT 08 2020

OFFICE OF THE CLERK

IN THE  
SUPREME COURT OF THE UNITED STATES

JERMAINE TART — PETITIONER  
(Your Name)

vs.

JAMES VIGGS, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

JERMAINE TART  
(Your Name)

P.O. Box 506  
(Address)

MAURY, NC 28554  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

### QUESTION(S) PRESENTED

HOW CAN CASE NO. S-17-CT-3207-D BE CLOSED WITHOUT ANY OFFICIAL RULING ON ONE OF THE DUE PROCESS CLAIMS. MY PLEADINGS AND MY CROSS MOTION FOR SUMMARY JUDGEMENT CLEARLY AND CONCISELY PRESENTED A DUE PROCESS CLAIM WHICH HAPPENED DIRECTLY AFTER THE FIRST DUE PROCESS CLAIM ABOUT NOT BEING ABLE TO VIEW THE VIDEO TAPES IN MY DISCIPLINARY HEARING.

THE CLAIM WAS THAT MARK TROCK AND MS. VIGUS SENT ME TO MODIFIED HOUSING WITHOUT GIVING ME AN FCC NOR DCC MEETING. I WAS HELD THERE FOR 10 MONTHS IN VIOLATION OF DUE PROCESS. I PRESENTED THE RULE BOOK, DISCOVERED PAPERS AND OTHER DOCUMENTS TO SUPPORT MY PLEA. JUDGE JAMES C BE DEVER DIDN'T GIVE A RULING ON THAT. ITS A WHOLE DUE PROCESS SCENARIO AND IT WENT UNADJUDICATED. I REQUEST CERTIORARY.

## 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) MAREK TROCK  
(2) JAMES VIGUS

## RELATED CASES

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### STATUTES AND RULES

ALL WERE SENT TO THE DISTRICT COURTS WITH ORIGINAL  
PLEADINGS. THIS PRISON ~~WONT~~ WOULDN'T AND STILL DON'T  
SUPPLY COPIES.

OTHER

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,  
☐ 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☐ is unpublished.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,  
☐ 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☒ is unpublished.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 SEPTEMBER 2, 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: \_\_\_\_\_, 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. § 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 14<sup>TH</sup> Amendment of U.S. Constitution



## STATEMENT OF THE CASE

THE CASE BEGAN DUE TO CHECK THEFTS. THE JUDGE, JAMES DEVER DISMISSED THAT CLAIM, GAVE ME A CHANCE TO AMEND THE RETALIATION PORTION WHICH ~~HE~~ I DID, BUT HE CONTINUOUSLY DISMISSED THE CLAIMS AS IF INMATES DON'T HAVE CONSTITUTIONAL RIGHTS.

I WENT ON AMENDING AND SUPPLEMENTING THE CASE. THE ISSUE FOR CERTIORARY IS HOW I WAS PLACED IN A ~~AA~~ FORM OF STRICT HOUSING RESERVED FOR EXTORTIONISTS, GANG MEMBERS AND PEOPLE WITH A LONG HISTORY OF A CLASS AND B CLASS INFRACTIONS. ITS GUIDELINES SAY JUST THAT, HOWEVER I WAS COMING FROM A C CLASS CHARGE AND I DIDN'T FIT ANY OF THE CRITERIA TO BE HELD THERE PLUS I WAS SUPPOSED TO HAVE 2 HEARINGS TO SEE IF MY CASE FIT THE CRITERIA, BUT THEY NEVER HAPPENED. I NEED TO KNOW IF THAT STRICT FORM OF HOUSING WITHOUT DUE PROCESS & BEING GIVEN WAS ENOUGH TO BE AWARDED PUNITIVE AND COMPENSATORY DAMAGES. JUDGE DEVER NEVER COMMENTED ON IT ALTHOUGH IT WAS THE PRIMARY FOCUS OF THIS SUIT. I DON'T HAVE ACCESS TO ANY COPIES OF MY MOTION FOR SUMMARY JUDGEMENT BECAUSE THIS CAMP DOESN'T MAKE INMATE COPIES.

## REASONS FOR GRANTING THE PETITION

I THINK CERTIORARI SHOULD BE GRANTED BECAUSE THIS IS A GOOD FAITH ATTEMPT TO UPHOLD MY INMATE RIGHTS, AND TO REMIND THESE GUARDS WE ARE ENTITLED TO SOME FORMS OF RESPECT. THE GUARDS HAVE TAUNTED ME ABOUT NEVER WINNING A LAWSUIT BECAUSE I'M DISABLED AND TAKE SEVERAL ~~TE~~ TYPES OF MEDICINE, ALSO THE JUDGES IN THE DISTRICTS OF N.C. REALLY DON'T CARE ABOUT SUPREME COURT PRECEDENTS NO MATTER HOW MUCH CASE LAW I BACK MY PLEAS UP WITH. MAYBE ITS BECAUSE I'M PRO SE OR A PRISONER I DONT KNOW.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
\_\_\_\_\_

Date: 10/5/20