

21-5951  
No.

**ORIGINAL**

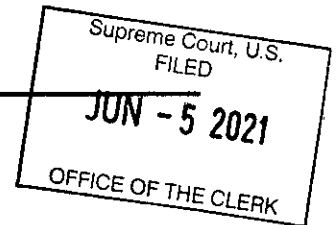
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IN THE  
SUPREME COURT OF THE UNITED STATES

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OCTOBER TERM 2021

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STEVE BAUMGARTEN

Petitioner,  
vs.

ERIKA EVANS

Respondent.

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PETITION FOR A WRIT OF CERTIORARI  
TO THE SUPREME COURT OF THE STATE OF WA

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STEVEN BAUMGARTEN  
PO BOX 17219  
Seattle, WA 98127  
(206) 739-7593  
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SUBMITTED: October 7, 2021

 **ORIGINAL**

## QUESTIONS PRESENTED

- 1) Is the U.S. Constitution and federal case law violated when a trial court erred in finding substantial evidence of two or more distinct, individual, non-continuous occurrences of stalking when there was only one demonstrable instance of random contact which can be proved and disproved there was any other?
- 2) Was my US constitutional right to disqualify a judge violated 29 U.S. Code §455 Disqualification of justice, judge, or magistrate judge to disqualify a judge
- 3) What does the Constitution say about perjury? What is the public interest in all kinds of people taken down by accusations when false accusations false statement after statement which all 3 Ms. Levias, Ms. Evans, Ms. Sylvester all-**knowing made proven false statements omissions and dishonesty to obtain that some can be proved?**
- 4) Do US officials United States important to know the public interest of mental illness discrimination and the fact we are victim of crimes and often victims of false reporting are almost 50,000,000 mentally ill and 11,400,000 seriously mentally ill in United States

5) Does the Public Interest of systematic prejudice and selective prosecution against the mentally ill which cops' courts city attorneys happen to me in this case and pattern by the cops, judges and these exact city attorneys against the mentally ill who are guilty of allowing not just me but the mentally ill in general to be victims of assaults (David Jones threatening me for decade before and after the night he chased me injured my brain) for instance.

6) Is it a NATIONAL PUBLIC INTEREST MARIJUANA LAWS the CONFLICT OF INTEREST between FEDERAL and STATE LAWS and serious HEALTH HAZARDS MENTAL and PHYSICAL associated with MARIJUANA that affects the mentally ill and all people in general.

7) Was the systematic prejudice against mentally ill in the court system a greater national public interest that has affected the mentally ill since the medieval times on a United States National level the green light to perjure in writing also in one false statement after another a factor in more than what just happened to me many other mentally ill people experienced and people in general have been victims of false accusations.

8) Was the **Eighth Amendment** of the US Constitution of the United States violated regarding excessive punishment. They know that I don't know who

she is other than by name, which is why they put her on the phone in court. I have a brain injury and do not remember her the ESP checking question for Ms. Levias about other receptionists and later the 2nd ESP checking question of what happened remember don't remember Ms. Evans nor Ms. Levias not any of 8 female city attorneys in court. They put Ms. Evans on the phone because they know don't know who she is other lady thought was her figured out was Ms. Sylvester a little better because she was saying all this false stuff. Was the 1000 foot permanent order in this not so big town till day I die EXCESSIVE INAPPROPRIATE to 1 random contact for 35 seconds maximum as proved where moved to the front left of the bus to be considerate to see Brent and a little mindless dribble (basketball) in park when don't know who she is as they know when have Brain injury and already forgetting stuff and risk of dementia.

9) PUBLIC INTEREST Was my constant unavoidable 2nd hand Marijuana exposure and lack of sleep and concussion that caused my delirious exhausted constant fantasizing forgetfulness that reopened my schizoaffective mental illness caused decades ago by marijuana and exacerbated by marijuana. Was it taken into consideration? Do millions of other mentally ill people have same situation there mental illness is not understood or taken in consideration

10) Was Amendment XIV also right to travel and bias of court violated since I have no idea who she is, other than her name. Due to my mental illness I would not know who she is wherever I ran into her.

11) Was my Constitutional 1st amendment right violated freedom of speech. There was no threat. There was no asking for drugs. The question I had was merely an ESP question

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The Ruling of the trial court is attached as **APPENDIX A.**

The ruling of the Washington Court of Appeals is attached as **APPENDIX B**

The decision by the Washington Supreme Court is attached as **APPENDIX C.**

Verbatim Report of Proceedings (VRP) of the hearing on Order for Protection held on March 5, 2019 in King County Superior Court Case No. 19-2-05066-7SEA and filed with the Court of Appeals on July 30, 2019 attached as **APPENDIX D.**

**(cited as VRP pp. 1-57)**

Letters from doctors, psychologist, clinicians that the trial, that was extremely paramount to understand the case, that court never read or considered **(Appendix D, page 27, to page 29. APPENDIX E**

Lawyers declarations that know me and know what happened, that is extremely relevant to the case and judge never read or considered. **APPENDIX F.**

Declarations from friends and acquaintances who understand the situation about me that is relevant to the case, that the judge never read or considered **APPENDIX G**

My declaration, served and put in the judge's box a day before trial, which are relevant to the case and which the court never read read or considered **APPENDIX H**

Appendix I OR33 Maybe was not incompetent but clearly mentally ill all over the place mentally right to have a lawyer did not know this to ask others cover judge saw couldn't help myself in court appointed lawyer  
Appendix L FALSE REPORTING DANGERS PUBLIC INTEREST  
Appendix J Asked for continuance wrote one asked to waive judge 4 times begging did not know to use word recuse. Judge went on anyway did not waive himself or grant continuance asked in writing before not read any my declarations, Doctors Psychologist letter, lawyer filed, and he exonerated Mr Lewis, Mr. Egan, Mr. Glendon for perjury False accusation, false reporting.  
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| Kencayd v. Preece,  |                |
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| State v. Kintz,   |                |
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| Boisen v. Burgess, 87 Wn. App. 912, 943 P.2d 682, 685 (1997) .....                  | 10 City of     |
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| Compassion in Dying v. State, 850 F. Supp. 1454                                     |                |
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| Scott's Excavating Vancouver, LLC v. Winlock Properties, LLC,                       |                |
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| 179 Wn.2d 1011 (2014) .....   |  |
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| <i>State v. Watkins</i> , 71 Wn. App. 164, 857 P.2d 300 (1993) .....  |  |
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## Statutes

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- 1) 1st Amendment Freedom of Speech
- 2) 8th Amendment Excessive bail Excessive fines Excessive can apply to civil also
- 3) Amendment XIV Section 1 Right to travel right to be on a bus on a link transit system here in a post office bank city hall court house beach link train transit center

4) Perjury Federal Perjury crime all 3 ladies used dishonesty omissions in 1 false statement after another to obtain this

RCW 7.92.020(3)(c)(i)

RCW 7.92.020(3)

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Appendix 1:

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Disobediently if clearly was mentally ill don't know  
to ask for lawyer, didn't know what was doing  
alone. Also asked 4 times begging waive affidavit  
the judge. Was Delerius did not know to  
use specific word recuse was Delirious  
excited fantasizing.

No. \_\_\_\_\_

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IN THE  
SUPREME COURT OF THE UNITED STATES

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OCTOBER TERM 2021

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STEVE BAUMGARTEN

Petitioner,  
vs.

ERIKA EVANS

Respondent.

---

PETITION FOR A WRIT OF CERTIORARI  
TO THE SUPREME COURT OF THE STATE OF WA

---

Steven Baumgarten (Mr. Baumgarten) petitions for a Writ of Certiorari to review the judgment of the Washington state Court of Appeals and the Washington State Supreme Court, vacate the judgment entered against him for civil stalking by the King County Superior Court, and remand for reconsideration.

## **JURISDICTION**

After appealing this case to the Washington Court of Appeals, it was appealed to the Washington Supreme Court. The Supreme Court of the state of Washington would not hear the appeal though numerous errors oversites logic mistakes proven false statements by city attorneys. The appeal from that court is to the United States Supreme Court.

The serious public interest questions raised by this case and the greater good for the health and awareness of the United States for millions of the United States society give the Supreme Court jurisdiction. The conflict of state and federal law regarding marijuana is one of those public interest questions, which the root of this case is all about. The serious health consequences, particularly for the mentally ill, is another. The systematic prejudice against the metnlaly ill is another not understanding or considering their point of view. The green light to perjure, use omissions, dishonesty, make false statement after false statement in today's United States is another which even if I'm a nobody of importance a metnally ill schizoaffective from marijauna decades ago and exacerbated opened up from this

non stop 2nd hand with OCD that needs to analyze details and wonders to check about ESP to debunk it. That's exactly what all 3 ladies did in one false statement after another that much of it can be proved they did. These PUBLIC INTERESTS gives United States Supreme Court Jurisdiction

If Ms. Sylvester tries arguing that this is new not mentioned in lower courts. MISTAKE in lower court in all DOCTORS, PSYCHOLOGISTS, CLINICIANS LETTERS my DECLARATION, friends, lawyers JUDGE NEVER READ WAS ALL ABOUT MAIRJAUAN AND THE ESP QUESTION. They were put as part of the case a day before in his box. I mentioned ESP checking questions over and over. It WAS MENTIONED and WRITTEN. JUDGE NEVER READ.

IF Ms. Ms. Sylvester says the same she wrote in State court this is a personal interest it's BOTH I'm destroyed by mairjauana it's a PUBLIC INTEREST also. When I came back here a few months ago, late in the cold I saw a homeless guy talking to himself. Poured him vegetable juice he had SCHIZOPHRENIA from MAIRJAUANA. Few nights later another homeless man a block away was also the same. I also saw men, women and a new wave of SCHIZOPHRENICS and BI POLAR 44 YEARS After I knew this then. New young people gals and guys talking to themselves they have a PERMANENT PROBLEM as I do Most from Marijauana and drugs.

**As MARIJAUAN AND 2ND HAND MARIJUANA GOES UP MENTAL ILLNESS GOES UP AS MARIJAUANA AND 2ND HAND MAIRJAUANA GOES DOWN MENTAL ILLNESS GOES DOWN.** For everyone else **besides lowers IQ HEART ATTACKS, STROKES, CANCER, DEMENTIA** and **2nd HAND MARIJUANA GREATLY INCREASES GETTING DEMENTIA** also as well as long term **INSOMNIA** because of non stop **2nd HAND CANNABIS** as well as **CONCUSSION** and all these things I have and dementia in my family and forgetting stuff already. Now finally got someone below me he is decent guy he doesn't smoke so first time in 8 years got decent not poison non toxic non marijauana air till someone else moves in that does and they do it all over the parks bus shelters beaches **PUBLIC** everywhere in the States its legal and can mention 8 States they don't enforce it where it's **ILLEGAL** Huston El Paso Texas nice gal in my building 6th floor she said before Seattle she lived in Houston asked her she said they smoked in both Streets and Apartments no cops did anything. She and her sister used to work sell State Farm insurance in Seattle. They moved back to Texas El Paso talked to her brother on telephone he said he smokes mairjauana in El Paso others do too in public in apartments no cops or anyone does anything. At basketball court same park headed that night to see Brent and mindless dribble (basketball) court talked way into night sitting down on picnic table to dark nice 26 chinese guy played basketball with he said he has Masters degree engineering

where did you go to college Texas A & M he said they smoked it also there too no enforcement not as bad as Seattle. Seamstress had a guy work for her. He said he went to University of Kentucky Lexington Ky. He said they smoked it and there was also no enforcement (illegal in Kentucky also) Though I'm not welcome back to that seamstress, they messed up the job and wouldn't refund me. I came at 8AM to pick up my pants instead of 10AM. Went somewhere else where a lady and her son got the job done did well. Guy works at food bank George Mason University Virginia (before it was legal) near Washington DC he said he said they smoked it there too before it was legal no one did anything. Lawyer Ken's former assistant Kristen said she's from Theodore Alabana? Went to Spring Hill college Mobile Alabama and she said they smoked it on streets in apartments they did not enforce it in Alabama either (it's supposed to be illegal in Alabama also) Steamed last quarter and half of the super bowl (Tampa Florida, all these Staters supposed to be illegal marijuana), enough quarter and half of football for the year took me half hour to figure out how to stream it on Sling TV due to lack of appropriate IQ. An hour later interviews announcers in the stadium parking lot Tampa announcers said they lit up smoked marijuana in parking lot Raymond James Stadium Tampa Florida (Supposed to be illegal in Florida) announcers said outside stadium. Saw for 15 minutes after because I don't really have a life as everyone else does. I just fantasize dream away. There was no security, no police cars, there were no



handcuffs. Now on telephone got customer service, a fellow asked he said he's in Tulsa Oklahoma asked about marijuana knowing it's illegal in Oklahoma also. He said they smoke in apartment buildings and in public there too they do nothing.

and its AMERICA's last priority, even PRE DIABETES and COMPLICATIONS OF DEATH OF THOSE THAT HAVE IT maybe that's type 1. IT'S HORRIBLE, IT'S BAD FOR PREGNANT MOTHERS AND THEIR BABY'S it's terrible.

And this whole case was about it and was in DOCTORS CLINICIANS LETTERS JUDGE NEVER READ and I said ESP harmless checking question over and over in my delirious exhausted fantasizing disorganized schizo effective OCD mental state. What is ESP that's what I asked about that was the question the 1st if Ms. Levais talked to another receptionist. ESP is was what I asked about mental illness caused by Mairjauan decades ago. Marijauana caused these thoughts 45 years ago. My late mom saved my life by getting me to other country where I got into analyzing subconscious reasons or underling reasons for detailed illogical stuff that no one cares about.

Than this constant explosion of mairjuaana and non stop 2nd hand marijauana started fantasizing again wondering about ESP and lack of sleep for years because of it and the concussion David Jones that would have could have been prevented if he threatened any regular person for a decade before and after concussion these same city attorneys know he would have been in jail a long time ago. Mr. Jones

isn't the only one I've had. Another example 2013 Russian stranger pulled up his car 15th and dravus comletel stranger his window rolled down me on sidewalk he had black gun black glove in his right hand he said to me "I'll kill you" moved away got away got his license police said he lives in Tacoma by plate. A month later called officer Scott Enright to see what happened and he said no follow up zero. I asked if that were someone else there would be floor up he yes of course that's a serious felony he did to me.

There have been over 20 other instances if it happened to a regular person all would be detained in jail. Was threatened, chased by women too also some never did cops city attorneys judges do anything to perpetrators. Other mentally ill people have same plight victims of crimes brain injuries much worse than me cops city attorneys judges do nothing asked an analyzing question to

1 block from where lived exactly 11 years Marijuana also against Washington State smoking law chapter 70.160 and leases and the delirious exhausted mental state was in the whole time. Sleeping in golf course Stacey's yard when she didn't let me in she knows under truck wandering through University of Washington 2Am 3Am exhausted delirious in woods in church across water in Bellevue and few weeks ago here slept in friends garage shed she knows wandered all night resting in Seattle Housing Authority bathroom in back starwell near very top sign said Electrical radiation beyond this point. Now finally the new guy below is a

good guy who does not smoke so can stay here for a while till a new marijuana smoker moves in.

Look there saying your nuts, we don't care if you're a victim. We don't care your brain is injured we don't care marijuana and 2nd hand marijuana obviously has caused me and the mentally ill across this country permanent damages. Obviously all these mentally ill people most of them CAUSED and EXACERBATED by Marijuana we don't care about the mentally ill there nuts of course most of them not just me Marijuana cause we don't care. Many I've met had been victims also beaten unconscious into comas permanent brain damage much worse than me. Cops city attorneys never get videos of perpetrators. (sorry to mention this reality to the Supreme court) All the scientific evidence harms marijuana causes. For everyone else too as touched tip of the iceberg of health consequences. But they say I can't ask questions. They'll lie, make false statements and get permanent 1000 foot orders over literally nothing. If lady was uncomfortable after moving to the front left of the bus to be considerate. Apologize sincerely for misunderstanding in court and at the end apologized again and said good luck. What else you need It's not that serious the unfair brutal EXCESSIVE unjust consequences abuse of power were.

In this serious CONFLICT OF INTEREST BETWEEN STATE and FEDERAL LAW THE FEDS IF THEY WANTED COULD SAY THE HECK WITH

POPULARITY and WHAT POP CULTURE THINK WE COULD COULD  
CLOSE DOWN EVERY MARIJUANA SHOP IN THIS COUNTRY. Enforcing  
it would greatly improve the mental and physical health of the United States me  
being one. If Ms.Sylvester types saying Mairjauan and mental illness wasn't  
mentioned earlier wrong in all doctors psychologist letters and declarations was  
about this. JUDGE NEVER READ Page 27 court hearing trascrpit line 23 24 Page  
28 Page 29 Alll about mairjauan DOCRORS PYCHOTLGISISTS CLINICIANS  
LETTERS my dont' knwo who she is ESP ESP it wa. Judge never read.

In the greater good of the United States the court should void this abuse of power  
unnecessary order and the numerous Public Interests from systematic prejudice  
against the metnally ill the Green Light to use dishonesty false statement after false  
statèment also mentioned in the lower court systematic prejudice constitutional  
violations from EXCESSIVE to right to TRAVEL to not taking into consideration  
peoples disability mental illness and concussion and risk get dementia and  
Marijauan the conflict of State and Federal laws the right for the FEDS still to shut  
down every mairjauan shop in this country and still enforce it root of this whole  
case the ESP checking harmless question

## OPINION BELOW

The Ruling of the trial court is attached as **APPENDIX A.**

The ruling of the Washington Court of Appeals is attached as **APPENDIX B**

The decision by the Washington Supreme Court is attached as **APPENDIX C.**

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1) 1st amendment freedom of speech violation

2) Eighth amendment Excessive

Excessive bail

3) "The right to travel is a part of 'liberty' of which **the citizen cannot be deprived without due process of law under the Fifth Amendment.**

4) Amendment XIV Section 1

5) Under federal law, **perjury is committed when a person "knowingly" attests to or subscribes to statements he or she does not believe are true.** Perjured testimony is not protected by the First Amendment, because it undermines the ability of courts to obtain truthful testimony and to effectively

## STATEMENT OF CASE

Please see the factual background below.

## **PRIOR PROCEEDINGS**

On February 22<sup>nd</sup>, 2019, a Temporary Protection Order and Notice of Hearing for Stalking was approved and entered by Commissioner Henry Judson. CP. On March 5<sup>th</sup>, 2019, The Honorable Marshall Ferguson granted an order for protection for Respondent, Erika Evans, against the Appellant, Steve Baumgarten. RP 47, who appeared pro se at that hearing. The court found by a preponderance of the evidence that Appellant engaged in stalking conduct based on RCW 7.92.020(3)c(i). RP 47. On March 15, 2019, Appellant, Steven Baumgarten, by and through this attorney, filed a Motion for Reconsideration to which Respondent, Erika Evans, objected. CP. On April 5<sup>th</sup>, 2019, Mr. Baumgarten's Motion for Reconsideration was denied. CP. A Notice of Appeal was filed in this Court on May 3, 2019. CP.

The appellate court decision, denying Mr. Baumgarten's appeal, was made on \_\_\_\_\_.

The Washington State Supreme Court's decision to not hear Mr. Baumgarten's appeal to them, was made on \_\_\_\_\_.

## **FACTUAL BACKGROUND**

On January 31<sup>st</sup>, 2019, Mr. Baumgarten appeared at the Seattle City Attorney's Office reception desk to serve paperwork pertaining to his ongoing appeal against the Seattle Police Department. RP 9. Mr. Baumgarten had previously done this on many occasions, as he was pro se on that appeal, and had requested several continuances, among the other reasons he had to deliver papers to the city attorney's office. Mr. Baumgarten spoke with Lisa Levias, a receptionist at the City Attorney's Office, and, apparently, mentioned the name of Erika Evans. RP 9. Ms. Evans is one of the attorneys for the City of Seattle who represents the Seattle Police Department in a case that had been dismissed by the superior court, a dismissal appealed by Mr. Baumgarten. Very shortly after, Mr. Baumgarten happened to ride the elevator down to the lobby with Ms. Levias. RP 9; RP 34. Unbeknownst to Mr. Baumgarten, Ms. Evans was also on board the elevator. RP 9. The record does not indicate that Mr. Baumgarten directly engaged with Ms. Evans. RP 9. After exiting the elevator, Mr. Baumgarten noticed that Ms. Levias was speaking to a woman who had also been on the elevator. RP 9. Mr. Baumgarten then boarded the Route 70 bus to visit Brent Kremen at his home. RP 25; RP 36. Mr. Kremen testified that he was expecting a visit from Mr. Baumgarten. RP 25. Ms. Evans was also taking

the Route 70 bus on the evening of January 31<sup>st</sup>, 2019: again, unbeknownst to Mr. Baumgarten. Upon recognizing a woman who looked like the same woman that Ms. Levias had been speaking with earlier, Mr. Baumgarten asked the woman, who turned out to be Erika Evans, several questions. RP 37. Mr. Baumgarten's questions related to seeing Ms. Evans speaking with Ms. Levias and if they were speaking about him RP 37. Mr. Baumgarten was engaging in these ESP or analysis questions to satisfy a component of his OCD (obsessive-compulsive disorder). RP 16. Mr. Baumgarten's need to analyze details is a result of his obsessive-compulsive disorder. RP 16. RP 37. Mr. Baumgarten did not realize that the individual to who was asking questions was Ms. Evans. RP 38. Ms. Evan's exited the Route 70 bus shortly after Mr. Baumgarten began asking her questions. RP 10. Mr. Baumgarten remained on the bus. RP 37. Approximately three weeks later, Mr. Baumgarten again visited the City Attorney's Office to serve papers pertaining to his appeal in the Seattle City Police case. RP 38. Mr. Baumgarten asked Ms. Levias if she was speaking *about him* to the woman from the January 31<sup>st</sup> elevator ride, after they got off the elevator – again asking to quell his own OCD through analysis questions. RP 38.

During the hearing while Ms. Evans was on the telephone, I apologized for the misunderstanding. Even at the very end I said, good luck.



## REASONS FOR GRANTING PETITION

- 1) Public Interest Green light to perjure use dishonesty omissions make false statement after false statement not just what happened here but a bigger United States issue many people are taken down if it is true then of course repercussions should happen but when they lie perjure use omissions dishonesty which can be proved on numerous statements happened in this case by all 3 ladies Ms. Levias, Ms. Evans, and Ms.
- 2) Public Interest also the systematic prejudice against the mentally ill, the failure to protect my brain injury and many other mentally ill got brain damage much worse than me
- 3) 3) The BIG PUBLIC INTEREST conflict of FEDERAL and STATE LAWS ABOUT MARIJUANA AND HEALTH CONSEQUENCES ASSOCIATED for almost 50 million mentally ill people in America and 11.4 million seriously mentally ill and the serious health consequences of everybody. and most of it is caused or exacerbated by marijuana and drugs, me being one that has been destroyed by it and the courts system blow had a lack OF UNDERSTANDING DISABILITY MENTAL and THEIR POINT OF VIEW.
- 4) 4) HUGE PUBLIC INTEREST CONFLICT FEDERAL and STATE LAW about MARIJUANA and HEALTH CONSEQUENCES Connected to it.

*5) Public Interest Green light to perjure use dishonesty omissions make false statement after false statement not just what happened here but a bigger United States issue many people are taken down if it is true then of course repercussions should happen but when they lie perjure use omissions dishonesty which can be proved on numerous statements happened in this case by all 3 ladies Ms. Levias, Ms. Evans, and Ms. Sylvester The green light to perjury, write and make 1 false statement after another use omissions dishonesty to obtain this. All 3 of these city attorney ladies are guilty of crimes and wrong and dishonesty they did here. Many non-mentally ill people also are taken down by false accusations mentally ill are more vulnerable. Again, if there was an attack or threat like so many times on me, yes of course I should do something to the perpetrators regardless of if the victim is mentally ill or homeless disabled whatever gender race socioeconomic factor.*

*If in all these accusations, we all see and read are true then of course but an ESP checking harmless MARIJUANA induced mental illness questions in 1 random contact as proved for 35 seconds maximum also proved when moved to the front left of the bus to be considerate isn't that. When they lie write false statement after false statement in things that can be logically mathematically proven to be lies the crimes in this case were all 3 ladies omissions lies false statements under affidavit to tell the truth over nothing more than a harmless ESP checking question in 1 random contact to see Brent and basketball as proved no more than 35 seconds when I moved to front left of bus to be considerate. This green light to lie and write false statements and crimes of dishonesty that all 3 women are guilty of here is a public interest much greater than what these 3 ladies did criminally wrong here in today's United States where many people are taken down when here proven they all 3 made wrote false statement after false statement under affidavit to tell the truth*

- 6) Public Interest also the systematic prejudice against the mentally ill, the failure to protect my brain injury and many other mentally ill got brain damage much worse than me. How courts go against us. In Ms. Sylvesters argument in State court is that she's saying this is double jeopardy? Don't know what that is, this is divorce this this is that it's all under the same umbrella of Mental Illness DISCRIMINATION. I said over and over in court the question was about ESP. Brent is mentally ill too. He explained the DOCTORS LETTERS, PSYCHOLOGISTS LETTERS, CLINICIAN LETTERS, friends, LAWYERS letters that attorney John Barash all my legal problems are because analyze. The ESP question is a harmless mental illness question. The judge as you read in transcript only read Evans and Levias declarations which Evans used Omissions false statements and Levias perjured herself too can PROVE it mathematically. Ms. Sylvester also PERJURED HERSELF on many statements which can be proved. But the power structure permits them to perjure and write provable false statements to their city attorneys. None of this is the harmless ESP marijuana induced mental illness question in 1 random contact in doctors psychologists' letters that JUDGE NEVER READ nor did he read My declaration of what I said the first question is if Ms. Levias talked to other receptionists as pictured when serving papers making jokes for someone else. I asked a similar ESP

checking analyzing question at the food bank where there was no 1000-foot permanent order.

One important thing I apologized for the understanding in court they know don't [ know who she is is why was on PHONE and in end said sorry for misunderstand good luck what else you need how serious is 1 random ESP checking question

3) The BIG PUBLIC INTEREST conflict of FEDERAL and STATE LAWS ABOUT MARIJUANA AND HEALTH CONSEQUENCES ASSOCIATED courts lack OF UNDERSTANDING DISABILITY MENTAL and THEIR POINT OF VIEW. This whole case the root of it ESP checking question was a marijuana mental illness harmless question ESP and my mental illness got rekindled reopened by 2nd hand marijuana constant lack of sleep and brain injury from homeless violent man Mr. David Jones 12/1/79 birthday (same name as the late great David (Deacon) Jones (Dec. 9, 1938 Eatonville Fl - June 3 2013 Anaheim Hills CA) Sad but that was my wonderful late mom's birthday when the late great David Deacon Jones passed away original member of the legendary fearsome foursome LA Rams front 4 in 60's and 70's Rams ranked him there # 1 defensive player of century) that threatened me decades before concussion and after including just outside soup kitchen Friday night 9/24/21 didn't go this last Friday. So many other times people chased and threatened to knock me the f out for nothing, been attacked, chased assaulted by women also even when I did not ask them any analyzing questions or talk necessarily has happened numerous times never did cops courts city attorneys do anything to perpetrators, but they did again and again for wondering a OCD analysis question. My life was threatened with a serious felony and never did cops, courts or city attorneys do anything to perpetrators. But you can't ask questions there saying you can't ask about ESP as you see. The Public Interest is mentally ill people have been lied to in court for century's all around this country and around the world, not just me.

4) HUGE PUBLIC INTEREST CONFLICT FEDERAL and STATE LAW about MARIJUANA and HEALTH CONSEQUENCES Connected to it. This whole case root of it I was delirious can't sleep outside due to nonstop 2nd Hand MARIJUANA 2nd HAND EXPOSURE. The ESP questions I wonder ask everyone this being 1 in 1 random contact. I care about these mentally ill I see at soup kitchens out in the cold at 1AM when I get back late that are freezing homeless and in halfway house and in their places that talk to themselves that are dysfunctional that have a PERMANENT mental

health problem not like ones from Covid 19 there sick for week or so and cure themselves. If they die, then it is tragic for them and family and friends. But ones that got schizophrenia mostly from Marijuana got a PERMANENT till day they pass away MENTAL PROBLEM and I see it in all race's genders socio economic factors. I feel bad for them most because of Marijuana and drugs, me being one which the root of this whole case is about. In DOCTORS, PSYCHOLOGISTS, CLINICIANS letters which judges never read and maintained ESP question over and over.

It is linked and 2nd hand marijuana also to Dementia heart attacks, Strokes, cancer, lowers IQ, Schizophrenia, Bipolar manic Depression all kinds of mental illness and prediabetes complications of death from people that already have it. As Marijuana is less prevalent mental illness will go down as Marijuana is more prevalent Mental Illness will increase Dr. Daniel Amon, every scientific data knows it. Some of the effects.

If the Feds wanted, they could shut down every Marijuana store shop venue in this country and enforce it. This would help prevent all kinds of mental illness, heart attacks, strokes, Dementia you see it's very bad for pregnant mothers and their babies as you see also. This is what needs to happen to stop it. Unfortunate but true. Nice talk, they don't care, say I or almost 50 million people in America have mental illness most exacerbated by marijuana and 11.4 million are seriously mentally ill.

The feds could say the heck with it we'll shut down every marijuana shop in this country and enforce this one thing on street parks where kids are exposed also. The health consequences are too severe and still enforce it. 89 % of NFL Marcelus Bennet says smoke marijuana and 85 % of NBA and some coaches smoke it too. Football greats Joe Montana, Raquel Welch, Dolly Parton, basketball great and North Korean Alie Dennis Rodman, all sell it this CBT stuff they talk about is also psycho active. In the American Culture when football greats Calvin Johnson, Tiki Barber all sell it and Barbara Streisand, Lady Gaga, Jimmy Kimmel smoke it basketball greats Kareem Abdul Jabbar ( April 16 1947 New York NY) and Bill Walton (Nov. 5 1952 La Mesa CA) smoked it or Mr. Walton did when he was at UCLA and in the NBA and after Kareem Abdul Jabbar (April 16 1947 New York NY) Mr. Kareem Abdul still smokes it from what I read best or 2nd best basketball player ever him or the late Wilt Chamberlain (August 21, 1936 Philadelphia PA-Oct 12, 1999 Bel Air Los Angeles CA). This man that beat me one on one basketball 19-17 in the park late afternoon Sept. 11, 2006, 6-time NBA all-star 3 time all NBA 2nd team Shawn T Kemp (Nov. 26, 1969, Elkhart IN) who they ranked one of 2 most athletic power forwards ever one of top 6 dunkers in NBA history now has marijuana store sells it. Him beating me one on one basketball because he was cheating (different story) Witnessed by his son, his wife self-

proclaimed legend Ed Jones Grizz myself and the reign man himself Shawn T Kemp But my older friend, 70 something now Grizz PHD physics University of Washington Bachelors PHD UCLA who lives now out of his car now. I see him at the basketball court, and he said there's a big difference to me "there not schizophrenia obviously you and others are from it"

This is a huge public interest as in most the 50 million mentally ill in United States 11.4 million seriously mentally ill most started caused by marijuana and drugs. This Nice Ethiopian bus driver said his daughter did a survey at Mount Rainier High School. 100 kids 99 have tried it at least once. The only thing that will stop it and greatly prevent schizophrenia, bipolar manic depression DEMENTIA heart attacks strokes cancer is enforcement of this serious Health hazard. Again, this stuff even 2nd hand is linked to dementia also.

Before covid I went to crossroads library across water Bellevue Wash on computer young guy sits to my right talks to himself at first found him annoying but realized he has schizophrenia so changed my attitude toward him. He smoked Marijuana than heard voiced Permanent problem this young guy has. This young Hispanic guy talks to himself on the bus in chatting half a minute with him its Marijuana he did first than schizophrenia. This African American gal coming back to Seattle across water from Bellevue she also laughs to herself thinks of funny things in her mind as I do hear voice, she Marijuana than voices than schizophrenia permanent problem. This nice guy met him once on a bus he's from Saudi Arabia. Nice guy though just met him once but clearly had mental problems. Asked him how old were you when you first smoked marijuana, he said 2004 how old were you in 2004? 24 When did you come here 2004 you came here in 2004 smoked marijajuna? Yes, did you have any voices schizophrenia as I do as millions of people do before you came here and smoked marijauna no When did you come down with voices and schizophrenia that's too bad I said I have disorganized mind too fantasizing all the time wonder about ESP. He looked for a second and said you're right it was after he came here and after a year or 2 he smoked marijuana. This Sephardic Jewish guy name is Mike from Mercer Island Wash. originally a nice area and also a nice guy though I haven't seen him in years. But when talk to him he was smart understood all these mystical connections with numbers and dates and coincidences others don't but he him he talks nonstop to himself from MARIJAUANA got a permanent schizophrenia his friends that did it with him that are successful lawyers doctors businessmen did any once have decency to check with him how he's doing. Saw his brother he said Mikes in bad shape he wanders around endlessly in a halfway house in Auburn (South of Seattle) picking cigarette butts off ground so some people like him like me it causes schizophrenia of all genders, all race, all socio-economic factors and permanent mental illness in some people. Have a african American Homeless friend Charles he's good man always

has been he's pretty smart studied math 3 years at University and has common sense from being on streets. He also sat on the wall across from the food bank. Asked him he said there reading his mind in the food bank. He said he smoked marijuanan as a teenager and also had telepathy and had people read his thoughts and voices. Charles is a nice man. That's not the point, the point is he has a permanent mental illness. When I said Marijuana ruined your life if you never smoked it you never would be mentally ill and homeless today. He said of course it did. from it is the last priority of everyone and I'm damaged for life because of the nonstop unavoidable constant 2ne hand marijuana that opened up my mental illness that my late wonderful Mom by getting to another environment. This whole case is about 1 random harmless marijuana induced ESP checking question as in DOCTORS PSYCHOLOGISTS letters as said in court over and over which I ask people to check all the time by the way. Everyone, it increases risks of heart attacks, strokes, cancer, dementia. I can't sleep from 2nd hand and now new evidence of higher rates of prediabetes and complications of death with people that have it.

It's not good. America needs to take heed of the whole ROOT of this case. The harmless ESP checking question in 1 random contact was about my delirious exhausted fantasizing mental state from concussion and non-stop 2nd hand cannabis exposure and lack of sleep.

### IMPORTANT

If Ms. Sylvester tries to argue that this was not mentioned in the lower courts. Hold it WRONG in Original hearing worked hard served city attorneys put in JUDGES MAILBOX the DAY BEFORE. DOCTORS, PSYCHOLOGISTS LETTERS. All say I'm DAMAGED and mentally ill in general I'm delirious exhausted by MARIJUAUNA it's a psychoactive DRUG the ESP question that mentioned over and over again was about MENTAL ILLNESS OBVIOUSLY and in the PSYCHOLOGIST LETTER and DOCTORS LETTERS that JUDGE NEVER READ. It was WRITTEN as part of case information over and over JUDGE NEVER READ NOR HEARD NOR CONSIDERED.

So it was mentioned in the lower courts and brought up. JUDGE NEVER READ it and I displayed MENTAL ILLNESS FROM THE GET GO and said over and over again the truth I don't know who she is and the question was just about ESP.

So if Ms. Sylvester tries to argue this wasn't brought up in the lower courts IT WASa in ALL DOCTORS PSYCHOLOGISTS CLINICIANS LETTERS. JUDGE NEVER READ. Plus I mentioned in court over and over the OCD schizo affective QUESTION in 1 random contact was just about ESP the 1st for someone else. Loving Ms. Levias Ms. Evans, Ms. Sylvwster what they are writing is a lie is impossible logically. And other perjury. this in ALL DOCTORS,

PSYCHOLOGISTS LETTERS JUDGE NEVER READ as in COURT  
TRANSCRIPT nor my DECLARATIONS NOR LAWYERS NOR FRIENDS.

The DERIOUS EXHAUSTED FANTASIZING MENTAL STATE WAS  
NEVER taken into consideration nor my harmless ESP checking question when  
PROOF Ms. Levias, Ms. Evans, Ms. Sylvester are perjuring, lying, making one  
false statement after another to obtain this. Logically can prove Ms. Levias  
statement was IMPOSSIBLE Ms. Evans used dishonesty OMISSIONS and Ms.  
Sylvester is also guilty of perjury, making one false statement after another of all 3  
ladies.

Some of health hazards of Marijuana that United States needs to take heed in this  
huge conflict of law between Federal and STATE law MENTAL and PHYSICAL

Marijuana over activates parts of the brain that contain the highest number of these  
receptors. This causes the "high" that people feel. Other effects include:

- altered senses (for example, seeing brighter colors)
- altered sense of time
- changes in mood
- impaired body movement
- difficulty with thinking and problem-solving
- impaired memory
- hallucinations (when taken in high doses)
- delusions (when taken in high doses)
- psychosis (risk is highest)

What are the other health effects of marijuana?

Marijuana use may have a wide range of effects, both physical and mental.

Physical Effects

- Breathing problems. Marijuana smoke irritates the lungs, and people who smoke marijuana frequently can have the same breathing problems as those who smoke tobacco. These problems include daily cough and phlegm, more frequent lung illness, and a higher risk of lung infections. Researchers so far haven't found a higher risk for lung cancer in people who smoke marijuana.<sup>8</sup>
- Increased heart rate. Marijuana raises heart rate for up to 3 hours after smoking. This effect may increase the chance of heart attack. Older people and those with heart problems may be at higher risk.
- Problems with child development during and after pregnancy. One study found that about 20% of pregnant women 24-years-old and younger screened positive for marijuana. However, this study also found that women were about twice as likely to screen positive for marijuana use via a drug test than they state in self-reported measures.<sup>9</sup> This suggests that self-reported rates of marijuana use in pregnant females is not an accurate measure of marijuana use and may be underreporting their use. Additionally, in one study of dispensaries, nonmedical personnel at marijuana dispensaries were recommending marijuana to pregnant women for nausea, but medical experts warn against it. This concerns medical experts because marijuana use during pregnancy is linked to lower birth weight<sup>10</sup> and increased risk of both brain and behavioral problems in babies. If a pregnant woman uses marijuana, the drug may affect certain developing parts of the fetus's brain. Children exposed to marijuana in the womb have an increased risk of problems with attention, memory, and problem-solving compared to unexposed children.<sup>12</sup> Some research also suggests that moderate amounts of THC are excreted into the breastmilk of nursing mothers. With regular use,



THC can reach amounts in breast milk that could affect the baby's developing brain. Other recent research suggests an increased risk of preterm births. More research is needed. Read our *Marijuana Research Report* for more information about marijuana and pregnancy.

- Intense nausea and vomiting. Regular, long-term marijuana use can lead to some people to develop Cannabinoid Hyperemesis Syndrome. This causes users to experience regular cycles of severe nausea, vomiting, and dehydration, sometimes requiring emergency medical attention.

### Reports of Deaths Related to Vaping

The Food and Drug Administration has alerted the public to hundreds of reports of serious lung illnesses associated with vaping, including several deaths. They are working with the Centers for Disease Control and Prevention (CDC) to investigate the cause of these illnesses. Many of the suspect products tested by the states or federal health officials have been identified as vaping products containing THC, the main psychotropic ingredient in marijuana. Some of the patients reported a mixture of THC and nicotine, and some reported vaping nicotine alone. No one substance has been identified in all the samples tested, and it is unclear if the illnesses are related to one single compound. Until more details are known, FDA officials have warned people not to use any vaping products bought on the street, and they warn against modifying any products purchased in stores. They are also asking people and health professionals to report any adverse effects. The CDC has posted an information page for consumers.

Image



*Photo by ©iStock/Adrian Hillman*

### Mental Effects

Long-term marijuana use has been linked to mental illness in some people, such as:

- temporary hallucinations
- temporary paranoia
- worsening symptoms in patients with *schizophrenia*—a severe mental disorder with symptoms such as hallucinations, paranoia, and disorganized thinking

Marijuana use has also been linked to other mental health problems, such as depression, anxiety, and suicidal thoughts among teens. However, study findings have been mixed.

### How Does Marijuana Affect a Person's Life?

Compared to those who don't use marijuana, those who frequently use large amounts report the following:

- lower life satisfaction

- poorer mental health
- poorer physical health
- more relationship problems

People also report less academic and career success. For example, marijuana use is linked to a higher likelihood of dropping out of school.<sup>18</sup> It's also linked to more job absences, accidents, and injuries.

Many people who use marijuana long term and are trying to quit report mild withdrawal symptoms that make quitting difficult. These include:

- grouchiness
- sleeplessness
- decreased appetite
- anxiety
- cravings

### Points to Remember

- Marijuana refers to the dried leaves, flowers, stems, and seeds from the *Cannabis sativa* or *Cannabis indica* plant.
- The plant contains the mind-altering chemical THC and other related compounds.
- People use marijuana by smoking, eating, drinking, or inhaling it.

- Smoking and vaping THC-rich extracts from the marijuana plant (a practice called *dabbing*) is on the rise.
  - THC over activates certain brain cell receptors, resulting in effects such as:
    - altered senses
    - changes in mood
    - impaired body movement
    - difficulty with thinking and problem-solving
    - impaired memory and learning
  - Marijuana use can have a wide range of health effects, including:
    - hallucinations and paranoia
    - breathing problems
    - possible harm to a fetus's brain in pregnant women
  - The amount of THC in marijuana has been increasing steadily in recent decades, creating more harmful effects in some people.
- 
- There aren't any reports of teens and adults dying from using marijuana alone, but marijuana use can cause some very uncomfortable side effects, such as anxiety and paranoia and, in rare cases, extreme psychotic reactions.
  - Marijuana use can lead to a substance use disorder, which can develop into an addiction in severe cases.
  - No medications are currently available to treat marijuana use disorder, but behavioral support can be effective.
  - There is such a scientific link between Cannabis Marijuana 2nd hand marijuana and all these diseases mental and physical and Dementia and now

Pre-Diabetes. This case the ESP checking question asked that MARIJUANA damages me, insomnia and concussion and I got Schizoaffective Disorder Schizophrenia and Bipolar Manic Depression from it and OCD and a brain injury. Other disabled people such as me mentally ill, have gone against lies falsely reported about. As Marijuana goes up mental illness goes up as Marijuana use goes down mental illness goes down every scientific data knows it Dr. Daniel Amen's brain specs. There is also a major risk you will see DEMENTIA influx of DEMENTIA increased as MARIJUANA and nonstop 2nd hand EXPOSURE. The air purifiers fans close windows, it penetrates and on streets parks more. For GREATER HEALTH GOOD of UNITED STATES, the conflict of FEDERAL and STATE LAWS and the lack of any enforcement in States its LEGAL and States it's ILLEGAL. This case was all about a harmless mental illness question that CAUSED EXACERBATED from Marijuana decades ago and exacerbated rekindled from constant 2nd hand WEED and lack of sleep and concussion as a peer-to-peer counselor passed State Exam with 95 % in 2011 months after my brilliant Dad passed away also but for GREATER GOOD OF UNITED STATES HEALTH MENTAL AND PHYSICAL this should be put in the forefront right now. This is crucial for the mental and physical HEALTH for the mentally ill and for the millions of Americans in general in the United States where it's getting more and more accepted in spite of the serious scientific health damages it causes which all Scientific data shows.

## CONCLUSION

For the above reasons, the petition for a writ of certiorari should be granted.

Dated this 6 day of October 2021.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Baumgarten".

Steven Baumgarten

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