

No. 20-8148

Original

Supreme Court, U.S.
FILED

MAY 17 2021

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

MIKE VIGIL — PETITIONER
(Your Name)

vs.

HUD WASH. D.C. ET,AL,, — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT NO.20-15909

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

PETITION FOR WRIT OF CERTIORARI

MIKE VIGIL - Disabled American Veteran
(Your Name) *Mike Vigil*

4990 So. TOPAZ ST. APT. # 34

(Address)

LAS VEGAS , NEVADA 89120

(City, State, Zip Code)

702-435-6766 Please Note Petitioner Rec. a

(Phone Number) Veteran Disability Pension

can't afford Internet Service Can't Send
Documents Electronically. NO E-mail Address
Rule 33 (d) Most Extraordinary Circumstances

CONSTITUTION OF THE UNITED STATES

Is this Document that I Served Proudly In the Military Armed Forces to PROTECT 6 Years TRUSTWORTHY ??

United States v. Hooton, 693 F.2d 857, 858 (9th Cir. 1982) (stating standard).

Accordingly, we grant appellee's motion for summary affirmance (Docket Entry No. 9) and summarily affirm the district court's judgment. Filed Sept. 17, 2020

The Case Cited above (9th Cir.) was chosen from a list of filed Cases Cited by the U.S. Attorneys in their Opening Brief Entry No. 9 to Affirm the District Court's Judgment. See Entry 13 United States vs. Hooton the Government is the Plaintiff, CLEARLY the Defendant is the Petitioner Disabled Veteran Mike Vigil. VIEWED

In the Above Case Received by 7th Amend. a FAIR HEARING Granted to Hooton to call Witnesses, Present Evidence, to Cross examine and to have findings supported by evidence. In the Federal district Court disabled Veteran Petitioner Mike Vigil filed 8/21/19 Before the Clerk Motion OPEN COURT HEARING 7th Amend Local Rule 78-1 Evid. Clerk timely Date Stamped, this Issue Raised with 9th Cir. in petitioner's Brief and Motion For Recosideration Appendix D Federal District Judge OMITTED Motion for Open Court Hearing filed timely NO entry in Docket was never Scheduled on Court's Future Calendar. Further No Ruling on OPEN COURT HEARING. (ZERO ENTRY)

Federal Court Judge Mentally ILL. January 6, 2021 Thousands of People Rushed the U.S. Congress Domestic Terrorists were Told and Arrested they will have their Hearing or trial in Open Court. Thousand upon thousands cross the United States Border Illegally Await Open Court Hearings. Petitioner Mike Vigil is a Natural Born Citizen Over Seas Saved the Lives of 6 fellow Soldiers 1969-70-71 Outstanding Military Service Certificate Armed Forces Appendix C.

My Question is the Below STATUTE Valid and Firm ??

The federal government under the Federal Tort Claims Act has waived its immunity in certain cases "in the same manner and to the same extent as a private individual under like circumstances." 28 U.S. C.A. §§ 1346(b), 2674.

The U.S. Attorneys Answer and Motion to Dismiss filed 08/05/19 Omitted (ET,AL,. Unrepresented 14 Agents, Defendants, Employees) Must the U.S. Attorneys file a Motion for Immunity to Proceed with Defective Pleadings. Pursuant FRCP 15 to Cure the U.S. Attorneys Must file for leave to Amend FRCP 15 No Evid. on Docket Entrys Visit Appendix **E**. Local Rule Civ. Procedure(15) TO CURE the Pleading is 14 Days time Deadline has clearly EXPIRED.

NO entrys U.S. Attorneys filed Motion to Strick FRCP 12 (f) Agents, Defendants, Employees (ET,AL,.) Nor NO Entry Federal District Judge on it's own Motion Open Court Hearing to Strick Pursuant to FRCP 12 (f) Agents, Defendants Employees 14 from The Plaintiff's Original filed 06/04/19. ACT OF CONGRESS Best Evidence Rule 1002 Judges are PROHIBITED THE INTRODUCTION into Evidence secondary UNLESS it is shown the ORIGINAL DOCUMENT HAS BEEN LOST OR DESTROYED, Neither has been Proven by the Lower Courts. ALL ORDERS AND PLEADINGS FROM THE LOWER COURTS DEFECTIVE.

Best evidence rule. The "best evidence rule" prohibits the introduction into evidence of secondary evidence unless it is shown that original document has been lost or destroyed or is beyond jurisdiction of court without fault of the offering party; if original document is lost, then secondary evidence is properly admissible. State v. Stephens, Mo.App., 556 S.W.2d 722, 723. Fed.R.Evid. 1002 states the basic rule as follows: "To prove the content of a writing, recording, or photograph, the original writing, recording, or photograph is required, except as otherwise provided in these rules or by Act of Congress." As to what constitutes an "original writing", see Original.

VISIT
APPENDIX **A**
Lower CTS.
Entrys
APPENDIX **B**
Appendix **E**

My Question is the Amendments SUMMONS CONSTITUTION FEDERAL LAW ??

Rule 4. Summons **CONSTITUTIONAL**

(a) Contents; Amendments.

(1) Contents. A summons must:

(A) name the court and the parties;

(B) be directed to the defendant;

(C) state the name and address of the plaintiff's attorney or — if unrepresented — of the plaintiff;

(D) state the time within which the defendant must appear and defend;

(E) notify the defendant that a failure to appear and defend will result in a default judgment against the defendant for the relief demanded in the complaint;

(F) be signed by the clerk; and

(G) bear the court's seal.

Cite. To summon; to command the presence of a person; to notify a person of legal proceedings against him and require his appearance thereto. To read or refer to legal authorities, in an argument to a court or elsewhere, in support of propositions of law sought to be established. To name in citation.

WILL & SHALL

MANDATORY

U.S. Congress Library

Federal district

Judge Mentally Ill Disguarded TIMELY

Petitioner's OPEN COURT MOTION FOR

HEARING, AND Ommited Hearing Entry.

(2) Amendments. The court may permit a summons to be amended.

NO Court Reporter Transcripts, NO Depositions Transcripts

NO Supeanas Issued for Other Evidence on Micro Chip Hud History

No. Date , No Time , NO Department , NO Presiding District JUDGE

VISIT APPENDIX D MOTION DATE STAMPED BY COURT CLERK Aug.21/19

United States Attorney's Office ARGUMENT District of Nevada

No Viable Claim Against HUD Is Alleged in the Complaint.

The caption of the complaint identifies "HUD WASH D.C." as the only defendant. Although the complaint is 79 pages long and includes many exhibits and other seemingly random materials, there is not even a hint of any viable claim stated against HUD. Rather, the complaint is a rambling and incoherent jeremiad offering no glimpse of any legally-cognizable grievance against HUD. DISTRICT COURT

The Court finds that Plaintiff's complaint in this case exactly the kind of complaint that warrants dismissal pursuant to Cafasso. The complaint is seventy-nine pages long and never articulates a clear claim for relief. The Court therefore dismisses the complaint. (ECF No.5)

(4) QUESTION(S) PRESENTED

4 of 4

My Question is A Disabled American Veteran Excluded, Native

American Skin Tone Excluded, Rule 10 (a) Court's SUPERVISORY POWER ??

MICHAEL VIGIL
4990 TOPAZ ST APT 34
LAS VEGAS NV 89120

October 15, 2014

Department Of Veterans Affairs

550 Foothill Drive
PO Box 581900
Salt Lake City, UT 84158-1900

In Reply Refer To: 341/NCC/NCF

C 26 958 347

VIGIL M



Dear Michael Vigil,

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Personal Claim Information

Your VA claim number is: 26 958 347

You are the Veteran.

Our records contain the following information:

default judgment Rule 55. (a). Document COMPLAINT

Irrefutable Evidence 79 pgs. UNCHALLENGED IN OPEN COURT Due

Process UNITED STATES CONSTITUTION, Appellant's-Pltf's MOTION OMITED

Filed timely Aug. 21, 2019 before the Honorable Richard F. Boulware

United States District Judge District of Nevada and the United States Attorneys Office Service first Class Mail signature Required NOTICE

Mandated Notice to Appear and Defend Relief and Damages Demanded in

Filed Complaint. Rule 4. Summons CONSTITUTION Amendment (E) Failure

to Appear and Defend will result in a default judgment. Motion 8/21/2019

filed Timely for OPEN COURT FAIR HEARING is the Right to present 7 th Amend

evidence, to cross examine and to have findings supported by Evid. LR-78-1.

(4) ELEMENTS in Support Rule 12 a. SUPERVISORY POWER.

1. Defenses Answer 8/5/19 and lower Courts Orders Defective

SECONDARY EVIDENCE changes the language (a) Number of Parties

in It's Legal Effect ET,AL,, OMITTED ALL LOWER COURT PLEADINGS

2. Defendants Theft of Finances and Entitled Benefits Class B FELONY

3. HATE CRIMES Attempts to cause Death-Bodily Harm by a GVT. Agent

or Employee CLEAR AND CONVIENCING Native American Disabled VETERAN.

4. District Judge Disregarded Motion for Open Hearing 7th Amend. U.S. CONSTI

Defendants (702)477-3100

(775) 784-5438

HUD Et., Al.

LIST OF PARTIES

Greg.Addington@usdoj.gov

380 North Maryland Parkway

Counsel for Defendant HUD

Las Vegas, Nevada. 89101

400 South Virginia Street, Suite 900
Reno, Nevada 89501

[] 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:

ET, AL., Follows the ORIGINAL COMPLAINT

Filed 06/04/19 Pursuant to Best Evid. Rule 1002 U.S. Congress.

District Court Judgment ORDER Filed 04/28/20 pgs.1 of 2 & 2 of 2

Excluded ET, AL., Agents, Employees and Defendants Unrepresented

in ORDER to Dismiss. Visit Appendix **A** and Appendix **B**

MIKE VIGIL PLAINTIFF- IN Pro-Se VS. HUD WASH D.C. ET, AL, DEFENDANTS

Pursuant to U.S. Codes/Text/ 18 & 249 Attempts to Cause Deadly Harm
Perpetrated by Government Employees or Agents are the Defendants

14 Defendants UNREPRESENTED

COURT ORDERS

Senta Robinson Special Program Supervisor, Steve McCoy Coordinator,

Illeaena Escobar Agent, HEARING Scheduleing, Viridiana Gonzales

Annual leasing Dept. Brenda R. Feneca Deputy Director, Geradine

Johnson Admission Supervisor, Deloris Sawyer Agent, Dwayne Sawyer

Agent, Tracey Torrence Agent, Carla M. Lea Edwards Agent, Michell

Taliaferro Supervisor Agent, Sandty Bee Program Agent, Latrece C.

Stone Payment Center. All Agents, Employees Appear in Petitioner's

ORIGINAL Complaint filed 06/04/19 EXHIBITS " I " thru EXHIBIT " G " ^{PERJURY}

RELATED CASES

I, Declare under the Penalty all Parties above 5/20/21 Mike Vigil

Arbitrator Ruled Petitioner is Disabled and Confused, District Judge

Agreed with the Ruling No other Details from Arbitrator Filed 5/28/19

Petitioner NOT Confused Intentional Criminal FRAUD Fed. Class B Felony

Petitioner Rec. \$ 464. Monthly Benefits, No Utility Allowance \$110.

White and Black People Rec. Full Monthly Benefits \$ 843. Plus

Monthly Utility Allowance \$ 110.. Visit Appendix **C** Pgs.1,2,3,4,5,6.

District Judge Refused All SUBPOENAS More History 30 Yrs. DENIED

Less Benefits Petitioner Kept in Slum Death Trap Enviornment Age 75

Native American Disabled Veteran Heavy Crime Infested DEADLY

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APPENDIX A Court of Appeals for the Ninth Circuit Orders - Docket Entrys (5 pgs.)

APPENDIX B United States District Court Orders- Docket Text Entrys (5 pgs.)

APPENDIX C DIRECT EVIDENCE DEFENDANTS Own Print.Class B Felony (6pgs.)

APPENDIX D Petitioner's Motion for Open Court Hearing Filed Timely
Omitted pg.1

APPENDIX E Attorneys Motion to Dismiss 08/05/19 Defective 14 Defendants
Unrepresented
4 pgs.

APPENDIX F Petitioner's Veterans Administratio Rating-HUD Info.(3 pgs.)

Starting Opinions Below Page I total pages 32 including

Counting Proof Of Service Last Page to Writ.

Total Pages 32 less than 9,000 words limit to Writ.

Dated May 20, 2021

Declaration

Mike Vigil

Mike Vigil

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

Orders

☒ reported at Docket attached all entrys of Record; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

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

Orders

☒ reported at Docket attached all entrys of Record; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

☐ For cases from state courts: No Privious State Court or Other NONE

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 Final Decision closed Appeal Jan. 11, 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: Jan. 11, 2021, and a copy of the order denying rehearing appears at Appendix - **A** —. Last Motion

☒ An extension of time to file the petition for a writ of certiorari was granted to and including 90 days to 150 (date) on 6/10/21 Deadline (date) in Application No. A —. Covid 19 extended Petition Writ (Order List: 589 U.S.) 3/19/20 From 90 Days to 150 Days 1/11/21
The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1). Correct

And 28 U.S.C. 1331

Date Filed: 06/04/2019

Jury Demand: Plaintiff

Nature of Suit: 446 Civil Rights: Americanis with Disabilities - Other

✓ Jurisdiction: U.S. Government Defendant

☐ For cases from state courts: NO Privious State Court or Other NONE

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

The federal government under the Federal Tort Claims Act has waived its immunity in certain cases "in the same manner and to the same extent as a private individual under like circumstances." 28 U.S.C.A. §§ 1346(b), 2674.

PROHIBITED

SEE U.S. CONGRESS - ORIGINAL WRITING
BEST EVIDENCE RULE Fed. R. Evid. 1002

Secondary Evidence Changes the Language (a) the Number Parties in its legal Effect U.C.C. § 3-407. (1)

Seventh Amendment. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law. This constitutional right of trial by jury is preserved by Fed.R.Civil P. 38. See also Trial (Trial by jury).

Timely filed fair Hearing findings to Support Evid.
District Judge NO ENTRY
Docket Sheet or Calendar

See Appendix B & D

Defense Gvt. Disregarded 14 Defendants in the Original Complaint
06/04/2019. Gvt. Defense did not file Leave to Amend. Et, Al.,
ET, AL., All Lower Court Orders Defective Plus Gvt Answer
Pursuant Defective Pleadings Fed. Rule Civ. P. 15.

Defective pleadings. Complaint, answer, cross-claim, counterclaim, etc. which fail to meet minimum standards of sufficiency or accuracy in form or substance. Such defects may usually be cured by amendment. Fed.R.Civil P. 15.

14 Defendants UNREPRESENTED

Best evidence rule. The "best evidence rule" prohibits the introduction into evidence of secondary evidence unless it is shown that original document has been lost or destroyed or is beyond jurisdiction of court without fault of the offering party; If original document is lost, then secondary evidence is properly admissible. State v. Stephens, Mo.App., 556 S.W.2d 722, 723. Fed.R.Evid. 1002 states the basic rule as follows: "To prove the content of a writing, recording, or photograph, the original writing, recording, or photograph is required, except as otherwise provided in these rules or by Act of Congress." As to what constitutes an "original writing", see Original.

A Judge is
PROHIBITED

STATEMENT OF THE CASE

This Case arises when the Petitioner Was rated Totally and PERMANENTLY Disabled by the Veterans Administration Regional Office 1301 Clay Street, Oakland CA., 94612-5209 VA.NO 343/271b C 26 958 347 March 15,1990. See Appendix F Pgs. 1-2-3. NO Conservative Appointed by the U.S. Government to over Look My interest for 28 Years with HUD. PROGRAM. Entry Date 12/01/1991 See Appendix F pgs 1-2-3- and Appendix C pgs 1 thru 6 full Info. on Case History Presented in this Writ.

The lack of Interest to Honor their Oath to Serve and PROTECT The United States Constitution and Follow the Rule Of Federal LAW as Written, The lower Courts Rulings Deniel 7th Amend No Open Court Hearings, Subpeaneas, No Constitutional Right to call Witnesses, to have Evidence Supported with Charts and Graphs ALL RIGHTS SUPPRESSED

The 45 th President Stated " Veterans are Suckers and losers." The Commander and Chief's Own words when Quoted on T.V. a Large Photo of Arlington National CEMETERY Appeared in the Back GROUND.

The lower Court Judges carry the Same Views as the 45 th Commander and Chief including HUD Allowing the Petitioner only 50 % of Benefits for 28 years for the Petitioner to be Kept in a DEATH TRAP HORRIFING ENVIORNMENT MURDERS, ASSULTS, ROBBERIES IS A HATE CRIME U.S. CODES 18 & 249 attempts to Cause Death or Cause Bodily Harm Revisit Appendis C pgs 1-6 Also Appendix F pgs. 3 1-3 Appendix D pg.1. A Disabled Veteran should NOT be Blanketed Because of Disabilities and skin tone Native American Discrimated from Rights Entitled to the United States Constitution and the Federal Rule of LAW.

IN THE Supreme Court of the United States 9 JUSTICES

an OATH was taken to Serve Faithfully the United States Constitution and follow the Rule of federal Law as it is WRITTEN. **PART III. Rule 10. (a)** be granted only for compelling reasons. as to call for an exercise of this Court's supervisory power;

REASONS FOR GRANTING default judgment Rule 55. (a)

- 1 Exploitation of the vulnerable Disable / Elderly a theft of finances is a Criminal Offense Class B Felony Federal Law.
- 2 Irrefutable Evid. Defendants HUD Wash.D.C. Et,Al. 14 Agents and Employees Petitioner Experienced 28 years Horrifying Harmful Deadly Intentional Actions Petitioner only Receive 50 % of Housing Entitlements Kept in Slum Death Trap Enviornments Murders,Assults, Robberies, Disable/Elder Easy Prey for Drug Infested Enviornment Hate Crime Native American Disabled American U.S.Codes 18 & 249. Revisit Appendix C and F.
- 3 Civil Rights Act 446 Disregarded.
- 4 Americans with Disabilities Act 1990 U.S. Congress
- 5 **Seventh Amendment.** Timely Filed Petitioner's Motion Court Clerk Stamped Aug. 21,2019 see Appendix D. Federal Court Judge OMMITTED Filed Motion from Court Calendar see Appendix B. No OPEN COURT Hearing, No Court Reporter Transcripts, NO Depositions, No Right to reexamine Witnesses, No exhibits allowed to Support Evidence.
- 6 Inferior Courts U.S. 9th Cir. of Appeals, U.S. Federal District Court, U.S. Attorneys Office Ommitted ET,AL,. from all Pleadings Unrepresented 14 Defendants Agents Employees In Petitioner's Complaint original filed 06/04/19. DEFECTIVE all Orders,Rulings Answer to Complaint 08/05/19 see Appendix E. Appendix A & B. Original Complaint Appendix C pgs. 6
- 7 Best Evidence Rule 1002 - Original Complaint filed 6/4/19 Appendix C MUST be lost or Destroyed, JUSTICES are PROHIBITED the INTRODUCTION Secondary Evidence UNITED STATES CONGRESS page 6

8

The federal government under the Federal Tort Claims Act has waived its immunity in certain cases "in the same manner and to the same extent as a private individual under like circumstances." 28 U.S.C.A. §§ 1346(b), 2674.

failure to appear and defend will result in a default judgment

Mike Vigil vs. HUD Wash.D.C. et,al,. DEFENDANTS. Writ No; _____

default judgment Rule 55 (a) PETITIONER AS FOLLOWS, GRANTED

Supreme Court of the United States IT IS THEREFORE ORDERED

Pursuant as Stated below No ceiling on Punitive Damages Government PAYS
a Wrong Perpetrated Harmful action Gvt. Employee. IRREFUTABLE EVIDENCE
No ceiling On Punitive Damages, Government Pays. \$200 Million US Codes 18 & 249
U.S.GVT.Harmful Deadly Intentional Actions Denied Pltf. a Safer
Environment. Present Death trap Environment Murders, Assaults, Robberies,
Infested Heavy Drug Trafficking. Elder & Disable Easy Prey For CRIMINALS.

U.S.GVT.Harmful Deadly Intentional Actions	<u>HATE CRIMES</u>	\$ 200, Million
Class B FELONY. THEFT of Finances/Vulnerable Disabled		\$227,808.00
Mandated U.S.Department of Treasury Direct Deposit the Sum.	\$ 200,227,808.00	
navyfederal.org Routing Number: 2560-7497-4 Savings 3056021292	MIKE VIGIL	8576915

**NAVY
FEDERAL**

CONCLUSION

In Conclusion Petitioner urges the Highest Court Part III
Rule 10 (a) be granted Writ for Compelling reasons Exercise
Court's Supervisory Power Grants Petitioner Right to DEFAULT
JUDGMENT Rule 55 (a) Prevent miscarriage of JUSTICE and the
Highest Court May be Employed to prevent extended and needless
Litigation. The Inferior Disobedience of the lower Courts
Duty to follow the Rule of Law as Written and Their Oath to
HONOR and Serve the CONSTITUTION OF THE UNITED STATES.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: May 20, 2021 Mike Vigil MIKE VIGIL
Disabled American Veteran