

No. 20-8056

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES



Aaron J. Bressi — PETITIONER  
(Your Name)

vs.  
Tracy McCloud (et al.) — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Aaron J. Bressi  
(Your Name)

PO Box A  
(Address)

Bellefonte, PA 16823  
(City, State, Zip Code)

N/A  
(Phone Number)

#### QUESTION(S) PRESENTED

1. How does this motion for appointment of Counsel get dismissed and not be granted pursuant to Rule (28 U.S.C. § 1915(e)(1)) of the Federal Rules of Civil Procedure.
2. How does this motion for a Amended Complaint not be granted pursuant to (Fed. R. Civ. P. 15(a)(2)), which freely gives the Court leave to amend pleadings, when Justice So requires/as a matter of law.
3. How Can this very serious issue stated in this Amended Complaint, not be under Consideration as a importance to the public of the issue. It is a very serious public issue to allow full blown criminals run the Criminal Justice System throughout Pennsylvania by protecting them with Judicial immunity/immunity from suit to do whatever they want, to whoever they want, whenever they want.

## 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:

Brittany Duke	Edward Greco
Ronald McClay	Michael Suiders
Matthew Narcavage	James Best
Daniel Shoop	Vince Rovito
Jill Henrich	Rachael Glasoe
Terry Kechem	Amy Stoak
Patrolman Adams	Kimberly Rickert
Christopher Lapotskie	Cathy Duzick
John Gembic; and,	Michael Fantagrosse
Office Clerks.	Jennifer Fantagrosse
Benjamin Alpheibalm; and,	Richard Stienheart
Office Clerks.	Ginger Stienheart
Michael Toomey	Jeffery Leach
Michael Seward	Denise Carnuccio
Degg Stark	Jeffery Long
Jill Fry	Tyler Mummy
Charles Saylor	Kimberly Seddon
Paige Rosini	Chastity Seddon
Snyder County Prison	Northumberland County
Warden; and Office Clerks	Prison Warden; Bruce
	Kovach; and Deputy
	Warden James Smink;
	Counselor Samuel
	Kranzel.

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APPENDIX E	United States District Court and Appeals Court of Motion for Appointment of Counsel.
APPENDIX F	Letter-Motion to amend Complaint Under (Fed. R. Civ. P. 15(a)(2)), With order denying letter-motion and granting amended Complaint Under (Fed. R. Civ. P. 15(a)(1)).
APPENDIX G	United States Court of Appeals, Petition for rehearing.

## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
1. <u>West v. Atkins</u> , 487 U.S. 42, 48, 108 S.Ct. 2250, 101 L. Ed. 2d 40 (1988).	(3
2. <u>Piecknick v. Pennsylvania</u> , 36 F.3d 1250, 1255-56 (3d Cir. 1994).	(3
3. <u>Taylor v. Barker</u> , 135 S.Ct. 2042, 2044, 192 L. Ed. 2d 78 (2015).	(3, 6
4. <u>Stump v. Sparkman</u> , 435 U.S. 349, 356-57 (1978).	(3, 8
5. <u>Montgomery v. Pinchak</u> , 294 F.3d 492, 499 (3d Cir. 2002).	(4
6. <u>Tarbor v. Grace</u> , 6 F.3d 147, 153 (3d Cir. 1993).	(4
7. <u>Smith-Bey v. Petsock</u> , 741 F.2d 22, 26 (3d Cir. 1984).	(5
8. <u>Blackhawk v. Pa.</u> , 381 F.3d 202, 215 (3d Cir. 2004).	(7

### Statutes and Rules :

1. 42 U.S.C. § 1983
2. 28 U.S.C. § 1915(e)(1)
3. Fed. R. Civ. P. 15(a)(2)
4. Qualified Immunity/Judicial Immunity/Immunity from Suit.
5. Consideration Governing Review on Certiorari (Rule 10); That this Case is a very serious importance to the Public of the issue.

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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 A 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 \_\_\_\_\_ 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.

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**JURISDICTION**

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was October 14, 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: March 26, 2021, and a copy of the order denying rehearing appears at Appendix D.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 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).

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. (42 U.S.C. § 1983), It States a Claim for relief under § 1983, a Plaintiff must allege, first, the Violation of a right Secured by the Constitution or laws of the United States and, Second, that the alleged deprivation was committed or caused by a person acting under Color of State law. (See) West v. Atkins, 487 U.S. 42, 48, 108 S. Ct. 2250, 101 L. Ed. 2d 40 (1988); Piecknick v. Pennsylvania, 36 F.3d 1250, 1255-56 (3d Cir. 1994).

2. Also, Civil damages are liable to Plaintiff, when the Government Officials / Police Officers involved Violated a Statutory or Constitutional right that was clearly established at the time of challenged Conduct. (See) Taylor v. Barkes, 135 S. Ct. 2042, 2044, 192 L. Ed. 2d 78 (2015). (Please Also See), Stump v. Sparkman, 435 U.S. 349, 356-57 (1978).



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STATEMENT OF THE CASE

1. The Honorable District Court does have discretion to request an attorney to represent any person unable to afford Counsel pursuant to (28 U.S.C. § 1915 (e)(1)); (see) Montgomery V. Pinchak, 294 F.3d 492, 499 (3d Cir. 2002); (see also) Tabron V. Grace, 6 F.3d 147, 153 (3d Cir. 1993).

The United States Court of Appeals for the Third Circuit also has stated that appointment of Counsel for an indigent litigant should be made when circumstances indicate the likelihood of substantial prejudice to him resulting, for example, from his probable inability without such assistance to present the facts and legal issues to the Court in a complex but arguably

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meritorious Case. (See)  
Smith - Bey V. Petsock, 741  
F.2d 22, 26 (3d Cir. 1984).  
(Please also See) (Appendix A),  
(Appendix E), and (Appendix G).

2. The Honorable District  
Court and Appeals Court  
Without a doubt should have  
granted this amended Complaint  
due to the Plaintiff's letter-  
motion to amend Complaint  
pursuant to (Fed. R. Civ. P.  
15(a)(2), which States to  
amend all government Officials  
/ defendants Claims brought  
against them in their  
Official Capacity, also to  
have all Claims brought  
against them in their  
Individual Capacity also.  
(See) (Appendix F).

This is to remove  
all Qualified Immunity /  
Judicial Immunity / all

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Immunity as a defense against the claims brought against all government officials / Police Officers / Defendants / Criminals in this case.

It states Civil damages are liable to Plaintiff, when the Government Officials / Police Officers involved violated a Statutory or Constitutional right that was clearly established at the time of challenged conduct. (See) Taylor V.

Barkes, 135 S. Ct. 2042, 2044, 192 L. Ed. 2d 78 (2015).

Also, the Third Circuit has remarked that qualified immunity provides ample protection to all but the plainly incompetent or those who knowingly violate the law. These government officials / defendant / Criminals

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without a doubt knowingly violated the law against me and may as well be know as being plainly incompetent, due to how serious and dangerous these crimes were that were committed against me by these defendants. (See)

Blackhawk V. Pa., 381 F.3d 202, 215 (3d Cir. 2004).

(Please also see) (Appendix A), (Appendix F), and (Appendix G).

Also, it states in the Federal Rules of Civil Procedure in both the Honorable District Court and Appeals Court that a Judge will be deprived of his immunity, (this includes District Attorneys and Assistant District Attorneys), will be subject to liability when he has acted in the clear absence of all jurisdiction. (See)

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Stump V. Sparkman, 435 U.S. 349, 356-57 (1978). (Please also see) (Appendix A), (Appendix B), (Appendix C),

3. I Aaron J. Bressi ask this Honorable Supreme Court of the United States to take into Consideration of the serious importance to the public of the issue, to have all Immunity removed from all Government officials/defendants listed in this Case by granting this amended Complaint to the request of the plaintiff's letter-motion, (See) (Appendix F). Which States to also amend all Claims brought against every government official/defendants in their official Capacity, against them in there Individual Capacity also.

It is a Very Serious

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and dangerous issue to have these very serious and dangerous criminals operate / run the Criminal Justice System not only in Pennsylvania, but also throughout the entire United States of America by protecting these criminals with Immunity / Immunity from Suit to do whatever they want, to whoever they want, whenever they want, by using the Criminal Justice System as a weapon towards innocent people.

(See) (Appendix A) (Appendix B), and (Appendix C).

Which now without a doubt gives this Honorable Supreme Court of the United States it's right to exercise it's Court's Supervisory power of this Case.

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REASONS FOR GRANTING THE PETITION

I Aaron J. Bressi ask this Honorable Supreme Court of the United States to grant this Petition for a writ of Certiorari pursuant to (Rule 10) of this Honorable Court.

This Case 100% Without a doubt falls under the Judicial Discretion of this Honorable Court's Considerations governing review on Certiorari. (See Rule 10); (see also) (Appendix E) (Appendix F) and (Appendix G).

Which now gives this Honorable Supreme Court of the United States it's right to exercise it's Court's Supervisory power of this Case. (Please also see) (Appendix A) and (Appendix B), (Appendix C).

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### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Aaron Bressi

Date: May 11, 2021