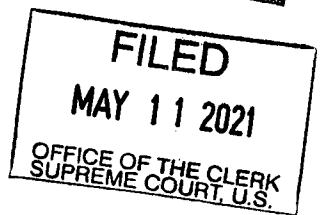


20-8162

ORIGINAL

20 cv 50297



IN THE

SUPREME COURT OF THE UNITED STATES

Writ of Certiorari

BRALEN LAMAR JORDAN — PETITIONER
(Your Name)

HEATHER PENCE, JAN CONNORS, vs.
TERESSA ROSS, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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

PETITION FOR WRIT OF CERTIORARI

BRALEN LAMAR JORDAN
(Your Name)

AUSP THOMSON, P.O. BOX 1002

(Address)

THOMSON, ILLINOIS. 61285

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

WHAT IS MEDICAL MALPRACTICE WITH EVIL INTENT
OF CRUEL AND ~~UNUSUAL~~ PUNISHMENT AS TO DELIBERATE
INDIFFERENCE? ALSO WHAT IS IMMINENT DANGER?

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:

HEATHER PENCE - MEDICAL HEALTH ADMINISTRATOR; IAN CONNORS - NATIONAL INMATE APPEALS ADMINISTRATOR; TERESSA ROSS - MEDICAL NURSE PRACTITIONER.

RELATED CASES

CIARPAOLINI v. SAINI, 352 F.3d 328 (7th Cir 2003) ^{Directly} RELATED DELAY OF MEDICATION

GREEN v. BRASON, 108 F.3d 1296 (10th Cir 1998) FABRICATING MEDICAL RECORDS, LAB REPORTS, etc.

JOHNSON v. QUINONES, 145 F.3d 164, 168 (4th Cir 1998) MEDICAL DOCTOR MISDIAGNOSIS

WILLIAMS v. EDWARDS, 547 F.2d 1206 (5th Cir 1977) LAB, LAB RECORDS, PHARMACY RECORD DELIBERATE INDIFFERENCE

REED v. DUNHAM, 893 F.2d 285 (10 Cir. 1990) TWO HOUR DELAY TO MEDICAL ATTENTION

HUNT v. UPHOFF, 199 F.3d 1220 (10th Cir. 1999) SERIOUS MEDICAL NEED

McGUCKIN v. SMITH, 974 F.2d 1050 (9th Cir 1992)

HELLING v. MCKINNEY, 509 U.S. 25 (1993) U.S. SUPREME COURT CASE ON FUTURE RISK

TAYLOR v. ANDERSON, 868 F. Supp. 1024 (N.D. Ill. 1994) MEDICAL DIETARY REQUIREMENTS

RIVERA v. SHEEHAN, 1998 WL 531875 (N.D. Ill. 1998) DEFENDANTS KNEW OF SERIOUS MEDICAL NEED AND PUT THEMSELVES OUT ON A LIMB.

SILGER-EL v. BARLOW, 433 F. Supp. 2d 811 (E.D. Mich 2008) UNDERMINE ROUTINE Paper WORK AND ETC.

WHITLEY 475 U.S. @ 327 SHOCKED THE CONSCIENCE OF MANKIND AS TO PUNISHMENT OR FORCE THAT VIOLATES 8th AMENDMENT.

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER 4

ESTELLE V. GAMBLE 429 U.S. 97, 104-05 (1976)
FARMER V. BRENNAN, 511 U.S. 825 (1994)
ROUSE V. PLANTER 182 F.3d 192, 197 (3rd CIR 1999)
SCHMIDT V. ODELL 64 F. SUPP.2d 1014 (D. KAN 1999)
GREEN V. BRANSON 108 F.3d 1296 (10th CIR 1998)
BERKOVITZ V. U.S. 486 U.S. 531 (1988)
MCCELLIGOTT V. FOLEY 182 F.3d 1248, 1255 (11th CIR 1999)
JETT V. PENNER, 439 F.3d 1091, 1096 (9th CIR 2006)
NATALE V. CAMDEN COUNTY CORRECTIONAL FACILITY 318 F.3d 575 (3rd CIR 2005)
KOEHL V. DALSHEIM; 85 F.3d 86 (2nd CIR. 1996)
BENTER V. PECK, 825 F. SUPP. 1411 (S.D. IOWA 1993)
CHARLES ZX V. DISTRICT OF COLUMBIA, 834 F. SUPP. 439 (D. D.C. 1992)

STATUTES AND RULES

BUREAU OF PRISONS POLICY OF REGULATIONS PROGRAM STATEMENT 6031.04 ^{815 (CARE)}
BUREAU OF PRISONS POLICY OF REGULATIONS PROGRAM STATEMENT 3906.24 ^(DEFINING DISEASES)
BUREAU OF PRISONS POLICY OF REGULATIONS PROGRAM STATEMENT 603.01 ^(MANAGEMENT DISEASES)
38 USC § 7316 (a)(1), (B), (2) MEDICAL MALPRACTICE

OTHER

BUREAU OF PRISONS POLICY 6090.04 (CHRONIC CONDITIONS)

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INDEX TO APPENDICES

APPENDIX A UNITED STATES DISTRICT COURT NORTHERN OF ILLINOIS, JORDAN v. KATHLEEN H. SAWYER, et al. CASE# 3:20-cv-50121. UNITED STATES COURT OF APPEAL SEVENTH CIRCUIT APPEAL# 20-2954.

APPENDIX B UNITED STATES DISTRICT COURT NORTHERN OF ILLINOIS, JORDAN v. UNITED STATES AMERICA, et al. CASE# 3:20-cr-50514 - UNITED STATES COURT OF APPEAL 7TH CIRCUIT APPEAL# 21-1171.

APPENDIX C UNITED STATES DISTRICT COURT EASTERN DISTRICT OF KENTUCKY SOUTHERN DIVISION OF LONDON. JORDAN v. IAN CONNORS et al CASE# 6:20-cv-164 -

APPENDIX D UNITED STATES DISTRICT COURT FOR MIDDLE DISTRICT OF PENNSYLVANIA JORDAN v. DAVID EBBERT, DR R. BROCKMAN, et al. CASE# 4:19-cv-01472-MWB

APPENDIX E UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS JORDAN v. FEDERAL BUREAU OF PRISONS, IAN CONNORS, et al CASE NO# 3:20-cv-50456 APPEAL# 20549 7TH CIR.

APPENDIX F

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 13, 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

CONSTITUTIONAL VIOLATIONS TO PETITIONER CLAIM IS, VIOLATION OF 8TH AMENDMENT. CRUEL AND UNUSUAL PUNISHMENT AS TO MEDICAL MALPRACTICE WITH EVIL INTENT. THAT VIOLATES PETITIONER BOTH SUBJECTIVE AND OBJECTIVE COMPONENTS OF THE 8TH AMENDMENT. ALSO VIOLATES UNITED STATES FEDERAL TORT CLAIMS ACT, WHERE THE DUTY OF CARE OF PRISONER GUARDS, AND MEDICAL OFFICIALS. [REDACTED] WILL DISREGARD, PETITIONER SERIOUS MEDICAL NEEDS, AS HAS BEEN DIAGNOSED BY PHYSICIANS, AND THAT THE DEFENDANTS BREACHED THEIR DUTY OF CARE. WHERE THE [REDACTED] BREACHMENT CAUSED ADDITIONAL HARM OF HIS COMPLAINING, AND SUFFERED ADDITIONAL DAMAGES. WHICH THE ACTS OF OMISSION CAUSED DELIBERATE INDIFFERENCE. WHERE THEY PRISON OFFICIALS KNOW PETITIONER IS A TYPE I DIABETIC, BUT TREATING HIS SERIOUS MEDICAL NEEDS AS A PRE-DIABETIC, AS WELL AS ASTHMATIC CONDITIONS. VIOLATING BUREAU OF PRISONS POLICY 6013.01 (MANAGEMENT DIABETES); AND 3906.24 (DEFINE CHRONIC DISEASES); AND FEDERAL STATUTE 38 USC § 7316(a)(1),(B)(2) MEDICAL MALPRACTICE.

PETITIONER FURTHER STATES THAT AND IS MINDFUL THAT THE U.S. DEPARTMENT OF JUSTICE HAS SET FORTH FEDERAL LAWS & STANDARDS FOR PRISON AND JAILS. WHEN THESE NATIONAL LAWS AND POLICIES ARE BREACHED INTENTIONALLY IT VIOLATES THE U.S. CONSTITUTION OF THE 8TH AMENDMENT. WHEN OFFICIALS DUTY OF CARE SHOWS A TOTAL DISREGARD TO HIS MEDICAL NEEDS AND A DUTY OF CARE IS OWNED. IS DELIBERATE INDIFFERENCE AND VIOLATES HIS RIGHTS UNDER THE COLOR OF FEDERAL LAW AND U.S. CONSTITUTIONAL RIGHTS. THE AMERICAN CORRECTIONAL ASSOCIATION ACCREDITS INSTITUTIONS AND ALSO HAVE THEIR STANDARDS AS WELL. THE COMMON GROUND IS WHEN MEDICAL MALPRACTICE IS AT STAKE, THEY TO STRONGLY SUGGEST TORT; GRIEVANCES, AND CIVIL LITIGATIONS. AS TO PRISON OFFICIALS DELIBERATE ACTS OF OMISSION, AS WELL AS THEIR INTENTIONAL ACTS OF DENYING OR DELAYING ACCESS TO MEDICAL CARE; AND INTERFERING WITH THE TREATMENT PLAN ONCE PRESCRIBED BY PHYSICIANS FOR SERIOUS MEDICAL NEEDS OF DIABETES, ASTHMA; HYPERTENSION; HEART MURMUR; EYE DISEASE GLUCOMA; OBSTRUCTIVE PULMONARY DISEASE; & OBSTRUCTIVE SLEEP APNEA, ETC. THE CONSTITUTIONAL VIOLATIONS OF THE DEFENDANT DEMONSTRATED AN ACT OF OMISSION OF DELIBERATE INDIFFERENCE WHEN OFFICIALS TOOK IT ON THEMSELVES TO INTERFERE WITH TREATMENT OF MY SERIOUS MEDICAL NEEDS, AND DISTORTED EVIDENCE BY PROVIDING FALSE LAB REPORTS; AND DOCTORIAL NOTES THAT WOULD CREATE MISDIAGNOSES, AND OVERLOOK PETITIONER NEED FOR INSULIN, ETC. CLEARLY IS A VIOLATION OF THE 8TH AMENDMENT OF CRUEL AND UNUSUAL PUNISHMENT. WHERE THE PRISON CONDITION IS HARSH ON ME; WHEN PROPER MEDICAL CARE IS PROVIDED. IT SHOCKS THE CONSCIENCE OF A PURDENT SANE PERSON. TOTAL NEGLIGENCE TO ONES CARE & RIGHTS

STATEMENT OF THE CASE

PETITIONER ARRIVED AT AUSP THOMSON DECEMBER 13, 2019, TYPE II DIABETIC
A1C 6.3. PETITIONER WAS ENROLLED INTO AUSP THOMSON CHRONIC CARE
CLINIC WITH ORAL MEDICATIONS OF INSULIN AGENTS AND ASTHMATIC INHALERS,
ALONG WITH NASAL SPRAY TO TREAT ALLERGIC RHINITIS. AS WELL AS A C-PAP
MACHINE, TO TREAT HIS OBSTRUCTIVE SLEEP APNEA; AND EYE DISEASE OF GLUCOMA.
PETITIONER ENROLLED IN AUSP THOMSON, ^{CHRONIC CARE} ALREADY DIAGNOSED AT ANOTHER
INSTITUTIONS BEFORE ARRIVING AT AUSP THOMSON. PETITIONER ENROLLED AS A
HYPERTENSION INMATE WITH A HEART MURMUR. SEVERAL SERIOUS MEDICAL
NEEDS, COMING FROM USP LEWISBURG.

FEBRUARY 4, 2020 PETITIONER WAS SEEN BY AUSP THOMSON MEDICAL DOCTOR
JUSTIN STERRETT. WHERE ~~HE~~ HE ORDERED X-RAYS FOR MY BACK WHICH SHOWED
AN UNREMARKABLE LUMBAR SPINE, ALSO EXAM MY EYES WHICH WAS UNREMARKABLE
FOR A FAILED GLUCOMA EXAMINATION. HE FURTHERED RENEWED ALL MEDICATIONS
FOR 6 MONTHS PERIOD. AND SET FOR AN ORTHOPEDIC AS TO MY BACK, AND ¹EYE
DOCTOR. (SEE: ROUSE V. PLANTER 182 F.3d 192, 197 (3rd Cir 1999); JEFF V. PENNELL 439 F.3d 1091 (9th Cir 2006)).
THE LOWER COURTS SOUGHT THAT THERE WAS NO CLAIM TO MY CIVIL LITIGATION,
FOR A CHRONIC CARE INMATE, DUE TO THE FACT THAT THE DISTRICT
JUDGE FELT THE DEFENDANTS, WHERE IN STANDING OF RIGHFUL DUTY OF CARE.
WHICH IS FALSE. I ARRIVED DECEMBER 13, 2019, I DIDN'T SEE A DOCTOR
TILL FEB 4, 2020. (SEE BUREAU OF PRISON POLICY 6031.04) WHERE CHRONIC CARE
INMATES ARE TO BE SEEN WITHIN 04 DAYS OF THEIR ARRIVAL TO AN NEW INSTITUTION.
THIS OPERATION IS BY POLICY THE DUTY OF THE HEALTH ADMINISTRATOR OR CLINICAL
DIRECTOR, TO SET UP CHRONIC CARE CLINICS FOR RENEWALS OF MEDICATION, AND
TREATMENT PLANS, FROM TIME TO THAT VISIT. I WENT WITHOUT MEDICINES AND
EYE GLASSES. AND STILL WITHOUT EYE GLASSES, NOR EYE DROPS. (SEE ESTELLE V.
GAMBLE 429 U.S. 97, 104-05 (1976); FARMER V. BRENNAN 511 U.S. 825 (1994)).

AS SERIOUS MEDICAL NEEDS CONTINUE TO BE NEGLECTED, NURSE TERESSA
ROSS AND HEALTH ADMINISTRATOR H. PENCE CONSPIRED TO CHANGE MY A1C
TO 5.8. AS IF A1C DECLINE WITHOUT NOTHING, NEW ADD TO MY TREATMENT
OF CARE. (SEE GREEN V. BRASON 108 F.3d 1296 (10th Cir 1998); JOHNSON V.
QUINONES 145 F.3d 164, 168 (4th Cir 1998)). MAKING THEIR OWN DECISION IN THE
WRONGFUL TREATMENT OF CARE, TO MY SERIOUS MEDICAL NEEDS. (SEE BERKOVITZ V.
U.S. 486 US 531 (1988); McELIGOTT V. FOLEY 182 F.3d 1248, 1255 (11th Cir 1999)).

FURTHER EXHAUSTED ADMINISTRATIVE REMEDIES, AS TO THE WRONGFUL MEDICAL MALPRACTICE
(SEE 38 USC § 7316 (a), (1), (B), (2); AND TO MY CHRONIC CONDITIONS TO NATIONAL INMATE
APPEAL ADMINISTRATOR IAN CONNORS, WHO ^{WANTS} AN ACT OF OMISSION AND MERE NEGLECT TO ALL
MY GRIEVANCES. WHEN HE/SHE COULD HAVE MADE AN EXECUTIVE ORDER AND REGULATED.
THE TORTMENT OF AUSP THOMSON DEPRIVING PETITIONER ACCESS TO MEDICAL CARE
OF PROPER TREATMENT TO HIS SERIOUS MEDICAL NEEDS. (SEE KOETHL V. DALSHHEIM 85 F.3d
86 (2nd Cir 1996); INATALE V. CAMDEN COUNTY CORRECTIONAL FACILITY 318 F.3d 575 (3rd Cir 2005);
SCHMIDT V. ODELL (H.F. SUPP 2d 1014 (D. Kan 1999); CHARLES ZX V. DIST OF COLUMBIA 834 F. Supp 439
(D. D.C 1992); AND BUREAU OF PRISON POLICY 6013.01). ALTHOUGH MY CLAIMS WERE DENIED
IAN CONNORS CONDUCT VIOLATED MY U.S. CONSTITUTIONAL RIGHTS OF 8TH AMENDMENT, AND WAS DELIBERATE

REASONS FOR GRANTING THE PETITION

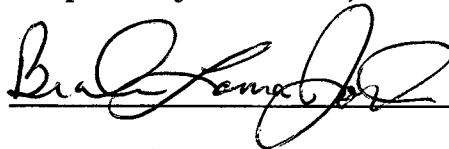
REASONS FOR GRANTING THIS PETITION IS ~~AN~~ MERE ACT OF DELIBERATE INDIFFERENCE. AS TO PRISON GUARDS AND MEDICAL OFFICIALS FAILED TO RESPOND ~~REASONABLY~~ REASONABLY TO PETITIONER, SERIOUS MEDICAL NEEDS. THAT HAS BEEN DIAGNOSED BY AN PHYSICIAN, BUT WILL INTERFER WITH TREATMENT PLAN BY DOCTOR. CREATING THEIR OWN TREATMENT IS MEDICAL MALPRACTICE AND DELIBERATE INDIFFERENCE. AS TO ESTELLE v. GAMBLE 429 U.S. 97 (1976); FARMER V. BRENNAN 511 U.S. 825 (1994).

FURTHERMORE TO STATE OFFICIALS ACTIONS ~~IS~~ DISTORTED AND FABRICATED MEDICAL RECORDS, IS MEDICAL MALPRACTICE AS TO (38 USC § 7316(2)(1)(B)(2)). ALSO TO (BRENNAN v. BRANSON 108 F.3d 1296 (10th Cir 1998); AS WELL AS (JOHNSON v. QUINONES 145 F.3d 164, 168 (4th Cir 1998)). SHOWS A CIRCUIT ~~SPLIT~~ SPLIT IN THIS MATTER OF MEDICAL MALPRACTICE WITH EVIL INTENT. ANOTHER CIRCUIT SHOWS WHERE A TWO DELAY TO MEDICAL ATTENTION IS DELIBERATE INDIFFERENCE. (REED v. DUNHAM 893 F.2d 285 (10th Cir 1990); (HUNT v. UPHOFF, 199 F.3d 1220 (10th Cir 1999), & (WILLIAMS v. EDWARDS 547 F.2d 1706 (5th Cir 1977)) THIS ONLY SHOWS DELIBERATE INDIFFERENCE WHERE PRISON OFFICIALS WILL TAKE MATTERS IN THEIR OWN HAND DISREGARDING POLICY OR FEDERAL LAW. USING THEIR OWN JUDGEMENT BREACHING THEIR DUTY CARE UNDER THEIR OWN DISCRETIONARY FUNCTION AS TO (BERKOVITZ v. U.S. 486 U.S. 531 (1988)). WHERE THIS IS SO, THE REASON FOR GRANTING THIS PETITION IS TO CLEARLY SHOW WHERE MEDICAL TREATMENT IS CRUEL AND UNUSUAL AND VIOLATES THE 8TH AMENDMENT COMPONENT ELEMENTS OF SUBJECTIVE AND OBJECTIVE AS IN (MC ELIGOTT v. FOLEY 182 F.3d 1248, 1255 (11th Cir 1999)). THE DEFENDANTS IN PETITIONERS AMEND COMPLAINT CLEARLY CONDUCTED MALICE WITH INTENT OF EVIL REGARDS AND LOWER COURTS OVERLOOK PETITIONER EVIDENCE. FAILING TO REVIEW PETITIONER ENTIRE COMPLAINT OF CIVIL LITIGATIONS. TOTALLY DISMISSING AN FUTURE RISK PROVISION AS TO CASE (HELLING v. MCGINNLEY 509 U.S. 25 (1993)). THEREFORE AS MEDICAL MALPRACTICE STANDS IN MY CLAIM I SEEKS THAT THE HIGH COURT WILL GRANT PETITION AS TO AUSP THOMSON ACTION OF CONDUCT OF DELIBERATE INDIFFERENCE AND MEDICAL MALPRACTICE.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: May 4th, 2021