

No. _____

20-7721

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

SHANNON DOTSON — PETITIONER
(Your Name)

vs.

FILED
DEC 21 2020
OFFICE OF THE CLERK
SUPREME COURT, U.S.

TUNICA-BILOXI GAMING COMMISSION — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEALS FIFTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

SHANNON DOTSON
(Your Name)

2015 HAWTHORNE BROOK LANE
(Address)

PRESNO, TX. 77545
(City, State, Zip Code)

713309 9698
(Phone Number)

1. Why the courts never acknowledged that I the plaintiff never consented to the Defendant request for Extension of Time?

2. Why the court did not acknowledged the documents in the case presenting the evidence of the many attempts I the Plaintiff and servers tried and sabotage the Defendants malfeasance tried to prevent?

3. Why the courts did not apply I the Plaintiff definite statement in the case correctly.

4. Why the courts err on the subject matter jurisdiction of the case when I the Plaintiff presented 28 U.S.C. 1332, 28 U.S.C. 1343, and 28 U.S.C.1367 in the documents?

5. Why the courts did not acknowledge the proof of service was delivered to the Tribal Police Office where Cindy or Christy Smith resided stating that she was authorized to except the Summons from Bianca Smith? (Audio proof and Proof of Service)

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:

U.S. DISTRICT COURT WESTERN DIVISION
OF LOUISIANA ALEXANDRIA

U.S. COURT OF APPEALS FIFTH CIRCUIT

RELATED CASES

APPENDICES

TABLE OF CONTENTS.....	vi, vii
OPNIONS BELOW	1
APPENDIX A Decision of W.DISTRICT OF La.....	10-19
APPENDIX B Decision of U.S.COURT of Appeals.....	20-30
JURISDICTION.....	3
CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED.....	2
STATEMENT OF THE CASE.....	4-7
REASON FOR GRANTING THE WRIT.....	8
CONCLUSION.....	9
CITATIONS.....	viii,5,7,16,17,20,22,23,25,27

TABLE OF AUTHORITIES

Federal cases

Kiowa Tribe of Oklahoma, 523 U.S. at 754.....	9
Kokkonen v. Guardian Life Ins. Co. of Am. 511 U.S. 375,377,114 S. Ct. 1673, 128 L Ed. 2d. (1994).....	10
Havekost v. Grand Casinos of La., No. 2000 U.S. Dist. LEXIS 22429,at(W.D. La. Dec. 8, 2000).....	9
CTA1, LLC dba CTA Builders v. Department of Veterans Affairs (CBCA 6783) (May 2020)	10

Administrative Case

Constitution, 1 st Amendment, and Civil Right.....	1,3,5
--	-------

Statutes

28 U.S.C. 1332.....	1 <i>M&AN</i> ^h
25 U.S.C.2701	1
28 U.S.C. 1343.....	1
28 U.S.C. 1367.....	1
28 U.S.C. 1291.....	1

Rules

Federal Rule of Civil Procedures 4(e).....	2,5,7,11- 14,1
--	-------------------

Federal Rule of Civil Procedures 12(a).....	8,13,1
vi.	
Federal Rules of Civil Procedure 4(l).....	1,12
Federal Rules of Civil Procedures 4(m).....	5,12
W.D.LA. LR 41a.....	1

Citations:

Western District of Louisiana Alexandria Division

1. Dotson also names an "unnamed supervisor" and an "unnamed manager". Dotson has never provided any names.
2. Dotson has not explained why she believes there should be five zeros after "20 5".
3. Dotson did not state whether she was suing the individual defendants in their individual or official capacities.
4. Dotson tried to mail the summonses (ECF No. 16), tried to deliver them herself (ECF No. 27), tried to effect service through the United States Attorney and United States Attorney General ECF No. 28), and tried to leave the summonses with someone who was not an agent for service of process (ECF Nos. 35, 41). Also, although summonses were issued (ECF No.43), there is no evidence of any effort to serve Barby , Newman, or the Pierites.

United States Court of Appeals for the Fifth Circuit

Pursuant to 5th Circuit Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Circuit Rule 47.5.4.

1. In addition to naming the Gaming Commission , Piazza, and Vocarro as defendants, Dotson also sued an unnamed supervisor, Sheila Augustine, Ms. Camilla, Bobby Pierites, Catherine Pierite, Cheryl Barby, and Aubery Newman. The magistrate judge recommended dismissing Dotson's action against these defendants for lack of service, but the district court did not specifically mention these defendants in its dismissal. However, on appeal, Dotson does not claim to have effected service on any of these defendants.
2. The district court also denied as moot: The Gaming Commission's alternative motion for a more definite statement; Dotson's motion for issuance of subpoena duces tecum; and the Commission's motion to quash.
3. Dotson also argues that the district court erred in dismissing the claims against the Gaming Commission because he effected service on parties. However, this argument conflates the court's subject-matter jurisdiction with separate jurisdictional issues. Accordingly, this argument also fails.
4. As Clerk of Court, Smith receives documents that are requested to be served through the Tribal Police. After reviewing the documents to determine if they are sufficient, she forwards them to the Tribal Police for service.

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 U.S. COURT OF APPEALS FIFTH 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 B to the petition and is

[] reported at U.S. DISTRICT COURT WESTERN DIVISION OF LOUISIANA ALEXANDRIA; 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 OCT. 28, 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: OCT. 28, 2020, and a copy of the order denying rehearing appears at Appendix 9.

[] 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).

STANDARD OF REVIEW

This Court rules 28.2.1 reviews for error in the dismissal for lack of subject matter should apply the constitution and the jurisdiction I the Plaintiff Shannon Dotson file. The Federal Courts under the 1st Amendment give jurisdiction to prosecute claims. 28 U.S.C. 1332 give Federal court the power to ask questions and diversity to a claim. Under the 28 U.S.C. 1343 Civil Rights the federal court can prosecute the claim and for the amount exceed over 75,000.00 28 U.S.C.1367. The court has the right any company that allegedly affiliated with the Tunica-Biloxi Tribal, Tunica-Biloxi Gaming Commission, and The Paragon Casino.

This Court review should be on facts that the Defendants Tunica-Biloxi Tribal, Tunica-Biloxi Gaming Commission, and The Paragon Casino abuse of power have lead to a error of the complaint file. The Paragon have other entities that invest, immunity are only for tribal members. The Defendant failure to follow up on FRCP. 12(a) with out a consent from the Plaintiff I Shannon for extension of time violated my rights as a plaintiff and the grant to dismiss should be over turned due to the real complaint filed July 5, 2018.

STATEMENT OF JURISDICTION

Shannon Dotson brings this appeal of the district court's decision granting the Defendant (Tunica-Biloxi Gaming Commission) motion to dismiss due to sovereign immunity and serve of process. Accordingly, this Court's appellate jurisdiction to review the district court final order arises from 28U.S.C.1291 ("The court of appeals shall have jurisdiction of appeals from all final decisions of the district court of the United States".)

STATEMENT OF THE ISSUES

1. Whether the district court apply the Bills of Rights granting by error the Motion to Dismiss of the Tunica-Biloxi under the 1st Amendment and the 25U.S.C. 2701 of the Indian Act on whether the Paragon is owed by Tunica- Biloxi Tribal or other entities? And do The have the right to sovereign immunity?
2. Whether the district court error on granting Defendants Appellees Piazza and Vocarro Motion to Dismiss pursuant to Fed. R. Civ. P 4(e), 12(a) and LR 41(a) after Proof of Service was executed by requirement Fed. R. Civ. P. 4(l) then I served the summon to Christy or (Cindy) Smith designated by law?
3. Whether the district court Motion to Dismiss error on the jurisdiction under the Statues the Plaintiff I file under the Bills of Rights 28 U.S.C. 1332 Diversity and Questions, 1st Amendment, 28 U.S.C. 1343 Civil Rights and 28 U.S.C. 1367 the amount over 75,000.00?

STATEMENT OF THE CASE

This complaint happen when I Shannon Dotson the Plaintiff was at the Paragon Casino I was on the slot cash wheel with bonus I played and exactly what the slot display I the plaintiff match my game play to the game play to win the progressive jackpot the ticket Lori Piazza stole was worth 20.500,000.00 the slot displayed(ROA.1). 2. Lori open my slot machine took the ticket put it in her top shirt pocket and said I did not win. This was about a error code Lori Piazza claim that had no fact in the manual or in the program of the slot. 3.I prove to the Tunica-Biloxi Gaming Commission the error code did not exist, compute in the system and the manual.(ROA.1) Agency of the Tribe should not bare the sovereign of immunity. The Gaming Commission regulates gaming activities conducted within the jurisdiction. 4. The Tunica -Biloxi Gaming Commission should not enjoy the immunity of the Tunica-Biloxi Tribal as the Affidavit of Rudolph Wambsgans, III (ROA 307) it is a Agency. 5.The fact of the case is that Lori Piazza has my 20.500,000.00 winning ticket the circumvented action she possess that night of 6-4-17 working for a agency of the tribal with the execution of the proof of service and Christy or Cindy Smith Affidavit acknowledge that she had communicated with the defendant Lori Piazza and Ms. Vocarro July 19,2019.(ROA.349) 6.The Defendants are partake in abusing the federal law.

The district court deny the many attempt I the Plaintiff requested to get the names of the all Defendant by publication to complete the service of process on the unknown to FRCP 4(e) for the case.

The many attempts to follow the FRCP was met with discretion and abuse of power to complete the delivery of the summons. 7. The many server I had assist I the plaintiff Shannon 1. Jannie English, 2. Albert Culbert , and 3. Bianca Smith on June 14, 2019. Statement say that Lori Piazza is no longer employed(leave) noting the policy of the IRGA 25 U.S.C. 2701 that employee that break policy would be retrain to better their work skill. Lori was the Head Supervisor over Slot to leave bring the question of the jurisdiction of why?(ROA.349) 8.However Christy or Cindy Smith got Lori and Ms. Vocarro to submitted support of their Motion show how the abuse of the process was malfeasance against I the Plaintiff attempt to fulfill the process of summons. 9. Christy or Cindy Smith have full knowledge of the Defendants whereabouts and is in communication with Lori and Vocarro. Also acknowledge her Cindy or Christy Smith as the authorize agent.

On June 14,2019 the day Bianca Smith executed the summons to the assigned agent Cindy or Christy Smith Proof of Service should have be prosecuted on behalf of the court. 10. With the Affidavit acknowledging her role in the summons completing FRCP 4(e) granting a dismissal with documents showing the intent Christy played in sabotaging the claim. 11.Tunica-Biloxi Gaming Commission is a agency of the Tunica-Biloxi Tribe, the agency being the of tribe is not being the tribe and the circumvented action Tunica-Biloxi Gaming Commission official display should eliminate immunity for a agency. Page 6 of the Defendant belief stated she had contact with Lori and Vocarro before the defendant extension ranned out on July 19th 2019.

1 The Report and recommendations of the judge Perez-Montes refers to the Paragon Casino Resort by its former name, The Grand Casino Avoyelles show err of discretion.(ROA.471)

The Defendant in July file Motion for Extension of Time. The Motion was to give the Defendants time to answer the Complaint. I the Plaintiff never consent to the Defendant request for time. 12. The court decided and gave the Defendant time to follow FRCP 12(a) response to the plea. 13. In this belief the authorize agent Christy or Cindy Smith admit to being in contact with(ROA. 34) Lori Piazza and Ms. Vocarro(ROA.39) to sign off on the Affidavit on July 19, 2019. The Defendant allegation of not having contact bare the unethical abuse of power that Biven action are endless to damage I the Plaintiff case.

On July 19, 2019 the Gaming Commission filed a Motion to Dismiss pursuant to 12(b)(1) based on its tribal sovereign immunity a agency of the Tunica-Biloxi Tribe base on the affiliation does not bare the same immunity as the tribe and can be held in a Federal Court. 15. The federal court need to distinguish the role of the Tunica-Biloxi Gaming Commission not being owe (People v. Miami Nation Enterprise) by the Tribe and being its own entity of the state.(ROA.294)

I the Plaintiff in common law was in possession of the slot machine that I won a jackpot ticket of 20.500,000.00 that was stolen by Lori Piazza. 16. Knowing the unethical ways to not pay I the Plaintiff the Tunica-Biloxi Gaming Commission file for immunity cause the facts of their case bare no truth not even in the Defendant Tribunal Court.

2 W.D. La. LR 41(a)

54

On February 27, 2020, Judge Perez-Montes issued his Report and Recommendations regarding the motions. The Judge Perez-Montes error on not applying the Statues of the case. The district court have to apply the bill of rights against a agency of the Tunica-Biloxi tribe. The district court have proof of the attempt to serve Lori Piazza and Ms. Vocarro in accordance with FRCP 4(e). To not acknowledge the proof of service with the affidavit present by Cindy Smith is obstruction of Justice. The District Court granting of a dismiss due to subject matter should be review. Also the district court granting a dismiss due to FRCP 4(m) are allegation made by the Defendant that the Plaintiff fulfilled court document will validate FRCP 4(e). On March 26, 2020 the court action entered was not by law correct. Without applying the subject matter I the Plaintiff file the case should not have been dismiss with prejudice. (ROA.503) The Gaming Commission, Lori Piazza, and Ms. Vocarro dismissal should be overturn and the court need to investigate the evidence that are in the document with the correct statutes applied.

3. Christy Smith or Cindy Smith statement in the brief (page 6) about affidavit shows admission to communicating with the Defendants Piazza and Vocarro.

REASONS FOR GRANTING THE PETITION

I AM SHANNON DOTSON REPRESENTING
PROSE. I AM ASKING THE COURT TO GRANT THE
PETITION ON BEHALF OF THERE WAS ERR. THE COURTS
MADE. THE SURISDICTION I THE PLAINTIFF FILED
WAS NOT APPLIED. SO IN GOOD FAITH I HOPE THE
COURT GRANT THE PETITION.

THANKS

DEC. 21, 2020

/s/: SHANNON DOTSON

Shannon Dotson

8

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Shannon Doty

Date: Dec 21, 2020