No. 21-6214

IN THE

SUPREME COURT OF THE UNITED STATES

Usman Ogibo — PETITIONER
(Your Name)

vs.

Huntington Hospital Medical Center, North Shore Univ Hospital Michael Repice MD — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

the United States Court of Appeals 2nd Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI EN BANC

Usman Ogibo
(Your Name)

205 Seaman Neck Rd
(Address)

Dix Hills, NY 11746
(City, State, Zip Code)

631-242-3069
(Phone Number)

QUESTION(S) PRESENTED

SINCE PETITIONER HAS NOT HAD A REAL JUDGE IN ALL OF THE STATE AND FEDERAL COURTS NOR CAN THEY DISPROVE LOGICALLY THAT A CHILD IS INFALLIBLY RELATED TO ITS BIOLOGICAL MOTHER ,AS WELL AS PETITIONER WAS DENIED A FULL AND FAIR OPPORTUNITY TO LITIGATE AS WELL AS THE STATE AND FEDERAL JUDGE ACTING AS LAWYERS FOR THE DEFENDANTS AND THE PARALLELS BETWEEN *POLLARD v.UNITED STATES,* THE TUSKEGEE EXPERIMENT AND PETITIONER'S CASE HAS BEEN 100% ESTABLISHED AND THE DEFENDANTS WERE FOUND GUILTY IN THE TUSKEGEE EXPERIMENT CASE, CAN THE UNITED STATES SUPREME COURT FIND THE DEFENDANTS ANYTHING BUT GUILTY?

LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[ ] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

The Petitioner is Usman Oyibo, Pro Se

The respondents are Huntington Hospital/Medical Center, Northshore Univ. Hospital and Michael Replice MD represented by Vyorito, Barker, Patterson, Nichols & Porter

RELATED CASES

- *Oyibo v. Huntington Hospital, et al.*, No. 20-cv-05661, U.S. District Court for the Eastern District of New York. Judgment entered February 18, 2021.

- *Oyibo v. Huntington Hospital, et al.*, No. 21-821, U.S. Court of Appeals for the Second Circuit. Judgment entered August 10, 2021.

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STATUTES AND RULES

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[ ] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

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[✓] is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

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

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

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

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

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

JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was ~~February~~ August 10, 2021.

[✓] No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[ ] For cases from **state courts**:

The date on which the highest state court decided my case was _____. A copy of that decision appears at Appendix _____.

[ ] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

4. CONSTITUTIONAL PROVISIONS INVOLVED

UNITED STATES CONSTITUTION, AMENDMENT V:

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be put twice in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

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 shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

STATEMENT OF THE CASE

A. TIMELINE OF THE DEFENDANT HOSPITAL'S MEDICAL MALPRACTICES

1. On February 22, 2013 Petitioner arrived in Huntington Hospital and reported that Petitioner had gout in his toes and feet to the doctors. Defendants deliberately and irrationally dismissed gout WITHOUT CONDUCTING ANY LABORATORY TEST FOR GOUT despite recognizing Petitioner had all physical symptoms of gout, like painful joints and inflamed painful big toe, red skin around the toes, inability to walk on feet, elevated ESR, WBC, etc. This is clearly negligence as well as medical malpractice in which the defendants are directly, completely responsible for and without any contribution to that negligence from the Petitioner. The defendant's negligence was also recognized by the defendants deliberate refusal to do the synovial joint fluid test/joint aspiration which the defendants own official hospital website specifically listed as the definitive test and standard of care for definite diagnosis of gout (Appendix I at I-1 to I-5). This is also clearly negligence as well as medical malpractice in which

the defendants are directly, completely responsible for and without any contribution to that negligence from the Petitioner.

2. Petitioner on April 10, 2014 was medical malpractice assaulted as well as medical malpractice patient dumped out into the cold for over an hour to die by Huntington Hospital, which are not only negligences (directly and completely caused by the defendant hospital and their agents/agency without any contribution to that negligence from the Petitioner) but are the worst medical malpractices which are captured on the videos requested by the Subpoena Duces Tecum of the Petitioner. These videos infallibly proved these negligences and criminal medical malpractices happened, however Judge McCormack/Attorney Roth fraudulently refused to force the defendants to surrenders those videos/evidences and Judge McCormack/Attorney Roth revealed themselves to be lawyers for the defendants while pretending to be judges in this case, something Judge McCormack had later on recognized as being illegal and unprofessional conduct as a judge (judicial misconduct) and therefore recused himself (Appendix J at J-1). The Defendant Hospital medical malpractice assaulting Petitioner as well as medical malpractice dumping Petitioner out into the cold for over an hour to die was completely caused by the defendants reckless negligences and gross criminal medical malpractices without any contribution to that negligence from the Petitioner.

3. Petitioner's wounds on his feet were from Gout as recognized by North Shore Univ. Hospital's own surgical report and medical records (Appendix I at I-6 to I-15), exposing the fraudulent concealment of Petitioner's gout, of their sister hospital, Huntington Hospital claiming Petitioner didn't have gout as well as the fraudulent psychiatric diagnosis in a very vicious attempt at discrediting the Petitioner and to protect their sister hospital from their medical

malpractices in 2013 and in 2014.

4. Petitioner's medical malpractice case has been extremely and viciously trivialized by the State as well as the Federal Court Judges when it is in the class of the worst and most vicious and malicious medical malpractice cases completely similar to the Tuskegee Experiment, *Pollard v United States* and the State, Appellate Court and Federal Judges are refusing to even see this as a medical malpractice, proves all of these courts, State and Federal, are obviously ignoring Petitioner and refusing to hear the Petitioner's case at all violated the petitioners 5th and 14th amendment rights.

5. Petitioner is a victim of a criminal as well as an extraordinarily vicious medical malpractice where the defendant's criminal medical malpractice actions led to Petitioner almost being murdered several times, through the defendants fraudulently concealing the Petitioner's diagnosis of gout and fraudulently misrepresenting the Petitioner's gout condition as a "mysterious unknown disease" in order to deliberately and intentionally harm and kill Petitioner along with sending Hospital Security to medical malpractice assault and medical malpractice patient dump the Petitioner out into the cold for over an hour with open feet wounds to die and a malicious attack by the defendants in their Hospital's Operation Room (OR) where Petitioner was ambushed, lied to, and physically constrained/held physically down by the hospital OR staff who engaged in a very vicious medical malpractice battery/attempted murder by hospital staff upon Petitioner, which the attempted murder action by the defendant hospital's OR, the Petitioner provided evidence and transcribed relevant parts of that vicious medical malpractice battery/attempted murder by hospital staff upon Petitioner to the state and federal courts on a compact disc (Appendix I transcribed at I-16 to I-31) .

B. STATE AND FEDERAL CASES WHERE ALL JUDGES ACTED AS LAWYERS FOR THE DEFENDANTS

6. Petitioner's first state medical malpractice case was initiated on August 21, 2015. Petitioner also on October 13, 2016 had requested a Subpoena Duces Tecum, which requested videos of the medical malpractice assault for all to clearly see (Appendix H at H-1)). On October 27, 2016 the defendants changed law firms to Vigorito, Barker, Patterson, Nichols and Porter with Attorney Adam S. Covitt, which then he drafted a fraudulent motion to quash with the argument saying that a child (medical malpractice assault) is infallibly unrelated to its biological mother (medical malpractice super set) which is wrong (Appendix H at H-2 to H-3). On August 31, 2017 the Court severely erred in agreeing with them and when Attorney Roth passed this fraud along and reacted in a hostile and threatening matter to the Petitioner, Petitioner then submitted a motion for Judge McCormack's recusal on September 11, 2017, where Petitioner outlined that a judge who doesn't know that a child (medical malpractice assault) IS infallibly related to its biological mother (medical malpractice super set) is incapable (or unqualified) to preside over this case. On the following date of November 14, 2017 James P McCormack and his law secretary Gregg Roth granted the motion, proving they were acting as lawyers for the defendants NOT as fair and impartial judges for the Petitioner's case (Appendix J at J-1).

7. The court on November 14, 2017 then proceeded to have Judge Leonard D Steinman preside over the case, but he in turn acted as a hatchetman agreeing to everything the defendants wanted, include a summary judgment motion they submitted while absolutely no discovery from them was provided in the case. Soon after on April 5, 2018 Petitioner had put in a motion to recuse himself, which Judge Steinman has, without disclosure of his conflict of interest as well as

having a personal/financial interest in the proceeding, where his daughter, Hallie Steinman is employed by the defendants, stubbornly presided over the Petitioner's medical malpractice case proceedings in the Nassau County Supreme Court with absolutely no intention to fairly hear Petitioner case or allow any discovery/evidences of the medical malpractice (AGAIN A CLEAR DENIAL OF DUE PROCESS OR FIFTH AND FOURTEENTH AMENDMENTS FOR PETITIONER). Even after a motion to recuse himself, where the Petitioner notified Judge Steinman's conflict of interest, Judge Steinman has extremely trivialized the Petitioner's medical malpractice case in order to protect defendants from being completely guilty of criminal medical malpractice as well as conspiring with Attorney Covitt/VBPNP Law Firm in fraudulently killing Petitioner's infallible criminal medical malpractice case in order to make sure his daughter will continue to be employed by the defendants which is both a personal and financial interest for Judge Steinman and a very strong motivation for Judge Steinman to fraudulently destroy and kill Petitioner's case to protect his own interests.

8. In addition Judge Steinman after the recusal motion engaged in more judicial misconduct and criminal behavior, by fraudulently concealing/covering up his original misconduct by improperly stopping and issuing a fraudulent decision to the recusal motion 5 days after it was submitted, refusing to let defendants respond at all to the evidence of Judge Steinman being a lawyer for the defendants instead of a fair and impartial judge in the Petitioner's case, ignoring his clear conflict of interest which gave Judge Steinman a strong motivation to fraudulently destroy and kill the Petitioner's medical malpractice case by deliberately preventing the Petitioner any discovery/evidences to prove Petitioner's case and also removing evidences of his gross judicial misconduct stated by members of his own court, Nassau County Supreme Court

and other Attorneys on a website therobingroom.com, where they publicly expressed not having any confidence in Judge Steinman to be a fair and impartial judge, but instead a fraudulent and corrupt judge as evidenced by the following comments made by the public (Appendix K at K-1 to K-3)

> ***"Justice Steinman issued a number of decisions that the Nassau County Bar shared with me after I personally witnessed that he is detached from realty, is self serving and financially rewards his "so-called" friends.(Court Staff dated 1/22/2017 6:38:41 PM)"***
>
> ***"Atrocious and illegal conduct, using his government position to abuse people for political gain and his own pocketbook. (12/16/2016 10:40:04 PM)"***
>
> ***"This Judge (Steinman) removed an attorney from the Courtroom, by force of a Court Officer for 10 minutes on August 12, 2016, without her property for OBJECTING on the basis of relevance. Allowed others to view her cell phone, legal documents and property (Litigant 12/13/2016 3:27:25 PM)"***
>
> ***"This person (Judge Steinman) is highly unstable. Takes personally basic matters and lashes out at lawyers before him for no reason.(Court Staff 8/25/2016 8:46:03 PM)"***
>
> ***"Justice Leonard Steinman should be criminally investigated. (7/12/2016 9:15:07 PM)"***
>
> ***"This is what we get when we vote on party lines and we know nothing about the person. This judge's (Judge Steinman) knowledge is minimal, with shallow decision, and does not know minimal procedural requirements. Stay away if you can. (Litigant 6/29/2016 5:41:03 PM)"***

9. JUDGE STEINMAN HAD SEVERAL OF THE STATEMENTS/EVIDENCES REMOVED FROM THEROBINGROOM WEBSITE BACK IN 2018, TO HIDE HIS BLATANT CORRUPTION, CRIMINALITY AS WELL AS HIS CONSPIRING WITH ATTORNEY COVITT/VBPNP WHILE HIMSELF IMPERSONATING/PRETENDING TO BE A FAIR AND IMPARTIAL JUDGE WHILE IN REALITY BEING A LAWYER FOR THE DEFENDANTS IN ORDER TO FRAUDULENTLY KILL PETITIONER'S MEDICAL

MALPRACTICE CASE SEE THE FOLLOWING APPENDIX K).

10. JUDGE STEINMAN ALSO HAS A DAUGHTER (HALLIE STEINMAN) WHO IS EMPLOYED BY THE DEFENDANTS NORTHWELL HEALTH (NORTH SHORE LIJ) SYSTEM OF HOSPITALS AFFILIATE CALLED MAIMONIDES MEDICAL CENTER IN BROOKLYN (APPENDIX K AT K-4 TO K-10), WHICH CONSTITUTES NOT JUST A CLEAR CONFLICT OF INTEREST FOR JUDGE STEINMAN, WHO SHOULD HAVE AUTOMATICALLY EXCUSED/RECUSED HIMSELF FROM THE PETITIONER'S MEDICAL MALPRACTICE CASE FROM THE BEGINNING IF HE IS A FAIR, IMPARTIAL AND UNBIASED JUDGE AND NOT A FRAUDULENT HATCHET-MAN AND A LAWYER FOR THE DEFENDANTS , BUT ALSO A VERY STRONG MOTIVATION FOR JUDGE STEINMAN TO COLLABORATE/CONSPIRE WITH THE DEFENDANTS (REPRESENTING NORTHWELL HEALTH/NORTH SHORE LIJ SYSTEM) TO FRAUDULENTLY AND ILLEGALLY DESTROY PETITIONER'S MEDICAL MALPRACTICE CASE, WHICH COMPELS HIM TO EXCUSE/RECUSE HIMSELF FROM THIS CASE AND HIS FRAUDULENT DECISION BE REMOVED, OVERTURNED AND VACATED URGENTLY.

11. JUDGE STEINMAN ALSO CLAIMED THAT DEFENDANTS MEDICAL EXPERT, DR. MICHAEL BELMONT CONCLUDED THERE WAS "NO DEVIATIONS IN ACCEPTED MEDICAL PRACTICE", THAT MEANS THE DEFENDANTS MEDICAL EXPERT, DR MICHAEL BELMONT, CONCLUDED THAT A MEDICAL DIAGNOSIS THAT IS EQUIVALENT WITH DIAGNOSING OF GOD AS BEING "PSYCHIATRICALLY ILL" AND THAT MEDICAL MALPRACTICE ASSAULTING OF PATIENTS, MEDICAL

MALPRACTICE DUMPING OF PATIENTS OUT INTO THE COLD TO DIE AS WELL AS MEDICAL MALPRACTICE BATTERY IN THE DEFENDANTS HOSPITAL'S OR ARE ACCEPTED MEDICAL PRACTICES AND ARE NOT DEVIATIONS FROM ACCEPTED MEDICAL PRACTICES, IS OBVIOUSLY GROSSLY FRAUDULENT . SEE THE FOLLOWING APPENDIX I COMPACT DISC FOLDER "EXHIBIT S" TRANSCRIBED AT I-43 TO I-58 .

12. Due to the fraudulent dismissal of Petitioner's case by Judge Steinman, Petitioner submitted notices of appeal for leave to the Appellate court, on March 30 and August 10, 2018. Petitioner has run into problems with the Appellate Division Second Department particularly Judges Alan D. Scheinkman, Mark C. Dillon and Ruth C. Balkin who all have also acted as lawyers for the defendants, while pretending to be fair and impartial judges in Petitioner's medical malpractice case appeal in order to deny due process for Petitioner in the appellate court and fraudulently conceal/coverup/kill Petitioner's 100% infallible medical malpractice case. Here in the Petitioner's medical malpractice case the Appellate Court Judges (particularly Judges Scheinkman, Dillon and Balkin) have deliberately ignored the Petitioner's infallible proof and evidences that Petitioner is an indigent/poor person, who has NO MONEY, NO ASSETS, NO SALARY OR INCOME WITH ZERO DOLLARS IN HIS ACCOUNT (Appendix E). Neither the Defendants nor the Appellate Judges could disprove the infallibly sound evidences of the Petitioner being an indigent/poor person and yet the Appellate Court Judges deliberately refused to hear the Petitioner by deliberately ignoring those specific evidences and refused to grant poor person relief to Petitioner.

13. Due to the deliberate refusal from the state court and judges to deliver justice, Petitioner

filed a federal lawsuit complaint in September 2019, along with In Forma Pauperis relief. Judge William Kuntz chose to preside over this case and dismissed Petitioner's case on October 2019. However it has been just discovered by the Petitioner, the District Judge that chose to preside over Petitioner's Medical Malpractice Case, Judge William Kuntz had a clear conflict of interest, where Judge Kuntz's wife, Dr. Alice Beal is a MD an Assistant Professor, Medicine associated at SUNY-Downstate College of Medicine WHICH ON THE SUNY DOWNSTATE OFFICIAL WEBSITE https://sls.downstate.edu/registrar/catalog/clinical_affiliates.html HAVE STATED THAT SUNY DOWNSTATE ARE AFFILIATES OF NORTHWELL HEALTH (IN PARTICULAR NORTH SHORE UNIV. HOSPITAL, THE DEFENDANTS IN PETITIONER'S MEDICAL MALPRACTICE LAWSUIT (Appendix F)).

14. Judge Kuntz if he was a fair and impartial judge, should have recused himself due to this obvious and clear impropriety and personal bias against Petitioner's but deliberately didn't. Instead Judge Kuntz who knew his wife being affiliated with Northwell Health (North Shore Univ Hospital which Petitioner lawsuit was against) deliberately and severely prejudiced Petitioner's case and Kuntz willfully and wantonly chose to preside over Petitioner's case to be a HATCHETMAN using his office/position to benefit and further the interest of Northwell Health by fraudulently dismissing/killing Petitioner's case which infallibly proved them to be guilty of medical malpractice and also to further his own personal and financial interests like making sure his wife's job and career would be protected, since if Judge Kuntz was a fair and impartial Judge and found the defendant hospitals guilty of Medical Malpractice it's fair to assume that Northwell Health would have retaliated against his wife and/or lost her job. This evidence of Judge Kuntz's bias against Petitioner as well as conflict of interest, which Judge Kuntz never

disclosed to the Petitioner, has revealed himself to be a lawyer for the defendants pretending to be a fair and impartial judge and makes his so called judgment/decision fraudulent and illegal. Also this is a clear violation of 28 U.S. C. § 455,

15. Petitioner appealed this decision to the Court of Appeals 2nd circuit and applied for IFP relief before chief judge, Judge Robert Katzmann on November 2019. However Judge Katzmann denied the Petitioner's appeal on March 18, 2020, and later a motion to reconsider by the Petitioner in April 2020 on May 28, 2020. Petitioner has also new evidence that shows that Judge Kuntz and Judge Katzmann are not just acquittances but are partners/friends inside and outside the courtroom. On the website https://www.centralsynagogue.org/worship/sermons/detail/jethro_shabbat_meeting_the_legal_needs_of_immigrants (Appendix G), Judge Katzmann revealed that he has worked together with Judge Kuntz:

> "...It has for me (Katzmann) been an inspiring experience to work with such devoted lawyers, anxious to help those in need. We have been guided by an outstanding steering committee: Jojo Annobil of Legal Aid, Immigration Judge Noel Brennan, Judge Chin, Peter Cobb, Peter Eikenberry, Philip Graham, Robert Juceam, William Kuntz (then in private practice and now on the district court)..."

16. In the 2018 Hawaii Access to Justice Conference: Addressing the Desperate Legal Needs of the Immigrant Poor (Appendix G), Judge Katzmann specifically mentions Judge Kuntz by name as a colleague:

> "...The Study Group is made up of some 70 lawyers from a range of firms; nonprofits; bar organizations; immigrant legal service providers; immigrant organizations; law schools; federal, state, and local governments; and judicial colleagues including Judge Chin and Judge Kuntz..."

Judge Katzmann has for instance been very vocal in the courts and on interviews and the

internet where he is a major advocate for the rights of immigrants and providing for them pro bono services, a form of poor person relief like IFP. for example on the website: https://vilcek.org/news/robert-a-katzmann-making-justice-accessible-to-all/(Appendix G at G-8), where Judge Katzmann is quoted saying the following:

"Access to justice should not depend on the income level of those in the system."

17. This quote by Judge Katzmann is incredibly ironic due to Katzmann's own deliberate and malicious refusal to grant Petitioner in this court access to justice. Petitioner in his previous request for IFP proved he doesn't have any income or money to prosecute the appeal. Judge Kuntz in his decision also recognized that Petitioner was a poor person by waiving all fees and costs for that decision ("Plaintiff's request to proceed without the prepayment of fees is granted..." Appendix B at B-2). Despite these particular evidences and the Defendants not disproving them or posing any motion in opposition or any response against it, Judge Katzmann deliberately denied access to justice and this court for the Petitioner by denying IFP which is a poor person relief (similar to Pro Bono) to allow the Petitioner access to this court. Despite Judge Katzmann's appearance of eloquence, he has clearly contradicted his purported mission towards "making justice accessible for all". In addition Judge Katzmann has mentioned on this website that his parents were both immigrants (father was from Germany and his mother from Russia) so his advocating access to justice for immigrants is a clear personal bias or partiality in favor of immigrants over Natural Born Americans like the Petitioner. This is a clear violation of 28 U.S. C. § 455 which states:

(a)Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
(b)He shall also disqualify himself in the following circumstances:

(1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

18. The irrational and viciously stubborn refusal of Judge Katzmann to grant IFP/poor person relief to Petitioner when Petitioner has infallibly proven that he qualifies for it and even Judge Kuntz in the District Court granted it ("Plaintiff's request to proceed without the prepayment of fees is granted..." Appendix B at B-2), can only make sense in light of the new evidence that Petitioner had recently discovery about Judge Kuntz's conflict of interest and Judge Katzmann protecting/refusing to punish or go against corrupt judges and instead attacks the public members who witnessed the corruption like the public witnessed and recognized Judge Katzmann did on therobingroom (Appendix G at G-2):

"Litigant
Comment #: 21789
Rating:1.0
Comments:
Judge Katzman was a on three member panel in 2008. It was a case that the CFTC denied me registration. I was a hedge fund manager and my fund was the victim of a huge multi-billion dollar copper scandal involving Sumitomo Bank, JP Morgan and others. I became a lead Plaintiff in the class action lawsuit and we won a settlement. However, I had asked my regulators, the NFA and CFTC how to account for the copper losses and settlement. Katzman (and Renna Raggi) agreed with the CFTC and basically I was denied my registration for life with no hopes to ever get it back. I was so angry, I wrote a letter to Katzman and Raggi and they contacted the US Marshals and had them "intimidate, harass and threaten" me although they admitted my letter broke no laws.
In 2011, I had an issue with a District Court Judge, Denis Hurley (EDNY). He is just basically corrupt. I wrote a complaint and I said in the complaint that Katzman (now as Chief Judge) had to recuse himself because of the events of 2008. Katzman deliberately ruled anyway against me. When I followed up again with an angry letter to him, and copied the Council and the Senate Judiciary Committee, Katzman did the same exact thing and sent the US Marshals again!!!!
So, this guy Katzman is corrupt and should be removed from his position. He just thumbs his nose at Constitutional Law and cites a predisposed opinion. I mean its obvious the system is broken, but this guy should never have ever been part of it. We can all write negative things,, but at the end of the day, unless something is done about a guy like Katzman, he is going to continue to be arrogant and violate the law 6/4/2014 1:45:50 PM"

19. Judge Katzmann fraudulently denied the Petitioner's previous motions in order to protect his friend and fellow Judge, Judge Kuntz of his concealment of his obvious conflict of interest and him acting as a lawyer for the defendants pretending to be a fair and impartial judge in the district court (i.e. Judge Katzmann showing a clear bias and partiality in favor of his friend/fellow judge which is appearance of impropriety and blatant corruption), just like Judge Katzmann denied this litigant on therobingroom justice in order to protect another fellow corrupt judge, Judge Denis Hurley. Again this is a clear violation of 28 U.S. C. § 455 which states:

(a)Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
(b)He shall also disqualify himself in the following circumstances:
(1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

20. Also in the case *Altitude Express, Inc. v. Zarda*, Donald Zarda filed a federal lawsuit alleging he was discriminated against by Altitude Express due to sexual orientation/sex. The 2nd Circuit under Judge Katzmann ruled in his favor and Judge Katzmann in his ruling, waxed eloquent and poetic in his determination to make sure Zarda's case was recognized as a discrimination case and acknowledged the Civil Rights Act applied for Zarda, particularly Title VII, 42 U.S.C. § 2000e-2(a)(1) which prohibits employment discrimination based on race, color, religion, sex and national origin. Interestingly enough, (in Appendix D), the Petitioner had infallibly proved that his case is a discrimination case and also proved his discrimination case is a racial one which is also prohibited by the Civil Rights Act, particularly Title VI, 42 U.S.C. § 2000d which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance (including Hospitals). Title VI and Title VII both have the common base of explicitly stating discrimination of race to be illegal. Petitioner

also referenced the Patient Protection Affordable Care Act (ACA) and Section 1557 which incorporated Title VI of the Civil Rights Act and also states that Section 1557 creates a private right and remedy for the violation of four federal statues prohibiting discrimination based on race, sex, age, and disability. So in effect what Petitioner has infallibly proven here is that while Judge Katzmann will recognize the law for Zarda who was discriminated due to sex which is prohibited by the Civil Rights Act, the same Judge Katzmann deliberately REFUSED to recognize the law, particularly the same Civil Rights Act for the Petitioner who was discriminated against due to race, despite that discrimination is also prohibited by the Civil Rights Act and that law clearly mean to protect members like the Petitioner on the basis of race. This is clearly prejudicial treatment, denial of due process and a clear case of bias by Judge Katzmann. This is a clear violation of 28 U.S. C. § 455 which states:

(a)Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
(b)He shall also disqualify himself in the following circumstances:
(1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

21. The case *Callum v. CVS Health Corp*. has recognized the Patient Protection and Affordable Care Act (ACA) and Section 1557 (42 U.S.C. § 18116(a))creates a private right and remedy for the violation of four federal statues prohibiting discrimination based on race, sex, age, and disability. Other courts have concluded that § 1557 is indeed enforceable via an implied private right of action. See *Se. Penn. Trans. Auth. v. Gilead Sci., Inc.*, 102 F. Supp. 3d 688, 697-99 (E.D. Penn. 2015); *Rumble v. Fairview Health Serv.*, No. 14-2037, 2015 WL 1197415, at *7 n.3 (D. Minn. Mar. 16, 2015) (Nelson, J.); *Callum v. CVS Health Corp.*, 137 F. Supp. 3d 817, 845-48 (D.S.C. 2015). "Section 1557 (42 U.S.C. § 18116(a)) creates a private cause of action" to

address claims of discrimination on the basis of race, color, national, origin, sex, age, or disability. *Callum v. CVS Health Corp.*, 137 F. Supp. 3d 817, 848 (D.S.C. 2015); see also *S.E. Pennsylvania Transp. Auth. v. Gilead Scis., Inc.*, 102 F. Supp. 3d 688, 698 (E.D. Pa. 2015) ("SEPTA"); *Rumble v. Fairview Health Servs.*, No. 14-CV-2037, 2015 WL 1197415, at *7 n.3 (D. Minn. Mar. 16, 2015); East, 2014 WL 8332136, at *2. The ACA's statutory text, context, and structure, along with the Final Rule, together make plain that Section 1557 claims should be subject to a single legal standard and burden of proof regardless of the basis of the alleged discrimination.

22. Rather, "looking at Section 1557 and the Affordable Care Act (ACA) as a whole, it appears that Congress intended to create a new, health specific, anti-discrimination cause of action that is subject to a singular standard, regardless of a Petitioner's protected class status." *Rumble*, 2015 WL 1197415, at *10 (emphasis added). See *King v. Burwell*, 135 S. Ct. at 2492 (in interpreting the ACA and Section 1557, "we must do our best, bearing in mind the fundamental canon of statutory construction that the words of a statute must be read in their context and with a view to their place in the overall statutory scheme.") (internal quotation omitted). That intent is evident from the structure and language of the statute. Section 1557 incorporates "title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)" to delineate "the ground[s] prohibited under" it. 42 U.S.C. § 18116(a). As another district court recently concluded, "Congress likely referenced the four civil rights statutes mainly in order to identify the 'ground[s]' on which discrimination is prohibited—i.e., race, sex, age, and disability." *Rumble*,

2015 WL 1197415.

23. After Petitioner has witnessed in this Federal Court system (District Court and Court of Appeals 2nd Circuit) a grave and egregious injustice by it, Petitioner had filed a racial discrimination case in November 2020. The Petitioner's infallible Medical Malpractice Case 19-cv-05328 as well as his infallible Racial Discrimination case 20-cv-05661, which Petitioner had infallibly proved both cases have now been fraudulently concealed and fraudulently and irrationally ignored by all of the courts. Petitioner had filed a racial discrimination case *Oyibo v. Huntington Hospital et. al* on November 19, 2020, due to the blatant injustices by the judges and courts Petitioner had witnessed in the previous case. In late December 2020, Petitioner was surprised to see the presiding judge on the racial discrimination case is Judge William Kuntz , Judge William Kuntz had a personal bias and a clear conflict of interest in Petitioner's previous medical malpractice case, where Kuntz's wife, Dr. Alice Beal MD, an Assistant Professor, Medicine associated at SUNY-Downstate College of Medicine **WHICH ON THE SUNY DOWNSTATE OFFICIAL WEBSITE https://sls.downstate.edu/registrar/catalog/clinical_affiliates.html HAVE STATED THAT SUNY DOWNSTATE ARE AFFILIATES OF NORTHWELL HEALTH (IN PARTICULAR NORTH SHORE UNIV. HOSPITAL, THE DEFENDANTS IN PETITIONER'S MEDICAL MALPRACTICE LAWSUIT, APPENDIX F), THEREFORE JUDGE KUNTZ'S IMPROPRIETY AND PERSONAL BIAS AGAINST PETITIONER IS VERY OBVIOUS AND CLEAR.** Instead Judge Kuntz who knew his wife being affiliated with Northwell Health (North Shore Univ. Hospital which Petitioner lawsuit was against), deliberately and severely prejudiced Petitioner's case and Kuntz willfully and wantonly chose to preside over

Petitioner's case to be a **HATCHETMAN on both the medical malpractice case on 2019 and now the racial discrimination case of November 2020, again** using his office/position to benefit and further the interest of Northwell Health by fraudulently dismissing/killing Petitioner's cases which infallibly proved them to be guilty of medical malpractice as well as racial discrimination, using the judge's office to obtain special treatment for friends or relatives and also to further his own personal and financial interests like making sure his wife's job and career would be protected, since if Judge Kuntz was a fair and impartial Judge, it's fair to assume they could have been a possibility that Northwell Health would have retaliated against his wife and/or lost her job by firing her. This evidence of Judge Kuntz's personal bias against Petitioner as well as an obvious conflict of interest, which Judge Kuntz never disclosed to the Petitioner, has revealed himself to be a lawyer for the defendants pretending to be a fair and impartial judge which is fraudulent and judicial misconduct/illegal.

24. Also Judge Kuntz has a serious attitude problem against pro se litigants like the Petitioner, and his general disposition towards Petitioner in particular. For instance when Petitioner submitted a motion for Judge Kuntz's recusal in early January 2021, citing his obvious conflict of interest, Judge Kuntz guiltily denied the motion UNDER THREE DAYS after it was filed without letting the defendants even answer/respond to it which is clearly a sign of guilt and judicial misconduct. Judge Kuntz also denied the Petitioner IFP status AFTER Petitioner brought up the motion for Judge Kuntz's recusal which is extremely vindictive behavior/attitude and hypocritical. Petitioner also sent a letter on January 19, 2021 (Appendix C) asking Judge Kuntz to explain why he denied Petitioner IFP status in the racial discrimination case of 2020-cv-05661 when he

granted Petitioner IFP status in the medical malpractice case of 2019 19-cv-05328 (**"Plaintiff's request to proceed without the prepayment of fees is granted..."** Appendix B at B-2). Instead of Judge Kuntz rationally taking the time to address his conflict of interest Petitioner has previously brought up in the complaint and later again in the recusal motion, and again brought up in the letter on January 19, 2021 or his deliberative vindictive refusal to grant IFP in the racial discrimination case when he granted Petitioner IFP in the medical malpractice case of 2019, Judge Kuntz proved once again he was a lawyer for the defendants NOT a fair and impartial judge, by not even responding to the letter and then issuing his fraudulent decision to dismiss the case a month later on February 18, 2021. The Chief Judge of the EDNY at the time, Roslynn R. Mauskopf, was also forwarded the same letter Petitioner had sent Judge Kuntz on January 19, 2021 as well, WHO VERY CONVENIENTLY "LEFT" HER POSITION AS CHIEF JUDGE ON FEBRUARY 1, 2021, LIKE JUDGE KATZMANN "LEFT" HIS CHIEF JUDGE POSITION IN LATE AUGUST 2020, AFTER HE COMMITTED THE DIRT WHICH WAS DONE TO THE PETITIONER'S MEDICAL MALPRACTICE APPEAL DUE TO HIS PERSONAL BIAS AND EXTREME DISLIKE OF THE PETITIONER, IN THE 2ND CIRCUIT.

25. Also new comments on therobingroom.com by other Lawyers and Civil litigants about Judge Kuntz (Appendix F), one such comment as recent as February 15, 2021 have also echoed similar complaints about his extreme personal bias against pro se litigants/non-government lawyers and vindictive attitude against other pro se/non-government lawyers like the Petitioner, by denying them Due Process:

"Civil Litigation - Private Comment #: 33662 Rating:1.0 Comments:

Mentally Incompetent, denies due process to anyone who is not a government lawyer, racist - hates whites and Hispanics and makes sexist and racist remarks against the victims of crimes and attorneys who aren't working for the government, indulges in victim shaming, uses extrajudicial information he found on the internet to make rulings (not admitted into evidence by either side), uses hearsay and extrajudicial gossip to make rulings in his orders. In my 20 years of practice, I've never seen such a Judicial travesty, he doesn't understand the fact that a judge CAnt go on the internet and google litigants and then make rulings based on the third party opinions and issues irrelevant to the legal issues he is deciding. The constitution is his preferred brand of toilet paper. There is no justice in America with a judge like Kuntz.

Send e-mail to this poster 2/15/2021 8:39:19 PM"

"Other Comment #: 24889 Rating:Not Rated

Comments:

bad judge attitude doesn't want to understand anyone. He is quick to put people in jail and gives the highest sentence. He is one of the worse judges ever and because he is a federal judge he takes it up above and beyond his powers , this is the worse judge to come across.

Send e-mail to this poster 10/25/2017 7:57:20 PM"

"Civil Litigation - Private Comment #: 24756 Rating:1.7 Comments:

Bad attitude, pompous, doesn't follow basic law, can't tell if he doesn't understand the law or doesn't care about the law, rude to nlawyers and witnesses. Bad judge. If he's on your side, not much you need to do.

Send e-mail to this poster 9/11/2017 11:59:26 PM"

"Criminal Defense Lawyer Comment #: 22720 Rating:1.0 Comments:

This Judge is rude to counsel, unnecessarily loud, ignores the rules of evidence to "find the truth" (a direct quote) and in my case decided a contractual claim based upon a contract in another case which was completely irrelevant and never introduced in to evidence. Unlike pleasant Judges like Block and Weinstein, this Judge has an attitude.

Send e-mail to this poster 5/7/2015 3:38:21 PM"

26. Judge Kuntz's judicial misconduct is grossly illegal. He should never have been assigned to Petitioner's cases, especially the Petitioner's racial discrimination case of November 2020 with

his conflict of interest as well as his personal bias, vindictive attitude and poor temperament against Petitioner, especially after Petitioner exposing his obvious conflict of interest by his wife, Dr. Alice Beal of SUNY Downstate being an affiliate with Northwell Health, the defendants in both Petitioner's medical malpractice case and Petitioner's racial discrimination case along with Judge Kuntz repeatedly acting as a lawyer for the defendants NOT a fair and impartial judge in this case. Also this is a clear violation of 28 U.S. Code § 455 which states:

(a)Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
(b)He shall also disqualify himself in the following circumstances:
(1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
(4)He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;
(5)He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
(i)Is a party to the proceeding, or an officer, director, or trustee of a party;
(ii)Is acting as a lawyer in the proceeding;
(iii)Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;
(c)A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

27. After the then Chief Judge, Judge Robert Katzmann stepped down in disgrace in August 2020, where his did his dirt to the Petitioner's medical malpractice case, Judge Michael H. Park is now continuing Judge Katzmann's personal vindictive bias against Petitioner in the appeal. Judge Katzmann had an irrational, intense dislike for and had very deliberately ruled against Petitioner, Usman Oyibo, due to his being of the ethnicity/race (Black Race) blessed by GOD with the GOD

ALMIGHTY'S GRAND UNIFIED THEOREM nicknamed GAGUT, Gij,j=0. Judge Michael H, Park is now following in his footsteps when the same non decision was presented in the Petitioner's Racial Discrimination case as it was in the Petitioner's Medical Malpractice case the previous year 2020 despite the several differences between the cases. Judge Michael H. Park who was in both of the Petitioner's cases in particular is using his judicial office to obtain special treatment for friends (fraudulently protecting the defendants as well as Judges Kuntz and Katzmann from their judicial misconduct) and this blatant partiality is a substantial and widespread lowering of public confidence in the courts among reasonable people, which is clear Judicial Misconduct.

28. Why is Judge Park involved in this racial discrimination case since he was also a judge in the Petitioner's unfairly dismissed medical malpractice case in which Judge Park conspired with the then Chief Judge, Judge Robert Katzmann to kill Petitioner's case last year with the same fraudulent non decision? If this was a truly fair and honest judicial proceeding, there were plenty of other Judges in the 2nd circuit which could been assigned or taken this case, especially in light of the unfairly having Judge William Kuntz presiding both over Petitioner's Medical Malpractice case in 2019 and Racial Discrimination case in 2020 where his wife, Dr. Alice Beal is an affiliate of Northwell Health, the defendants in both of the Petitioner's cases which the Petitioner specifically mentioned in his motion for IFP, which Judge Park and the court blatantly ignored. Judge Park willingly choose to be a vicious **HATCHETMAN** (twice) like Judge Kuntz and Judge Katzmann before him in order to aid the defendant hospitals, instead of recusing himself from this proceeding, but because the 2nd circuit has proven to be an evil fraud/ kangaroo court, such fraudulent behavior is not only accepted but encouraged.

29. Also if this was a truly fair and honest judicial proceeding since Judge Kuntz granted the Petitioner IFP status in October 2019, because he recognized the Petitioner as a pauper/indigent in the Petitioner s medical malpractice case, IFP status should have been granted **NOT** denied for the Petitioner in the 2021 racial discrimination case, since Petitioner filled out the same application form showing no real difference in the Petitioner's finances (Appendix E), but once again the 2nd Circuit has proven it is a biased, kangaroo court, where such fraudulent behavior is not only accepted but encouraged.

30. This presents a clear pathology of Judge Park as a biased Judge who protects other corrupt judges and their misconduct (violation of US law), and attacking victims of criminal activity by friends of Judge Park like Judge Katzmann, i.e. using the judge's office to obtain special treatment for friends or relatives . In both Petitioner's Medical Malpractice Case and racial discrimination case, Judge William Kuntz had a clear conflict of interest, where Kuntz's wife, Dr. Alice Beal MD, is an affiliate of Northwell Health, **THEREFORE -JUDGE KUNTZ'S IMPROPRIETY AND PERSONAL BIAS AGAINST PETITIONER IS VERY OBVIOUS AND CLEAR** where this evidence of Judge Kuntz's bias against Petitioner as well as conflict of interest, which Judge Kuntz never disclosed to the Petitioner, has revealed himself to be a lawyer for the defendants pretending to be a fair and impartial judge which is fraudulent and judicial misconduct/illegal. Also this is a clear violation of 28 U.S. Code § 455.

31. Judge Katzmann has also on the website https://vilcek.org/news/robert-a-katzmann-making-justice-accessible-to-all/(Appendix G at G-8), where been quoted saying the following: **"Access to justice should not depend on the income level of those in the system."** Again that quote by Judge Katzmann is incredibly ironic due to

Katzmann's own deliberate and malicious refusal to grant Petitioner in this court access to justice. Petitioner in his previous request for IFP proved he doesn't have any income or money to prosecute the appeal. Judge Kuntz also recognized that Petitioner was a poor person by waiving all fees and costs for that decision ("Plaintiff's request to proceed without the prepayment of fees is granted..." Appendix B). Despite these particular evidences and the Defendants not disproving them or posing any motion in opposition or any response against it, Judge Katzmann deliberately denied access to justice and this court for the Petitioner by denying IFP which is a poor person relief (similar to Pro Bono) to allow the Petitioner access to this court. Despite Judge Katzmann's appearance of eloquence, he has clearly contradicted his purported mission towards "making justice accessible for all". In addition Judge Katzmann has mentioned on this website that his parents were both immigrants (father was from Germany and his mother from Russia) so his advocating access to justice for immigrants is a clear personal bias/partiality and **making inappropriately partisan statements** in favor of immigrants over Natural Born Americans like the Petitioner. This is a clear violation of 28 U.S.Code § 455 which states:

> (a)Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
> (b)He shall also disqualify himself in the following circumstances:
> (1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

32. The irrational and viciously stubborn refusal of Judge Katzmann to grant IFP/poor person relief to Petitioner when Petitioner has infallibly proven that he qualifies for it and even Judge Kuntz in the District Court granted it ("Plaintiff's request to proceed without the prepayment of fees is granted..."Appendix B), can only make sense in light of evidence that Petitioner discovered about Judge Kuntz's conflict of interest and Judge Katzmann protecting/refusing to punish or go

against corrupt judges and instead attacks the public members who witnessed the corruption using the judge's office to obtain special treatment for friends or relatives. Judge Park who was also with Judge Katzmann in the Petitioner's Medical Malpractice case is now following Judge Katzmann's example by also protecting/refusing to punish or go against corrupt judges (like Judge Kuntz and Judge Katzmann) and instead attacks the public members (like the Petitioner) who witnessed the corruption using the judge's office to obtain special treatment for friends.

33. Now Judge Park has viciously and fraudulently denied the Petitioner's justice several times in order to protect his colleagues and fellow Judges, Judge Kuntz and Judge Katzmann of acting as lawyers for the defendants pretending to be fair and impartial judges in the courts (i.e. Judge Park showing a clear bias and partiality in favor of his fellow judges which is appearance of impropriety and blatant corruption). Again this is a clear violation of 28 U.S. Code § 455

(a)Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
(b)He shall also disqualify himself in the following circumstances:
(1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
(5)He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
(i)Is a party to the proceeding, or an officer, director, or trustee of a party;
(ii)Is acting as a lawyer in the proceeding;

34. Judge Park like Judge Katzmann previously, also has an irrational. intense dislike for and has deliberately ruled against Petitioner, Usman Oyibo, several times not on the merits of the cases which are infallible, but due to his being of the ethnicity/race (Black Race) blessed by GOD with the **GOD ALMIGHTY'S GRAND UNIFIED THEOREM NICKNAMED GAGUT, Gij,j=0**, which Petitioner and his family have been blatantly discriminated racially by the non blacks who have been polarized after the revelation/discovery of GAGUT was released in 1990

(also see Appendix L/Compact disc folders Exhibits A & B).

35. The revelation/discovery of Relativity from Professor Albert Einstein $E=MC^2$ was what relieved the Jewish community from being denied justice in Germany and elsewhere INCLUDING THE UNITED STATES. Black people after 1990 have been relieved from being denied justice by the revelation/discovery of **THE GOD ALMIGHTY'S GRAND UNIFIED THEOREM NICKNAMED GAGUT, Gij,j=0**, which is the comparison of combination of the revelation/discovery of $E=MC^2$ along with all the other equations revealed/discovered by all other human beings before GAGUT collectively. GAGUT revelation/discovery of Gij,j=0 constitutes the revelation/discovery of all unknown equations past, present and future which are absolute infinity number, which compared to all of the known discovered equations by all humans before GAGUT, which is finite number collectively which we have just established above, the scale that has GAGUT would make that collected discoveries by other human beings that have been presented as being finite collectively to be dilated to be roughly zero in the scale that has GAGUT on it, in terms of their comparable relative sizes. An example would be to divide one US Dollar for a trillion people, the division 1/1,000,000,000,000 is as close to zero as you can get, and 1 trillion is less than infinity. The comparison of Einstein's $E=MC^2$ and all other human discoveries combined which are finite compared to GAGUT which is infinite is therefore roughly zero. So the revelation/discovery of $E=MC^2$ is trivial compared to GAGUT, where $E=MC^2$ is but one out of an infinite number of equations/solutions contained in GAGUT. If the revelation/discovery of $E=MC^2$ can get Jewish people justice, then with the GAGUT revelation/discovery which $E=MC^2$ is an infinitesimal subset of GAGUT, Black People are not only to receive justice but are the only ones to deliver justice infallibly.

36. It is very inconsistent and blatantly hypocritical for Judge Katzmann who is a member of the Jewish community after his people were able to get justice due to the formula of relativity, to then viciously and fraudulently deny the Petitioner Justice, when the Petitioner comes the Black Race and family blessed with the **ULTIMATE FORMULA OF GAGUT, Gij,j=0** out of which $E=MC^2$ and all other correct equations past present and future originate from (see the American and European Mathematical Societies reviews Appendix L) as well as all perfect legal decisions originate from past present and future infallibly. Gij,j=0 is the ultimate truth and therefore the ultimate justice as indicated by Newsbreak, the #1 Global Source of intelligence news (Appendix L) which demands not only should the Petitioner and his people receive justice but ultimately the ones to be delivering justice. The proof of Judge Park's irrational hatred of Usman Oyibo, as a Black Man, is his deliberate/blatant refusal to even recognize/mention GAGUT in any of his decisions, both in the Petitioner's medical malpractice case and in the racial discrimination case, which is a desperate and flagrant fraudulent concealment of GAGUT and GAGUT's value to deny justice to Usman Oyibo (A Black Man) a parallel to the Nazi's/Nuremberg laws which denied justice for the Jews. The ultimate blessing of GOD to humanity called GAGUT through the Black Race which is the contribution of the Black Race to humanity not only defined the Black Race as contributing/valuable members of the human race but also the most superior members of the human race or the chosen race or the most intelligent/richest/most invincible race infallibly, that not only has earned justice but also has been qualified by GOD to be the highest deliverer of justice, through the blessing of GAGUT recognized as the ultimate legal tool by Law and Order and Lexis-Nexis Appendix L), both of which were ignored by Judge Park, Judge Katzmann and all of the courts. **Judge Park like Judge Katzmann and people like him are trying to**

trivialize/ignore GAGUT and treat GAGUT as trivial or having no value, which is a repeat of the Nazi Germany's mistake of trivializing $E=MC^2$ as a "erroneous jew theory" and trying to convince the Jewish people they have no value. That disastrous mistake of the Nazi's caused humanity the destruction of 85 million people lives unnecessary and thereby proving that Judge Park like Judge Katzmann and all other Judges, who either ignored or failed to see the critical roles of GAGUT in this case, are failing to understand and learn from history, which can devastating and very dangerously lead humanity to fail to understand and learn from and hence ending up repeating that horrible history, which clearly needs to be stopped and avoided by following the leadership shown by Germany through the Goettingen University ranking of GAGUT as the ultimate contribution to mathematics along with President Vladmir Putin's Russia confirming that German ranking of GAGUT as well as Asian countries like China, India together with most of the rest of the world giving praise to GOD for GAGUT (Appendix L). Judge Kuntz recognized GAGUT (Appendix B) whereas Judge Park and this court like Judge Katzmann did not recognize GAGUT at all in any of their decisions which the defendants also didn't recognize GAGUT confirming Judge Park like Judge Katzmann is a lawyer for the defendants, and this court is a kangaroo court, which the court is irrationally and very deliberately biased against Petitioner and the kangaroo court also fraudulently concurs with the defendants position and is wrong. Any decision that disagrees with a child is infallibly related to its biological mother is wrong and that is fraudulent concealment. Judge Park and this court, like Katzmann, in refusing to recognize GAGUT in any of their "decisions", since that is fraudulent, has proved Judge Park (who is supposed to be a judge) as a lawyer for the

defendants (judicial misconduct) and this court is an Evil fraud/ biased kangaroo court, which the court is irrationally and very deliberately biased against Petitioner and the kangaroo court also fraudulently concurs with the defendants position which is wrong.

37. Also Judge Park in 2019 had an opposition to his Judicial Appointment to the Court of Appeals 2nd circuit in the Senate by the United States Associate Attorney General, Vanita Gupta. In 2019 Gupta, a fellow Asian, who was the president and chief executive officer of the Leadership Conference on Civil and Human Rights at the time, along with over 200 national organizations, **OPPOSED THE CONFIRMATION OF MICHAEL PARK TO THE U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT** (Appendix M). In Associate Attorney General Gupta's letter, she lists several points against Judge Park's appointment like Judge Park being an **"extremist"** (Appendix M showing Judge Park can **NOT** be impartial at all which is judicial misconduct), especially on the issue of Equal Opportunity Admission policies (which are federal laws in place to **PREVENT** racial discrimination) which Judge Park is strongly against (meaning Judge Park is in favor of racial discrimination which is illegal). Associate Attorney General Gupta specifically listed 3 cases where Judge Park has been strongly against preventing racial discrimination and said **"Mr. Park's hostility to equal opportunity admissions programs (to prevent racial discrimination) is alarming, and he would be incapable of approaching such cases with an open mind if he were a judge"**. Since the United States Associate Attorney General, Vanita Gupta has recognized Judge Park as an extremist on several major issues, including racial discrimination and specifically stated that Judge Park has **"hostility"** to such racial discrimination cases (like the Petitioner's racial discrimination case for example) and **"would be incapable of approaching such cases with an open mind if he were a judge"**,

Judge Park should have **NEVER** been assigned or taken Petitioner's Racial Discrimination case due his strong bias and hostility, which Judge Park harbors on such matters. In addition Judge Park took on Petitioner's racial discrimination case with all of his hostility to the Petitioner (proven by his association with Judge Katzmann on the Petitioner's previous Medical Malpractice case) and racial biases to the Petitioner and his race to be a **HATCHETMAN** for the defendants, again proving that Judge Park was acting as a lawyer for the defendants **NOT** a fair and impartial judge in the Petitioner's racial discrimination case, as proven by his deliberately vicious refusal to let defendants even respond to Petitioner's appeals on two separate occasions, This is also another clear personal bias and blatant prejudicial treatment by Judge Park against Petitioner and is a clear violation of 28 U.S. Code § 455.

(a)Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
(b)He shall also disqualify himself in the following circumstances:
(1)Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
((5)He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
(i)Is a party to the proceeding, or an officer, director, or trustee of a party;
(ii)Is acting as a lawyer in the proceeding;

38. After Judge Park, along with the former Chief Judge Judge Katzmann, being blatant lawyers for the defendants **NOT** fair and impartial judges **TWICE** (in the Petitioner's Medical Malpractice case and Racial Discrimination Case), the 2nd circuit has revealed themselves as a whole are nothing more than an evil fraud/Kangaroo court, which this kangaroo court is irrationally and very deliberately biased against Petitioner and the kangaroo court also defends the defendants hospitals like lawyers for the defendants, concurs with the defendants hospital's fraudulent position and that is wrong. Therefore Petitioner (a Black Man) coming from the family

blessed with GAGUT seeks justice in the Supreme Court of the US.

REASONS FOR GRANTING THE WRIT

1. PETITIONER HAS NOT HAD A REAL JUDGE IN ALL OF THE STATE AND FEDERAL COURTS IN BOTH THE MEDICAL MALPRACTICE OR THE RACIAL DISCRIMINATION CASE NOR CAN THEY DISPROVE LOGICALLY THAT A CHILD IS INFALLIBLY RELATED TO ITS BIOLOGICAL MOTHER.

39. Petitioner in light of the fraudulent concealment and judicial misconduct by Judges McCormack, Steinman, Scheinkman, Balkin, Dillon, Kuntz, Katzmann and Park where the judges were acting as lawyers for the defendants NOT fair and impartial Judges and those judges have agreed that a child or children (medical malpractice assault, medical malpractice patient dumping and medical malpractice battery) are infallibly unrelated to their biological mother (medical malpractice superset) WHICH IS WRONG and therefore Petitioner has not had a real judge in this case both state and federal and there isn't any option but finding the defendants guilty since a child or children (medical malpractice assault, medical malpractice patient dumping and medical malpractice battery) are infallibly RELATED to their biological mother (medical malpractice superset).

40. The only way which the subpoena duces tecum of the Petitioner can be quashed is if a child (medical malpractice assault subset and medical malpractice patient dumping out into the cold to die subset) is infallibly unrelated to its biological mother (medical malpractice super set) which is an impossibility.

41. Instead Judges McCormack/Attorney Roth along with Steinman, Scheinkman, Balkin, Dillon, Kuntz, Katzmann and Park could not challenge the Infallibly of a child (medical malpractice assault subset and medical malpractice patient dumping out into the cold to die

subset) being infallibly related to their biological mother (medical malpractice super set), and conveniently chose to ignore it which clearly has been the constant pattern in this case so far.

2. RES JUDICATA AND COLLATERAL ESTOPPEL DOES NOT APPLY TO THE PETITIONER AS PETITIONER WAS DENIED A FULL AND FAIR OPPORTUNITY TO LITIGATE AS WELL AS THE STATE AND FEDERAL JUDGE ACTING AS LAWYERS FOR THE DEFENDANTS..

42. The district court decision by Judge Kuntz seriously erred in saying that Res Judicata and Collateral estoppel barred this case from being heard in the federal court (Appendix B). Res Judicata as defined by google is "a matter that has been adjudicated by a competent court and may not be pursued further by the same parties" (Appendix B). Petitioner in his motion for Judge McCormack recusal said the following (Appendix J at J-6):

> **"It is glaringly obviously after the August 31, 2017 Compliance conference that Judge McCormack/Attorney Roth must excuse/recuse themselves from this medical malpractice case. The Judge/Attorney have told the Plaintiff that medical malpractice assault as well as medical malpractice patient dumping out into the cold to die are not medical malpractices. A judge who doesn't know or has refused to recognize that medical malpractice assault as well as medical malpractice patient dumping are not just medical malpractices but the worst medical malpractices is not capable (OR COMPETENT) or qualified to judge or preside over a medical malpractice case. Judge McCormack/Attorney Roth who have also stated that medical malpractice assault as well as medical malpractice patient dumping which are the worst medical malpractices have no connection to medical malpractice have demonstrated that Judge McCormack/Attorney Roth have no capability (OR COMPETENCE) or will/intentions to judge this medical malpractice case and by their collaboration with the defendants to deny discovery of evidence of the worst medical malpractices, they have shown they have no will/intention to allow Petitioner to pick up any discovery for any part of the medical malpractice case (which Judge McCormack/Attorney Roth through denying the Subpoena Duces Tecum of the (Plaintiff) which sought videos of and identities of witnesses to medical malpractice assault as well as medical malpractice patient dumping, the worst medical malpractices and the last 3 compliance conferences allowing and condoning the defendants to blatantly refuse complying with any of the Plaintiff's discovery like the Plaintiff's Combined Demands in the last 3 compliance conferences) this constitutes a blatant obstruction of justice.**

These points above, combined with openly admitting an unprofessional bias against Plaintiff in the court, Judge McCormack/Attorney Roth have demonstrated no capability or will/intention to judge this medical malpractice case and must excuse himself/themselves immediately."

43. Judge McCormack AGREED with the Petitioner when he granted the motion Appendix J at J-1), which proved that Judge McCormack, who before becoming a judge was in fact supposed to be a medical malpractice attorney for several years, was NOT COMPETENT and the court of Judge McCormack was not competent and were lawyers for the defendants NOT fair and impartial judges and by them admitting in the recusal that Judge McCormack/Attorney Roth were acting as lawyers for the defendant NOT as fair and impartial judges in this case, there was NO adjudication by a competent court and thus proved there was NO res judicata in Petitioner's case at all. Petitioner in the state court where both Judge McCormack who recused himself and Judge Steinman who had a conflict of interest in that his daughter was employed by the defendants as well as comments from the public like therobingroom (Appendix K at K-1 to K-3) such as:

"Justice Steinman issued a number of decisions that the Nassau County Bar shared with me after I personally witnessed that he is detached from realty, is self serving and financially rewards his "so-called" friends.(Court Staff dated 1/22/2017 6:38:41 PM)"

"Atrocious and illegal conduct, using his government position to abuse people for political gain and his own pocketbook. (12/16/2016 10:40:04 PM)"

"This Judge (Steinman) removed an attorney from the Courtroom, by force of a Court Officer for 10 minutes on August 12, 2016, without her property for OBJECTING on the basis of relevance. Allowed others to view her cell phone, legal documents and property (Litigant 12/13/2016 3:27:25 PM)"

"This person (Judge Steinman) is highly unstable. Takes personally basic matters and lashes out at lawyers before him for no reason.(Court Staff 8/25/2016 8:46:03 PM)"

"Justice Leonard Steinman should be criminally investigated. (7/12/2016 9:15:07 PM)"

"This is what we get when we vote on party lines and we know nothing about the person. This judge's (Judge Steinman) knowledge is minimal, with shallow decision,

interests like making sure his wife's job and career would be protected, since if Judge Kuntz was a fair and impartial Judge and found the defendant hospitals guilty of Racial Discrimination it's fair to assume that Northwell Health would have retaliated against his wife and/or lost her job. Judges Park's along with Katzmann's irrational and viciously stubborn refusal to grant IFP/poor person relief to Petitioner when Petitioner has infallibly proven that he qualifies for it and even Judge Kuntz in the District Court granted it ("Plaintiff's request to proceed without the prepayment of fees is granted..." Appendix B at B-2), can only make sense in light of the new evidence that Petitioner had recently discovery about Judge Park's racial biases (evidenced in Associate Attorney General Vanita Gupta's 2019 opposition letter Appendix M) along with protecting/refusing to punish or go against corrupt judges and instead attacks the public members who witnessed the corruption like the public witnessed and recognized Judge Katzmann did on therobingroom (Appendix G at G-2). Thus Petitioner awaits this United States Supreme Court for justice and to find Defendants guilty of medical malpractice snd racial discrimination against petitioner..

3. THE PARALLELS BETWEEN *POLLARD v.UNITED STATES*, THE TUSKEGEE EXPERIMENT AND PETITIONER'S RACIAL DISCRIMINATION CASE HAS BEEN 100% ESTABLISHED AND THEREFORE DEMANDS THE DEFENDANTS BE FOUND GUILTY.

45. Petitioner's racial discrimination case has been extremely and viciously trivialized by the State and Federal Court Judges when it is in the class of the worst and most vicious racial discrimination as well as medical malpractice cases completely similar to the Tuskegee Experiment, *Pollard v United States* and the State and Federal Court Judges are refusing to even see this as a racial discrimination/medical malpractice, proves the State and Federal Courts are

obviously ignoring Petitioner and refusing to hear the Petitioner's case at all.

46. In *Pollard v. United States*, 384 F. Supp. 304 - Dist. Court, MD Alabama 1974, the Tuskegee Syphilis Experiment (overseen by Dr. Thomas Parran Jr., the Health Commissioner of New York State during the 1930's and the 6th Surgeon General of the United States, who also had overseen the Guatemala Syphilis experiment, infecting people with syphilis refusing to treat these people for syphilis and leaving them to die from Syphilis from 1948 to 1953), is a classic example of a racial discrimination and fraudulent concealment medical malpractice case where Black patients infected with syphilis were deliberately not informed by their doctors of having syphilis, instead the doctors lied to the patients and claimed they had "Bad Blood", and those same doctors deliberately denied those Black patients penicillin for treatment of the illness, instead knowingly giving them fake treatments and test which the doctors knew these "tests" and "treatments" would not cure/do anything for the syphilis. These Black patients were never informed by their doctors of having syphilis despite their doctors knowing the patients had syphilis and the patients were for 40 years (1932-1972) without any treatment for the syphilis and left by those doctors to die.

47. THE TUSKEGEE SYPHILIS EXPERIMENT SYPHILIS IS EQUIVALENT WITH THE GOUT WITHIN THE PETITIONER'S CASE AND THE "BAD BLOOD" IN TUSKEGEE SYPHILIS EXPERIMENT IS EQUIVALENT WITH THE "FRAUDULENT MYSTERIOUS ILLNESS/DISEASE" IN THE PETITIONER'S CASE. THE HOSPITAL /DOCTORS IN THE TUSKEGEE SYPHILIS EXPERIMENT KNEW ABOUT PATIENTS HAVING SYPHILIS JUST LIKE HUNTINGTON HOSPITAL AND NORTH SHORE UNIV. HOSPITAL/DOCTORS KNEW ABOUT PETITIONER'S GOUT. HOSPITAL/DOCTORS IN THE TUSKEGEE SYPHILIS EXPERIMENT REFUSED TO

TREAT SYPHILIS OF THE PATIENTS IN THE TUSKEGEE SYPHILIS EXPERIMENT, JUST LIKE HUNTINGTON HOSPITAL AND NORTH SHORE UNIV. HOSPITAL/DOCTORS REFUSED TO TREAT PETITIONER'S GOUT. HOSPITAL/DOCTORS IN THE TUSKEGEE SYPHILIS EXPERIMENT ALLOWED THE PATIENTS OF TUSKEGEE SYPHILIS EXPERIMENT TO SUFFER UNNECESSARILY AND TO DIE FROM SYPHILIS JUST LIKE HUNTINGTON HOSPITAL AND NORTH SHORE UNIV. HOSPITAL/DOCTORS DELIBERATELY ALLOWED THE PETITIONER TO SUFFER UNNECESSARILY FROM GOUT (HUNTINGTON/NORTH SHORE DID INDIVIDUALLY AND/OR COLLECTIVELY THE FOLLOWING: MEDICAL MALPRACTICE ASSAULT, MEDICAL MALPRACTICE PATIENT DUMPING OUT INTO THE COLD TO DIE, AS WELL AS MEDICAL MALPRACTICE BATTERY/RACIAL DISCRIMINATION OF THE PETITIONER). THE PETITIONER AND HIS FAMILY PRAISE GOD FOR PROTECTING THE PETITIONER'S LIFE MIRACULOUSLY. THEREFORE SINCE ALL OF THE PARALLELS HAS BEEN ESTABLISHED BETWEEN THE TUSKEGEE SYPHILIS CASE AND THE PETITIONER'S GOUT CASE WHERE THE HOSPITALS/DEFENDANTS IN THE TUSKEGEE SYPHILIS EXPERIMENT WERE FOUND GUILTY OF MEDICAL MALPRACTICE THE PARALLEL BETWEEN THESE TWO CASES NOW COMPELS A GUILTY VERDICT AGAINST HUNTINGTON HOSPITAL/NORTH SHORE UNIV. HOSPITAL ON BEHALF OF THE PETITIONER.

48. ANY DOCTOR/MEDICAL EXPERT OR JUDGE/COURT WHO CLAIMS THAT A HOSPITAL HAS NOT COMMITTED RACIAL DISCRIMINATION OR MEDICAL MALPRACTICE AFTER THESE SEVERELY EGREGIOUS, FRAUDULENTLY GROSS

NEGLIGENCES AND MALICIOUS, WORST MEDICAL MALPRACTICES (MEDICAL MALPRACTICE ASSAULT, MEDICAL MALPRACTICE PATIENT DUMPING OUT INTO THE COLD TO DIE, MEDICAL MALPRACTICE BATTERY IN THE OR AS EVIDENCED BY THE PETITIONER'S AUDIO RECORDINGS APPENDIX I OF THE COMPACT DISC) MUST SURRENDER THEIR MEDICAL PRACTICE LICENSE/LICENSE TO PRACTICE LAW AND RETIRE/DISQUALIFY THEMSELVES FROM THIS CASE.

49. THIS IS THE GOOD CAUSE FOR THE GRANTING THE WRIT, SINCE NONE OF THE JUDGES/COURTS DECIDED THE CASE ON THE MERITS, **BUT HOSTILELY, VICIOUSLY AND FRAUDULENTLY CONCEALED/COVERED UP AS WELL AS FRAUDULENTLY DISMISSED THE CASE DUE TO ALL OF THE COURT'S RACIAL HATRED OF THE PETITIONER (A BLACK MAN) COMING FROM THE FAMILY BLESSED WITH GAGUT,** AND THEY ARE ONLY PROVING THE PETITIONER RIGHT ABOUT THEM BEING LAWYERS FOR THE DEFENDANTS BECAUSE CRIMES LIKE THESE ONES COMMITTED BY THE DEFENDANTS ARE SUPPOSED TO BE PUNISHED BY THE COURTS FOR THE BENEFICIAL GOOD OF THE PUBLIC, NOT FRAUDULENTLY CONCEALED/COVERED UP/KILLED THROUGH A VICIOUSLY FRAUDULENT DISMISSAL WHICH TELLS THE DEFENDANTS THEY CAN COMMIT ANY VICIOUS AND EGREGIOUS CRIME ON MEMBERS OF THE PUBLIC AND BE AUTOMATICALLY PROTECTED IN THE COURTS PARTICULARLY IN THE COURT OF APPEALS. PETITIONER PRAYS THE SUPREME COURT WILL PROVIDE JUSTICE IN THIS CASE BY GRANTING THE WRIT.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Usman P. Olbo

Date: October 31, 2024