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ORIGINAL

No. 1:16-cv-0718

18-2541

Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

WEN DONG ZHAO

(Your Name)

— PETITIONER

vs.

U. S DEPARTMENT OF STATE — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

WEN DONG ZHAO

(Your Name)

P.O. Box 527399

(Address)

Flushing, New York 11352

(City, State, Zip Code)

(929)488-6220

(Phone Number)

7018

QUESTION(S) PRESENTED

(1) I went to American Embassy in Thailand twice with two letters. I mailed two letters through post office. Why Department of State deny? Money?

(2) In the beginning, I wanted to locate the four letters through Department of State, but it told me the four letters could not be found. Then I told Department of State that Darry I. Johnson, the U.S. Ambassador in Thailand was the recipient of the four letters and the Thai lady who was the person receiving mails at the American Embassy in Thailand, and asked Department of State to inquire with the two persons of the disposal of the letters. But Department of State did not investigate the two persons. And the judge of the United States District Court for the Eastern District of New York did not ask Department of State to investigate the recipients of the letters, why?

(3) Why there is no thorough investigation? To verify recipient (witness and defendant) Darry I. Johnson to get witnesses and evidence. Without witness, evidence and non-appearance of defendant, why the United States District Court for the Eastern District of New York denied my case?

(4) In 2003, Why did the Bush Administration's propaganda slogan make 390,000 Iraqi soldiers surrender and make the three-month war to one month's end? If I made false accusations everywhere, blackmailed the U.S. government, lied to the U.S. federal court, why didn't the U.S. government and the federal court sue me?

(5) What kind of illegal activities did the members of Bush Jr. Administration and the US federal court make in this intellectual property infringement case? I please the US Supreme Court to check.

(6) Did the Department of Defense and US government adopt the contents of the four letters that I wrote? If not, I can give several examples.

(7)case 1:16-cv-070108-AMD RLM Document33 File 07/28/2018 page 4 of 9 I would like to ask that four letters I wrote will be destroyed or not after the assessment by the state council .please verifg with the U.S.Department of Defense and U.S President George W B ush whether the content of the letter was used in the 2003 U.S Iraq .please answer this question .dear Federal judges and federal lawyers.this question should not be dodged(APPENDIX.G)

(8)case 18-2541 Document to 04/23/2019 2546374 page 27 of 41 I have objected Go to investigat whether the witness and .recipient darryIN.Johnson .received the letter or Not.However the court refused to hear.(PLLENDIX H)

I think it's a crime for federal lawyer and the federal government.a federal judge to say ang speculative assertions or bad evidencte in the federal court .As a federal judge a lauyer.a government do you dare to do it? They are saying that plaintiff lied and blackmail so the judge the lawyer the government please sue me together!

Sumamary:

Now the plaintiff and the de defendant .have each held their own words and the tederd court fully accepted the defendant's testimony .No verification ,No acceptance of the plaintiff's testimong plus a lot of doubts, so the plaintiff lost the case, In order to see justice I hope the plaintiff and defendant will confront with each other in hearing, please accept my (the plaintiff's) request.

zhao wen dong

April .6. 2021 .

LIST OF PARTIES

[X] All parties appear in the caption of the case on the cover page.

[X] 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:

- (1) Darry I. Johnson: He is the recipient of the letters. He was the US. Ambassador in Bangkok, Thailand in 2003.
- (2) The Thai lady: She is the recipient of the mails. She worked at the main entrance at US Consulate in Bangkok, Thailand in 2003.

RELATED CASES

- (1) On December 12.2004.united Nations political asylum fraud case.Refugee number:15347,which they try to replace my 2003 Iraq copyright With political asylum against me .and causing china's National security Department came to my home to investigate details. please, check with the united states department.
- (2) On September 19.2016.Notice of Hearing In removal. proceedings Immigration court.26 Federal plz 12th FL courtroom #32 NewYork NY 10278. Layer: Oliver zhou address:136-21 Roosevelt Av Suit 408 Flushing NY 11354. Tel:718-886-9019 Judge: Terry Ban. Here after the judge asked me to take an oath .I took the oath that the U.S.State Department pirated my 2003 Iraqi copyright.
- (3) Case:16-cv-07108-AMD-RLM.Document 18 Filed.08/08/2017 page 1 of 6 page ID#122.I told the U.S. Easterm district court BK. NY.(the name: Darry I.N. Johnson)

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After talking a number of lawyer they thought there are many intellectual property piracy cases in the world, all the same means, but there is no case like the United States government piracy cases. It's generally corporate and personal piracy. My case is the only case in the world that has never been heard in court without any written records. Therefore I submitted this authoritative case to the Supreme Court for adjudication.

(1) My contribution to the U.S. government: the U.S. government to save \$62 billion~300 billion expenses, and time: three months, ten months, one month, and 1000 soldiers and 10,000 soldiers injured decrease to one month, and 1000 soldiers dead and 10,000 soldiers injured. (2) My investment one million and ten thousand dollars, twenty years research more, four months in jail, begging one week, over ten times death and danger and difficulty, from 2003's to 2021's. It's 18 years, two people died at home due to fake political asylum. Ministry of National Security of Chinese government investigates my mother and two brothers.

STATUTES AND RULES

- (1) Based on Berne Convention: copyright are protected from the completion of creation without any formalities. Both China and U.S. are members of Berne Convention.
- (2) According to Article 104 of the U.S. copyright law, Chinese citizens, legal persons, and other organizations are protected by the U.S. copyright law.
- (3) According to Article 504 of the Copyright Law of the U.S., in tort litigation, there is a right to obtain legal compensation, and the copyright owner may claim to the infringer: A. losses suffered as a result of infringement and profits. B. statutory compensation.

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 April 23, 2019; 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 A to the petition and is

reported at July 23, 2018; 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 April 23, 2019.

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

- 1) First Amendment to the Constitution – Both New York District Court and New York Court of Appeal failed to hear this action by jury trial, depriving the plaintiff's freedom to explain his case in court- freedom of speech.
- 2) Sixth Amendment to the Constitution -- The plaintiff has the right to request the court to conduct a public trial quickly, to cross-examine evidence with the defendant and witnesses, and to find witnesses in favor of the plaintiff through compulsory procedures
- 3) The US State Department did not investigate the recipient and obtained the results of the investigation. The recipient who was working for the US Department of State: Whether she is responsible, the US Department of State is obliged to investigate and produce the results of the investigation. The court shall make a decision on the issues.

? R-ek6-1

- 4) Defendant (witness) Thai Lady & Darry I N Johnson, did not appear in this action. It's illegal that the court issued a judgment in favor of Defendant when Defendant failed to provide any evidence, including witness.

? H-ek6-1

- 5) 28 U.S.C. § 1746. The U.S. State Department failed to investigate the defendant (witnesses, recipients) and used a paragraph to make false statements and obstruct judicial investigations.

(6)case1:13-cv-07108-RMD-RLM DOCUMENT33

Filed 07/23/2018 page4 of 9(见 APPENDIX J)

Point of contention of the state department is on the receiving agency; the state Department did not receive letters. And my point of contention is that since the receiving agency; The U.S. Department of state has not received the letters. whether the witness and the recipient (Darry I N Johnson) have any letters can be verified. Because when the letter was entered the embassy, but not filed by the information center. that is handled by the recipient. but according to stipulations: any letter entering the embassy shall be checked and registered. the recipient is the representative of the U.S Government and the letter belongs to The U.S property. Johnson has no right to hide it. Am I right? Please answer me. As a result the argument point is different. one is the state council has not received the letters. plaintiff think the witness (Darry I Johnson) has not received the letter. so the argument has not been resolved. which does not conform to the law 56.1 Attention darry IN Johnson represents the U.S. government.

STATEMENT OF THE CASE

- (1) On December 27, 2016, I, based on the Free Information Act, request the U.S. State Department to produce 4 letters to the U.S. Embassy in Bangkok, Thailand, from January 2003 to August 2003.
- (2) On June 12, 2017, I received a Declaration of Eric F. Stein, docketed 14-1, indicating that after inquiry by the US State Department, the four letters I requested were not found. The time was from January 2003 to August 2003 and the location was the US Embassy in Bangkok, Thailand.
- (3) On July 26, 2017, I wrote a letter to the U.S. District Judge that I sent the four letters to US Embassy in Bangkok, Thailand by post office and the receipt was U.S. Ambassador Darry I N. Johnson in Bangkok, Thailand. U.S. District Court issued a document docketed 15, confirming that my letter dated July 26, 2017 was received. On July 26, 2017, I sent a letter to U.S. Ambassador Darry I N Johnson according to the address shown on the website, but did not get any response, except to the receipt of the mail. I sent a letter to U.S. prior President Trump, to investigate the facts of my letter sent out in 2003. No response neither.
- (4) On November 06, 2017, I received a document docketed 23, responding to my demand that after inquiry, no letter sent from me to US Embassy was found. However, there is no other evidence except to the written statement.
- (5) On November 08, 2017 I sent two documents docketed separately 23, 25, and attached a copy of the four letters (with the envelops) I sent to US Embassy in Thailand in 2013.
- (6) On July 23, 2018, U.S. District Court of New York, Southern District of New York, issued a judgment docketed 33 based on written statements of Defendant in favor of Defendant. Therefore, I appealed to the Court of Appeals in New York.
- (7) On April 23, 2019, I received a document docketed 70 from the Court of Appeals in New York decided the action in favor of Defendant based on Defendant's statement. I request for an opportunity to orally argue before the judge and/or jury. Then I received a notice from the Court and set the August 27, 2019, as the argument date.
- (8) Since I failed to pay the attorneys' fee, I discharged my attorney and chose to proceed by myself. I rescheduled the argument time with the Court. However, on September 10, 2019, I was ordered that the rehearing has been canceled and I lost my case.
- (9) On October 01, 2019, we filed a petition to the second Court of Appeals, however, I was ordered to lose the case again.
- (10) ~~On December 2019~~, I appealed to the Supreme Court of U.S. on. ~~November 22, 2019.~~

REASONS FOR GRANTING THE PETITION

The persuasive reasons are as follows:

(1) Why the judgments of the Federal Court for the Eastern District of the United States and the Second Court of Appeals of New York are wrong: Because the defendant (recipient) and witnesses (Darry I N Johnson) did not appear in court in any form, that is to say, the Federal Court ruled that I lost the case and lacked witness (Darry I N Johnson and Thai Lady) and physical evidence (four letters). These two individuals are the personal and physical evidence presented by the plaintiff. The U.S. State Department did not answer the question. It did not find physical or personal evidence as evidence, and only used written records as evidence. The dispute between the two parties was not resolved. (1) The letter was delivered to the embassy, but the embassy said it had not received it. Did you receive it? (2) After receiving this letter, how did the two recipients deal with the letter?

(2) The U.S. Supreme Court mainly makes rulings on the national constitution.

(a) The U.S. District Judge of the Eastern District and the Second Circuit Court of Appeals did not hear the case twice, leaving the plaintiff without the opportunity to freely state the case and express opinions, violating the First Amendment's provisions on freedom of speech.

(b) The Eastern District of the United States and the Second Court of Appeals did not promptly open the trial of the plaintiff's case, confronted the defendant's witnesses, and used compulsory procedures to obtain witnesses in favor of the plaintiff in violation of the Sixth Amendment of the Constitution. Because the constitutional amendment should have equal opportunities for the plaintiff and the defendant, both can be used, and everyone is equal before the law.

(3) The U.S. District Court for the Eastern District and the Second Circuit Court of Appeals have repeatedly refused to hear the case, making the plaintiff believe that the U.S. government is organizing and planning piracy cases, rather than individuals and departments participating in the U.S. State Department and the U.S. Department of Defense, which is detrimental to the image of the U.S. government.

(4) According to the Supreme Court of the United States, cases where the explanation is unclear or a little bit in fact must be resolved by both the plaintiff and the defendant in court.

(5) Does my case conflict with other appellate court decisions? No. However, in the absence of authentication and physical evidence, any appellate court in the United States can only lose the plaintiff based on a text. Only the Federal District Court for the Eastern District of the United States and the Second Circuit Court of Appeals of New York. Such judgments illustrate two problems (1) I am deceiving the US federal judges. (2) I am deceiving the US State Department and blackmailing the US State Department's US \$6 billion Iraqi copyright. If I was found guilty of the above two crimes, the U.S. Federal Court and the U.S. State Department can sue me. If I do not prosecute me, it means that I am not guilty for the deception and extortion.

(6) The statement is inconsistent. A obvious lying.

In the document docketed 14 to me, it said that no letter was received, but in the document docketed 23, it said that "unsolicited research" search – 12. This is inconsistent.

In a word, the judgments of the U.S. Eastern District Court and the Second Circuit Court of Appeals were unfair. The U.S. State Department made false statements. The plaintiff hoped that the U.S. Supreme Court would listen to the plaintiff's request. Approve of the petition, and seek justice for the plaintiff with fairness and dignity.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

zhao wen dong

Date: April 6, 2021