

21-6983

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

CLERKSCOPY

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
OCT 08 2021  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN RE SHAKID MAJID — PETITIONER  
(Your Name)

vs.

RICHARD SETAL RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS 4TH CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

SHAKID MAJID

(Your Name)

K.C.I. 4344

~~REDACTED~~ Broadmoor Rd.

(Address)

Columbia, SC 29201

(City, State, Zip Code)

(Phone Number)

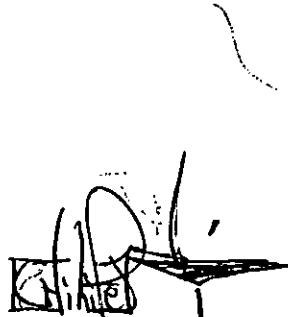
## APPENDIX E.

### QUESTION(S) PRESENTED

Rule 10, Jurisdiction, Questions in Circuit Certification

1. (C) A STATE COURT OR UNITED STATES COURT OF APPEALS HAS DECIDED AN IMPORTANT QUESTION OF FEDERAL LAW THAT HAS NOT BEEN, BUT SHOULD BE SETTLED, BY THIS COURT, OR HAS DECIDED AN IMPORTANT FEDERAL QUESTION IN A WAY THAT CONFLICTS WITH RECENT DECISIONS OF THIS COURT

2. WILL DEN U.S. COURT OF APPEALS 4<sup>TH</sup> CIRCUIT RULE AGAINST U.S. SUPREME COURT SERVICE OF NOTICE OF APPEAL MAIL BOX RULE  
CASE HYLTON VS. JACK 482 U.S. 266 (1988) NO. 82-5428 / 6/20/88 F  
(Supreme Court Justice BREWNER HELD THAT UNDER APPELLATE RULE REQUIRING MAIL BOX RULES APPEAL TO BE FILED WITHIN 60 DAYS, PRO SE PRISONERS NOTICE OF APPEAL WAS FILED AT MOMENT OF DELIVERY TO PRISON AUTHORITY FOR FORWARDING TO DISTRICT COURT; (Justice BREWNER DELIVERED OPINION "THE GENERAL RULE THAT RECEIPT BY COURT CLERK CONSTITUTES FILING IS APPROPRIATE FOR MOST FILINGS IN CIVIL APPEALS, SHOULD NOT APPLY IN PRO SE PRISONER CONTEXT" JUSTICES WHITE, MARSHALL, BLACKMUN AND STEVENS JOINED)



# APPENDIX F.

## 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:

### RELATED CASES

1. MAIL BOX CASES

- 1. Fallen vs. U.S. NO. 210 | 398 U.S. 139 | 845 S.Ct. 1689 | 6/28/1964
- 2. Houston vs. Beck NO. 89-5498 U.S. | 108 S.Ct. 2399 | 6/24/1988
- 3. Ross vs. McKee 416 F.Appx. 469, 494-29 (6<sup>th</sup> Cir. 2012)
- 4. Mangis vs. Harz S. Stump m.p. NO. 105, 040 | 45 FAW. App. D 987 | 6/3/2011
- 5. Shayden vs. Sixta, 250 Faw. 23 | 29-31, 825 F. D. 119 (1990)

### RETALIATION/ADA CASES

- 1. Booker vs. SDC NO. 15-7679 | 855 F.3d 583 | April 18, 2017
- 2. Ebze Fawly vs. Pernix Group, LLC. NO. 18-cv-06921 U.S. DISTRICT COURT N.D. ILLINOIS EASTERN DIVISION | 472 F. Supp. 3d 134 | 8/8/2020
- 3. Gutekust vs. CSX Transportation Inc. U.S. DISTRICT COURT S.D. OHIO | 504 F. Supp. 3d | 11/6/2017
- 4. Summers vs. Aluminim Inst. Corp. F.3d 883, 329 (4<sup>th</sup> Cir. 2014)

### APPOINTMENT OF COUNSEL CASE

- 1. Evans vs. John Kuphinski NO. 16-6136 | 713 FED. APPX. 119 | 11/18/17
- 2. Greeno vs. Daley | 414 F.3d 645, 6458 (7<sup>th</sup> Cir. 2005)

II.

RELATED CASES PAGE 2.

MAILBOX CASES CONTINUED :

6) WOLFF VS. MCDONNELL 418 U.S 539, 558, 94 S.C.T.  
8963 (1974)

7) N GUYEN VS. IBP, INC. 816 KAN. 580, 587, 972 P.2d  
747 (1997)

8) MONROE VS. BOARD 526 F.3d 198, 205 (3d Cir. 2008)

JURISDICTION CASES :

1) LUJAN VS. DEFENDERS OF WILDLIFE 504 U.S 555, 589-60 (1992)

2) BAKER VS. CORR. 369 U.S 186, 198 (1962)

3) PIEPER - ARBIT VS. KANSAS DEPT. OF REVENUE 279 KAN.

83, 92-93 106 P.3d 492 (2005)

4) U.S VS. CURRY 6 Haw. 106, 113 12 LED 363

5) HANNA VS. PLUMMER 380 U.S 460, 473, 85 S.C.T. 1186,  
1145, 141, ed (2d, 8 1965)

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ADA APPELLANT MEDS

7/1/21

# APPENDIX N.

## TABLE OF AUTHORITIES CITED

### CASES

#### PAGE NUMBER

1.1 HOUSTON VS. LACK NO. 87-5428 U.S. 108 S.Ct. 2079 6/24/1988 APPENDIX K. pg. 1

1.1 MANGUS VS. THE G. STUMP M.D. NO. 105,040 145 KAN. APP. AD 989 6/19/2011 APPENDIX K. pg. 1

3.1 SHAYDEN VS. SIXTH 850 KAN. 23 109-31, 805 F.2d 119 (1992) APPENDIX K. pg. 1

4.1 AT&T ALTEKTE-TELECOM VS. PHANIX GROUP INC NO. 18-cv-06971 APPENDIX K. pg. 1

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5.1 BODIFER VS. SCAC. NO. 15-2629 855 F.3d 533 APRIL 28, 2017 APPENDIX K. pg. 1

6.1 SUMMERS VS. ACTORIUM INST. CORP. F.3d 328, 329 (4TH CIR. 2014) APPENDIX K. pg. 1

7.1 EVANS VS. JOHN KUPHLINSKI NO. 16-6136 213 Fed. Appx. 1167 11/17/17 APPENDIX K. pg. 2

8.1 GREEN VS. DAVIS 414 F.3d 649, 658 (7TH CIR. 2005) APPENDIX K. pg. 2

9.1 MONROE VS. HABIS 916 F.2d 268, 272 (5TH CIR. 1992) APPENDIX K. pg. 2

### STATUTES AND RULES

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### OTHER

## II.

TABLE OF AUTHORITIESCASESPAGE NUMBER

I. KELVIN X SINGLETON C.D.R. #4-86999 VS.

G. HERNANDEZ C.I.J. 16-CV-02446-N

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F.3d 269 U.S. COURT OF APPEALS NO. 07-2039 2/13/08 APPENDIX B, pg. 2

IV. NATHAN C. ZINGAMAN VS. DERRILL E. BIRCH NO. SCT. 97S U.S. SUPREME COURT

NO. 89-1965 2/02/1990

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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 \_\_\_\_\_ to the petition and is

reported at HUSTON VS. HARRIS (D.C. 81-5402) (10/24/1988); 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 MANGUS VS. HARZ STUMP (D.C. NO. 105, OHIO) (3/10/2011); 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 10/20/90

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).

## APPENDIX C

### CONSTITUTIONAL AND STATUTORY PROVISIONS AND FD

1. 8<sup>th</sup> AMENDMENT RELATION , APPENDIX K.1

2. 4<sup>th</sup> TITLE II ADA HQ 11.S.C. §11102(b)(A) , APPENDIX K.1

3. 14<sup>th</sup> AMENDMENT DUE PROCESS , APPENDIX K.1

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## APPENDIX D.

CLERKS Cop

## **STATEMENT OF THE CASE**

1) U.S. DISTRICT JUDGE MARY GEIGER LEWIS ENTERED ORDER GRANTING APPELLEES SUMMARY JUDGMENT, 10/8/00.

2) ADA APPELLANT DID NOT RECEIVE ORDER UNTIL FOLLOWING WEEK, 10/26 - 30 (AUG), 5) FILE DAYS OR MORE LATER, IN WHICH, 30, DAY COUNT DOWN BEGINS DUE RECALLED MAIL ORDER

3) ADA APPELLANT DID PLACE NOTICE OF APPEAL IN BROADRIVER CORRECTIONAL INSTITUTION MAIL BOX ON, 11/05/00, 4) FOUR DAYS BEFORE, 30, DAY TIME FRAME, WHICH INCLUDED 3) THREE MAILING DAYS TO RECEIVE DISMISSAL ORDER, 10/30/00.

4) SCDC STAFF WAS OFF, 11/29/00, DUE TO THANKSGIVING! THEY SCDC ALSO TOOK OFF 26<sup>TH</sup> THURS.; 27<sup>TH</sup> FRI, WHICH WERE NOT HOLIDAYS.

5) THERE WAS NO MAIL ROOM OFFICER 1<sup>ST</sup>, NOVEMBER 2000, BECAUSE MAIL ROOM OFFICER B.R.C.I., MS. KANTORA ROBINSON.

6) APPELLEES MOTION TO DISMISS COUNSEL ANDREW F. LINDENMANN, MARCH 13, 2001 MADE BELOW FRIVOLOUS CLAIMS MALTREATMENT TO PERSUADE H<sup>TH</sup> CIR. COURT OF APPEALS TO RULE IN THEIR FAVOR

7) APPENDIX G.A, PAGE 2 PARAGRAPH 2 MOTION TO DISMISS, ANDREW F. LINDENMANN, CITES ( THE APPELLANT DID NOT FILE NOTICE OF APPEAL UNTIL, 10/9/00, WHICH WAS, 50, DAYS AFTER THE JUDGMENT WAS ENTERED )

8) APPENDIX G.B, PAGE 3 PARAGRAPH 4. MOTION TO DISMISS, ANDREW F. LINDENMANN, CITES ( THE APPELLANT WAS REQUIRED TO FILE HIS NOTICE OF APPEAL BY, 11/19/00, )

II. APPENDIX D,

Page 2, STATEMENT OF THE CASE,

1.1, Prima Facie Facts To 6(a)(b),

(a) (1) Prima Facie Fact To 6(a) IS CERTIFICATE IF SERVICE NOTICE OF APPEAL PLACED IN SCDC MAILBOX, 11/25/00. ADA APPELLANT NOT IN CONTROL WHEN SCDC MAILED NOTICE OF APPEAL. AND DOCUMENT IS CONSIDERED MAILED once PLACED IN SCDC MAILBOX IN ACCORD WITH U.S CASE HOUSTON VS. LACK NO. 89-5428 U.S. 6/24/1988. B.R.C. I HAD NO MAILROOM ETC. AT TIME OF MAILING.

(b) (2) 11/19/00, IS ONLY 26 DAYS LATER NOT INCLUDING (3) THREE MAILING DAYS TO RECEIVE 10/30/00, ORDER. ADA APPELLANT HAS NO CONTROL OF WHI ETC. SCDC DIDNT MAIL NOTICE OF APPEAL UNTIL 11/30/00. DOCUMENT CONSIDERED MAILED once PLACED IN SCDC MAILBOX IN ACCORD WITH U.S CASE HOUSTON SUPRA.

8/4<sup>TH</sup> CIRCUIT COURT OF APPEALS CONSPIRED IN RETALIATION WITH APPELLANT BY DISMISSING MERITAL NOTICE OF APPEAL 6/28/01

9/1 THE MAILBOX RULE UNDER UNIQUE CIRCUMSTANCES DOCTRINE TO SERVE APPEAL APPLIES. SEE RELATED CASES 4; 5; 7

10/1 ADA APPELLANT IS 37 YRS OLD, SCHIZOPHRENIC AND LEGALLY DISABLED SINCE MARCH 1, 2011, RECEIVING S.S.I. RECENTLY AT TIME, 2/4/14, INCARCERATION IN SCDC APPENDICES, H.A; B., AND IS THEREBY PROTECTED BY 42 U.S.C § 12102(a)(A) TITLE II ADA.

# APPENDIX K,

## ClerksCopy

### REASONS FOR GRANTING THE PETITION

1. An Appellant Humbly Makes U.S. SUPREME COURT TO GRANT PETITION BASED ON PRIMA FACIE COMPETING REASONS IN ACCORD WITH QUESTIONS IN ACCORD WITH RULE II, IIIC, II. THIS 4<sup>TH</sup> CIRCUIT COURT OF APPEALS HAS DECIDED ACTION IN CONFLICT WITH RELATED PRIMA FACIE CASES OF THIS U.S. SUPREME COURT HUSTON VS. BLACK SUPRA. THE HONORABLE JUSTICE BRENNAN DELIVERED OPINION HUSTON (GENERAL RULE THAT RECEIPT BY COURT CLERK CASHES FILINGS IS APPROPRIATE FOR MOST FILINGS IN CIVIL APPEALS, SHOULD NOT APPLY IN PROSE PRISONER CONTEST) AND HONORABLE JUSTICES WHITE, MARSHALL, BLACKMUN, STEVENS JOINED. DUE TO SAME MAILING DAYS (5) FILE DAYS OR MORE LATER ADA APPELLANT ALSO HUMBLY MAKES U.S. SUPREME COURT TO ADOPT KANSAS SUPREME COURT OF APPEALS "UNIQUE CIRCUMSTANCES DECISION" MARGUS SUPRA; STANLEY SUPRA BASED ON PRIMA FACIE FACTS (1-10) STATEMENT OF THE CASE, AS WELL AS ATTACHED APPENDIXES ETC. FILE 4<sup>TH</sup> CIRCUIT COURT OF APPEALS MADE ERRONEOUS DECISION TO DISMISS COMPLAINT IN CONSPIRACY AND RETALIATION WITH APPELLEES MOTION TO DISMISS APPENDIX G (b) WRITER ANDREW F. LUDDEMAN IS SO PREJUDICED AGAINST APPELLANT THAT IS MARITALLY HARM, VIOLATING RULE II, TITLE II AND 21 U.S.C § 1810 B (b) V. ATEFA ELZEFTAN VS. PERSIUS GROUP INC. SUPRA; BOKER VS. SOLO SUPRA; SUMMERS VS. ALTONUM SUPRA. THE 4<sup>TH</sup> CIRCUIT COURT OF APPEALS MALICIOUSLY DONT EVEN HAVE THEIR LAW CLERKS TO CHECK COMPUTATION OF TIME IN APPELLEES MOTION AND ADA APPELLANTS MOTION FOR TRUTH. THIS ERRONEOUS DECISION OF 4<sup>TH</sup> CIRCUIT COURT OF APPEALS MAY EFFECT ALL OTHER PROSE APPELLANTS INCARCERATED IN PRISONS THAT HAVE NO CONTROL. IF WRITER SOON MAILED COURT THESE LEGAL DOCUMENTS, AN APPELLATE HUMBLY MAKES U.S. SUPREME COURT TO GRANT PETITION FOR CERTIORARI DUE TO ABOVE, ATTACHED PRIMA FACIE FACTS, DOCUMENTS, U.S. CASE LAWS ETC.

II.

I HEREBY AND APPELLANT HUMBLY ASK U.S. SUPREME COURT TO:

① REMAND CASE BACK TO 4<sup>TH</sup> CIRCUIT COURT OF APPEALS

SO ADA APPELLANT CAN FILE "INFORMAL BRIEF" IN TIMELY  
MANNER PRESCRIBED BY COURT.

② APPOINT COUNSEL FOR MENTALLY ILL APPELLANT DUE TO COMPLEXITY  
OF ARGUMENTS INVOLVING MEDICAL RECORDS, EXPERT TESTIMONY,  
AND ADA APPELLANT IS MENTALLY ILL. EVANS VS. JOHN KUPINSKI  
SUPRA; GREEN VS. DALE SUPRA; MONROE VS. HABIS SUPRA

SINGLETARY VS. G. HERNANDEZ SUPRA APPENDIX H (A)(B); APPENDIX I (A)(B)(C)

THE 4<sup>TH</sup> CIRCUIT COURT OF APPEALS CONSPIRED WITH APPELLEES  
TO DENY APPELLANTS DUE PROCESS 14<sup>TH</sup> AMENDMENT TO CHALLENGE

U.S. DISTRICT COURT'S ADOPTION OF REPORT/RECOMMENDATION FOR

ADA APPELLANT'S PRIMA FACIE MEDICAL/NONPRACTICE CLAIM. COUNSEL  
WILL BE NEEDED SO ADA APPELLANT DUE PROCESS RIGHTS  
WILL BE PROTECTED. MLC AUTOMOTIVE LLC VS. THE TOWN OF

SOUTHERN PINES ET AL 532 F.3d 269 U.S. COURT OF APPEALS NO. 07-2039

7/3/08; MARCUS C. ZIMMERMAN VS. DARRELL E. BURCH 110 S. CT. 975 U.S.  
SUPREME COURT NO. 82-1965 10/09/1990

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## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Shahid Majeed

WITHOUT PREJUDICE.COD-201

Date: JAN 15 2002