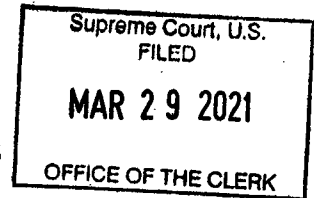


20-7827
No.

IN THE
SUPREME COURT OF THE UNITED STATES



Glen Plourde — PETITIONER
(Your Name)

VS.

Stephen Bellavia — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

The Maine State Supreme Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Glen Plourde
(Your Name)

455 Chapman Rd.
(Address)

Newburgh, ME 04444
(City, State, Zip Code)

207-659-2595
(Phone Number)

QUESTIONS PRESENTED

1. Opposing Counsel in this case was the law firm of Jabar, Laliberty, and Dubord, LLC, and lead counsel for that law firm is George Jabar, son of Justice Joseph Jabar of The Maine Supreme Court. Petitioner was constantly and continually disenfranchised by The Maine Courts in this case, and Petitioner asserts that the father/son relationship of George Jabar and Justice Joseph Jabar has led to the infringement by The Maine Courts, including the Maine State Supreme Court, upon Petitioner's Fifth Amendment Rights to Substantive and Procedural Due Process in this Eviction Case.
2. Opposing Counsel George Jabar is/was the Elected Official in charge of oversight of The Kennebec County Sheriff's Office. Petitioner delivered no less than eight different signed, sworn, and notarized Police Reports to that Sheriff's Office describing abuses visited upon him by the Respondent's other tenants, and at no time did that Sheriff's Office respond to or address any of the Petitioners substantial claims of abuse and illegal behavior being visited upon him by respondent's tenants. Petitioner was instructed by the Maine Attorney General's Office to contact George Jabar in regards to this situation, and he has, and George Jabar has likewise refused to contact the Petitioner in any way regarding the complete lack of assistance from the Kennebec County Sheriff's Office. George Jabar, Elected Official with oversight of the Kennebec County Sheriff's Office and son of Maine Supreme Court Justice Joseph Jabar, then proceeded to prosecute this eviction case through his law firm on behalf of the Respondent, the Petitioner was made to look like the agitator instead of Respondent's other tenants and despite the eight police reports Petitioner had filed to the contrary, and Petitioner was evicted. Therefore Petitioner asserts his Fourth Amendment Rights to Equal Access to and Protection Under the Law has been infringed upon.
3. Petitioner has made The Courts (both Maine State and Federal) aware of the Fact that he has been tortured and at no time have any of those Courts complied with the Geneva Conventions against Torture, to which the United States is a signed participant and is therefore bound to uphold. Thus Petitioner asserts that he has been and is being subject to Cruel and Unusual Punishment(s), a violation of his Eighth and Ninth Amendment Rights.

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

Bellavia v. Plourde, No. PEN-19-514, Maine State Supreme Court. Judgement entered 10/29/20.

Bellavia v. Plourde, No. AP-19-11 (formerly AP-18-69), Penobscot County Superior Court. Judgement entered 12/20/19.

Bellavia v. Plourde, No. AP-19-12 (formerly AP-19-20), Penobscot County Superior Court. Judgement entered 12/20/19.

Bellavia v. Plourde, No. WATDC-SA-18-377, Waterville District Court. Judgement entered 03/21/19.

Bellavia v. Plourde, No. WATDC-SA-18-383, Waterville District Court. Judgement entered 10/12/18.

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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 _____; 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 A to the petition and is

- ☒ reported at Dec. No. 20-94; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Penobscot County Superior Court court appears at Appendix B to the petition and is

- ☒ reported at AP-19-11, AP-19-12; 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 _____.

☐ 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 10/29/20.
A copy of that decision appears at Appendix A .

☐ 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 03/29/21 (date) on 03/19/20 (date) in ~~Application No. A~~ "Order" (Order List 1589 U.S.)

Deadline to file for Cert extended to 150 days.
The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. **The Fourth Amendment to the United States Constitution** - The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.
2. **The Fifth Amendment to the United States Constitution** - No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
3. **The Eighth Amendment to the United States Constitution** - Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
4. **The Ninth Amendment to the United States Constitution** - The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
5. **18 USC Chapter 113C - Federal Torture Statutes. Included as Appendix E** due to length.
6. **The Geneva Conventions against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment** – Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984; entry into force 26 June 1987, in accordance with article 27(1). **Included as Appendix F** due to length.

STATEMENT OF THE CASE

Petitioner Glen D. Plourde and Respondent Stephen C. Bellavia ("Bellavia") entered into a Contractual Agreement in the form of a 12-Month Lease for 11 Hussey Road, Apartment #3 on 04/29/18 (KEN-19-514 Appendix 82 - 103).

11 Hussey Road is a "Main House" with 4 additional occupancies, although the Albion Town Tax Records record the actual address of this single building as 7 Hussey Road (KEN-19-514 Appendix 124 - 134). Petitioner only became aware of this fact on 08/07/18 and thus at that time learned that Bellavia had intentionally misidentified his address to the Petitioner on the Lease Agreement (housing fraud).

Immediately upon moving in, Petitioner began to experience breaking and entering into his apartment and automobile, theft and burglary of his possessions, and abuse from Bellavia's other Tenants, who were the Petitioner's neighbors.

Petitioner made numerous phone calls to Bellavia during the dates of approximately 05/01/18 through 07/28/18 in order to report and complain of these illegal and hostile incidents. Petitioner's calls were usually directed to Bellavia's voicemail; Petitioner therefore left many detailed messages, but almost never were these messages returned, and never were any of these incidents ever addressed or resolved by Bellavia.

After being physically assaulted by the female occupant of Apartment #1 during approximately late-June, Petitioner informed Bellavia that he would be

filing Police Report(s) with the Kennebec County Sheriff's Office, and that the Police Report(s) would contain the additional, numerous incidents and complaints Petitioner had made Bellavia aware of since approximately 05/01/18.

On 07/04/18 Petitioner hung two Red Cross Flags from his back balcony, one on a horizontal flagpole, the other suspended vertically from the bottom of the balcony (KEN-19-514 Appendix 170). That same day Petitioner also installed curtains in his apartment bearing the Red Cross logo on them (KEN-19-514 Appendix 171).

Petitioner was confronted less than two weeks later by Bellavia in the narrow stairwell leading to Petitioner's apartment. Bellavia physically blocked access to Petitioner's front door and used the opportunity to interrogate Petitioner about the Red Cross Flags. It was clear Bellavia was not pleased with the presence of the Red Cross Flags and was attempting to intimidate the Petitioner into taking them down.

As a result of this incident, on 07/24/18 Petitioner filed a Complaint of Discrimination in Housing with the Maine Human Rights Commission ("MHRC"), c/o MHRC Administrative Director Amy Sneirson and MHRC Lead Counsel Barbara Archer-Hirsh.

A few days later, on 07/26/18, Petitioner found a letter in his mailbox, postmarked 07/16/18 from Bellavia. The letter was either illegally postmarked or took 10 days to deliver from the post office, approximately one-tenth of a mile away from Petitioner's apartment at 7 Hussey Road. Within that letter were a number of alleged noncompliances with the Lease Agreement (KEN-19-514 Appendix.104 -

106). Petitioner found that it was stated that his neighbors had made various complaints against him (all of the complaints were lies), and found that there were a few issues that could be objectively remedied. Petitioner did so immediately and all noncompliances were objectively remedied by 07/27/18.

On 07/27/18 Petitioner found another letter in his mailbox from Bellavia, postmarked 07/27/18, in which he found a State of Maine Eviction Notice (KEN-19-514 Appendix 107). Petitioner reviewed the Eviction Notice, the Lease Language, and appropriate Maine Statutes and discovered the notice was not lawful as it was dated and issued within the legal time-frame the Petitioner had to remedy the noncompliances stated in Bellavia's 07/26/18 letter.

On 07/28/18 Petitioner sent a letter to Bellavia stating all noncompliances were resolved in the time frame allowed for by Law, and that the Petitioner considered the matter resolved unless he heard otherwise from Bellavia (KEN-19-514 Appendix 110 - 112). Petitioner never heard otherwise from Bellavia.

After receiving the 07/26/18 letter with 10-day old postmark and 07/27/18 unlawful eviction notice, Petitioner realized he was dealing with not only hostile tenants but an unscrupulous landlord engaging in nefarious activity, and attempted to document the problems he was experiencing under Bellavia's Landlordship. Petitioner began sending Bellavia letters of inquiry, concern, and complaint; sometimes on a daily basis, as the hostilities at 11 Hussey Road were an almost daily occurrence. These letters were sent beginning 07/28/18 and continued through

10/29/19 (KEN-19-514 Appendix 172 - 242). Petitioner never received a response to any of his substantial inquiries, concerns, and complaints.

On 08/08/18, one day after visiting the Albion Town Office and obtaining hard evidence of Housing Fraud committed upon him by Bellavia (that evidence being the Town Tax Records for the one building on Bellavia's property, which was listed and has always been listed as 7, not 11, Hussey Road), Petitioner received a letter from Bellavia asking Petitioner to move out of the apartment (KEN-19-514 Appendix 113 - 114). The letter also contained a self-described "olive branch"; Bellavia wrote that he "Would not hold Petitioner to the terms and associated penalties of breaking the Lease" if Petitioner moved out within the week.

Clearly Bellavia knew there was a Lawful Lease in Effect as had his 07/27/18 Eviction Notice been lawful there would have been no Lease in Effect to hold Petitioner accountable to. Bellavia also stated that if the Petitioner had not moved within the week he would evict the Petitioner and "hold Petitioner to the terms and associated penalties of breaking the Lease", again recognizing the Lease in Effect.

On 08/15/18 Petitioner filed a Police Report with the Kennebec County Sheriff's Office, hand-delivered c/o Kennebec County Sheriff Ken Mason, containing 15 pages of narrative describing the abuses and illegal activities he had suffered under Bellavia's Landlordship, as well as 29 distinct attachments referenced within that narrative. All documents were Legally Notarized and Sworn to and Signed under Penalty of Perjury. This Police Report also contained hard evidence of

Bellavia's Fraudulent address assignment to the unwitting Petitioner (KEN-19-514 Appendix.243 - 258).

On 08/16/18 Petitioner received a letter from Bellavia stating, incorrectly so, that Petitioner's burning of candles was a "Violation of the Lease". Again, Bellavia referenced the Lease in Effect and clearly knew that his 07/27/18 Eviction Notice was not lawful (KEN-19-514 Appendix.118).

On 08/29/18 Petitioner found both a 7-day and 30-day notice to quit on the floor outside his door (KEN-19-514 Appendix.259 - 260). Petitioner recognized that these notices to quit apply only to Tenancies at Will under 14 M.R.S. § 6002 and therefore found that these notices did not apply to him as a Tenant under Lease, which he clearly was, as Petitioner had lost no right to his lease pursuant to 14 M.R.S. § 6001.

On 09/20/18 Petitioner found a Notice for a Forcible Entry and Detainer (eviction) hearing to be held on 09/28/18 taped to his apartment door (KEN-19-514 Appendix.38 - 42). That FED hearing was later given the docket number WATDC-SA-18-377.

On 09/28/18 that hearing began under the direction of Judge Stanfill. Opening Statements were made and a witness was called, that being Bellavia, and time expired during Petitioner's cross-examination of Bellavia. The hearing was continued until 10/25/18 (KEN-19-514 Appendix 261). Bellavia was relentlessly cross-examined by Petitioner during that hearing regarding the fraudulent address assignment and Bellavia committed numerous and verifiable perjuries during that

cross-examination that are evident in the Record (Ref. 09/28/18 WATDC-SA-18-377 hearing transcript).

On 10/05/18 Petitioner found a Notice for a second FED hearing to be held on 10/12/18 taped to his door (KEN-19-514 Appendix 31 - 37). Petitioner found that Bellavia's law firm of choice, Jabar, Laliberty and Dubord LLC ("JLD") had used clever wording and perjury (e.g. Petitioner was now stated by JLD to be a "Tenant under Lease" rather than a "Tenant at Will") to contrive a second FED action against him although objectively none of the facts in question had changed, and WATDC-SA-18-377 was set to recommence on 10/25/18. Petitioner was confused with this situation and went immediately to Waterville District Court to seek some answers. This second FED action against Petitioner in less than two weeks by JLD was later docketed as WATDC-SA-18-383.

Court Clerk "Sara" was more confused than Petitioner. She kept mistaking this second FED Action with the first one currently being adjudicated, WATDC-SA-18-377. "Sara" spoke to her superiors, who promptly made a phone call; to whom Petitioner does not know. Finally, after discussion with her superiors, "Sara" returned and informed Petitioner this was no mistake and there was indeed a second FED Action against him, WATDC-SA-18-383, while WATDC-SA-18-377 was still in the process of being adjudicated. "Sara" apologized to Petitioner, and stated verbatim to Petitioner that "I have never seen anything like this in my entire life". "Sara" had immediately identified this situation as nefarious and the civil version of double-jeopardy.

On 10/12/18 WATDC-SA-18-383 commenced under the direction of Judge Nale, who made it explicitly clear that the Hearing and his Judgement would be concluded and entered that same day (Numerous, First Instance WATDC-SA-18-383 AT File 1344 3:15-3:25). Unlike Judge Stanfill, Judge Nale allowed no questioning of Bellavia in regards to the housing fraud committed by Bellavia against the petitioner.

When Petitioner made Judge Nale aware of the Factual Inconsistency committed by JLD in asserting him to be a Tenant at Will in WATDC-SA-18-377 and then a Tenant under Lease in WATDC-SA-18-383, Judge Nale, instead of addressing this issue of Perjury, stated arrogantly, "Well, we're going to find out which one it is" (WATDC-SA-18-383 AT File 1325, 14:50-15:20).

Thus the WATDC-SA-18-383 hearing on this second Motion for eviction by JLD against Petitioner began and concluded that day and Judge Nale ruled in favor of Bellavia, before WATDC-SA-18-377 could recommence on 10/25/18 and Petitioner could provide additional factual evidence of housing fraud and perjury having been committed by Bellavia (Petitioner had, for example, the property deed in his possession by that time).

Petitioner knows he has been dealt numerous injustices by the "impartial" Maine Court System, who have continually ignored multiple instances of blatant impropriety committed by both JLD and Bellavia, have undermined the Law to support their own predetermined conclusions, and have allowed the Petitioner to be evicted unlawfully.

REASONS FOR GRANTING THE PETITION

- 1. Opposing Counsel in this case was the law firm of Jabar, Laliberty, and Dubord, LLC, and lead counsel for that law firm is George Jabar, son of Justice Joseph Jabar of The Maine Supreme Court. Petitioner was constantly and continually disenfranchised by The Maine Courts in this case, and Petitioner asserts that the father/son relationship of George Jabar and Justice Joseph Jabar has led to the infringement by The Maine Courts, including the Maine State Supreme Court, upon Petitioner's Fifth Amendment Rights to Substantive and Procedural Due Process in this Eviction Case.**

Kennebec County Commissioner George Jabar is not only the lead counsel for Jabar, Laliberty and Dubord LLC ("JLD"), the law firm that respondent Stephen Bellavia ("Bellavia") has hired to evict the Petitioner. George Jabar is also the son of Maine State Supreme Court Justice Joseph Jabar.

It is fair to say that Maine is "kind of a small town" and that this relationship is no big secret. Petitioner therefore finds it to be no surprise that his Fifth Amendment Rights to Substantive and Procedural Due Process have been infringed upon at nearly every opportunity and that he has been continually disenfranchised by The Maine State Court System at nearly every opportunity.

Petitioner will provide This Court with examples that illustrate his point.

The Petitioner has appealed to the Kennebec Supreme Court, as the eviction order was issued in Waterville (Kennebec County). Both Justices associated with Kennebec County, Justice Murphy or Justice Stokes, have recused themselves without comment. Petitioner was not joking when he said Maine is "kind of a small town", and George Jabar, son of Supreme Court Justice Joseph Jabar, wields a

certain amount of influence by virtue of his lineage, and Justice Murphy and Justice Stokes wanted nothing to do with this rotten-to-the-core case.

JLD and Bellavia have identified two separate individuals as the singular witness "Brett Moores" and neither the Maine Superior Court nor The Maine Supreme Court have responded adequately or appropriately to this blatant case of fraud having been perpetrated upon both the Petitioner and The Court.

Petitioner has subpoenaed Waterville District Court surveillance footage, Albion Town Office surveillance footage, and Rental Records from Bellavia in both AP-19-11 and AP-19-12 to prove this fraud has occurred, and none of those lawfully issued and lawfully served subpoenas were complied with by any of their recipients, and The Court failed to enforce any Motions to Compel and refused to sanction any of those individuals for failure to comply as it should have.

The Waterville District Court surveillance footage would have proven that two separate men; the first an older, slender, and well-spoken individual and the second a middle-aged, stocky, and not so well-spoken individual were brought to that courthouse and identified by JLD as the witness "Brett Moores" of 11 (7) Hussey Road Apartment #2 on the dates September 28 2018 and October 12 2018, respectively. Neither of these individuals was the real occupant of 11 Hussey Road Apartment #2 that Petitioner witnessed on a near-daily basis. Maine State Assistant Attorney General Jonathan Bolton ("The State of Maine") has injected itself into this lawful subpoena by submitting a number of objections to this subpoena. Petitioner responded by submitting a Motion to Compel. Petitioner finds

it abhorrent that The State of Maine has actively participated in this cover-up of blatant witness fraud.

The Albion Town Office surveillance footage would have shown the real and only individual staying at 11 Hussey Road Apartment #2 on a daily basis during the time frame in question, as this individual “just happened” to arrive at the Albion Town Office while Petitioner was seeking tax records there on 08/07/18. Albion Town Office Treasurer and Clerk of over 20 years’ Amanda Dow of 67 Main Street Albion (also Petitioner’s neighbor) was at the Albion Town Office on 08/07/18 and was issued a subpoena for this surveillance footage, which she made no effort to comply with whatsoever. No response to this subpoena was entered into the Court Records, as inspection of the Docket Records clearly shows. Petitioner therefore issued both a Motion to Compel and a Motion for a finding of Contempt of Amanda Dow. There is no reason this lawful subpoena should not have been complied with (or even answered with a motion to quash, however frivolous it would have been), the only logical explanation is that The Town of Albion had something to hide and actively participated in this cover-up of blatant witness fraud.

The Rental Records subpoenaed from Appellee Bellavia would have been incriminating in any number of ways as “Brett Moores”, if even listed on those rental records as being the occupant of 11 Hussey Road Apartment #2, could not possibly be two different individuals as the Waterville District Court security footage would show him identified as by JLD and Bellavia, nor could either of those individuals have been the real occupant of 11 Hussey Road Apartment #2 that

Petitioner saw on a near-daily basis as the Albion Town Office surveillance footage would have shown. JLD, unsurprisingly, issued an objection to this subpoena and Petitioner responded by issuing a Motion to Compel.

The Penobscot County Supreme Court had over six months to rule on or schedule a hearing on any of the Objections to the subpoenas or Motions to Compel but failed to do so before issuing its 12/20/19 Order. Petitioner later received a copy of his Motions on 01/21/20 that simply stated "Denied".

Petitioner finds that a seriously unjust situation has occurred here and that it clearly favors JLD, Bellavia, and The State of Maine.

First, there is ample evidence available to prove that both JLD and Bellavia have committed Witness Fraud in both cases under review (combined by the Maine State Supreme Court into this single case KEN-19-514 under review), and Petitioner has attempted to legally procure that evidence at his own considerable expense through lawful subpoena, and The Court completely ignored those lawful subpoenas and failed to even schedule a hearing on any objection to those subpoenas or any subsequently submitted Motion to compel.

Second, by failing to schedule a hearing on the Objections to Petitioner's lawful subpoenas or Motions to compel, The Court has effectively shielded JLD, Bellavia, and The State of Maine from going On The Record and incriminating themselves or committing verifiable perjury in the process. Again, by ignoring Petitioner's lawful subpoenas, The Court has clearly shown favoritism towards JLD, Bellavia, and The State of Maine.

The Penobscot County Superior Court has stated that “there is overwhelming evidence that supports the presiding judge’s findings with regard to the identity of the witness” (Appendix B), although it has failed to cite any of that “overwhelming evidence” and has completely ignored “the elephant in the room” as described above. The 10/12/18 Witness may actually be somehow identifiable as “Brett Moores” (although The Court has provided no evidence whatsoever to support this conclusion), but this individual was clearly not the same man brought to The Court on 09/28/18 by JLD and Bellavia and identified as “Brett Moores”, nor was this the man who was actually staying at 11 Hussey Road Apartment #2 on a daily basis (Ref. KEN-19-514 18 – 21). .

The Maine State Superior Court, with the blessing of Assistant Attorney General Jonathan Bolton, has clearly not served the Interests of Justice here and has allowed JLD and Bellavia to perpetrate a Fraud upon both Petitioner and The Honorable Court, despite Petitioner’s lawful efforts (subpoena) to prevent this situation from occurring. Committing verifiable Fraud and Perjury upon The Court and the Petitioner is a severe injustice, and The Honorable United States Supreme Court should not abide such severe injustice, nor tacitly condone such severe injustice by denying this petition.

The Penobscot County Supreme Court’s analysis of the eviction process and conclusions regarding AP-19-11, as published in their decision (Appendix B) are flawed. The petitioner does not have time to explain the entire argument here but will refer The Court to his Supreme Court Brief (Ref. KEN-19-514 22 – 26). In

short, The Maine Courts have ignored the fact that the 07/16/18 (07/26/18) letter of noncompliance was properly resolved and the associated 07/27/18 eviction notice was not lawful as it was issued during the time period the Petitioner had to remedy the noncompliances (12 days from date of letter). The noncompliances were remedied, and both Bellavia and Petitioner agreed that they had been, with Bellavia citing the lease at least three times in subsequent communications. Therefore, it is evident that the Plaintiff never lost the lease in effect, and was therefore still a tenant under lease, and could not have been evicted absent another such letter of noncompliance with the applicable time to remedy any such noncompliances, which the Plaintiff never received. The argument is simple and straightforward, logical and pursuant to the applicable Maine Housing Statutes (14 M.R.S. 6001 et. seq.), and no amount of double-speak and confounding language as found in the Penobscot County Superior Court's Order (Appendix B) can hide the simple truth of the matter, which is that the Petitioner was unlawfully evicted, and The Maine State Court System was more than happy to attempt to sweep that fact under the carpet (Ref. KEN-19-514 22 – 26).

The Petitioner was furthermore evicted “absent the rebuttal of the presumption of retaliation”. The Petitioner raised the presumption of retaliation during the 10/12/18 court hearing, and there was no rebuttal whatsoever. 14 M.R.S. 6001(3) is very clear and states simply “No Writ of Possession [eviction] may issue absent the rebuttal of the presumption of retaliation”. Petitioner raised the presumption of retaliation pursuant to 14 M.R.S. 6001(3)(B) as he had reported the

housing fraud committed upon him by Bellavia to The Kennebec County Sheriff's Office, The Maine State Attorney General's Office, and The Maine Human Rights Commission, among other State and Federal Agencies in charge of housing regulations and criminal activity. It is therefore no surprise that a rebuttal of the presumption of retaliation was never offered, as it was clear Bellavia had already perjured himself during the 09/28/18 case hearing in WATDC-SA-18-377, and any response during the 10/12/18 case hearing was either going to again be perjurous or self-incriminating. Thus, the Petitioner was unlawfully evicted, as 14 M.R.S. 6001(3) clearly states "No Writ of Possession [eviction] may issue absent the rebuttal of the presumption of retaliation". This unlawful eviction was subsequently upheld in the Maine Superior and Supreme Courts, with no discussion whatsoever of the fact that "No Writ of Possession [eviction] may issue absent the rebuttal of the presumption of retaliation" and there had been no rebuttal of the presumption of retaliation, which the Petitioner had properly raised. Thus the Petitioner has again been unlawfully evicted (Ref. KEN-19-514 27 – 30).

JLD initially attempted to evict Petitioner on 09/28/18. During that hearing, Petitioner exposed the fact that housing fraud had been committed upon him, and Bellavia was dumb-struck and continually perjured himself regarding this fact (Ref. 09/28/18 WATDC-SA-18-377 Trial Transcript) and facts surrounding the history and address of his apartment complex. That hearing was continued until 10/25/18. JLD realized that that case was doomed to fail and was not going to go well for Bellavia and thus initiated WATDC-SA-18-383 on 10/12/18, and, with the help of

Judge Nale, who did not allow the Petitioner to question Bellavia at all about the actual address of the Petitioner's dwelling or housing fraud, concluded it and found against the Petitioner all in the same day. Thus, the WATDC-SA-18-377 hearing was never recommenced on 10/25/18, and Bellavia's verifiable perjuries were swept under the carpet (or at least attempted to be).

But that was not the end of WATDC-SA-18-377. Even after prevailing in WATDC-SA-18-383, JLD refused to drop WATDC-SA-18-377 and had it "held over" for "status conference only" until JLD finally dropped it on 03/21/19. The petitioner finds no motive for this action other than malicious intent – to keep a case open against the Petitioner for as long as possible, which is not particularly pleasant if you are a *Pro Se* defendant.

Regarding Judge Nale. There are four different Attorneys' and one Judge named Nale in Waterville. And they happen to be all related. Petitioner wasn't kidding when he said Maine was "kind of a small town", and the conflicts of interests here are kind of staggering.

The Maine Supreme Court refused to hold Oral Argumentation in this case, despite a motion to do so from the Petitioner and a motion to reconsider when it was denied. In doing so, The Maine Supreme Court has sheltered Maine Supreme Court Justice Jabar's son George Jabar from arguing the merits of this case with the Petitioner On The Record. If you think the *Pro Se* Petitioner would have lost during oral argumentation against a legal heavyweight like George Jabar – think again. All the Petitioner had to do during oral argumentation was cite 14 M.R.S. 6001(3)

and the 10/12/18 Trial Transcript that showed no rebuttal of the presumption of retaliation was offered, as 14 M.R.S. 6001(3) states clearly that “No Writ of Possession [eviction] may issue absent the rebuttal of the Presumption of Retaliation”, and the Petitioner would have (or should have) won his case, as simple as that (Ref. 14 M.R.S. 6001(3) & WATDC-SA-18-383 Trial Transcript).

Alternatively, The Maine Supreme Court would be On The Record arguing with the *Pro Se* Plaintiff over the wrong side of a statute that could not be any clearer or more easily interpreted. Thus, The Maine State Supreme Court has saved themselves, and Maine State Supreme Court Justice Joseph Jabar’s son George Jabar, and Bellavia from the trouble of confronting such a simple statute On The Record and have instead issued an Order devoid of any argument whatsoever and that cites nothing whatsoever in their affirmation of the lower court’s decision (Appendix A).

The Petitioner has furthermore been disenfranchised by both the Kennebec and Penobscot County Superior Courts, as neither Court has scheduled Oral Argumentation in this case. Unlike The Maine Supreme Court, oral argumentation is “compulsory” in Maine Superior Court (Ref. M.R. Civ. P. 76(G)(c) (although you don’t need to attend if you don’t want to be heard), unless both parties agree to forego it. Petitioner never agreed to forego it, and thus he has been disenfranchised by both of those Courts’ (Justice Murphy and Stokes of Kennebec County had not recused themselves in time to have avoided oral argumentation). Again, all the Petitioner needed to do to win (or force The Court to argue On The Record directly

against a very simple law, which would look and sound absurd) was to bring up the 10/12/18 trial transcript and show that the presumption of retaliation was made and the fact that no rebuttal was offered as described in the preceding paragraph. Again, the Maine State Superior Court has sheltered itself and George Jabar from confronting the simple truth of the matter On The Record: That the Petitioner was evicted unlawfully.

What kind of attorney gets all the unlawful breaks in his favor from The District Court, The Maine State Superior Court, *and* The Maine State Supreme Court as described in this argument? The George Jabar kind.

Clearly, no other kind of attorney could have obtained the result George Jabar has, that being the unlawful eviction of the Petitioner when the Law is so simple: "No Writ of Possession [eviction] may issue absent the rebuttal of the presumption of retaliation."

Petitioner finds, for the numerous examples cited in this argument, that his Fifth Amendment Due Process Rights have been infringed upon in most blatant and egregious fashions, and in numerous instances by multiple Courts as described in this argument. The Honorable United States Supreme Court should not abide such Constitutional Violations of Substantive and Procedural Due Process Rights being perpetrated by The District Courts of Maine, nor the Superior Courts of Maine, nor the Supreme Court of Maine, and should send a clear message that this type of Infringement upon an unschooled, *Pro Se* Party's Constitutional Rights will not be tolerated by those who know better, by granting Certiorari.

2. **Petitioner's Fourth Amendment Rights to Equal Access to and Protection Under the Law have been infringed upon, and the Kennebec County Elected Official in charge of oversight of the Kennebec County Sheriff's Office ("KCSO"), George Jabar, son of Maine State Supreme Court Justice Joseph Jabar, was not only complicit but enabling in this Constitutional Disenfranchisement as the Petitioner made numerous calls to his office seeking assistance with the KCSO and George Jabar never returned a single call or advocated with the KCSO on the Petitioner's behalf. This situation resulted in a "win" for George Jabar's own law firm during trial, at the expense of the Constitutional Rights of the Petitioner, as George Jabar's law firm cast the Petitioner as the miscreant, *despite no less than eight very detailed Police Reports, submitted under Penalty of Perjury, to the KCSO that proved otherwise, and all went uninvestigated due to the complicit and enabling actions of George Jabar.***

Kennebec County Commissioner George Jabar is not only the lead counsel for Jabar, Laliberty and Dubord LLC ("JLD"), the law firm that respondent Stephen Bellavia ("Bellavia") has hired to evict the Petitioner; George Jabar is additionally the son of Maine State Supreme Court Justice Joseph Jabar, and George Jabar is furthermore the Kennebec County elected official responsible for ensuring that the Kennebec County Sheriff's Office is properly doing their job.

Clearly George Jabar holds some high-power positions and is a man of political influence. Why his high-powered law firm was hired by Bellavia to execute a "simple" Forcible Entry and Detainer Action (Eviction) on the Petitioner should be obvious by now; the eviction action against the Petitioner was not so "simple" after all (it was not even legal, although the Petitioner is aware that The Court is not interested in that fact pursuant to Rule 10 of The Rules of The Supreme Court of The United States) and the Petitioner is not so "simple" either as he has been

Tortured by Federal Government Employees and he has made copious amounts of Maine State and Federal Government Agencies aware of that Fact since approximately November of 2016.

Petitioner has filed no less than eight separate Signed, Sworn, Notarized, and Punishable per Perjury Police Reports in Good Faith with the Kennebec County Sheriff's Department c/o Sheriff Ken Mason between the dates of approximately 08/15/18 – 10/15/18, most of them containing details of criminal activity and abuse that the Petitioner has been victim to by Bellavia and Bellavia's tenants, and has never received any help or response from that department whatsoever despite his repeated inquiries to that department, The Maine State Attorney General, Maine State Governor Paul LePage, Maine State Senator Susan Collins, The Maine Human Rights Commission, and The Federal Bureau of Investigation.

It is Kennebec County Commissioner George Jabar's job as that duly elected official to properly receive the Petitioner's complaints and mediate with the Kennebec County Sheriff's Office, and he has not done so despite the Petitioner's repeated attempts to solicit the proper assistance from him; he has not even returned the Petitioner's phone messages left with his personal secretary regarding the matter. This fact alone has helped George Jabar's own law firm's case(s) against the Petitioner immensely as a proper investigation into the activities of Bellavia and his tenants at 11 (7) Hussey Road in Albion Maine would have quickly revealed that there is a long-standing and grievous pattern of serious harassment, including a physical assault against the Petitioner, that has been visited upon the

Petitioner by both Bellavia and Bellavia's tenants that began the day after the petitioner moved in on 04/30/18 and continued until the day that the Petitioner moved out.

George Jabar is Politically well-connected and wields significant Political Influence and Political Power and his mere proximity to this case cannot help but influence it, whether it be through his action or inaction as it relates to assistance in dealing with the Kennebec County Sheriff's Department. The Kennebec County Sheriff's Department failed to assist (or even contact) the Petitioner, a violation of Petitioner's Fourth Amendment Right to Equal Access to and Protection Under the Law. Their "boss" George Jabar looked the other way and failed to act when the Petitioner made him aware of the situation, and thus The Kennebec County Sheriff's Office was not held accountable for their Constitutional Violations against the Petitioner, and George Jabar's law firm's case(s) against the Petitioner were helped immensely as there was no proper investigation by Law Enforcement as to what was actually going on at 11 (7) Hussey Road in Albion, Maine.

Thus, during hearing, *Petitioner was cast as a miscreant by George Jabar's Law Firm and the very tenants that were abusing him and are listed in no less than eight Police Reports that went unanswered and uninvestigated, due to the (in)actions of George Jabar.*

Clearly there is much political rot and collusion taking place here between George Jabar's law firm and The Kennebec County Sheriff's Department. If this injustice can happen to the Petitioner than it can happen to anyone, and thus

George Jabar and The Kennebec County Sheriff's Department have achieved quite the racket in Kennebec County, Maine.

The Honorable United States Supreme Court cannot and should not abide such injustice and abuse of power that has resulted in the intentional infringement upon the Petitioner's Fourth Amendment Rights to Equal Access To and Protection Under the Law. All United States citizens, even tortured and disaffected ones such as the Petitioner, are guaranteed equal access to and protection under the law by The United States Constitution.

Constitutionally Disenfranchising the Petitioner for the gain of The Kennebec County Sheriff's Department, George Jabar's Law Firm, Bellavia and Bellavia's criminal tenants is vile and illegal. The Honorable United States Supreme Court should therefore take proactive measure to ensure that such abuses of power can never occur again.

- 3. Torture is of exceptional importance and for The Courts', both State and Federal, to continually ignore the Fact that the Petitioner has been Tortured and to continue to offer the Petitioner no avenue for redress, must less a response, is a violation of International Law, specifically the United Nations Geneva Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which The United States is bound to abide by, as well as a violation of The United States' own Constitution. Such continual and intentional failure to address this fact by The State and Federal Courts poses serious questions and concerns regarding The United States' commitment to honor its International Obligations as well as respect its own Constitutional Law(s) and its' own citizens' Human Rights.**

The State and Federal Courts have continually and intentionally erred in overlooking the fact that the Petitioner has been Tortured as described extensively in his Court Documentation; not all references will be listed here as they are copious although the Petitioner will list some of the numerous (Ref. KEN-19-514), (Ref. KEN-18-479), (Ref. PEN-18-514), (Ref. KEN-20-217), (Ref. First Circuit Court of Appeals Petitioners Brief 20-1610 pages 3, 22; "Motion for Court-Appointed Attorney" 11/27/20 ¶5; "Second Motion for Court-Appointed Attorney" 12/08/20 ¶¶5, 8, 9; "Complaint", Exhibit N), (Ref. First Circuit Court of Appeals Petitioners Brief 20-1611 pages 2, 7, 14, 27 – 29, 29 – 32, 32 – 33, 38 – 39; "Motion for Court-Appointed Attorney" 11/27/20 ¶5; "Second Motion for Court-Appointed Attorney" 12/08/20 ¶¶5, 8, 9; "Combined Petition for Rehearing En Banc and Panel Rehearing" pages i–ii, 2 – 10, 16 – 17), (Ref. First Circuit Court of Appeals Petitioners Brief 20-1777 "Motion for Court-Appointed Attorney" 11/27/20 ¶5; "Second Motion for Court-Appointed Attorney" 12/08/20 ¶¶5, 8, 9), (Ref. First Circuit Court of Appeals Petitioners Brief 20-2166 pages 2, 6, 15, 28, 44, 49 – 55; "Motion for Court-

Appointed Attorney” 12/31/20” ¶¶5, 8, 9), and The United States Court System has continually erred in continually and intentionally overlooking this highly-grievous fact and in not responding to it or otherwise providing the Petitioner with any assistance whatsoever, and has thus necessarily added themselves to the list of State and Federal Government Agencies who are in violation of both Federal, Constitutional, and International Law (Ref. “Eighth and Ninth Amendments to the United States Constitution”; “USC Chapter 113C – Torture” Appendix E; “Geneva Conventions Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”, Appendix F).

The Courts’ continual decision to overlook and not address the fact that the Petitioner has been tortured therefore conflicts with The United States Constitution (Ref. “Eighth and Ninth Amendments to the United States Constitution”), U.S. Law (“USC Chapter 113C – Torture”, Appendix E), and International Law (“Geneva Conventions Against Torture”, Appendix F). Furthermore, Torture is of exceptional importance as it is both a heinous Federal and International Crime that is, in some cases, punishable by death and/or International Sanctions and The Courts’ failure to address the issue, much less even offer the Petitioner a response, raises serious doubts as to The United States’ commitment to honor both its own Constitution and Laws as well as International Obligations.

The Petitioner has made The Maine State Supreme Court aware of the Fact that he has been tortured *in every Appeal he has written to them* (Ref. KEN-18-479; PEN-18-514, KEN-19-514, and KEN-20-217), and likewise has made The United

States First Circuit Court of Appeals aware of the Fact that he has been tortured *in every Appeal he has written to them* (Ref. 20-1610; 20-1611, 20-1777, and 20-2166; citations above), and has made The Court aware that he has made numerous State and Federal Agencies aware that he has been tortured in this case (Ref. KEN-19-514), (Ref. KEN-18-479), (Ref. PEN-18-514), (Ref. KEN-20-217), (Ref. First Circuit Court of Appeals Petitioners Brief 20-1610 pages 3, 22; “Motion for Court-Appointed Attorney” 11/27/20 ¶5; “Second Motion for Court-Appointed Attorney” 12/08/20 ¶¶5, 8, 9; “Complaint”, Exhibit N), (Ref. First Circuit Court of Appeals Petitioners Brief 20-1611 pages 2, 7, 14, 27 – 29, 29 – 32, 32 – 33, 38 – 39; “Motion for Court-Appointed Attorney” 11/27/20 ¶5; “Second Motion for Court-Appointed Attorney” 12/08/20 ¶¶5, 8, 9; “Combined Petition for Rehearing En Banc and Panel Rehearing” pages i–ii, 2 – 10, 16 – 17), (Ref. First Circuit Court of Appeals Petitioners Brief 20-1777 “Motion for Court-Appointed Attorney” 11/27/20 ¶5; “Second Motion for Court-Appointed Attorney” 12/08/20 ¶¶5, 8, 9), (Ref. First Circuit Court of Appeals Petitioners Brief 20-2166 pages 2, 6, 15, 28, 44, 49 – 55; “Motion for Court-Appointed Attorney” 12/31/20” ¶¶5, 8, 9), and none of these agencies (Numerous State and Federal Agencies, The Maine State Court System, or The Federal Court System) has complied with Constitutional Law, U.S. Law, or International Law regarding the Plaintiff’s true, accurate, verifiable, and signed and notarized complaints of Torture (Ref. “Eighth and Ninth Amendments to the United States Constitution”), (Ref. “USC Chapter 113C – Torture” Appendix E), (Ref. “Geneva Conventions Against Torture Part 1”, Appendix F).

The Petitioner notes that Torture is both a Federal and International Crime and that The Maine State Supreme Court continually attempts to evade the issue by stating that it is “not within their jurisdiction”, despite the fact that The State of Maine has both a duty and obligation to ensure that its citizens United States Constitutional Rights are respected, upheld, and incorporated through the Fourteenth Amendment to the United States Constitution (Ref. “Eighth, Ninth, and Fourteenth Amendments to the United States Constitution”). Setting aside The Maine State Court System’s refusal to abide by The United States Constitution, The Federal Court System unquestionably has Jurisdiction over Torture and Claims of Torture (Ref. “USC Chapter 113C – Torture”, Appendix E), (Ref. “Geneva Conventions Against Torture”, Appendix F).

Furthermore, the Petitioner has discussed the fact that he has reported the fact that he has been Tortured to every Government Agency that he could think of that could conceivably be able to help him. These State and Government Agencies include, but are not limited to, The United States Department of Justice, The Federal Bureau of Investigation, The United States Attorney General, The United States Supreme Court, The United States Chapter (Maine) of The American Red Cross, The American Civil Liberties Union (ACLU), The Offices of Maine State Senators Susan Collins and Angus King, The Maine State Supreme Court, The Maine State Superior Court, The Maine Human Rights Commission, The Maine Office of the Attorney General (Janet Mills), The Maine Office of the Governor (Paul LePage), The Maine Government Oversight Committee, The Maine Office for

Program Evaluation and Government Accountability, The Knox County Sheriff's Department, The Kennebec County Sheriff's Department, and The Penobscot County Sheriff's Department.

None of the above State or Federal Government Agencies has offered the Petitioner any help whatsoever, not even a response, and are therefore in violation of both Federal Law 18 U.S.C. 2340, 2340(A), and 2340(B) (Ref. "USC Chapter 113C – Torture", Appendix E) and Part 1 Article 13 of The Geneva Conventions Against Torture (Ref. "Geneva Conventions Against Torture", Appendix F). Part 1 Article 13 of The Geneva Conventions Against Torture states:

"Each State Party [including the United States] shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given." (Ref. "Geneva Conventions Against Torture Part 1, Article 13" – Appendix F).

The Petitioner has alleged he has been Tortured by Federal Government Employees during his employment at CDI Aerospace (UTC Hamilton Sundstrand, Windsor Locks, CT) during the years of 2012 – 2013 to all of the State and Federal Government Agencies identified above (although that list is not all-inclusive) as early as 11/01/16 (arguably 11/20/15 as this information was disclosed to "Officer David Trumbull" of the Penobscot County Sheriff's Office on that day), *and not a single one of those Government Agencies has acted to "ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially*

examined by, its competent authorities”, nor have they acted to ensure “Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given”, as Article 13 of The Geneva Conventions Against Torture demands they must (Ref. “Geneva Conventions Against Torture Part 1 Article 13”, Appendix F).

Therefore it is clear that the above State and Federal Government Agencies, including The Maine State and Federal Courts, are in International Violation of The Geneva Conventions Against Torture, Part 1 Article 13, to which The United States of America is bound to uphold as it is both a signed and principal party to The Geneva Conventions against Torture as well as The United Nations, who have adopted The Geneva Conventions against Torture.

Similarly, The above State and Federal Government Agencies, including The Maine State and Federal Courts, are in International Violation of The Geneva Conventions Against Torture, Part 1 Article 14, to which The United States of America is bound to uphold as it is both a signed and principal party to The Geneva Conventions against Torture as well as The United Nations, who have adopted The Geneva Conventions against Torture. Part 1 Article 14 of The Geneva Conventions Against Torture states:

1. “Each State Party [including The United States of America] shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation”.

2. “Nothing in this article shall affect any right of the victim or other persons to compensation which may exist under national law”.

(Ref. "Geneva Conventions Against Torture Part 1 Article 14", Appendix F).

At no time has any of the above-mentioned State or Government Agencies, including The Maine State and Federal Court Systems, "ensure[d] in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible", as Part 1 Article 14 of The Geneva Conventions Against Torture demand they must, and these State and Government Entities therefore are again undeniably in violation of International Law (Ref. "Geneva Conventions Against Torture Part 1 Article 14", Exhibit F).

Finally, The Courts may attempt to "wish away" the Fact that the Petitioner has been Tortured, and may somehow wish to call his claims of torture unfounded, frivolous, not rising to the level of Torture, etc., as he has provided only a handful of details regarding the Torture he has endured, details that are fit to print, as he is justifiably afraid to publicly disclose the more heinous aspects of the Torture he has endured because he knows those heinous aspects to be both classified as at least "Secret" ("Top Secret" in the case of the Petitioner) and knows that "the means and methods employed" to Torture him "are not commonly known amongst the General Population". This is not a case of simple water-boarding or being made to stand naked in a pyramid (i.e. "Abu Ghraib"); the Torture the Petitioner has endured from United States Government Personnel is much worse.

However, somehow simply "wishing away" the Petitioner's allegations of Torture as unfounded, frivolous, or not rising to the level of Torture, is still in

violation of The Geneva Conventions Against Torture, specifically Articles 12 and Articles 16, which state:

“Each State Party [including the United States of America] shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction”.
(Ref. “Geneva Conventions Against Torture Part 1, Article 12”, Appendix F).

and

1. “Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article I, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment.”

2. “The provisions of this Convention are without prejudice to the provisions of any other international instrument or national law which prohibits cruel, inhuman or degrading treatment or punishment or which relates to extradition or expulsion.”
(Ref. “Geneva Conventions Against Torture Part 1, Article 16”, Appendix F).

Furthermore, The First Circuit has held that

“We accept as true all well-pled facts set forth in complaint and draw all Reasonable Inferences therein in the pleader’s favor.” (*Artuso v. Vertex Pharm Inc.*, 637 F.3d 1, 5 (1st Cir. 2011)).

The Plaintiff’s claims of Torture have been signed and sworn to under Notary and Penalty of Perjury, and are well-pled in *every single document This Court has received from the Petitioner which describes them*, and therefore must be accepted as True by The First Circuit Court of Appeals (and This Court), pursuant to That Court’s own holding in *Artuso v. Vertex Pharm Inc.* Furthermore, The Courts must

draw all reasonable inferences therein in the pleader's favor, again pursuant to The First Circuit Court of Appeals own holding in *Artuso v. Vertex Pharm Inc.*

Therefore, there is "reasonable ground" to believe the Plaintiff has been tortured (or at least subjected to Cruel, Inhuman, or Degrading Treatment) pursuant to *Artuso v. Vertex Pharm Inc.* and therefore an investigation is demanded by The Geneva Conventions Against Torture Article 12 (Ref. "Geneva Conventions Against Torture Part 1 Article 12", Exhibit F).

Additionally, The United States Supreme Court (This Court) has held that

[The Pleadings of a *Pro Se* Party are subject to] "less stringent standards than formal pleadings drafted by lawyers" (*Haines v. Kerner*, 404 U.S. 519, 520)

The Plaintiff is not sure of what exactly he has to do in order for The Maine State and Federal Court Systems to "*properly receive the allegation that the Plaintiff has been tortured from the Plaintiff*", and Those Courts have not told the Plaintiff exactly what is additionally required of him, *if anything at all*, in order for Those Court to take his allegations of Torture seriously. However, pursuant to *Haines v. Kerner*, the fact that *The Plaintiff has alleged he has been tortured to The Maine State and Federal Courts numerous times and in every Complaint, Appeal, and Motion for a Court-Appointed Attorney they have received from him* (citations above) should satisfy the *Pro Se* Plaintiff's burden of pleading the Fact that the Plaintiff has been Tortured to The Maine State and Federal Courts, since as a *Pro Se* Plaintiff the Plaintiff has no idea how to accomplish this in any way other than the numerous way(s) he already has (Ref. citations above). Thus the Plaintiff's

Pleadings of Torture are proper and should be properly recognized and addressed by The Courts due to their own holding in *Artuso v. Vertex Pharm Inc.* and The United States Supreme Courts Holding in *Haines v. Kerner*.

Therefore, whether or not the above-named Maine State Courts, Federal Courts, and Maine State or Federal Government Agencies, including This Court, would like to "believe" the Plaintiff has been Tortured, *and they have not told the Plaintiff that at all, in-fact they have all been suspiciously silent regarding the matter of Torture at every mention of the matter of Torture*, the fact that the Plaintiff has been tortured has been extensively-pled and well-pled in his complaint(s) (Ref. citations above), and Those Courts, as well as This Court, must therefore accept the fact that the Plaintiff has been tortured to be True pursuant to the holding in *Artuso v. Vertex Pharm Inc.*, and an investigation is therefore demanded pursuant to The Geneva Conventions against Torture, Part 1, Articles 12 and 13 (Ref. "Geneva Conventions Against Torture Part 1 Articles 12 & 13", Appendix F), an investigation which has never been conducted, to the best of the Plaintiff's knowledge, *as not a single government agency has ever attempted to contact the Plaintiff or solicit additional information in regards to the Torture he has suffered from United States Government Personnel.*

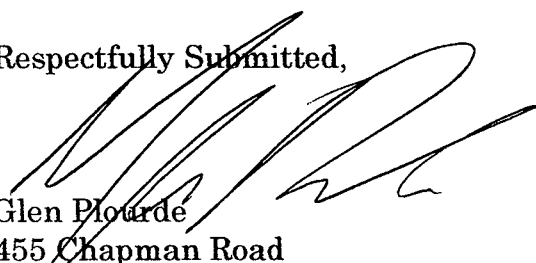
Thus, at present, almost five years' have elapsed and the above-named Government Agencies and Courts are still not in compliance with International Law, specifically The Geneva Conventions Against Torture (Appendix F).

CONCLUSION

The petition for a writ of certiorari should be granted.

Furthermore, The Honorable United States Supreme Court should provide the Petitioner with the resources (Legal Assistance, A Federal Agency, etc.) with which he might find resolution to the very important problem of Torture that he has experienced by United States Government Personnel, has made both State and Federal Courts and Agencies aware of, and yet still remains unresolved.

Respectfully Submitted,



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