

No. _____

20-8070

IN THE
SUPREME COURT OF THE UNITED STATES

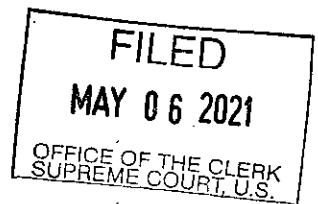
ORIGINAL

MICHAEL MEJIA — PETITIONER
(Your Name)

vs.

RANDY PFISTER ET AL. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO



U.S. Court of Appeals for the Seventh Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

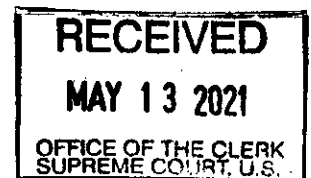
PETITION FOR WRIT OF CERTIORARI

Michael Mejia
(Your Name)

Illinois River C.C., P.O. Box 999
(Address)

Canton, IL 61520
(City, State, Zip Code)

(Phone Number)



QUESTION(S) PRESENTED

I. IS 28 U.S.C.S. § 1915 UNCONSTITUTIONAL AS APPLIED TO PRO SE, INDIGENT PRISONERS?

II. IS IT A VIOLATION OF PRISONERS' EIGHTH AND FOURTEENTH AMENDMENT RIGHTS TO BE DELIBERATELY SUBJECTED TO CONSTANT -- 24 HOURS A DAY, SEVEN DAYS A WEEK -- ULTRA BRIGHT LIGHTING WHICH DEPRIVES THEM OF MUCH OF THEIR NEEDED SLEEP?

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:

RANDY PFISTER

GUY PIERCE

TODD PUNKE

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Mejia v. Pfister, 988 F.3d 415 (7th Cir. 2021)1

STATUTES AND RULES

28 U.S.C. § 1915 (e)(1)3

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 A to the petition and is

☒ reported at 988 F.3d 415; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was February 19, 2021.

☒ 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

U.S. Constitution. First Amendment Right to Access to Courts.

U.S. Constitution. Eighth Amendment: Right to Be Free from
Cruel and Unusual Punishment.

U.S. Constitution. Fourteenth Amendment Rights To
Due Process and Equal Protection
of the Law.

28 U.S.C.S. § 1915(e)(1).

The Court may request an attorney to
represent any person unable to afford counsel.

STATEMENT OF THE CASE

Petitioner was denied six times, by the district court, his motions for appointment of counsel.

Petitioner was forced to represent himself at trial against three defendants whom were represented by two Assistant Attorneys General.

One of petitioner's claims was that the defendants NEVER had the lights in the cell house turned down, i.e., dimmed. The lights were "throughout the entire cell house" and "ultra bright" making appear like the day time at all times.

The Seventh Circuit incorrectly states Petitioner claims lights in "a hallway" were kept on.

Lights constantly shining into a prisoner's cell has never been decided, by this Court nor the Seventh Circuit.

REASONS FOR GRANTING THE PETITION

There are at least 2.5 million detainees/prisoners incarcerated in the U.S. They have a right to access the courts when their captors violate their rights to be free from cruel and unusual punishment which apply to the States via the Fourteenth Amendment. Yet, the statute gives the district courts discretion whether or not to recruit/appoint counsel for indigent prisoner-plaintiffs in such cases in prisoners' suits.

All the white prison officials as those in this case are represented by counsel paid for by taxpayer dollars. The district denying virtually every prisoner's motion for appointment of counsel.

As a perfect example, Petitioner could not find an expert witness on the effects of constant lighting from his prison cell, nor could he afford to hire one.

Thus, in reality, prisoner-plaintiffs do not have access to courts and their

rights not to be confined in cells littered with feces, blood, and filth and then denied proper cleaning supplies become "mere words on paper."

The Seventh Circuit's decision was totally at odds with its own precedent.

The Seventh Circuit did not even address all of petitioner's arguments. Especially the need for counsel to present an expert witness on constant lighting and its effects.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Michael Mejia

Date: May 5, 2021