

20-8154 ORIGINAL

No. _____

3:20 cv 50514

FILED

APR 23 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

BRALEN LAMAR JORDAN — PETITIONER
(Your Name)

vs.

UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, APPEAL CASE# 21-1171

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

PETITION FOR WRIT OF CERTIORARI

BRALEN LAMAR JORDAN

(Your Name)

ADMINISTRATIVE UNITED STATES PENITENTIARY
P.O. BOX 1002

(Address)

THOMSON, ILLINOIS. 61285

(City, State, Zip Code)

NONE

(Phone Number)

QUESTION(S) PRESENTED

WHAT IS OBSTRUCTION OF JUSTICE, ABUSE OF LEGAL PROCESS, AND MALICIOUS PROSECUTION? WHAT IS INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS?

LIST OF PARTIES

[] 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:

• MR. CHARLES E. SAMUELS JR., FEDERAL BUREAU OF PRISON, GENERAL COUNSEL; • MRS. IAN CONNORS, NATIONAL INMATE APPEAL ADMINISTRATOR, FEDERAL BUREAU OF PRISON; • MR. RICHARD WINTER, FEDERAL BUREAU OF PRISON NORTH CENTRAL REGIONAL OFFICE, REGIONAL COUNSEL; • MR. DARLION HOWARD, NORTHEAST REGIONAL OFFICE, REGIONAL COUNSEL; • MR. C. RIVERS, COMPLEX WARDEN, ADMINISTRATIVE UNITED STATES PENITENTIARY THOMSON; • MR. KEVIN KERBS, UNITED STATES DEPARTMENT OF JUSTICE ASST. ATTORNEY GENERAL/DIRECTOR EXECUTIVE OFFICE OF ATTORNEY GENERAL; • MR. HIRSH D. KRAVITZ, DEPUTY ATTORNEY, U.S. DEPARTMENT OF JUSTICE EXECUTIVE OFFICE ATTORNEY GENERAL & CIVIL DIVISION.

RELATED CASES

U.S. v. CLARK 535 F.3d 571; 580 (7th Cir 2008) PROSECUTORIAL MISCONDUCT (DIRECTLY RELATED)

U.S. v. COMMON 818 F.3d 323 (7th Cir 2016) PROSECUTORIAL MISCONDUCT (DIRECTLY RELATED)

U.S. v. WILKEN 742 F.3d 354, 361 (8th Cir 2014) IMPROPER CONDUCT AFFECT SUBSTANTIAL RIGHTS

ERICKSON v. PARDUS 551 U.S. 89, 94 (2007) PRELIMINARY REVIEW, SCREENING TEST

BERKOVITZ v. U.S. 486 U.S. 531 (1988) DISCRETIONARY FUNCTION TEST

CECAL v. MDAYS 851 F.3d 714, 725 (7th Cir 2017) (DIRECTLY RELATED) ~~INAPPROPRIATE~~ CONDUCT AKIN TO CRIMINAL MISCONDUCT

GREEN v. BRASON 108 F.3d 1296 (10th Cir 1997) FABRICATING DOCUMENTS MEDICAL, ETC.

U.S. v. LOMELI 596 F.3d 496, 504 (8th Cir 2010) EXAMINES UNDER PLAIN ERROR REVIEW

~~WILSON~~ SCHMIDT v. ODELL, 64 F. SUPP. 2d 1014 (D. KAN 1999) WHERE THE JAIL DID NOT PROVIDE PROPER MEDICAL CARE TO PRISONER WITH AMPUTATED LEG.

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- APPENDIX B: UNITED STATES COURT OF APPEALS FOR 7TH CIRCUIT, JORDAN V. C. RIVER, et al APPEAL NUMBER: 20-3372; U.S. DISTRICT COURT NORTHERN ILLINOIS (WESTERN DIVISION) DISTRICT JUDGE IAIN JOHNSTON, CASE NUMBER 3:20 CV 50297
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BERKOVITZ V. UNITED STATES 486 U.S. 531 (1988)
SICCER-EL V. BARLOW 433 F.Supp2d 811 (E.d Mich 2006)
U.S. V. COMMON 818 F.3d 323 (7th cir 2016)
U.S. V. WILKEN 742 F.3d 354, 361 (8th cir 2014)
ERICKSON V. PARDUS 551 U.S. 89, 94 (2007)

STATUTES AND RULES

28 USC § 2679(d)(2)
28 USC § 1346(b), 1402(b), 2401(b) & 2671-2680
28 CFR 14.1 - 14.11, 543.30 - 543.32
FED. BUREAU OF PRISON REGULATIONS 1320.⁰⁶ & 1320.⁰⁶ § 8(9) POLICY OF ORDINANCE
USSA § 3c1.1
FED. BUREAU OF PRISON REGULATIONS 3420.¹¹ EMPLOYEE CODE OF CONDUCT GOVERNED BY 28 CFR § 552.²⁰ - 552.²⁷
18 USC § 305D
42 U.S.C § 1997(e)
FED. BUREAU OF PRISON REGULATION 1330.¹⁸; (GOVERNED BY (28 CFR § 542.¹⁰ - 542.¹⁹))
FED. BUREAU OF PRISON REGULATION 5566.⁰⁶ USE OF FORCE, & 1320.⁰⁶
28 CFR 552.²⁰ & 29 CFR 1910

OTHER

HUMAN UNIVERSAL BILL RIGHTS (ARTICLE 5), (ARTICLE 3); (ARTICLES 25(1)
UNITED STATES CONSTITUTIONAL RIGHTS (8th AMENDMENT); (5th AMENDMENT), (14th AMENDMENT)

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 _____ to the petition and is

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

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

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

JURISDICTION

☒ For cases from **federal courts**:

*The date on which the United States Court of Appeals decided my case was APRIL 16, 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

PETITIONER SET OUT VERBATIM THE CONSTITUTIONAL PROVISIONS INVOLVED; IN PETITIONER WRIT OF CERTIORARI. WHICH IS PETITIONER 8TH AMENDMENT STATES NO ONE SHALL INFLECT EXCESSIVE BAIL, NOR EXCESSIVE FINES; NOR CRUEL AND UNUSUAL PUNISHMENT. PETITIONER STATES HIS 5TH AMENDMENT RIGHTS OF UNITED STATES CONSTITUTION AND 14TH AMENDMENT RIGHTS WERE VIOLATED. ALSO INVOLVED IN HIS WRIT OF CERTIORARI. WHICH STATES NO ONE SHALL BE SUBJECT FOR THE SAME OFFENCE, NOR BE PUT IN JEOPARDY OF LIFE OR LIMB, NOR 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 OF PROPERTY TAKEN WITHOUT COMPENSATION. 14TH AMENDMENT NO STATE SHALL DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW, NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS.

ALSO INVOLVED IN PETITIONER WRIT OF CERTIORARI IS UNIVERSAL HUMAN BILL RIGHTS ARTICLE 5: NO ONE SHALL BE SUBJECTED TO TORTURE OR TO CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT. ARTICLE 3: EVERYONE HAS THE RIGHT TO LIFE; LIBERTY AND SECURITY OF PERSON. ARTICLE 25(1): EVERYONE HAS THE RIGHT TO STANDARD OF LIVING ADEQUATE FOR HEALTH AND WELL BEING OF HIMSELF AND OF HIS FAMILY.

PETITIONER FURTHER STATES FEDERAL TORT CLAIM LAW STATUTES: 28 USC § 2679 (d)(2), REQUIRES THAT ONE NAME "UNITED STATES" AS DEFENDANTS; AND OTHER TORT CLAIM LAWS 28 USC § 1346 (b), 1402 (b), 2401 (b), AND 2671 - 2680. AS WELL AS FEDERAL BUREAU OF PRISON REGULATIONS 55 L.C. 06 USE OF FORCE AND 3420.11 EMPLOYEE STANDARD OF CONDUCT GOVERNED BY CODE OF REGULATIONS 28 CFR 552.20; 29 CFR 1910. AS WELL AS 42 USC § 1997(e) EXHAUSTION OF ADMINISTRATIVE GRIEVANCES REQUIREMENTS, ETC. AS PETITIONER SUBMITTED OVER 40 FEDERAL TORT CLAIM ACTS, AND AS WELL AS SUBMITTED OVER 30 ADMINISTRATIVE REMEDIES OF GRIEVANCES. ALL DENIED BOTH FED TORT CLAIM ACT GRIEVANCES. AS TO FAILURE TO INVESTIGATE CLAIM ACCORDING TO 18 USC § 3050.

STATEMENT OF THE CASE

PETITIONER IN PURSUANT TOWARDS BRINGING WRIT OF PETITION OF CERTIORARI AGAINST THE UNITED STATES AGENCY'S OF THE UNITED STATES DEPARTMENT OF JUSTICE AND UNITED STATES FEDERAL BUREAU OF PRISONS. UNDER THE COLOR OF FEDERAL LAW AND STATUTES OF FEDERAL TORT CLAIMS ACT 28 USC § 2679(d)(2). AS WELL AS PROVISIONS TITLE 28 SECTION 1346(b); 1402(b); 2401(b); AND 2671-2680, OF UNITED STATES CODE OF STATUTES FOR FEDERAL TORT CLAIM LAW IN THE UNITED STATES. PETITIONER ALSO BRINGS STATUTES OF CODE OF FEDERAL REGULATIONS TITLE 28 CFR § 14.1-14.11; 543.30-543.32. FURTHER STATES FEDERAL BUREAU OF PRISONS POLICY OF REGULATIONS 1320.06 & 1320.06 § 8(9) PROGRAM STATEMENT OF POLICY. WHICH FEDERAL BUREAU OF PRISONS REGULATION OF POLICY IS GOVERNED AND SUPPORTED BY FEDERAL CODE OF FEDERAL REGULATIONS OF THE UNITED STATES OF AMERICA. UNDER THE COLOR OF FEDERAL LAW OF ORDINANCE OF REGULATION OF CODE AND UNITED STATES SENTENCING GUIDELINE. WHICH ALSO GOVERNS THE LAND OF THE UNITED STATES AND MANKIND OF THE UNITED STATES; AND IT'S AGENCY'S OF FEDERAL GOVERNMENT, STATE GOVERNMENT. IN THE UNITED STATES JURISDICTION AND UNDER UNITED STATES OF AMERICA JURISDICTION THE UNITED STATES DEPARTMENT OF JUSTICE OF THE FEDERAL BUREAU OF PRISONS; OBSTRUCTED JUSTICE UNCONSTITUTIONALLY BY IMPEDED THE ADMINISTRATION OF THE UNITED STATES DEPARTMENT JUSTICE ORDER OF ORDINANCE OF CODE OF FEDERAL ~~REGULATION~~ REGULATION WHICH GOVERNS, AND THE FEDERAL BUREAU OF PRISONS OWN POLICY OF OPERATION. SET FORWARD BY U.S CONGRESS AND SENATE BODY. WHICH IS INTERPRETED BY UNITED STATES SUPREME COURT OF LAW AND ORDINANCES. AS WELL AS CODE OF FEDERAL REGULATION, UNITED STATES CODE, AND UNITED STATES SENTENCING GUIDELINE CODE; ETC. THE ORDERLY OPERATIONAL FUNCTIONS OF THE FEDERAL BUREAU OF PRISONS; FUNCTIONS IS OVERSEEN BY UNITED STATES DEPARTMENT JUSTICE; BY UNITED STATES ATTORNEY GENERAL EXECUTIVE OFFICE OF ADMINISTRATION AND UNITED STATES DEPARTMENT OF JUSTICE CIVIL DIVISION; WHICH HANDLE TORT CLAIMS CIVIL CLAIMS REPRESENTING THE UNITED STATES, AND IT'S AGENCY'S. IN SAYING THIS FEDERAL BUREAU OF PRISONS INFLECTED CRUEL & UNUSUAL PUNISHMENT OF UNITED STATES CONSTITUTION 8th AMENDMENT AND ALSO VIOLATED UNITED STATES STATUTE OF LAW U.S.S.C. § 31.1. BY UNITED STATES AGENCY EMPLOYEES ACCORDING TO 28 USC § 1346(b) OF FEDERAL TORT CLAIM ACT STATES WHERE PROOF OF INJURIES IS SHOWN YOU CAN SUE. INJURIES OF CHRONIC ILLNESS WAS SHOWN THROUGH THE FILING OVER 30 FEDERAL TORT CLAIM ACT WITH THE FEDERAL BUREAU OF PRISONS OF SERIOUS MEDICAL NEEDS OF DIABETES; HYPERTENSION; EYE DISEASES; TORN MUSCLES; OBSTRUCTIVE SLEEP APNEA; UNLAWFUL HOUSING OF SMU PLACEMENT; EXCESSIVE FORCE; NEGLECT OF DUTY OF CARE; AND ALL CLAIM DISMISSED AND DENIED. ALL WAS OVER 100,000 DOLLARS TO 1 MILLION DOLLARS. WHICH WAS TO BE INVESTIGATE BY CENTRAL OFFICE AND FORWARD TO U.S. DEPARTMENT OF JUSTICE CIVIL DIVISION. WHICH WAS NOT; PETITIONER FILED OVER 43 ADMINISTRATIVE REMEDY OF GRIEVANCES ON STAFF MISCONDUCT, CHRONIC ILLNESS; DHO, UDC; UNCONSTITUTIONAL MISCONDUCT OF MAL'ICE, FABRICATING MEDICAL RECORDS; DENYING INSULIN, ETC. ALL DENIED AND CLAIMS ARE STILL BEING DENIED. SEE: GREEN V. BRASON 108 F3d 1296 (10th Cir 1997); WILLIAMS V. EDWARDS 547 F2d 1206 (5th Cir 1977); JOHNSON V. QUINONES 145 F3d 164, 168 (4th Cir 1998). UNITED STATES AGENCY FEDERAL BUREAU OF PRISONS MISCONDUCT IS ALMOST SO CLOSE TO AKIN TO CRIMINAL RECKLESSNESS SEE CESAL V. MOATS 851 F.3d 714, 725 (7th Cir 2017) RELATE TO THE EXISTENCE OF THEIR DUTY OF LEGAL CARE IN THEIR OFFICIAL CAPACITY, AS A FEDERAL EMPLOYEE EMPLOYED. DEFENDANTS IN THIS PETITION ARE FEDERAL OFFICIALS AND THEIR ACTIONS WHERE COMMITTED IN THEIR LEGAL DEPUTIES OF OFFICIAL CAPACITY. THE DEFENDANTS LISTED IN THIS PETITION OBSTRUCTED JUSTICE, UNITED STATES CODE, CODE OF FEDERAL REGULATION OF THE UNITED STATES DEPARTMENT OF JUSTICE. THEIR ACTION OF MISCONDUCT VIOLATED AN UNIVERSAL HUMAN BILL RIGHTS WHICH IS ESTABLISH BY UNITED NATION GENERAL ASSEMBLY (ARTICLE 5, 3, 25(1)).

ESTABLISH RULE OF LAW AND ORDINANCE BY UNITED NATIONS WORLD COURT DECEMBER 1948. AS WELL AS VIOLATED MY UNITED STATES CONSTITUTIONAL RIGHTS 8th AMENDMENT; 14th AMENDMENT AND 5th AMENDMENT. AS WELL AS VIOLATED TORT LAW OF FEDERAL TORT CLAIM ACTS OF DISMISSION OF TOTAL DISREGARD OF CLAIMS OF TORT AND ADMINISTRATIVE BRIEVANCES EXHAUSTED TO GENERAL COUNSEL. SO FAR TO THE POINT, TO, WHERE EVEN AFTER THE FILING OF CIVIL SUITS OF BIVENS 28 USC § 1331. THE UNITED STATES DEPARTMENT OF JUSTICE OF FEDERAL BUREAU OF PRISONS CONTINUE TO NEGLECT IN RECKLESS CONDUCT. AS WELL AS IN CONDUCT OF THEIR DUTY OF CARE AS A UNITED STATES EMPLOYEE AS A FEDERAL EMPLOYEE. WITHIN THEIR SCOPE OF EMPLOYMENT ACT IN THE DUTY OF THEIR JOB DUTIES; WILL BREACHED POLICY OF REGULATIONS; AND LAW UNDER THE COLOR OF FEDERAL LAW WHICH GOVERNS THE COUNTRY ORDINANCE AS WELL AS OPERATION OF UNITED STATES REGULATION OF OPERATION. THESE DEFENDANT PERFORMED THEIR /THE USE "DISCRETIONARY FUNCTION" OR "DUTY". WHERE THEY IMPLIED A POLICY OR PRISON REGULATION THAT WAS NOT POLICY OR LAW. AND EXERCISED THEIR OWN JUDGEMENT OR CHOICE IN DOING WHAT THEY WANT DISREGARDING LAW UNDER THE COLOR OF UNITED STATES FEDERAL LAW AND ORDINANCE. VIOLATING U.S. SUPREME COURT INTERPRETATION BERKOVITZ V. UNITED STATES 486 U.S. 531 (1988); ALSO 28 USC § 2680(2). DEFENDANT EMPLOYEES

IN THIS PETITION ARE CONSIDERED INVESTIGATIVE OFFICER ACCORDING TO 18 USC § 3050. WHEN EVEN CORRECTIONAL OFFICER, ARE LAW ENFORCEMENT OFFICER BECAUSE OF THE DUTIES ASSIGNED TO THEM BY UNITED STATES CODE OF FEDERAL LAW. THESE OFFICIALS INTENTIONALLY INFLECT PAIN OF TORTURE; INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS OF DISREGARDING LAWS OF TREATMENT OF MY DISEASES, WELFARE OF LIVING CONDITIONS, KEEPING AN PRISONER SAFE AN ENSURING A FEDERAL INMATE A HUMANE; COST-EFFICIENT, AND APPROPRIATELY SECURE FACILITY. (SEE 28 CFR 552.20-552.27) UNDER FEDERAL JURISDICTION AS WELL AS UNDER THE COLOR OF FEDERAL LAW. THUS SAYING THIS UNITED STATES DEPARTMENT OF JUSTICE ESTABLISHED A STANDARD CODE OF CONDUCT FOR EMPLOYEES EMPLOYED WITH THE FEDERAL BUREAU OF PRISONS. POLICY ORDINANCE "3420." THAT IS GOVERNED BY UNITED STATES CODE OF FEDERAL REGULATION 29 CFR 1910. ALTHOUGH MY PETITION IS FULL OF MERITS. EVEN AFTER RETIRED CLAIMS OF TORTS; CIVIL LITIGATION; ADMINISTRATIVE REMEDIES; MY HEALTH CONDITION HAS WORSTEN, AND HAVE BEEN DISREGARDED. THE NEGLECT OF OFFICIALS DISREGARDING LAW UNDER THE COLOR OF FEDERAL LAW, REGULATION, AND ORDINANCE. HAVE INFLECTED ASSAULTIVE MISCONDUCT OF OFFICIALS; ABUSE OF PROCESS OF PAPERWORK; ABUSE OF BARBAROUS POWERS WHERE A PRUDENT SANE PERSON CONSCIENCE WILL BE "SHOCKED". AS FAR AS UNDERMINING ROUTINE PAPERWORK TO WRONGFULLY TRANSFER AN INMATE OUT OF RETALIATION TOWARDS WRONGFULLY PROVIDING A DUTY OF CARE TO A CHRONIC ILL INMATE. (SEE SILGER-EL V. BARLOW 433 F. SUPP 2d 811 (E.D. MICH 2006)) THESE DEFENDANT-OF UNITED STATES AGENCY MR. CHARLES E. SAMUELS, JR; ^{MS}TAN CONNORS; MR. RICHARD WINTERS; DARRION HOWARD; MR. P. RIVERS; MR. KEVIN KERBS; MR. HIRSH D. KRAVITZ. (SEE 18 USC § 3050)

THEY ARE INVESTIGATIVE OFFICERS AND OWNERS FOR FEDERAL BUREAU OF PRISONS, THAT IS UNITED STATES DEPARTMENT OF JUSTICE. UNITED STATES DISTRICT COURTS OF FEDERAL DEPARTMENT OF JUSTICE DISMISSED CIVIL LITIGATIONS; THAT WAS ALL-IMMINENT DANGER AND SHOWED AN AT RISK PROVISION. THAT SOMETHING CAN/COULD HAPPEN OF SERIOUS PHYSICAL INJURIES OR MEDICALLY. IN THE UNITED STATES DISTRICT COURT OF NORTHERN ILLINOIS (WESTERN DIVISION) COURT FAILED REVIEW SCREENING, SHOWING BARBAROUS JUDICIAL MISCONDUCT, AS WELL AS PROSECUTORIAL MISCONDUCT BY DISREGARDING EVIDENCE OF EXHAUSTED BRIEVANCES; MEDICAL REPORTS, ETC. (SEE U.S. V. COMMON B18 F3d 323 (7th Cir 2016); U.S. V. WILKENS 742 F3d 354; 361 (8th Cir 2014); ERICKSON V. PARDUS 551 U.S. 89, 94 (2007), AND 42 USC 1997e).

IN THIS REGARD THE MISCONDUCT WAS APPLIED WITH THE FEDERAL BUREAU OF PRISON OF THE UNITED STATES DEPARTMENT OF JUSTICE. FAILING TO CONDUCT THEIR OWN INVESTIGATION OF GRIEVANCE INSTEAD OF TAKING SIDES /FACE VALUES OF FALSEHOOD; WITHOUT IN INVESTIGATING AS TO POLICY FED. BUREAU OF PRISON 1330.18 AND U.S. CODE OF FEDERAL REGULATION (28 CFR § 542.10-542.19) THEREFORE DUE TO ALL OF THESE VIOLATIONS OF THE UNITED STATES, PETITIONER SOUGHT FOR REVIEW FOR UNITED STATES SUPREME COURT TO EXERCISE THEIR SUPERVISORY POWER OF THE COURTS AS ALL CITED VIOLATIONS.

REASONS FOR GRANTING THE PETITION

PETITIONER CITES REASONS FOR GRANTING HIS PETITION IS TO THE ABUSE OF MALICIOUS LEGAL PROCESS; AND MALICIOUS PROSECUTION OF THE UNITED STATES, WAS IN CONDUCT WITH EVIL INTENT. AS CONDUCT WAS IMPROPERLY REVIEWED DURING PRELIMINARY SCREENING IN THE LOWER COURTS. CONDUCT PREJUDICIALLY VIOLATED AND AFFECTED MY SUBSTANTIAL RIGHTS UNDER DUE PROCESS OF LAW 5TH AMENDMENT RIGHT OF U.S. CONSTITUTION AND 14TH AMENDMENT. (SEE U.S. v. WIKENS 742 F3d 354, 361 (8TH CIR 2014)). THUS IN U.S. v. COMMON 818 F3d 323 (7TH CIR 2016) RAISES THE

5TH AMENDMENT RIGHT TO DUE PROCESS. STATING PROSECUTORIAL MISCONDUCT IS EVALUATE BY APPELLATE COURT TO FIRST DETERMINE WHETHER REMARKS WAS OR JUDGEMENT WAS IMPROPER WHEN VIEWED IN ISOLATION. THEN EVALUATES THE CONTEXT; OF THE ENTIRE RECORD; AND DETERMINE WHETHER PETITIONER WAS DEPRIVED OF A FAIR HEARING.

THEN THE (8TH CIRCUIT ~~2010~~ 2010) IN CASE U.S. v. LOMELI 596 F3d 496, 504 (8TH CIR 2010) THE EVALUATION ERROR OF THE PAST WAS THE "UNDER PLAIN ERROR REVIEW" WHERE ONE MUST SHOW: AN ERROR; THAT IS PLAIN; AND AFFECTS SUBSTANTIAL RIGHTS. IF SHOWING IN ERROR AN APPELLATE COURT MAY EXERCISE ITS DISCRETION TO CORRECT AN ERROR. IF IT SERIOUSLY AFFECTS THE FAIRNESS; INTEGRITY; OR PUBLIC REPUTATION OF JUDICIAL PROCEEDINGS.

AFTER REVIEW OF ENTIRE CONTEXT OF THE RECORD, COURTS WILL SEE A FURTHER VIOLATION AS PETITIONER UNITED STATES CONSTITUTIONAL RIGHTS AND MALICIOUS ABUSE OF LEGAL PROCESS. THAT GOES AGAINST U.S. SUPREME COURTS EVALUATION OF SCREENING. SEE ERICKSON v. PARDUS 551 U.S. 89; 94 (2007)

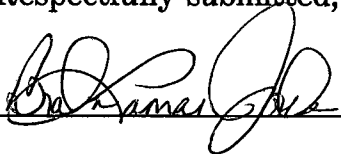
PETITIONER THEREFORE SEEKS AND PRAY THAT THE HIGH COURTS WILL GRANT THIS PETITION AND REVIEW LOWER COURTS ERRORS. AS TO VIOLATING MY SUBSTANTIAL RIGHTS PREJUDICIALLY; AS WELL AS OBSTRUCTION OF JUSTICE & IMPEDING THE ADMINISTRATION OF UNITED STATES JUSTICE DEPARTMENT. UNDER THE COLOR OF FEDERAL LAW WHERE THE INTEGRITY, FAIRNESS; AND REPUTATION OF JUDICIAL PROCEEDINGS IS UNLAWFUL, AND A ACT OF CONDUCT OF EVIL INTENT. UNDER THE COLOR OF UNITED STATES FEDERAL LAWS.

6

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: March 23, 2021