

No. 20-6223

ORIGINAL

Supreme Court, U.S.
FILED

OCT 07 2020

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Brenda L. White — PETITIONER
(Your Name)

vs.

Tavel — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Seventh Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Brenda L. White
(Your Name)

4141 N. Ridgeway Drive
(Address)

Indpls., IN 46226
(City, State, Zip Code)

317-875-1957
(Phone Number)

QUESTION(S) PRESENTED

1. Is it lawful for a medical professional to injure a patient and just walk away?
2. Should a medical professional be held accountable for unreasonable treatment?
3. What should the remedy be when a patient is abused and injured?
4. Is there a standard of care instituted for medical professionals?
5. How can a strange eye examination that caused damage be recompensed?

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:

RELATED CASES

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Indiana Law Journal: Recommended Citation Vandall, Frank J. (1983) "Applying Strict Liability to Professionals: Economic and Legal Analysis," Indiana Law Journal: Vol.59:Iss. 1, Article 2.

Judicial Policy and Quantitative Research: Indiana's Statute of Limitations for Medical Practitioners

Randall R. Bovberg, Promoting Quality and Preventing Malpractice: Assessing the Health Security Act, 19 J. Health Pol. Pol'y & L. 207 (1994) (Clinton proposals in particular). Tort Reform for medical providers, though not of the statute of ...Congressional Republicans' 1994-95 "Contract with American," has since been added as an amendment to budget bills...

STATUTES AND RULES

That the doctor owed the patient a duty of care;

That the doctor breached the duty to provide adequate care owed to the patient;

That the doctor's action caused the patient's injury; and

That the patient suffered an injury that resulted in damages.

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 B to the petition and is

☒ reported at U.S. Court of Appeals for the Seventh Circuit; 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 _____ 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 8-28-20.

☐ 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: _____, 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

BILL OF RIGHTS

Patients' Rights

Right to appropriate/adequate medical care and humane treatment

STATEMENT OF THE CASE

I received cruel and unusual punishment during an eye examination by the optician. I have had my eyes examined since the age of nine years. I am now sixty-three years of age and know that the examination was not a normal one. I was yelled at by the optician and told that I could see. I thought that he doesn't have good manners. Normally, I am told which process will follow and which eye will be examined, but, not during this experience. The machine was set before my eyes, while both eyes were exposed. No adjustments. I saw him looking at me and then with angst, he flipped a switch. The the brightest lights ever where blinding my eyes for about fifteen seconds or so. During this period, I tried to remove myself from the situation. I could not move the light or the machine from before my eyes. David Rich did nothing or said nothing, but, he was present in the room. I was blinded by these bright lights. I was in horror. My eyes hurt extremely badly; my head hurt when lifting my head. It made me sick. I had to wear my sunglasses indoors as well as outside, and, I wore them at night. As my eyes improved, I could bear to see television with sunglasses. After I could manage, I went to a specialist and was prescribed gel for my eyes and an antibiotic. Initially, I was fearful to be examined. I had to tell about the previous event. I received another tenure with the prescribed medications. My eyes are feeling better now, but, they are not back to normal completely. Bright lights still bother my eyes. I struggled to type on the computer because it seems bright. The United States District Court Southern District of Indiana, Indianapolis Division states that my "...allegations do not indicate that this Court has subject matter jurisdiction over this case..." I know this was wrong. I was violated and abused.

REASONS FOR GRANTING THE PETITION

The United States District Court Southern District of Indiana, Indianapolis Division states in part that my

“...allegations do not indicate that this Court has subject matter jurisdiction over this case...”

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Brendan White

Date: ~~10-27-20~~ 10-30-20