

No. _____

21-6446

IN THE
SUPREME COURT OF THE UNITED STATES

Khongsana Soumphonphakdy — PETITIONER
(Your Name)

ORIGINAL

vs.

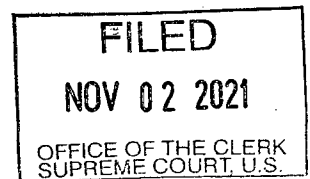
Mary J. Walilko & GEICO — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United State Court of Apped for the Third circuit case#19-346
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Khongsana Soumphonphakdy
(Your Name)



P.O. Box 67751
(Address)

Rochester, NY 14617
(City, State, Zip Code)

315-690-2990
(Phone Number)

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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 6-11-2020; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

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

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☐ is unpublished.

☐ For cases from **state courts**:

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

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☐ is unpublished.

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

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☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was August 17, 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 B.

☐ 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).

QUESTIONS

What would 'THE SUPREME COURT OF THE UNITED STATES' do to help people in a case like this?

Can 'THE SUPREME COURT OF THE UNITED STATES' make a change for statute of limitations laws?

And Can 'THE SUPREME COURT OF THE UNITED STATES' direct the mistake to the lower Court?

STATEMENT OF THE CASE

The Petitioner Soumphonphakdy' should be entitled to tolling of the statute of limitations in this civil case because, Soumphonphakdy filed a complaint in New Jersey State court asserting the same claim before the limitations period expired the case was on a Roll.

Also The Respondent' Lawyers Goetz Schenker and BLEE Lied in court, destroying evidence, delaying time and deniling.

That is committing Fraud under N.J.S.A., Tolling is Automatic Kick in.

District judge: Honorable Susan D. Wigenton has made a mistake not overlooking all the facts. judge: Wigenton just keep dismissing the civil case.

District judge: Wigenton should have look at the case why and how the stature of limitations ran out.

This type of case affect a large amount of people and Lawyers in the United States and made people suffer and making problem.

REASONS FOR GRANTING THE PETITION AND STATEMENT OF THE CASE

Petitioner" Khongsana Soumphonphakdy, is seeking to recover damages from a motor vehicle accident that happen on 2/14/2017 with Respondent Mary J. Walilko, Walilko is the sole cause for the accident.

Respondent" Mary J. Walilko is Insure with GEICO. Under N.J.S.A 39:6A -8 (a), a person with a permanent injuries with a displace fracture and can never heal to be normal, Breaking the Tort Threshold, a person is allow to claim for loss against, The at fault person and her Insurer GEICO. The auto accident cause Petitioner Soumphonphakdy, to have a permanent spine injuries.

Petitioner" Soumphonphakdy, is seeking demand loss for pain and suffering, Hard Injuries, Permanent Injuries for pass and Future loss Wages, Permanent Total Disability.

September 13, 2018 before the stature of Limitation ran out Petitioner" soumphonphakdy file a complaint in State Superior Court in Morristown, NJ. Judge Peter A. Bogaard was the assigned Judge, State Court case # MRSL. 1898-18.

Discovery started, Their was a set up meeting for an Oral Deposition, Petitioner Soumphonphakdy, file a motion to denied to meet for an oral Deposition, because the Respondent" Lawyers from Goetz: Schenker and BLEE. State the wrong date of the accident FEB. 4, 2017, Instead of FEB. 14, 2017. After the Lawyers made a correction on the right date, We instead exchange a written Discovery, Interogertory Discovery Petitioner" Soumphonphakdy gave all Doctor records and sign all Doctors Authorization forms to release records,

Police report, Also Soumphonphakdy" answer all the Interogertory Questions and mailed it to Respondent" Walilko' Lawyers, Goetz Schenker and BLEE, Also mailed it to GEICO. Claim adjuster.

Almost a year went by after Discovery ended, Petitioner soumphonphakdy' file a Motion for a Summary Judgement and when the day in court with Judge Bogaard, In court room During the rueling of the Summary Judgement, The Lawyer from Goetz Schenker and BLEE, Told a false Statement, lied to Judge Bogaard, saying they never done Discovery and saying they did not get a Doctor Authorization form. Soumphonphakdy" has a copy will prove to the Court" that already gave all the Documents to GEICO. And To Respondent Lawyers during Discovery.

The Respondent" Lawyers, Goetz Schenker and BLEE. And GEICO. Is committing Fraud.

Destroying evidence, Delaying time, Deniling and Lied Letting the stature of Limitation run out and " Therefore Tolling Should apply under N.J.S.A " see NJCFA. 7, N.J.S.A 56: 8-19

Than Judge Bogaard dismissed the case and tell Petitioner" Soumphonphakdy" to get a Certificate of Permanentcy . March 15, 2019. Few days went by, Soumphonphakdy got a Certificate of Permanentcy from Doctors. Soumphonphakdy file a motion to reopen the case with Judge Bogaard in State Court. To give Certificate to court, Than Case was Denied and Soumphonphakdy mailed the Certificate to the Clerk in State court.

Judge Bogarrd" said the case is already close so just go ahead and take the Claim to Federal Court.

Petitioner" Soumphonphakdy file a complaint, for the same claim in THE US. DISTRICT COURT OF NJ. CASE # 2:19 -CV- 16830 assigned Judge is Susan D. Wigenton and Judge Leda D. Wettre, U.S.M.J, than Complaint got dismissed.

Soumphonphakdy" Appeal the case to THE COURT OF APPEAL FOR THE THIRD CIRCUIT IN PHILADELPHIA PA. case # 19-3404 5/26/2020 Than remand back to District Court in Newark, NJ. On 7/15/2020 Reopen case with old complaint and Dismissed the case again for fail to state a claim and said Statute of Limitation ran out, Judge Wigenton and Judge Wettre dismissed the same old complaint twice, Did not give Soumphonphakdy a chance to state the right claim for NEGLIGENCE, Than Soumphonphakdy file a Motion for Leave to Amend pleading to State the right claim on 1/13/2021 also Soumphonphakdy file a Remand new complaint.

Petitioner" Soumphonphakdy, did write a new statement of claim inform of a letter long before at State Court and at District Court just not post it.

Soumphonphakdy, Appeal the second time to THIRD CIRCUIT COURT OF APPEALS, Asking for A WRIT OF PROHIBITION, A WRIT OF MANDAMUS AND A SUMMARY JUDGEMENT and case was denied, after Soumphonphakdy Petition for a Rehearing and EN BANC also was denied

CONCLUSION

Now the civil case arises to a Fraud case, New Jersey Law against Fraud.

“TOLLING SHOULD APPLY”

This Type of Fraud, Affect a large amount of People and Lawyers in our Country The United State of America, Petitioner” Soumphonphakdy would like to ask “THE SUPREME COURT OF THE UNITED STATES, TO DO SOMETHING ABOUT IT.

Petitioner” Soumphonphakdy is seeking Punitive Damage, Summary Judgement and a final Judgement with THE SUPREME COURT OF THE UNITED STATES.

The Petition for a Certiorari should be granted.

Respectfully submitted,

Khongdane Soumphonphakdy

Date: 11/2/2021

I Certify that the foregoing Statement made by me are true,

I am aware that if any of the foregoing Statement made by me are false

I am subject to punishment.

Khongsana Soumphonphakdy

11/2/2021

Khongsana Soumphonphakdy

P.O. Box 67751

Rochester, NY. 14617