

20-7023

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
JAN 27 2021
OFFICE OF THE CLERK

Raevon Terrell Parker — PETITIONER
(Your Name)

vs.

Apple Inc. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for Federal Circuit #21-1020
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Raevon Parker

(Your Name)

3846 Shenandoah Apt. A

(Address)

Saint Louis, Mo, 63110

(City, State, Zip Code)

314-928-2010

(Phone Number)

QUESTION(S) PRESENTED

The question the appellant would like to present to this Honorable Court is did a "taking" occur on October 29, 2018 at the Apple Store in the Saint Louis Galleria. The appellant would also request that the court look into the appellant being "just" compensated. And finally did Apple Inc. use features of Raevon Parker's device to distribute applications to the public. i.e. other iPhone users.

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

- Rawon T Parker v Apple Saint Louis Galleria, No. 18SL-CCO3653, In the 21st Judicial Circuit of Saint Louis County Missouri. Judgment entered 5-24-19
- Raevon Parker, APP v Apple Saint Louis Galleria, RES, No. ED108088, Eastern District Court of Appeals of Missouri. Judgment entered August 9, 2019
- Raevon Parker, APP V Apple Saint Louis, RES, No SC98216, Supreme Court of Missouri. Judgment entered December 4, 2019
- Raevon Parker, APP V. Apple Saint Louis, RES, No ED108466, Eastern District Court of Appeals. Judgment Entered January 4, 2021
- Parker V. Apple Inc, 4:20-cv-00731 SEP, United States District Court for the Eastern District of Missouri, Judgment entered July 30, 2020
- Parker v. Apple Inc., No 21-1020, United States Court of Appeals for the Federal Circuit. Judgment entered December 1, 2020
- Parker v. Apple Inc, No 4:20-cv-01784 NAB, United States District Court Eastern District of Missouri (Saint Louis City) Judgments pending.

Related Cases cont.

- Horne v. Department of Agriculture, 569 U.S. 513; 576 U.S. 350, 135 S. Ct. 2419
- First English Evangelical Lutheran Church v. Los Angeles County, 482 U.S. 304 (1987)
- MacDonald, Sommers, and Frates v. Yolo County, 477 U.S. 340 (1986)
- Kaiser Aetna v. United States, 444 U.S. 164 (1979)
- Chippewa Indians v. United States, 305 U.S. 479 (1939)
- Shoshone Tribe v. United States, 299 U.S. 476 (1937)
- United States v. Welch, 217 U.S. 333 (1910)

TABLE OF AUTHORITIES CITED

CASES

CASES	PAGE NUMBER
Horne V. Department of Agriculture, 569 US 513; 576 US 350, 135 S. Ct. 2419.	
First English Evangelical Lutheran Church V. Los Angeles County, 482 US 304 (1987).	
MacDonald, Sommer, and Frates V. Yolo County, 477 US 340 (1986).	
Kaiser Aetna V. United States, 444 US 164 (1979).	
Chippewa Indians V. United States, 305 US 479 (1939).	
Shoshone Tribe V. United States, 299 US 476 (1937).	
United States V. Welch, 217 US 333 (1910).	

STATUTES AND RULES

Amendment V ; nor shall private property be taken for public use, without
just compensation

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APPENDIX B Raevon Parker, APP V. Apple Saint Louis Galleria, RES, No. ED 108088, Eastern District Court of Appeals. Judgment entered August 9, 2019.

APPENDIX C Raevon Parker, APP V. Apple Saint Louis, RES, No SC98216, Supreme Court of Missouri. Judgment entered December 4, 2019.

APPENDIX D Raevon Parker, APP V. Apple Saint Louis, RES, No 108466, Eastern District Court of Appeals, Judgment entered January 4, 2021

APPENDIX E Parker V. Apple Inc, 4:20-cv-00731 SEP, United States District Court for the Eastern District of Missouri. Judgment entered July 30, 2020

APPENDIX F Parker V. Apple Inc, No. 21-1020, United States Court of Appeals for the Federal Circuit. Judgment entered December 1, 2020

Appendix G Parker V. Apple Inc., No 4:20 -cv- 01784 NAB, United States District Court of Missouri (Saint Louis City). Pending

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 F 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 E 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 C 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 21st Judicial Circuit court 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.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was December 1, 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 December 4, 2019. A copy of that decision appears at Appendix C.

A timely petition for rehearing was thereafter denied on the following date: December 23, 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The constitutional provision involved is the reference to Amendment V when it states that; nor shall private property be taken for public use, without just compensation. According to the Takings Clause under Condemnation from the Modern period (1978-present) the Appellant is requesting that this Honorable court protect his property owner of his intellectual as well as physical property from what constituted a physical taking on October 29, 2018 about 1:01 pm when Appellant made a documented visit with the Apple Store Saint Louis Galleria Grenier's Bar employee who told the Appellant Raeon Parker that he had to exchange his device. According Horne V. Department of Agriculture that a Raisin transfer requirement is a physical taking. According to First English Evangelical Lutheran Church V Los Angeles County 482 US 304 (1987) If a regulation is held to have taken property, Takings Clause requires compensation for the time during which regulation was in-effect until date of repeal or judicial invalidation. The Appellant has not been just compensated to date. According to MacDonald, Sommer, and Frates V. Yolo County 477 US 340 (1986) Not ripe, court cannot determine "just" compensation until it's known. Apple Inc value continues to increase as it profits for sales of devices that use Appellant software programming from prototype device. According to Kaiser Aetna V. United States 444 US 164 (1979) Taking occurred. Infringement of right to exclude others. Appellant would have been the first person in the world with GroupFaceTime. According to Chippewa Indians V. United States 305 US 479 (1939) Taking occurred. Mere enactments deprived tribe of all it's beneficial interest in the land.

According to Shoshone Tribe V. United States 299 US 476 (1937) Federal guardianship of tribal land does not include requiring tribe to which exclusive occupancy has been pledged to share land with another tribe absent compensation.

According to United States V. Welch 217 US 333 (1910) Taking occurred. Destruction of an easement is as much a taking of it as is an appropriation.

STATEMENT OF THE CASE

The Statement of this case is in all consistencies its a case where private property i.e. physical and intellectual was taken for public use. This is a case that violates a property owners rights to which is afforded to citizens of the United States of America by way of fifth amendment. The Appellant believes that this Court has precedence due to the fact that the United States constitutionality is in question. Also a state Supreme Court ordered the case transferred back to a lower court which should enact a ruling from this Honorable Court. The Appellant would request that the court consider the Appellant's Motion for Mechanics Lien be reviewed or added to the Amended complaint because Appellant believes that had the court construed the document as being sufficient enough to state a claim the appellant believes that the original proceeding outcome would have been favorable to the plaintiff.

REASONS FOR GRANTING THE PETITION

This petition should be granted for the following reasons:

1. A State Supreme Court transferred the case back to a lower court.
2. The Mechanics Lien gave a detailed statement of account of the event to where a conclusion could have been drawn from a lay person.
3. A United States Attorney General should have intervened according to 28 U.S. Code § 2403.
4. This case deals with a large amount of revenue.
5. This case deals with groundbreaking technological features not understood by many.
6. Appellant is capable of developing, engineering, and publishing of computer applications.
7. This petition should be granted to show that this Honorable court is impartial.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Raeon Parker

Date: January 27, 2021