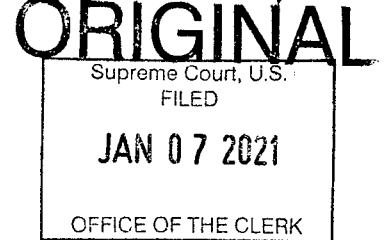


North America 21-5718



In the Supreme Court for the
United States of America

Term, 2021

a civil proceeding

: Glenn-Damond, Sui Juris

v.

Frank A. Marullo III, et al

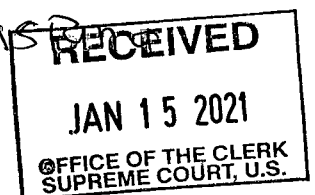
On Petition For a writ of Certiorari
to the Louisiana Supreme Court

Petition For a writ of Certiorari

: Glenn-Damond, in propria persona
2867 Brig. General Isaac Smith
East Baton Rouge, Louisiana Republr
Non-domestic without the U.S.
zip code exempt. DMM. 122.32

: Glenn-Damond, a state national.
one of the people of Louisiana

①



Question Presented

1. Is it a Judicial function for a Judge to destroy a litigant's court documents, and provide misleading court dates?
2. Would it prejudice a litigant if in providing misleading court dates, he was not able to present his case nor have his day in court?
3. Was claimant denied due process of law?

In the Supreme Court for the
United States of America

Term, 2021

a civil proceeding

Petition For writ of Certiorari

Petitioner: Glenn-Damond, respectfully
prays that a writ of certiorari be
issued to review the judgment
Below

Opinion Below

The ruling of the Louisiana Supreme
Court appears in appendix A to this
Petition

Jurisdiction

The Jurisdiction of this court is
invoked under Title 28 United
States Code, section 1257(a).

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Assignment of Errors

Arguments

1. The lower courts erred in granting and affirming that claimant had no cause of action against the Defendant Judge and Prosecutor on the basis of Judicial immunity and Prosecutorial immunity when twice a warrantless warrant was issued

for claimant's arrest, subjecting him to literally lost of life and liberty.

2. The lower courts erred in granting and affirming claimant had no cause of action on the basis of Judicial immunity when fraud was committed.
3. The lower court did not provide claimant with due process according to law.

Conclusion and Relief

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Amendment 14

No State shall deprive any person of life, liberty, or property, without due process of law.

Statement of the case

Claimant filed this action on October 2, 2018, claiming that the Judge, Minute clerk, ADA and Courts deprived him of the right to be heard and committed fraud in the process.

In 2017, claimant submitted a 12 Page document to court in Orleans Parish to correct the record because of fraud. These documents were destroyed and never appeared on record.

On July 27, 2018, claimant hand delivered the clerk's office of the Judge and the DA those same documents.

The Judge, Defendant Paul sent claimant an ORDER instructing him to supplement his motion.

8-28-2018, claimant hand delivered a supplemented 100 page bonded

document of the same nature.

In the order by defendant Bonin, it is stated that a court date, hearing will be held December 20, 2018..

Nevertheless, 4 unscheduled hearings were held by the Judge & DA 3 months prior to this date without informing the claimant of either court date.

after the last hearing, claimant received a letter stating that his motion was denied, but alias capias was recalled. Claimant did not have a chance to be heard. Nor have his day in court.

Prior to this, Defendants sent 3 police officers from New Orleans Louisiana to Baton Rouge Louisiana, out of their jurisdiction, to arrest claimant at his home.

claimant looked out of the window to witness 3 armed, guns drawn police officers.

and was in fear of his life to open the door. But did not open it.

after they left, claimant contacted all Baton Rouge Police department & Sheriff's departments who confirm that they sent no one to arrest claimant & there was no warrant.

claimant then contacted his then parole officer Keith, who also confirmed that there was no warrant for his arrest in their system, nor any system. But New Orleans Criminal Court had an 3 Year active warrant for his arrest when the order from the Judge said I did not have to come to court.

Reasons For Granting the writ

I

The court made a decision that contradicts this court's rulings

A warrant was issued by Defendant Judge Paul A. Bonin and the ADA for claimant that subjected claimant to death and lost of liberty for 3 Years (the time the warrant was active).

The lower court ruled that the claimant had no cause of action because of Judicial Immunity and Prosecutorial Immunity.

and no lower court ~~addressed~~ addressed the issue of the warrant.

This court ruled in Forrester v. White, 484 U.S. 219, 229 (1988), "that a Judges exercise of administrative functions, such as supervising court employees and overseeing

the institutions set up to protect and safeguard the public, institutions in which fraud cannot complacently be tolerated consistently with the good order of society." Id. at 247.

"For from the beginning there has existed alongside the term rule a rule of equity to the effect that under certain circumstances, one of which is fraud - discovered, relief will be granted against judgments regardless of the term of their entry. See, Marine Ins. Co. v. Hodgson, 7 Cranch (US) 332, 3 L.ed. 362; Marshall v. Holmes, 141 U.S. 589, 35 L.ed. 870, 12 S.Ct. 62 (same)."

Because fraud was committed, the Judge has no immunity at all. See, La. R.S. 9, 2798 1.C; cf. Imbler v. Pachtman, 424 U.S. at 445(IV), Insofar as the complaint is based on allegations of suppression or

failure to disclose (which is the nature of this lawsuit), there is no absolute immunity; cf. *Barr v. Matteo*, 360 U.S. 564, 575, 7 S. Ct. 1335, 1341, 3 L. Ed. 2d 1434 (1959), none of them have any immunity.

Therefore, this writ should ~~be~~ granted and claimant allow to go forward with his lawsuit against defendants, all of them.

See, *Hazel*, *supra* at U.S. at 245 (3), Every element of fraud here disclosed demands the exercise of the historic power of equity to set aside fraudulently judgments.

"Silence can only be equated with fraud, where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading." See, *United States v. Sclafani* 265 F.2d 408 (2th cir.) cert. denied, 360 U.S.

918, 79 S. Ct. 1436, 3 L. Ed 2d

1534 C(1959); accord Avery v. Cleary,
132 U.S. 684 10 S. Ct. 220, 33 L. Ed.
469 C(1898).

Claimant states a claim for fraud.

III

The lower court failed to provide
claimant with Due Process of
Law

The right to be heard was
violated

Claimant has a claim for fraud, a
~~cause~~ ~~action~~ of action against Judge & ADA
as stated above, the Judge &
ADA had four meetings without
sending notice to claimant. Claimant
was misled by the Judge telling
him the court hearing will be held
12-26-2018.

Yet 4 meetings was held without
claimant about his motions. Nor was
he notified of the hearings.

In Ex parte Virginia, 100 U.S.
339, 25 L. ed 676; 2 Harper & James,
The Law of torts 1642-1643 ~~(1943)~~
(1956), the intention to deprive a

person of his civil rights is wholly incompatible with the judicial function. When a Judge does this, he exercises no actions of a Judge, but as a minister of his own prejudices.

He comes into conflict with the Constitution and is stripped of his official Immunity. See, Ex-parte Young. ~~Ex-parte Young~~

Claimant has a cause of action for due process violation. See, e.g., Goldberg v. Kelly, 397 U.S. 254, 267-68, 90 S. Ct. 1011, 1020, 25 L. Ed. 2d 287 (1969), The rudimentary elements of due process are notice and the opportunity to be heard; cf. Shriadach v. Family Finance, 395 U.S. 337, 339, 340, "the right to be heard has little reality or worth unless one is informed that a matter is pending and he can choose for himself to appear, default or acquiescence."

"It is a fundamental doctrine

of law that a party to be affected by a personal judgment must have his day in court, and an opportunity to be heard." See, *Renaud v. Abbott*, 116 U.S. 277, 29 L.Ed 629, 6 S.Ct. 1194.

"Every person is entitled to an opportunity to be heard in a court of law upon every question involving his rights or interests, before he is affected by any judicial decision on the question." See, *Earle v. Mc Veigh*, 91 U.S. 503, 23 L.Ed 398.

"A judgment of a court without hearing the party or giving him an opportunity to be heard is not a judicial determination of his rights." See, *Sabarrigo v. Maverick*, 124 U.S. 261, 31 L.Ed. 430, 8 S.Ct. 461.

Therefore, claimant has a cause of action for due process violation. This writ should be granted.

"No higher duty rests upon

this court than to exert its full authority to prevent all violations of the principles of the constitution."

See, Downes v. Bidwell, 182 U.S. at 244 (1901).... "all courts must preserve it in full force, in all its power, and guard it against resistance or evasion of its authority." See, Ableman v. Booth, 21 How 506, 62 U.S. 524..

"For that constitutional Instrument is above all precedents." See, Rundle v. Delaware and Raritan Canal Company 55 U.S. at 99 (1852).....

"Courts can not allow the constitutional securities to be evaded by unnecessary refinements without inflicting a deep injury on the institutions of the country." Id. at Page 95.

Claimant has a 14th amendment due process violation. He was not afforded due process of law.

"To State a 14th amendment due process claim, claimant must show a protected life, liberty or property interest and then prove that governmental action resulted in a deprivation of that interest." See, *Rountree v. City of Beaumont, Texas*, 892 F.3d 681, 2017 WL 5640841 at 8 (E.D. Tex. 2017), aff'd sub nom. *Rountree v. Dyson*, 892 F.3d 681 (5th Cir. 2018), cert. denied 139 S.Ct. 595, 202 L.Ed. 2d 428 (2018) (citing *Jabary v. City of Allen*, 547 F. app'x 600, 605 (5th Cir. 2013) (quoting *Gentilello v. Rege*, 627 F.3d 540, 544 (5th Cir. 2010)); accord *Zinerman v. Burch*, 494 U.S. 113, 125, 110 S.Ct. 975, 108 L.Ed. 2d 100 (1990).

Therefore, this writ should be granted.

Conclusion and Relief

Claimant prays this writ

be granted and he is allowed
to proceed in court against the
defendants.

Respectfully
submitted,

Glenn Demand

Date 1-1-2021

Certificate of Service

I certify that a copy of this writ has been mailed to all parties involved.

: Glenn-Demand

Date: 1-1-2021