

21-239

ORIGINAL

(F.T.C.A.) Civil Suit/Case No. _____

FILED

AUG 06 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

DANIEL LORING

Petitioner (Pro Se)

v.

UNITED STATES

Respondent

ON PETITION FOR
EXTRAORDINARY WRIT OF CERTIORARI
TO THE
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

PETITION FOR EXTRAORDINARY WRIT OF CERTIORARI

Prepared and Submitted by:

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QUESTION(S) PRESENTED

On www.pacermonitor.com the “OFFICIAL” Publics Domain of the governments; United States Courts Cases. On PACER Service Center pacer@psc.uscourts.gov; under FAQ’s, Question: I want to Delete or edit my filing: Answer: You cannot delete or edit filings after they have been submitted through CM/ECF. A filing cannot be **DELETED**, cannot be **EDITED** and cannot be **REMOVED** from the PUBLIC RECORD after it has been submitted and docketed on PACER. Question(s) of extraordinary circumstances:

- I. Whether Petitioners filing on May 14, 2018; *Id. in Ref.* (**Doc. r19**) CERTIFICATE(s) OF SERVICE for (Doc. r13), (Doc. r14), (Doc. r15), (Doc. r16), (Doc. r17) and (Doc. r18); to the Executive Office for United States Attorneys, General Counsel dated May 4, 2018; and a copy of the U.S.P.S. Priority Mail Receipt and Delivery Notice as Proof of Service was **REMOVED** and **DELETED** from the “OFFICIAL” Publics Domain of CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP: for a reason?
- II. Whether Petitioners filing on May 14, 2018; *Id. in Ref.* (**Doc. r20**) CERTIFICATE(s) OF SERVICE for (Doc. r11), (Doc. r12), (Doc. r13), (Doc. r14), (Doc. r15), (Doc. r16), (Doc. r17) and (Doc. r18); to the Office of the Attorney General, United States Department of Justice; dated May 4, 2018; and a copy of the U.S.P.S. Priority Mail Receipt and Delivery Notice as Proof of Service was **REMOVED** and **DELETED** from the “OFFICIAL” Publics Domain of CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP: for a reason?
- III. Whether the United States District Court and/or the (USA) United States Attorney “Office” knowingly, willfully and recklessly acted in bad faith and violated 1725. Protection Of Government Processes — Obstruction Of Pending Proceeding — 18 U.S.C. 1505 Section 1505 with the intent to mislead the Public and fraudulently cover-up the wrongdoing to conceal the Merits of the Case?

QUESTION(S) PRESENTED

On April 3, 2018; this valid (F.T.C.A.) Legal Malpractice Action was brought forward pursuant to 4-5.000 Tort Litigation of my Administrative Claims filed with the United States Department of Justice, Office of the Inspector General, Civil Rights and Civil Liberties Complaints Investigations Division. Where the District Court's deadline for the UNITED STATES Department of Justice, Executive Office for United States Attorney's, General Counsel to answer the Summons and Complaint was June 8, 2018; Whereby, an Act of Congress, (F.T.C.A.) **U.S.C. § 2675(a)**:

- I. Whether the UNITED STATES did not dispute that a legal malpractice action is properly brought under the FTCA?
- II. Whether the UNITED STATES did not dispute that it had a duty to provide Loring with adequate legal representation in the Fair Housing Act case?
- III. Whether it was understood under the (F.T.C.A.) the United States Court ORDER is FINAL JUDGMENT on the Merits of the Case?
- IV. Whether the (USA) United States Attorney "Office" Assistant United States Attorney's while acting under the color of federal law, knowingly and willfully violated 1-4.000 - Standards Of Conduct, Conflicts of Interest and recklessly "claimed" Defendant, United States of America; and recklessly "claimed" Defendants, United States of America, United States Department of Justice, Executive Office for United States Attorney's, General Counsel to "intervene" in this Administrative Proceeding with the intent to cover-up the wrongdoing and conceal the (USA) Assistant United States Attorney's misconduct in their handling of an earlier civil lawsuit filed under the Fair Housing Act?
- V. Whether the United States District Court Judge while acting under the color of federal law, whereby an Act of Congress, failed to be an Adjudicator to the Rule of Law, then knowingly and willfully violated Code of Conduct for United

States Judges - Canon 1, Canon 2 and Canon 3 and recklessly Obstructed Justice with the intent to mislead and misrepresent the Material Facts of the case by making deceitful, ambiguous self-contradicting statements that are half-truths; wherefore, if the truth be told, would the case have a different conclusion?

- VI. Whether the parties listed in the proceedings while acting under the color of federal law, knowingly, willfully and intentionally acted as "co-conspirators" to Defraud the Government, to Defraud the United States, to Defraud the Public and to Defraud the People and the Citizens of South Dakota of their Rights and of their Right to know the truth about the Merits of the Case and have violated the Public's Trust and the Public's Confidence?
- VII. Whether the parties listed in the proceedings while acting under the color of federal law, knowingly, willfully and intentionally violated the 14th Amendment Section 1 of the Federal Constitution, and recklessly Deprived Petitioner of Citizenship, recklessly Deprived Petitioner of his Civil Rights and Civil Liberties, recklessly Deprived Petitioner of Equal Protection of the Laws and have maliciously caused Petitioner to suffer from the most inconceivable damages a person could imagine; complete Depravation of the Right to Due Process of Law, since August 28, 2015?
- VIII. Whether in 18-4034, the United States District Court, In Ref. (Doc. r110), SUMMARY JUDGMENT in favor of the United States of America; and in 20-2137; the 8th Circuits UNPUBLISHED PER CURIUM Opinion, JUDGMENT is affirmed; creates conflict with the Merits on which this case was submitted, creates conflict with an Act of Congress, creates conflict with the Supreme Court of the United States, creates an inter-circuit conflict with the uniformity of the 8th Circuits own en-banc rehearing and creates an inter-circuit conflict with the harmonious Judicial processes of the United States Courts?

- IX. Whether this Legal Malpractice Action and Civil Lawsuit properly brought against the UNITED STATES under the (F.T.C.A.) in the Supreme Court of the United States is a Whistleblower Legal Malpractice LANDMARK Decision Case and Civil Lawsuit by definition?
- X. Whether this Whistleblower Legal Malpractice LANDMARK Decision Case/Civil Lawsuit properly brought against the UNITED STATES under the (F.T.C.A.) In the Supreme Court of the United States; is of Significant National Importance, is of Significant Public Interest and is of Significant Value to the People and to the Citizens of South Dakota who are unknowingly at risk for being victimized by the wrongdoer(s) who deceitfully and fraudulently have settled the Case?
- XI. Whether this Whistleblower Legal Malpractice LANDMARK Decision Case and Civil Lawsuit; DANIEL LORING v. UNITED STATES: is the 1st of its kind of Legal Malpractice Action Civil Lawsuit to be properly brought against the UNITED STATES under the (F.T.C.A.) In the Supreme Court of the United States; and is of Historic Precedential Value?

LIST OF PARTIES TO THE PROCEEDINGS

The Parties to the proceedings in regard to the underlying Federal Fair Housing Act Civil Rights Disability Discrimination Case/Lawsuit include: (USA) Assistant United States Attorney, Civil Chief Diana Ryan, Assistant United States Attorney Alison Ramsdell and United States District Court Judge, Karen E. Schreier.

The Parties in this Administrative Proceeding and valid (F.T.C.A.) Whistleblower Legal Malpractice LANDMARK Decision Case and Civil Lawsuit include: Daniel Loring (Petitioner Pro Se), and the United States Department Of Justice, Executive Office for United States Attorney's, General Counsel, UNITED STATES as the Defendant.

The Parties to the proceedings in this Administrative Proceeding and valid (F.T.C.A.) Whistleblower Legal Malpractice LANDMARK Decision Case and Civil Lawsuit brought forward in this Petition for Extraordinary Writ of Certiorari in the Supreme Court of the United States include: (USA) Assistant United States Attorney Delia M. Druley, Assistant United States Attorney Meghan K. Roche and United States District Court Judge, Lawrence L. Piersol.

RELATED PROCEEDINGS DIRECTLY ON REVIEW

1. In the United States District Court, Civil Case 18-4034 (filed April 3, 2018)

Daniel Loring (Plaintiff Pro Se) v. United States of America, UNITED STATES Department of Justice, Executive Office for United States Attorney's General Counsel (Defendants). UNITED STATES as a party.

SUMMARY JUDGMENT in favor of the United States of America. dated March 17, 2020.

MOTION for Reconsideration, Denied April 14, 2020.

Civil Case 18-4034; captioned: Loring v. United States of America, et. al.

2. In the United States 8th Circuit Court of Appeals, Civil Case 20-2137

Daniel Loring (Appellant Pro Se) v. United States of America, United States Department Of Justice, Executive Office for United States Attorney's, General Counsel (Appellees). UNITED STATES as a party.

Civil Case 20-2137; captioned: Daniel Loring v. United States of America, et. al.

JUDGMENT is Affirmed, March 10, 2021.

Civil Case 20-2137; captioned: Daniel Loring v. United States of America, UNITED STATES Department Of Justice, Executive Office for United States Attorney's, General Counsel.

PETITION for Rehearing, Denied April 19, 2021.

Civil Case 20-2137; captioned: Daniel Loring v. United States of America, et. al.

3. In the Supreme Court of the United States

(F.T.C.A.) Civil Case _____ (filed August ___, 2021)

Daniel Loring (Petitioner) v. United States of America, UNITED STATES Department of Justice, Executive Office for United States Attorney's General Counsel (Respondents). UNITED STATES as a party.

Re-Captioned: "DANIEL LORING v. UNITED STATES"

TABLE OF CONTENTS

Question Presented	1, 2, 3, 4
Parties to the Proceedings.....	5
Related Proceedings Directly on Review	6
Table of Contents	7
Table of Authorities	8, 9, 10
Petition for Writ Of Certiorari	11
Opinions Below	1, 2, 3, 4
Jurisdiction	4
Statement of the Case	5 - 25
Reasons for Granting the Writ	26
Conclusion	26, 27, 28
Form SF-95 (Claim for Damages)	(2 pages)
Certificate of Compliance	29
Certificate Proof of Service	30, 31
Certificate Proof of Service to other Parties	32, 33, 34
Appendix to Petition for Extraordinary Writ of Certiorari.....	1- 36
Attached to Appendix	(33) Contentions

TABLE OF AUTHORITIES

CASES:

(*McNeil v. United States*, 508 U.S. 106 , 112 (1993)). Compliance with § 2675(a)'s presentment requirement is a jurisdictional precondition to filing an FTCA suit in federal district court.”

(*Bell Atlantic Corp. V. Twombly* 550 U. S. ____ (2007) *Supreme Court Of The United States No. 05-1126 Bell Atlantic Corporation, Et Al., Petitioners V. William Twombly Et Al. On Writ Of Certiorari To The United States Court Of Appeals For The Second Circuit [May 21, 2007]*)

(*Ashcroft V. Iqbal* 556 U. S. ____ (2009) *Supreme Court Of The United States No. 07-1015.*) Applying Twombly/Iqbal Pleading Standards.

UNITED STATES CODIFIED STATUTES:

Section 1001 of the USA PATRIOT Act (Patriot Act), Public Law 107-56, direct the Office of the Inspector General (OIG) of the U.S. Department of Justice (DEPARTMENT OF JUSTICE or Department) to undertake a series of actions related to claims of civil rights or civil liberties violations allegedly committed by DEPARTMENT OF JUSTICE employees, including United States Attorneys.

TITLE 18. U.S.C., SECTION 242; Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States,... shall be fined under this title or imprisoned not more than one year, or both;

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].”

Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S.

388 (1971), you may sue federal officials for the violation of certain constitutional rights.

Under 28 U.S.C. § 2675(a) The United States Supreme Court has recognized that (the most natural reading of (§ 2675(a)) indicates that congress intended to require complete exhaustion of Executive remedies before invocation of the judicial process."

Under 28 U.S.C. § 2680 The Federal Tort Claims Act (FTCA) sets forth procedures for presenting and resolving administrative monetary claims for personal injury, property damage, or death arising from the alleged negligence of officers and employees of the federal judiciary acting in the scope of their official duties.

Under 18 U.S.C. 1503 Obstruction Of Justice. 9-42.010 Civil Fraud Against the Government Cases. 18 U.S.C. § 371—Conspiracy to Defraud the United States.

1-4.000 - Standards Of Conduct 5 C.F.R. § 2635

1725. Protection Of Government Processes -- Obstruction Of Pending Proceeding --
18 U.S.C. 1505 15 U.S.C. §§ 1311-14, with the intent of

923. 18 U.S.C. § 371—Conspiracy to Defraud the United States

18 U.S.C. § 241 (Conspiracy to Injure Citizens in the Exercise of Federal Rights);

18 U.S.C. § 242 (Willful Deprivations of Federal Rights Under Color of Law);

18 U.S.C. § 245 (Interference with Federally Protected Activities)

42 U.S.C. § 3631 (Interference with Fair Housing Activities)

910. Knowingly and Willfully

18 U.S.C. § 1001 (false statements),

18 U.S.C. § 287 (false claims),

18 U.S.C. § 371 (conspiracy to defraud the government)

1737. Civil Action To Enjoin The Obstruction Of Justice -- 18 U.S.C. 1514

901. Scope of the General Statutes Prohibiting Fraud Against the Government: 908.

Elements of 18 U.S.C. § 1001

UNITED STATES FEDERAL CONSTITUTIONAL PROVISIONS:

UNITED STATES CONSTITUTION, AMENDMENT I: The First Amendment to the United States Constitution prevents the government from making laws which regulate an establishment of religion, or that would prohibit the free exercise of religion, or abridge the freedom of speech, the freedom of the press, the freedom of assembly, or the right to petition the government for redress of grievances. It was adopted on December 15, 1791, as one of the ten amendments that constitute the Bill of Rights.

UNITED STATES CONSTITUTION, AMENDMENT XIV: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor deny to any person within its jurisdiction the equal protection of the laws; nor shall any State deprive any person of life, liberty, or property, without due process of law.

LANDMARK Case - is a court case that is studied because it has historical and legal significance. The most significant cases are those that have had a lasting effect on the application of a certain law, often concerning violations of individual rights and liberties.

WHISTLEBLOWER: A whistleblower is a person, who exposes information or activity within a private, public, or government organization that is deemed illegal, illicit, unsafe, or a waste, fraud, or abuse of taxpayer funds.

PETITION FOR WRIT OF CERTIORARI

Where in this Legal Malpractice Action and Civil Lawsuit UNITED STATES is the Defendant in the Case. Whereby an Act of Congress: Under (F.T.C.A.) 28 U.S.C. § 2675(a) The United States Supreme Court has recognized that (the most natural reading of (§ 2675(a)) indicates that congress intended to require complete exhaustion of Executive remedies before invocation of the judicial process.” And the UNITED STATES did not dispute that a legal malpractice action is properly brought under FTCA. And the UNITED STATES did not dispute that it had a duty to provide Loring with adequate legal representation in the Fair Housing Act Case. Wherefore, the United States District Court In Ref. (Doc. r109) MEMORANDUM OPINION AND ORDER: denying⁹⁵ MOTION for JUDGMENT as a Matter of Law, with prejudice granting⁹⁷ MOTION for Summary Judgment in favor of the United States of America.

I, Petitioner Daniel Loring, a Disabled United States Citizen, Jurisdiction of South Dakota; Respectfully and Honorably Petition In the Supreme Court of the United States for Extraordinary Writ of Certiorari, to review the Administrative Agencies Opinions, Decisions, Actions, MEMORANDUM(s), Referrals and Complaint Forms; to review the entire United States District Court CIVIL DOCKET RECORD FOR CASE #: 4:18-cv-04034-LLP; to review the 8th Circuit United States Court of Appeals (6) CLERK ORDER(s), the 8th Circuits UNPUBLISHED PER CURIAM Opinion; the 8th Circuits JUDGMENT is Affirmed; to review the 8th Circuits “wrongful” entry on April 5, 2021, in the Civil Docket Record for Case 20-2137; and review the (2) Judge ORDER(s) and MANDATE.

Wherefore, accordingly to Rules of the Supreme Court Rule 20 and Rule 14; I Respectfully and Honorably Petition In the Supreme Court of the United States for Extraordinary Writ of Certiorari to review all (33) “contentions” attached at Appendix to the Petition that are of extraordinary circumstances, and is all Iron Clad Factual Documentary Evidence in support of this Petition.

OPINIONS BELOW

The opinions and actions of the United States Department of Justice, Office of the Inspector General, Civil Rights and Civil Liberties Complaints Investigations Division, Washington, D.C., in correspondences, Memorandums dated July 10, 2017 and dated August 2, 2017, complaint referrals, and the O.I.G. Complaint Form OIG No.: DN-420-2017-009604. These are subpoenaed documents regarding my 1st Administrative Claim and are reported in 18-4034; (1) Complaint - (Doc. r95) Motion for Judgment as a Matter of Law and in 20-2137 Motion for Substantive Relief and is attached at Appendix – A to the Petition.

The opinion and response of the United States Department Of Justice, Executive Office of United States Attorney's, General Counsel in a correspondence dated October 5, 2017, that included a pamphlet. These documents are reported in 18-4034 (Doc. r1) Exhibit 7 and is reported in 20-2137 Motion for Substantive Relief and is attached at Appendix – B to the Petition.

The opinions and actions of the United States Department of Justice, Office of the Inspector General, Civil Rights and Civil Liberties Complaints Investigations Division, Washington, D.C., Memorandum dated February 1, 2018 complaint referrals, and the O.I.G. Complaint Form OIG No.: DN-420-2017-009604; with a correspondence dated March 1, 2018, 2017. These are subpoenaed documents regarding my 2nd Amended Administrative Claim and are reported in 18-4034; (1) Complaint - (Doc. r95) Motion for Judgment as a Matter of Law and in 20-2137 Motion for Substantive Relief and is attached at Appendix – C to the Petition.

In the United States District Court, Jurisdiction of South Dakota

In (F.T.C.A.) Civil Suit 18-4034. The United States District Court (Doc. 38) MEMORANDUM OPINION AND ORDER; Judge Lawrence L. Piersol filed December 18, 2018; This document is reported in (Doc. r119) NOTICE of Appeal and was not included in the (41 Page) Paper "Transmittal" of the CIVIL DOCKET RECORD FOR CASE #: 4:18-cv-04034-LLP; to the 8th Circuit Court of Appeals, but

is reported in 20-2137 Motion for Substantive Relief and is attached at Appendix – N to the Petition.

In (F.T.C.A.) Civil Suit 18-4034. The United States District Court (Doc. r69) ORDER ON MOTIONS; Judge Lawrence L. Piersol filed June 10, 2019; This document is reported in (Doc. r119) NOTICE of Appeal and was not included in the (41 Page) Paper “Transmittal” of the CIVIL DOCKET RECORD FOR CASE #: 4:18-cv-04034-LLP; to the 8th Circuit Court of Appeals, but is reported in 20-2137 Motion for Substantive Relief and is attached at Appendix – P to the Petition.

In (F.T.C.A.) Civil Suit 18-4034. The United States District Court (Doc. r109) MEMORANDUM OPINION AND ORDER; Judge Lawrence L. Piersol filed March 17, 2020; This document is reported in (Doc. r119) NOTICE of Appeal and is attached at Appendix – Q 1 to the Petition. The United States District Court (Doc. r110) JUDGMENT; Summary Judgment in favor of the United States of America. Judge Lawrence L. Piersol filed March 17, 2020. This document is reported in (Doc. r119) NOTICE of Appeal and is attached at Appendix – Q 2 to the Petition.

In (F.T.C.A.) Civil Suit 18-4034. The United States District Court (Doc. r117) MEMORANDUM OPINION AND ORDER DENYING MOTION FOR RECONSIDERATION; Judge Lawrence L. Piersol filed April 14, 2020, This document is reported in (Doc. r119) NOTICE of Appeal and is attached at Appendix – R to the Petition.

In (F.T.C.A.) Civil Suit 18-4034. The United States District Court (Doc. r124) ; MEMORANDUM OPINION AND ORDER DENYING MOTION FOR STAY. Judge Lawrence L. Piersol ; filed July 20, 2020. This document is reported in 20-2137 Originating court document filed consisting of ORDER dated 07/20/2020 denying motion for stay. and is attached at Appendix – S to the Petition.

In the Eighth Circuit United States Court of Appeals

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: CLERK ORDER dated August 11, 2020. This document is reported in 20-2137 and is attached at Appendix – X to the Petition.

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: CLERK ORDER dated August 19, 2020. These documents are reported in 20-2137 and is attached at Appendix – Y to the Petition.

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: CLERK ORDER dated September 9, 2020. This document is reported in 20-2137 and is attached at Appendix – Z to the Petition.

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: CLERK ORDER dated September 17, 2020; and CLERK ORDER dated September 17, 2020. These documents are reported in 20-2137 and is attached at Appendix – AA 1 and Appendix – AA 2 to the Petition.

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: Counsel Opinion Letter dated March 10, 2021; UNPUBLISHED PER CURIAM Opinion dated March 10, 2021; The Eighth Circuit United States Court of Appeals: JUDGMENT dated March 10, 2021. These documents are reported in 20-2137 and is attached at Appendix – BB 1, Appendix – BB 2 and Appendix – BB 3 to the Petition. (The 8th Circuits UNPUBLISHED PER CURIAM Opinion and JUDGMENT is reported in 18-4034, on March 10, 2021 as being filed by Daniel Loring. *(I DID NOT file these DOCUMENTS with the District Court in 18-4034, for the simple fact is they were posted the same day in both 20-2137 and 18-4034?)*

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: PRO SE Notice of Docket Activity dated April 5, 2021; MOTION to Amend/Correct Petition for Rehearing that was “wrongfully” entered as MEMORANDUM of Appellant in support of petition for en banc rehearing, petition for rehearing by panel. This document is reported in 20-2137 and is attached at Appendix – DD 1 to the Petition.

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: JUDGE ORDER dated April 19, 2021. This document is reported in 20-2137 and is attached at Appendix – EE to the Petition.

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: JUDGE ORDER dated April 28, 2021. These documents are reported in 20-2137 and is attached at Appendix – FF 2 to the Petition.

In (F.T.C.A.) Civil Suit 20-2137; The Eighth Circuit United States Court of Appeals: MANDATE dated April 28, 2021. This document is reported in 20-2137 and is attached at Appendix – GG to the Petition. (The 8th Circuits MANDATE is reported in 18-4034, on April 28, 2021 as being filed by Daniel Loring. (*I DID NOT file this DOCUMENT with the District Court in 18-4034, for the simple fact is was posted the same day in 18-4034 as it was posted in 20-2137?*)

JURISDICTION

Article III of U.S. Constitution, 28 U. S. C. § 1254, §1651, Sup. Ct. Rule 20. The Supreme Court of the United States has been given both Original Jurisdiction and Appellate Jurisdiction to hear cases. Wherefore, the Supreme Court of the United States only hears cases that could have national significance, cases that might harmonize conflicting decisions in the Federal Circuit Courts and cases that could have precedential value. The exceptional circumstances of the (USA) United States Attorney(s) Office Assistant United States Attorney's wrongdoing and professional misconduct regarding this Legal Malpractice Action Civil Lawsuit conjoined with the extraordinary circumstances in this case to cover-up and conceal the Merits of this Legal Malpractice Action; were destined for the Jurisdiction of the Supreme Court of the United States; as I "claim" it is a Legal Malpractice LANDMARK Decision Case.

STATEMENT OF THE CASE

I, Petitioner Daniel Loring, claim that for the 1st time in the History of the United States a Legal Malpractice Action Civil Lawsuit with having such extraordinary circumstance is properly brought under the (F.T.C.A.) U.S.C. § 2675(a)

In the Supreme Court of the United States. Whereby an Act of Congress, on or before June 8, 2018; the UNITED STATES did not dispute that that a legal malpractice action is properly brought under the FTCA and the UNITED STATES did not dispute that it had a duty to provide Petitioner with adequate legal representation in the Fair Housing Act case. Wherefore on April 3, 2018; I filed this Legal Malpractice Action against the UNITED STATES Department of Justice, Executive Office for United States Attorney's General Counsel. Thereafter, on December 18, 2018, the United States District Court In Ref. (Doc. r38) Memorandum Opinion and ORDER: dismissed the UNITED STATES Department of Justice, Executive Office for United States Attorney's General Counsel as defendants in the Case. And on March 17, 2020, the United States District Court In Ref. (Doc. r109) Memorandum Opinion and ORDER: denying95 MOTION for JUDGMENT AS A MATTER OF LAW, granting97 with prejudice SUMMARY JUDGMENT in favor of the UNITED STATES OF AMERICA. I "claim" is Deceitful Misrepresentation, Fraud and Obstruction of Justice. Therefore, I claim I have "exhausted all Administrative and Executive remedies" in this Administrative Proceeding to Petition for Extraordinary Writ of Certiorari In the Supreme Court of the United States for redress of my grievances.

As the Supreme Court of the United States to have a better and more proper understanding of this proceeding. I claim I have been caused to suffer damages from being Deprived of my Civil Rights and Civil Liberties and from being Deprived of my Rights to Equal Protection of the Laws. Wherefore, I further claim that I have been caused to suffer the most inconceivable damages from the intentional and malicious harassment and the "callousness" Depravation of my Right to Due Process of Law; Depravation of my Rights to Citizenship and Depravation of my Right to Life, Liberty, and to the pursuit of Happiness by the (USA) United States Attorney's Office and the United States District Courts wrongdoing and misconduct in both the underlying Federal Fair Housing Act Civil Rights Disability Discrimination Case/Lawsuit and this Administrative Proceeding and valid Legal Malpractice Action Civil Lawsuit, for 6 years on August 28, 2021.

Attached at the Appendix are (33) "contentions" all of Material Facts with having the pertinent information including handwritten notes on these contentions highlighted in yellow and is attached at Appendix - to the Petition, and referenced in this statement of the case (*e.g., Id. at App. -*); and is Iron Clad Factual Documentary Evidence in support of this Petition for Extraordinary Writ of Certiorari In the Supreme Court of the United States. On February 12, 2014, I was Discriminated against with having a Disability by my landlord and that was when I was first caused to suffer damages from having my Civil Rights violated under the Fair Housing Act.

On July 22, 2015, The United States Department of Housing and Urban Development, Office of Counsel, filed a Federal Fair Housing Civil Rights Disability Discrimination Case/Lawsuit on Petitioner Daniel Loring's behalf in Federal Administrative Law Court charging the Defendant's in the FHA Civil Suit with 10 Violations of the Fair Housing Act and asking the court to access a \$320,000.00 Civil penalty to the Defendant's in the FHA Case. The Federal FHA Civil Case/Lawsuit was then referred to the U.S. Department of Justice, United States Attorney's Office, Jurisdiction of South Dakota for the litigation of the Petitioner's Federal FHA Case/Lawsuit, where:

On August 28, 2015; The US DOJ, USAO, Civil Chief Diana Ryan and AUSA Alison Ramsdell filed their "draft" of the United States Department of Housing and Urban Development's Complaint in the United States District Court, Jurisdiction of South Dakota. After close to 2 years of having to take their abuse and negligence to accurately represent me in my FHA Case.

On June 26, 2017; I filed my 1st Administrative Claim/Complaint with the United States Department of Justice, Office of the Inspector General, Civil Rights and Civil Liberties Complaints Investigations Division, Washington, D.C. with allegations of Obstruction of Justice, Legal Malpractice and Civil Rights Abuse by U.S. Department Of Justice, United States Attorney's Office, Civil Chief Diana Ryan and AUSA Alison Ramsdell. (*e.g., Id. at App. - A*) includes copies of 5 Subpoenaed

Documents of factual iron clad documentary evidence from the Office of the Inspector General, Investigations Division, Washington, D.C. dated July 10, 2017, and dated August 2, 2017, and is reported in both 18-4034 (Doc. r95) MOTION for Judgment as a Matter of Law and in 20-2137, Motion for Substantive Relief. On October 5, 2017, (e.g., *Id. at App. - B*) is a copy of the correspondence and pamphlet I received from the Executive Office for United States Attorney's in response to my letter dated September 9, 2017, to the Executive Office for United States Attorney's General Counsel. Where the General Counsel forwarded it to the Executive Office for United States Attorney's for response. This correspondence "exhausted all my administrative remedies" and is reported in both 18-4034 (Doc. r95) MOTION for Judgment as a Matter of Law and in 20-2137, Motion for Substantive Relief. On or about December 8, 2017; I filed my 2nd Amended Administrative Claim/Complaint with the Office of the Inspector General, Civil Rights and Civil Liberties Complaints Investigations Division, Washington, D.C. with allegations of Conspiracy to Defraud the United States, Conspiracy Obstruction of Justice, Federal HIPAA Law Violations, Fraud/Accessory to Fraud and "collusion" between the U.S. Department of Justice, United States Attorney's Office, Civil Chief Diana Ryan, Assistant U.S. Attorney Alison Ramsdell and Defendants Attorney David Palmer. Thereafter, (e.g., *Id. at App. - C*) are 4 Subpoenaed Documents of factual iron clad documentary evidence from the Office of the Inspector General, Investigations Division, Washington, D.C. regarding my 2nd Amended Administrative Claim. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - A, Appendix - B, Appendix - C to the Petition.*)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

On www.pacermonitor.com, the PUBLIC DOMAIN of the United States Courts Official government website, the United States District Courts Public Record and Civil Docket for Case 4:18-cv-04034-LLP, Loring v United States of America, et. al., (e.g., *Id. at App. - E*) and the United States Court of Appeals for the Eighth Circuit Civil Docket for Case 20-2137-LLP, Daniel Loring v United States of America, et. al.,

(e.g., *Id. at App. - T*) conjoined contain approximately 160 Civil Docket Record Entries and approximately 4800 pages of documents and pleadings in this Administrative Proceeding that is a “non-judicial” determination of fault or wrongdoing, that concludes to Summary Judgment in favor of the United States of America. Wherefore, I “claim” that fact alone speaks for itself and makes a Statement of the Case.

Where I further claim on www.pacermonitor.com, the PUBLIC DOMAIN of the United States Courts Official government website, the United States District Courts Public Record and Civil Docket for Case 4:18-cv-04034-LLP, Loring v United States of America, et. al., (e.g., *Id. at App. - E*) there are Records that have been REMOVED and DELETED from the Public Domain of the United States District Courts Public Record and Civil Docket for Case 4:18-cv-04034-LLP, I also claim there have been Civil Docket Records that have been re-edited and/or modified months after the docket was entered and submitted in PACER. And I further “claim” that every document filed by the (USA) United States Attorney “Office” making “false claims” and “false statements” claiming to be Defendant, United States of America; and/or claiming to be Defendants, United States of America, United States Department of Justice, Executive Office for United States Attorney’s, General Counsel; starting with In Ref. (Doc. r21) (e.g., *Id. at App. - L 1*) filed on May 21, 2018; and every document after that filed by the (USA) United States Attorney “Office” and the United States District Court in the Public Record of the Civil Docket for Case 4:18-cv-04034-LLP, is a Deceitful, Misrepresentation of the Case and is Conspiracy Fraud/Accessory to Fraud and Conspiracy Obstruction of Justice to Defraud the Government, to Defraud the United States, to Defraud the Public and Defraud the Citizens of South Dakota. The record on www.pacermonitor.com, goes as follows:

On April 3, 2018; After “exhausting all administrative remedies.” I filed this valid (F.T.C.A.) Legal Malpractice Claim and Civil Lawsuit Civil Case 18-4034; Daniel Loring Plaintiff v. United States of America, United States Department of Justice, Executive Office for United States Attorney’s, General Counsel, Defendants

in United States District Court, Jurisdiction of South Dakota, (e.g., *Id. at App. - D*) (Doc. r1) COMPLAINT; This Civil Action was brought forward pursuant to 4-5.000 Tort Litigation of my Administrative Claims filed with the U.S. Department of Justice, Office of the Inspector General, and with the Office of the Deputy Attorney General. Pursuant to 1-4-100 - 18 U.S.C. 1503 Obstruction Of Justice, 9-42.010 Civil Fraud Against the Government Cases 18 U.S.C. § 371—Conspiracy to Defraud the United States, by the U.S. Attorney's Office Assistant U.S. Attorney's exercising their authority during litigation in my Federal Fair Housing Civil Rights Disability Discrimination Case/Lawsuit, acting on behalf of the United States of America. (Doc. r4) SUMMONS: Summons Issued as to Executive Office for United States Attorney's General Counsel, United States Department of Justice. 3 original summonses. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - D to the Petition.*)

(PETITIONERS STATEMENT OF FACTS OF THE CASE)

Important Fact to Remember in Appendix - D, the printout of the United States District Courts website PDF fillable download Complaint form: COMPLAINT 1. State the grounds for filing this case in Federal Court (include federal statutes and/or U.S. Constitutional provisions if you know them, Fed. R. Civ. P. 8(a)(1) requires a short and plain statement of the grounds for that the Court's jurisdiction.)

Attached (e.g., *Id. at App. - E*) is a copy of the Official governments website, www.pacermonitor.com, United States South Dakota District Courts, DOCKET RECORD FOR CASE #: 4:18-cv-04034-LLP; (F.T.C.A.) Legal Malpractice Civil Case 18-4034, Loring v. United States of America et. al. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - E to the Petition.*)

On April 9, 2018; In Ref. (Doc. r6) NOTICE of Appearance by Delia M. Druley (USA) on behalf of United States of America. (Druley (USA), Delia) In Ref. (Doc. r7) ACKNOWLEDGEMENT OF SERVICE Executed as to 4 Summons Issued as to

USA,1 Complaint,,,,, Acknowledgement filed by United States of America. (Druley (USA), Delia)

(PETITIONERS STATEMENT OF FACTS OF THE CASE)

On April 10, 2018; I received (e.g., Id. at App. - F), Exhibit - 17B; NOTICE of Appearance by Delia M. Druley (USA) "United States Attorney" on behalf of United States of America. and I received (e.g., Id. at App. - F), Exhibit - 17; a letter from the United States Attorney's Office, Civil Chief Diana Ryan whom I claim already developed a plan to intervene and obstruct justice in this Administrative Proceeding whereas in the letter the case is captioned; RE: Daniel Loring v. United States of America, et. al., *The first sentence reads:* Our office is in receipt of your Summons and Complaint in the above referenced matter. and the last sentence in the letter reads: We ask that all future correspondences with our office be sent to the U.S. Attorney's Office at this address. (e.g., Id. at App. - F), Exhibit - 17A; In Ref. (Doc. r7) ADMISSION of Service: "service of the summons and complaint upon the United States Attorney (USA) for the District of South Dakota..... defendants response is due within 60 days.

In Support of the Question(s) Presented and to Support my "claims" of the United States District Court and/or the (USA) United States Attorney "Office" knowingly, willfully and recklessly acted in bad faith and violated 1725. Protection Of Government Processes — Obstruction Of Pending Proceeding — 18 U.S.C. 1505 Section 1505 with the intent to mislead the Public and deceitfully cover-up the wrongdoing to conceal the Merits of the Case. The deceit, the misrepresentation, the Fraud and the Obstruction of Justice can clearly be seen in the CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; on the "OFFICIAL" Publics Domain of the governments; United States Courts Cases; www.pacermonitor.com, on May 14, 2018.

On May 14, 2018; In Ref. (Doc. r13) MOTION to Amend/Correct1 Complaint by Daniel Loring. Att. 1 Exhibit 17 4/9/18 letter. Att.2 Exhibit 17A admission of service. Att.3 Exhibit 17B notice of appearance. Att. 4 Certificate of Service Att. 5 Envelope marked 5/12/18.

The Document I filed on May 14, 2018, (e.g., *Id. at App. - F*), In Ref. (Doc. r13) NOTICE OF MOTION AND MOTION TO AMEND COMPLAINT WITH ADMISSION OF NEW DOCUMENTARY EVIDENCE AS EXHIBIT 17; EXHIBIT 17A; EXHIBIT 17B. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - F to the Petition.*)

On May 14, 2018; In Ref. (Doc. r14) MOTION for Summary Judgment by Daniel Loring. (SLW)

The Document I filed on May 14, 2018, (e.g., *Id. at App. - G*), In Ref. (Doc. r14) NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - G to the Petition.*)

On May 14, 2018, (e.g., Id. at App. - H), AFFIDAVIT OF DANIEL LORING In Ref. (Doc. r15), (Doc. r16), (Doc. r17), (Doc. r18) whereas the United States District Court “wrongfully” entered AFFIDAVIT of Daniel Loring into 4 AFFIDAVIT(s) of Daniel Loring. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - H to the Petition.*)

Attached (e.g., *Id. at App. - I 1*), is a copy the Publics Domain and the Public Records of United States Court Cases governments website, www.pacermonitor.com, on the Publics Domain of the United States District Court CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; Loring v. United States of America; (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - I 1 to the Petition.*)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

Wherefore, it is “clear” to see the last Civil Docket Record entered for Monday, May 14, 2021; In Ref. is (Doc. r18) AFFIDAVIT of Daniel Loring.... And it is “clear”

to see the next Civil Docket Record entered is Monday, May 21, 2018, In Ref. is (Doc. r21) RESPONSE to Motion re12 MOTION to Amend/Correct1 Complaint filed by United States of America, (Druley (USA) Delia.) On www.pacermonitor.com, the Publics Domain of the governments United States Court Cases, (Doc. r19) CERTIFICATE OF SERVICE(s) and (Doc. r20) CERTIFICATE OF SERVICE(s) have been **“REMOVED and DELETED”** from the Public Record of the CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; for a reason.

Attached *(e.g., Id. at App. – I 2)*, filed 6/8/2020, and reported in Appellate Case 20-2137, is a copy of the “transmittal” of the United States District Court, CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; *(e.g., Id. at App. – V 2)*, page 3, highlighted in yellow civil docket records entered for 05/14/2018; In Ref. is (Doc. r19) CERTIFICATE OF SERVICE by Daniel Loring. In Ref. is (Doc. r20) CERTIFICATE OF SERVICE by Daniel Loring. (Entered: 05/14/2018). *(The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – I 2 to the Petition.)*

(PETITIONERS STATEMENT OF FACT OF THE CASE)

Wherefore, it is “clear” to see on the copy of the “transmittal” of the Official United States Courts CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; (Doc. r19) CERTIFICATE OF SERVICE(s) and (Doc. r20) CERTIFICATE OF SERVICE(s) **have NOT been “REMOVED and DELETED”** and are showing as part of the record on this copy of the Official United States Courts Civil Docket Record for Case 18-4034. And where on www.pacermonitor.com (Doc. r19) CERTIFICATE OF SERVICE(s) and (Doc. r20) CERTIFICATE OF SERVICE(s) **have been “REMOVED and DELETED”** from the Publics Domain CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP. I “claim” that is a violation of 1725. Protection Of Government Processes -- Obstruction Of Pending Proceeding -- 18 U.S.C. 1505 Section 1505.

On May 14, 2018; Attached *(e.g., Id. at App. - J)* are copies of In Ref. (Doc. r19) CERTIFICATE OF SERVICE(s) re; (Doc. r13), (Doc. r14), (Doc. r15), (Doc. r16), (Doc. r17), (Doc. r18) to the Executive Office for United States Attorneys’

General Counsel, United States Department of Justice dated May 4, 2018, and the USPS Proof of Service filed by Daniel Loring on May 14, 2018, That were deceitfully and fraudulently “**REMOVED and DELETED**” sometime later from the CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; on www.pacermonitor.com for a reason. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - J to the Petition.*)

On May 14, 2018; Attached (e.g., *Id. at App. - K*) are copies of In Ref. (Doc. r20) CERTIFICATE OF SERVICE(s) re; (Doc. r11), (Doc. r12), (Doc. r13), (Doc. r14), (Doc. r15), (Doc. r16), (Doc. r17), (Doc. r18) to Office of the Attorney General, United States Department of Justice dated May 4, 2018, and a copy of the USPS Proof of Service filed by Daniel Loring on May 14, 2018. That were deceitfully and fraudulently “**REMOVED and DELETED**” sometime later from the CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; on www.pacermonitor.com for a reason. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - K to the Petition.*)

On May 21, 2018, (e.g., *Id. at App. - L 1*), is a copy of In Ref. (Doc. r21) RESPONSE to Motion re12 MOTION to Amend/Correct1 Complaint.... filed by United States of America. (Druley (USA) Delia). (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - L 1 to the Petition.*)

On May 21, 2018, United States District Court Judge Lawrence L. Piersol filed In Ref. (Doc. r22) ORDER: denying12 Motion to Amend/Correct; denying13 Motion to Amend/Correct.

On June 4, 2018, (e.g., *Id. at App. - L 2*), is a copy of In Ref. (Doc. r23) MOTION to Dismiss for Failure to State a Claim ; MOTION to Dismiss for Lack of Jurisdiction , MOTION to DISMISS by Executive Office for United States Attorney's General Counsel, U.S. Department of Justice, United States of America. (Druley

(USA), Delia (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - L 2 to the Petition.*)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

I “claim” (Doc. r21) and (Doc. r23) are unsanctioned documents and these Material Facts coupled with the REMOVAL and DELETION of (Doc. r19) and (Doc. r20) CERTIFICATE(s) OF SERVICE on the Publics Domain and the Public Record of United States Court Cases governments website, www.pacermonitor.com, CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; Loring v. United States of America; is Factual Documentary Evidence that supports the United States District Court and the (USA) United States Attorney “Office” have knowingly, willfully and recklessly violated 1-4.000 - Standards Of Conduct, Conflicts of Interest. (5 C.F.R. § 2635.802(b)); (5 C.F.R. § 2635.502); (5 C.F.R. § 2635.702(b)); and 1725. Protection Of Government Processes -- Obstruction Of Pending Proceeding -- 18 U.S.C. 1505 Section 1505 specifically prohibits anyone from withholding, misrepresenting, removing from any place, concealing, covering up, destroying, mutilating, altering, or by other means falsifying any documentary material, answers to written interrogatories, or oral testimony that is the subject of a proper investigative demand under the Antitrust Civil Process Act, 15 U.S.C. §§ 1311-14, with the intent to mislead the Public and deceitfully cover-up the wrongdoing to conceal the Merits of the Case.

On June 18, 2018; I filed in 18-4034; (e.g., Id. at App. - M), In Ref. (Doc. r32) AFFIDAVIT of Daniel Loring. attached (e.g., Id. at App. - F) EXHIBIT 17; EXHIBIT 17A; EXHIBIT 17B to my AFFIDAVIT. (The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - M to the Petition.) ((6) MONTHS LATER)

On December 18, 2018; (e.g., Id. at App. - N) United States District Court, Judge Lawrence L. Piersol filed In Ref. (Doc. r38) MEMORANDUM OPINION AND ORDER: (The pertinent information including handwritten notes on

these contentions are highlighted in yellow and is attached at Appendix - N to the Petition.)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

Case 4:18-cv-04034-LLP; is captioned: DANIEL LORING, Plaintiff v. UNITED STATES OF AMERICA, U.S. DEPARTMENT OF JUSTICE, EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY'S GENERAL COUNSEL Defendants.

page 1 1st paragraph: Plaintiff Daniel Loring ("Loring") brought this pro se lawsuit against the UNITED STATES for the alleged misconduct of two Assistant United States Attorneys in their handling of an earlier civil lawsuit filed under the Fair Housing Act on Loring's behalf.

Accordingly: pg. 2 – 3: footnotes: 1) 28 U.S.C. § 2675(a)..... and Pg. 7 footnotes; 2) The UNITED STATES DOES NOT DISPUTE that a legal malpractice action is properly brought under the (F.T.C.A.). 3) The UNITED STATES DOES NOT DISPUTE that it had a duty to provide Loring with adequate legal representation in the Fair Housing Act Case.

Id. bottom pg. 9, quoting. While Loring has pled enough facts to state a legal malpractice claim that is plausible on its face and gives the United States fair notice of the claim...

Thereafter, Judge Lawrence L. Piersol ORDERED: The "UNITED STATES" Department of Justice, Executive Office for United States Attorney's, General Counsel are dismissed as defendants in the case. And re-captioned Case 4:18-cv-04034-LLP; Daniel Loring Plaintiff v. United States of America et. al.

(PETITIONERS STATEMENT OF FACT OF THE CASE)

Where (*e.g., Id. at App. - F*), Exhibit - 17; Letter dated April 9, 2018; Civil Chief Diana Ryan had already developed a plan to intervene in this Administrative Proceeding whereas she captioned the case; RE: Daniel Loring v. United States of America, et. al. Wherefore on December 18, 2018; (*e.g., Id. at App. - N*) United States District Court, Judge Lawrence L. Piersol filed In Ref. (Doc. r38): MEMORANDUM OPINION AND ORDER: deceitfully and fraudulently dismissed

the UNITED STATES as Defendant in the case and re-captioned the case: Daniel Loring Plaintiff v. United States of America et. al. The very next day on www.pacermonitor.com.

On December 19, 2018, *In Ref.* (Doc. r39) ANSWER to 1 Complaint,,,,, to Allegations Remaining After Court's Partial Grant of Motion to Dismiss by All Defendants. (Druley (USA), Delia).

What was filed on December 19, 2018; Attached at Appendix (e.g., *Id. at App. - O*), In Ref. (Doc. r39) ANSWER TO ALLEGATIONS REMAINING AFTER COURTS PARTIAL GRANT OF MOTION TO DISMISS (Docket 38) (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - O to the Petition.*)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

Where on April 9, 2018, (e.g., *Id. at App. - F*), Exhibit - 17A; *In Ref.* (Doc. r7) ADMISSION of Service: "service of the summons and complaint upon the United States Attorney (USA) for the District of South Dakota..... defendants response is due within 60 days, Now 8 Months later the (USA) United States Attorney "Office" enters *In Ref.* (Doc. r39) ANSWER to 1 Complaint,,,,, by All Defendants. (Druley (USA), Delia) on www.pacermonitor.com, where the Factual Document entered states: Defendant, United States of America.

I "claim" that is Knowingly, Willfully and Recklessly Deceitful Misrepresentation and is 100% Fraud to Obstruction of Justice.

(PETITIONERS ADDITIONAL STATEMENT OF FACT OF THE CASE)

Where the United States District Court *In Ref.* (Doc. r38) ORDER: 6. That Defendants' Motion to Dismiss, Doc. 23, is granted as to all of Plaintiff's claims with the exception of his legal malpractice claim. In (Doc. r38) the United States District Court dismissed my claims of Civil Chief Diana Ryan and AUSA Alison Ramsdell violating (15) United States Codified Federal Statutes listed in (Doc. r14) NOTICE of MOTION and Motion for Summary Judgment, pages 20, 21 starting at 1725.

Protection Of Government Processes – Obstruction Of Pending Proceeding – 18 U.S.C. 1505. And on pages 23, 24 starting at 1-4.000 Standards Of Conduct and did not dismiss my Legal Malpractice Claim. Wherefore, In Ref. (Doc. r38) ORDER: 6. That Defendants' Motion to Dismiss, Doc. 23, is granted as to all of Plaintiff's claims with the exception of his legal malpractice claim. And where in (Doc. r39) (Druley (USA) Delia) denies....all of Loring's claims other than his legal malpractice claim.

I ask this Extraordinary Question: Is Legal Malpractice against the Law? Legal Malpractice. Not every mistake made by an attorney is considered legal malpractice. Instead, legal malpractice happens when an attorney handles a case inappropriately due to negligence or with intent to harm and causes damages to a client. Because legal malpractice is a claim of professional negligence, the client can sue the attorney for damages. Wherefore, under the Federal Tort Claim Act I filed this Legal Malpractice Action Civil Lawsuit against the UNITED STATES and instead of granting me Final Judgment on the Merits of the Case. I “claim” United States District Court Judge Lawrence L. Piersol knowingly and willfully violated CODE OF CONDUCT Canon 1: A Judge Should Uphold the Integrity and Independence of the Judiciary. Violated Canon 2: A Judge Should Avoid Impropriety and the Appearance of Impropriety in all Activities, Canon 2A, Canon 2B. And Violated Canon 3: A Judge Should Perform the Duties of the Office Fairly, Impartially and Diligently, Canon 3A(3), Canon 3A(4), Canon 3A(5), Canon 3A(6), Canon 3B(4) and Canon 3B(6). And recklessly violated 1725. Protection Of Government Processes -- Obstruction Of Pending Proceeding -- 18 U.S.C. 1505 as well as violating my Constitutional Rights guaranteed to me by UNITED STATES CONSTITUTION, AMENDMENT I and XIV.

(PETITIONERS ADDITIONAL STATEMENT OF FACT OF THE CASE)

Between December 19, 2018 and June 10, 2019; I filed (5) MOTIONs for Final JUDGMENT as a Matter of Law, Doc. 41, 46, 50, 65, 68. In Ref. (Doc. r46) MOTION FOR COURT TO MOVE ON JUDGMENT PURSUANT TO FED. R. CIV. P. 52(a)(1)

AS PLAINTIFF IS ENTITLED TO COURT ENTRY OF "FINAL JUDGMENT" - AS "RULE OF LAW" AND "AS A MATTER OF LAW" where I gave the United States fair notice of my new and additional Claim of Discrimination and Civil Rights Violations where I claimed Civil Chief Diana Ryan and AUSA Alison Ramsdell Violated the 14th Amendment Section 1 of the Federal Constitution and Deprived me of my Civil Rights and Civil Liberties and Deprived me of Equal Protection of the Laws while acting under the color of federal laws on behalf of the United States of America. In Ref. (Doc. r46) I also attached a new Form SF-95 Claim for Damages and demanded \$26,400,000.00 for both claims. I have included at the Appendix Additional Information regarding the Facts of how the Civil Docket entries were edited and modified in 18-4034 between December 19, 2018; and June 10, 2019; that includes: what's reported on www.pacermonitor.com, what's reported on (*e.g., Id. at App. - V 2*) the CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; provided to the 8th Circuit in Appellate Case 20-2137, filed 6/8/2020. And the Fact of what the document is 'titled" that I filed in 18-4034. (**6 MONTHS LATER**)

On June 10, 2019; (e.g., Id. at App. - P) United States District Court Judge Lawrence L. Piersol filed In Ref. (Doc. r69) ORDER ON MOTIONS: (The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - P to the Petition.)

(PETITIONERS ADDITIONAL STATEMENT OF FACT OF THE CASE)

Wherefore, United States District Court Judge Lawrence L. Piersol denied 5 MOTION FOR COURT TO MOVE ON JUDGMENT PURSUANT TO FED. R. CIV. P. 52(a)(1) AS PLAINTIFF IS ENTITLED TO COURT ENTRY OF "FINAL JUDGMENT" - AS "RULE OF LAW" AND "AS A MATTER OF LAW." Wherefore the Supreme Court can understand the extent of the Fraud and Obstruction of Justice in the case. At the Appendix is Additional Information regarding the Facts of the "conspiracy" to conceal the cover-up the Merits of this (F.T.C.A.) Case between June 17, 2019; and March 17, 2020.

On September 18, 2019; I filed In Ref. (Doc. r95) Memorandum in Support for Court to Deny/Dismiss Defendant United States of America^{85,86,88,89,92} to Support a Showing of Good Cause for Court to Move on MOTION FOR JUDGMENT AS A MATTER OF LAW.

On September 20, 2019; the (USA) filed In Ref. (Doc. r97) MOTION for SUMMARY JUDGMENT by United States of America. (Druley (USA), Delia).

On December 9, 2019; I filed In Ref. (Doc. r104) MOTION FOR ENTRY OF DEFAULT AND FOR ENTRY OF DEFAULT JUDGMENT.

On March 17, 2020; (e.g., *Id. at App. – Q 1*) United States District Court, Judge Lawrence L. Piersol filed In Ref. (Doc. r109) MEMORANDUM OPINION AND ORDER: (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – Q 1 to the Petition.*)

On March 17, 2020; (e.g., *Id. at App. – Q 2*) United States District Court, Judge Lawrence L. Piersol filed In Ref. (Doc. r110) JUDGMENT: “Summary Judgment in favor of the United States of America. Petitioner claims this JUDGMENT is IN VALID. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – Q 2 to the Petition.*)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

I, Petitioner Daniel Loring, “claim” that (Doc. r109) MEMORANDUM OPINION AND ORDER: is nothing but false statements and false claims, ambiguous self-contradicting half-truths and a misrepresentation of the case where if the truth be told by Judge Lawrence L. Piersol, I would have been granted Final Judgment on the Merits of the case back in June 2018.

In Ref. (r109) page 1-1st paragraph: “Plaintiff Daniel Loring (“Loring”) brought this pro se lawsuit against the UNITED STATES OF AMERICA alleging

legal malpractice by two Assistant United States Attorneys ("AUSAs") who handled a civil lawsuit filed under the Fair Housing Act on Loring's behalf." Compared to:

In Ref. (r38) page 1-1st paragraph: "Plaintiff Daniel Loring ("Loring") brought this pro se lawsuit against the UNITED STATES for the alleged misconduct of two Assistant United States Attorneys in their handling of an earlier civil lawsuit filed under the Fair Housing Act on Loring's behalf."

Where *In Ref. (r109)* the last sentence of the *1st paragraph*: "For the following reasons, the Court grants the UNITED STATES' motion for summary judgment and denies the remaining motions."

In Ref. (Doc. r97) MOTION for SUMMARY JUDGMENT by UNITED STATES OF AMERICA. (Druley (USA), Delia).

Where *In Ref. (r109) bottom paragraph-3rd line:* Id. Though "*Loring pleaded facts sufficient to state a legal malpractice claim,*" Compared to:

In Ref. (r38) bottom page 9, 10; While "*Loring has pled enough facts to state a legal malpractice claim that is plausible on its face and gives the United States fair notice of the claim,*

(PETITIONERS STATEMENT OF FACT OF THE CASE)

(I "claim" that Factual Documentary Evidence proves my "claims.")

On April 14, 2020; (e.g., Id. at App. - R) In Ref. (Doc. r117) MEMORANDUM OPINION AND ORDER DENYING MOTION FOR RECONSIDERATION. (The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - R to the Petition.)

On July 20, 2020; (e.g., Id. at App. - S) In Ref. (Doc. r124) MEMORANDUM OPINION AND ORDER DENYING MOTION FOR STAY. (The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix - S to the Petition.)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

On www.pacermonitor.com, these 3 documents were filed and submitted into the Civil Docket Records for Case 18-4034, and state: filed by Daniel Loring. I did not in any such way file these records with the District Court, for the simple fact being that I could not have; they were posted the same day the United States Court of Appeals for the Eighth Circuit posted them on www.pacermonitor.com, and I had not received them in the mail until days after these postings.

- On March 10, 2021: the United States District Court filed (Doc. r126) PER CURIAM OPINION of USCA as to 119 Notice of Appeal, filed by Daniel Loring. (TAL)
- On March 10, 2021: the United States District Court filed (Doc. r127) JUDGMENT of USCA affirming the District Court as to 119 Notice of Appeal, filed by Daniel Loring. (TAL)
- On April 28, 2021: the United States District Court filed (Doc. r128) MANDATE from 8th Circuit COA Affirming the decision of the District Court as to 119 Notice of Appeal, filed by Daniel Loring. (TAL)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

I, Petitioner Daniel Loring, "Claim" that (USA) Assistant United States Attorney Delia M Druley, Assistant United States Attorney Meghan K. Roche and United States District Court Judge Lawrence L. Piersol while acting under the color of federal law has unequivocally violated the STANDARDS AND CODE OF CONDUCT and violated 1725. Protection Of Government Processes — Obstruction Of Pending Proceeding — 18 U.S.C. 1505 Section 1505 also specifically prohibits anyone from withholding, misrepresenting, removing from any place, concealing, covering up, destroying, mutilating, altering, or by other means falsifying any documentary material answers to written interrogatories, or oral testimony that is the subject of a proper investigative demand under the Antitrust Civil Process Act, 15 U.S.C. 1311-14, with the intent of 910. KNOWINGLY AND WILLFULLY The prohibition of 18 U.S.C. S 1001 requires that the false statement, concealment or

cover up be "knowingly and willfully" done, which means that "The statement must have been made with an intent to deceive, a design to induce belief in the falsity or to mislead, 18 U.S.C. S 1001 (false statements), 18 U.S.C. S 287 (false claims) and has Deprived me of my Federal and Constitutional Rights and has Deprived me of my Right to Due Process of Law by his Deceitful Misrepresentation of the Case and Fraud to Obstruct Justice and conceal the wrongdoing. I "claim" the United States District Court ORDER SUMMARY JUDGMENT in favor of the United States of America is Fraudulent, in-valid and is not Final Judgment on the Merits of the Case.

(PETITIONERS ADDITIONAL STATEMENT OF FACT OF THE CASE)

I, Petitioner, Daniel Loring, do solemnly "claim" that the pertinent information highlighted in yellow and includes my handwritten notes regarding these contentions is Iron Clad Proof of my "claim" of a "Conspiracy" between the (USA) United States Attorney "Office" and the United States District Court to intervene in this Administrative Proceeding in order to conceal the Merits of this (F.T.C.A.) Legal Malpractice Civil Suit. And by Defrauding the Government, to Defraud the United States and to Defraud the Public with the intent to mislead the Public and make it look as if Petitioner Daniel Loring filed a frivolous Legal Malpractice Lawsuit against the United States of America in the United States District Court and "cover-up" the "multitude" of criminal United States Statutes in (Doc. r14) Motion for Summary Judgment; and whereby Deceit, Misrepresentation and Fraud to Obstruct Justice, the parties to the case acting as co-conspirators have violated: Federal Laws and Federal Statutes listed at page 27 of Appendix. The Public and the Citizens of South Dakota are unknowingly at risk for being victimized by these wrongdoers who are unjustly trying to settle this case.

For all the reasons above and for the "claims" that I just made that I also argued in my NOTICE of Appeal, BRIEF and REPLY BRIEF to the United States Court of Appeals for the 8th Circuit. I will provide a general overview of the case in the United States Court of Appeals for the 8th Circuit. Where if you read the CLERKS

ORDER(s) I believe the CLERK ORDER(s) spell out a different conclusion to the case then SUMMARY JUDGMENT in favor of the United States of America is Affirmed.

Attached (*e.g., Id. at App. – T*) is a copy of the 8th Circuit United States Court of Appeals Civil Docket Record for Case 20-2137. Daniel Loring v. United States of America et. al., on www.pacermonitor.com. Wherefore, on the Dashboard, under Case #. TYPE: CIVIL: UNITED STATES AS A PARTY. In the Record for Case 20-2137, The Appellee's BREIF is captioned: DANIEL LORING V. UNITED STATES et.al. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – T to the Petition.*)

(Filed on June 8, 2020) in the Eighth Circuit United States Court of Appeals, 20-2137, (*e.g., Id. at App. – U*), Civil case docketed. 4 pages: PRO SE Docketing Letter. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – U to the Petition.*)

Attached (*e.g., Id. at App. – V*), A copy of the (41 Page Paper Document) "TRANSMITTAL" of the United States District Court, CIVIL DOCKET FOR CASE #: 4:18-cv-04034-LLP; at (*e.g., Id. at App. – V 1*), Originating court document filed consisting of notice of appeal filed 6/4/2020. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – V 1 to the Petition.*)

At (*e.g., Id. at App. – V 2*), docket entries, memorandum opinion and order filed 3/17/2020, judgment filed 3/17/2020, and memorandum opinion and order filed 4/14/2020. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – V 2 to the Petition.*)

Attached (*e.g., Id. at App. – W*) A copy of pages 57 through 69 of the 84 pages of Facts to support the Merits of the case in support of Motion for Substantive Relief

on the Merits of the case. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – W to the Petition.*)

(Filed on August 11, 2020) in 20-2137, (e.g., *Id. at App. – X*), CLERK ORDER. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – X to the Petition.*)

(Filed on August 19, 2020) in 20-2137, (e.g., *Id. at App. – Y*), CLERK ORDER. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – Y to the Petition.*)

(Filed on September 9, 2020) in 20-2137, (e.g., *Id. at App. – Z*), CLERK ORDER. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – Z to the Petition.*)

(Filed on September 17, 2020) in 20-2137, (e.g., *Id. at App. – AA 1*), CLERK ORDER: (Filed on September 17, 2020) in 20-2137, (e.g., *Id. at App. – AA 2*), CLERK ORDER: Appellant has filed a brief in this appeal. The motion for relief filed by Appellant Mr. Daniel Loring in 20-2137, [4939873-2] is hereby ordered taken with the case for consideration by the panel to which this case is submitted for disposition on the merits. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – AA 1 and Appendix – AA 2 to the Petition.*)

(Filed on March 10, 2021) in 20-2137, (e.g., *Id. at App. – BB*) the Counsel Opinion Letter. The 8th Circuits (UNPUBLISHED) PER CURIAM Opinion and the 8th Circuits JUDGMENT is AFFIRMED. (*The pertinent information including handwritten notes on these contentions are highlighted in yellow and is*

attached at Appendix – BB 1, Appendix - BB 2, and Appendix BB 3 to the Petition.)

(PETITIONERS STATEMENT OF FACT OF THE CASE)

At Appendix - BB 1, The 8th Circuit United States Court of Appeals caption: Daniel Loring v. United States of America et.al. At Appendix - BB 2 (UNPUBLISHED) PER CURIAM OPINION and at Appendix - BB 3 JUDGMENT. The 8th Circuit caption: Daniel Loring v. United States of America, U.S. Department of Justice, Executive Office for United States Attorney's General Counsel.

(Filed on March 29, 2021) in 20-2137, (e.g., *Id. at App. – CC*) A copy of APPELLANT's PETITION FOR EN BANC REHEARING AND ALSO FOR REHEARING BY PANEL filed by Appellant Mr. Daniel Loring. *(The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – CC to the Petition.)*

(Filed on April 5, 2021) in 20-2137, (e.g., *Id. at App. – DD*) *(The pertinent information including handwritten notes on these contentions are highlighted in yellow and is attached at Appendix – DD 1 and Appendix – DD 2 to the Petition.)*

1. Copy of **MOTION TO AMEND/CORRECT PETITION.....**
2. The United States Court of Appeals, 8th Circuits PRO SE Notice of Docket Activity dated April 5, 2021; **MEMORANDUM** of Appellant in support of petition for en banc rehearing, petition for rehearing by panel. **Document Description: MOTION TO AMEND/CORRECT PETITION..... On April 5, 2021** Entered in 20-2137; On www.pacermonitor.com, **MEMORANDUM of Appellant** in Support.....

(Filed on April 19, 2021) in 20-2137, (e.g., *Id. at App. – EE*) 8th Circuits ORDER: The petition for rehearing en banc is denied. The petition for rehearing by panel is also denied.

(Filed on April 28, 2021) in 20-2137, (e.g., *Id. at App. – FF*) 8th Circuits
ORDER: Appellant's motion to stay the mandate is denied.

(Filed on April 28, 2021) in 20-2137, (e.g., *Id. at App. – GG*) 8th Circuits
MANDATE:

REASONS FOR GRANTING THE EXTRAORDINARY WRIT

I, Petitioner Daniel Loring, "claim" that I have been denied a United States Courts ORDER of Final JUDGMENT on the Merits of the Case in this (F.T.C.A.) Legal Malpractice Action 12 times by the lower Courts. Wherefore, the lower courts have "OVERLOOKED" the Material Facts and have "MISAPPREHENDED" the MERITS of the Case. The Supreme Court of the United States has been given both Original Jurisdiction and Appellate Jurisdiction to hear cases. To justify the granting of any such writ, the petition must show that the writ will be in aid of the Court's appellate jurisdiction, that exceptional circumstances warrant the exercise of the Court's discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court.

CONCLUSION

WHEREFORE, Pursuant to 42 U.S.C. § 1983, under "*Bivens*"; I include new and additional intentional tortious claims that the (USA) United States Attorney by and through Assistant United States Attorney Delia M. Druley and Meghan K. Roche knowingly, willfully and recklessly filed "unsanctioned" documents to intervene in this Administrative Proceeding with the intention to cover-up wrongdoing and conceal the misconduct of the United States Attorney Office and the United States District Courts Obstruction of Justice, Civil Fraud and Conspiracy to Defraud the United States in the underlying Federal Fair Housing Act Civil Rights Disability Discrimination Case/Lawsuit in question; and violated the Federal Statutes listed in the Appendix and violated the United States Constitution 14th Amendment; and maliciously caused me to suffer damages of much intentional distress from the Depravation of my Rights to Citizenship and from the Depravation of my Rights to

Due Process of Law and “Abused the Public’s Trust” by their “Abuse of Process” while acting under the color of federal law.

WHEREFORE, Pursuant to 28 U.S.C. § 2680 I include new and additional intentional tortious claims that United States District Court Judge Lawrence L. Piersol knowingly, willfully and recklessly violated the Code of Conduct Canons in “collusion” with the (USA) to intervene in this Administrative Proceeding with the intention to cover-up wrongdoing and conceal the misconduct of the United States Attorney Office and the United States District Courts Obstruction of Justice, Civil Fraud and Conspiracy to Defraud the United States in the underlying Federal Fair Housing Act Civil Rights Disability Discrimination Case/Lawsuit in question; and violated the Federal Statutes listed in the Appendix and violated the United States Constitution 14th Amendment; and maliciously caused me to suffer damages of much intentional distress from the Depravation of my Rights to Citizenship and from the Depravation of my Rights to Due Process of Law while acting under the color of federal law.

WHEREFORE, Pursuant to Federal Rule Civil Procedure Rule 60. Relief from a Judgment or Order (b) GROUNDS FOR RELIEF FROM A FINAL JUDGMENT, ORDER, OR PROCEEDING. (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party; (4) the judgment is void; (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or (6) any other reason that justifies relief.

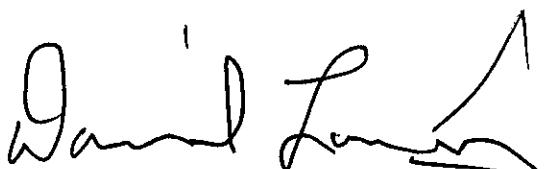
WHEREFORE, Pursuant to 28 U.S.C. § 2675(a) The United States Supreme Court has recognized that (the most natural reading of (§ 2675(a)) indicates that congress intended to require complete exhaustion of Executive remedies before invocation of the judicial process.” (*McNeil v. United States*, 508 U.S. 106 , 112 (1993)). Compliance with § 2675(a)’s presentment requirement is a jurisdictional precondition to filing an FTCA suit in federal district court.” (*Mader v. United States*, 654 F.3d 794, 805 (8th Cir. 2011)(*en banc*)). Pursuant to The United States

does not dispute that a legal action is properly brought under the FTCA. Pursuant to The United States does not dispute that it had a duty to provide Petitioner with adequate legal representation in the Fair Housing Act case.

THEREFORE, Pursuant to Rules of the Supreme Court, Rule 17. Procedure in an Original Action: and Supreme Court Rule 20. Pursuant to the Extraordinary Circumstances in the underlying Federal Fair Housing Act Civil Rights Disability Discrimination Case/Lawsuit. Pursuant to the Extraordinary Circumstances in this (F.T.C.A.) Whistleblower Legal Malpractice LANDMARK Decision Case and Civil Action Lawsuit. I, Petitioner Daniel Loring, respectfully request, asks and prays for the Supreme Court of the United States to grant this Petition for Extraordinary Writ of Certiorari because of the extraordinary circumstances within the Courts Record of the Case. And I, Petitioner Daniel Loring, respectfully request, asks and prays for the Supreme Court of the United States to invoke its discretionary powers given by Article III of U.S. Constitution, 28 U. S. C. § 1254, §1651, and grants Petitioner Daniel Loring the Supreme Court of the United States ORDER; Final Judgment on the Merits of the Case and satisfies the relief sought and my Demand of \$29,997,000.00 on Form SF-95 within 30 days for all the damages I "claimed" herein this Petition for Extraordinary Writ of Certiorari and herein the United States Courts Public CIVIL DOCKET RECORD FOR CASE #: 4:18-cv-04034-LLP.

Respectfully and Honorably Submitted,

August 6th, 2021



Daniel Loring, Petitioner/Appellant Pro Se
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