

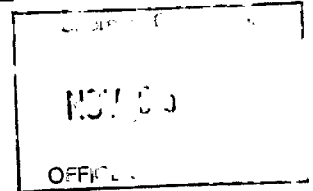
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In the  
**Supreme Court of the United States**



Abdul Mohammed,

*Petitioner,*

v.

Erin Anderson et.al,

*Respondents.*

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**On Petition for Writ of Certiorari to the  
United States Court of Appeals  
for the Seventh Circuit**

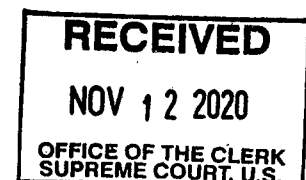
**PETITION FOR WRIT OF CERTIORARI**

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November 5, 2020

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### **QUESTION PRESENTED**

The question presented is:

1) whether a litigant does not have First Amendment Right to Freedom of Speech in civil litigation.

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## **PETITION FOR WRIT OF CERTIORARI**

This presents two important questions. First, whether a litigant has the 1<sup>st</sup> Amendment Right to Freedom of Speech of the Constitution of the United States in civil litigation and Second, whether the Court of Appeals can overrule decisions of this court. In the case 7<sup>th</sup> Circuit overruled 22 decisions of this court and ruled that the Petitioner does not have First, whether a litigant has 1<sup>st</sup> Amendment Right to Freedom of Speech of the Constitution of the United States in civil litigation. If unchecked, the 7<sup>th</sup> Circuit's opinion below sets a dangerous precedent that a Court of Appeals or a District Court can overrule the decisions of this court and that a litigant does not has the 1<sup>st</sup> Amendment Right to Freedom of Speech of the Constitution of the United States in civil litigation. This matter will not take much time of this court as this Petition is only 3 pages long but if left unchecked the opinion below of the 7<sup>th</sup> Circuit has far-reaching repercussions and will snatch away an important cornerstone of the Constitution of the United States that is the 1<sup>st</sup> Amendment Right to Freedom of Speech. Further the opinion below of the 7<sup>th</sup> Circuit shuts the door of the court for litigants for exercising their right to free speech in violation of 4<sup>th</sup>, 5<sup>th</sup> and 14<sup>th</sup> Amendments of the Constitution of the United States.

## **OPINIONS BELOW**

The unreported opinion of the Court of Appeals is reproduced at App. 1-5.

## **JURISDICTION**

The Court of Appeals issued its opinion on November 05, 2020. This Court has jurisdiction under 28 U.S.C. § 1254(1).

## **CONSTITUTIONAL PROVISIONS INVOLVED**

1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 14<sup>th</sup> Amendments of the Constitution of the United States.

## **STATEMENT OF THE CASE**

1. The District Court dismissed the Petitioner's complaint as a sanction for his so-called inappropriate email communications with the Respondents' attorneys on August 21, 2019. The Petitioner sent the emails in question in response to the harassment and retaliation of the Respondents. Further the District Court does not have any jurisdiction whatsoever over the emails in questions which the Petitioner sent to the employees of the School District of his children. The Petitioner filed a timely appeal. The Petitioner argued that his email communications with the Respondents' attorneys were protected by 1<sup>st</sup> Amendment Right to Freedom of Speech of the Constitution of the United States both in the District Court and in the 7<sup>th</sup> Circuit but both the District Court and the 7<sup>th</sup> Circuit ruled that the Petitioner does not have 1<sup>st</sup> Amendment Right to Freedom of Speech of the Constitution of the United States in civil litigation and 7<sup>th</sup> Circuit issued this bizarre judgment affirming the District Court's judgment of August 21, 2019.

## **REASONS FOR GRANTING CERTIORARI**

This court has ruled in the following cases regarding the 1<sup>st</sup> Amendment Right to Freedom of Speech of the Constitution of the United States:

- 1) Not to speak (specifically, the right not to salute the flag). *West Virginia Board of Education v. Barnette*, 319 U.S. 624 (1943);



- 2) Of students to wear black armbands to school to protest a war ("Students do not shed their constitutional rights at the schoolhouse gate."). *Tinker v. Des Moines*, 393 U.S. 503 (1969);
- 3) To use certain offensive words and phrases to convey political messages. *Cohen v. California*, 403 U.S. 15 (1971);
- 4) To contribute money (under certain circumstances) to political campaigns. *Buckley v. Valeo*, 424 U.S. 1 (1976);
- 5) To advertise commercial products and professional services (with some restrictions). *Virginia Board of Pharmacy v. Virginia Consumer Council*, 425 U.S. 748 (1976);
- 6) *Bates v. State Bar of Arizona*, 433 U.S. 350 (1977);
- 7) To engage in symbolic speech, (e.g., burning the flag in protest). *Texas v. Johnson*, 491 U.S. 397 (1989);
- 8) *United States v. Eichman*, 496 U.S. 310 (1990);
- 9) *United States v. O'Brien*, 391 U.S. 367 (1968);
- 10) *Roth v. the United States*, 354 U.S.476(1957);
- 11) *Chaplinsky v. New Hampshire*, 315 U.S.568 (1942);
- 12) *Rowan v. United States Post Office Department*, 397 U.S 728 (1970);
- 13) *Whitney v. California*, 274 U.S.357 (1927);
- 14) *National Socialist Party of America v. Village of Skokie*, 432 U.S.43 (1977);
- 15) *R.A.V. v. St. Paul*, 505 U.S.277(1992);
- 16) *FCC v. Pacifica Foundation*,438 U.S.726 (1978);
- 17) *Bethel School District v. Fraser*, 478 U.S.675 (1986);

- 18) *Lewis v. City of New Orleans*, 415 U.S. 130 (1974);
- 19) *Gooding v. Wilson*, 405 U.S. 518 (1972);
- 20) *Watts v. the United States*, 394 U.S. 705 (1969);
- 21) *Letters Carrier v. Austin*, 418 U.S. 264 (1974);
- 22) *Snyder v. Phelps*, 562 U.S. 443 (2011).

7<sup>th</sup> Circuit has overruled 22 above-mentioned decisions of this court and ruled that the Petitioner does not have the 1<sup>st</sup> Amendment Right to Freedom of Speech of the Constitution of the United States in civil litigation. No other court has the right to overrule the decisions of this court. The overruling of 22 above mentioned decisions of this court by the 7<sup>th</sup> Circuit is a reason enough for granting of the Petition for Writ of Certiorari.

### CONCLUSION

For the reasons set forth above, this Court should grant the Petition for Certiorari.

Respectfully submitted,

  
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November 5, 2020