

No. 20-7175

IN THE  
SUPREME COURT OF THE UNITED STATES

**ORIGINAL**

Timothy W. Elkins Jr. — PETITIONER  
(Your Name)

vs.

FILED  
DEC 31 2020

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Tony Gutierrez, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Timothy W. Elkins Jr.  
(Your Name)

2600 N. Brinton Ave.  
(Address)

Dixon Illinois 61021  
(City, State, Zip Code)

N/A  
(Phone Number)

RECEIVED  
JAN 22 2021  
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SUPREME COURT, U.S.

**QUESTION(S) PRESENTED**

Whether the plaintiff should have been allowed to proceed  
In forma pauperis and whether plaintiff's complaint stated a  
claim.

## **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:

Tony Gulnn  
Sara Johnson  
Major taylor

## **RELATED CASES**

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**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 \_\_\_\_\_ to the petition and is

reported at I don't have access to any documents; 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 is unpublished.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 is unpublished.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 is unpublished.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 is unpublished.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 December 6, 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**

42 USC 1915

## STATEMENT OF THE CASE

I filed a lawsuit in the Central District of Illinois for excessive force, 8th Amendment violation. I was denied In forma pauperis and the judge ruled me being choked failed to state a claim. I am poor and in prison and have no access to any documents to file this so as a poor person I do not have the right to access the courts or get justice. I cannot have copies to present this appeal. I do not have access to a law library. Covid-19 has us on lock down & Quarantine. I msr. In 11 months and can only then try to hire counsel. I tried to seek relief in state court because the district judge threw my case out because he hates prisoners to my belief.

#### REASONS FOR GRANTING THE PETITION

To be granted IFP and allowed to amend my complaint. To keep prisoners access to the courts from being taken away, To ensure 28 USC 1915 is followed. If you dont do something prisoners will loose access to the courts and will have to try to find other ways to seek justice. To protect our rights. If these people are not held accountable they will escalate their actions and people will continue to suffer constitutional violations and injuries.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Timothy W. Elkins Jr.

Date: 12/30/2020