

APPENDIX A

I.L.S.
MAILED

JOSEPH LAMONT WILSON
T-631214 4TH AVE JAIL (284805)
201 W. JEFFERSON AVE
PHOENIX, AZ 85004

JUL 0 8 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

JOSEPH LAMONT WILSON
PLAINTIFF

CV 2020-016567

v.
"MCSD"-Legal Liaison
DEFENDANT

CV 2021-00038-DTH-JPM

"Motion to Reconsider Denial
of ORDER to PROCEED TO TRIAL"

PLAINTIFF, motions "District Court of Arizona" to reconsider

"ORDER TO PROCEED TO TRIAL" based on Judge Hometewa's purposeful

presumption at attempting to use her "offce" as a means to disregard

From the point of Justice to a lawfully filed & legitimate complaint.

cont pg 1)

... Judge Humeau's presumptions in her blatant negligence at a

"GOOD FAITH & COMMON SENSE" effort in screening the properly exercised

complaint which lists torts, Statute violations, damages, & what is

sought for in relief. Furthermore she violates openly "hard core"

truth of these components being there as required by diversionary scheme

of seeking to try evidence before trial, as if screening process which is

to ensure all technical points of making allegation formal can be used to

blow side the issues of complaint. Judge (Politically) repeats same "SUPPOSED INEFF-

ICIENCIES" of technical violations based of what she considers to be...

(Contd.)

... a Plaintiff Shaw of what she believes is impressive according to case law which

leads only to philosophical blunders that undermine the process of obtaining Justice

against torts! I am not impressed with this "blatant" tactic! Putting up

& meandering with technical difficulties according to case law used to

undermine the very structure & purpose of the causes she claims to support.

She is not an advocate to maintain balance or perseverance of Civil rights but

Instead the cheerleader who wants the Gametrophy, Never Once does he

State the points she needs clarified (INQUIRIES) but alludes to some gen-

eral error on my part as the plaintiff, while she claims pretigiously that...

(CONT'D pg 3)

... screening process to make ready for trial should be used to try facts of

evidence (whether to overrule or trial) & whines about my right to keep detailed

evidence from open disclosure properly overseen by another federal

statute she seeks to argue (whether on behalf of herself "lying to make her mark" or

behalf of defendant in a blanket fashion). She violates & argues federal statutes of

Due Process & Right to Protect Evidence claiming she can't do her job of screening

allegation for "technical flaws" because she wishes to try evidence before trial, & be-

cause she can't she pretenses to use case law to refute allegation with no evidence

to support her refutation (& historical fact to support her dispute which should only occur...

(contd)

... at this stage as an administrative error which is all she may claim without evidence

to dispute allegation (where she should not be trying to dispute allegation itself) which

is to occur at trial between the two parties involved. ENOUGH OF LAME PAPER

MISSION THEATRICALS & FILM STUDIO! PROCEED TO TRIAL BASED ON ALL NECESSARY

components are profited (or can be proven) & that this case should have been

with others in trial a long time ago. Philosophize about case law on your

time. Judge Homelaw & stop making a farce out of the pursuit for justice!

IN WITNESS OF THE PURSUIT OF JUSTICE -

Graph of most billion

Dated this 20th day of June, 2021

"COVER LETTER"

To: "9th Circuit Court" (Court Clerk)

"District Court of Arizona" Judge James F. Metcalf

Leslie Steve Tuskei (PHX Police dept.)

Joseph James Branco (PHX Police dept.)

"Motion to Reconsider ORDER to PROCEED to TRIAL"

Joseph Lamont Wilson
SIGNATURE

06/30/21

DATE

FROM: JOSEPH LAMONT WILSON (7681614)
(484) 474-0522
201 W JEFFERSON AVE
PHOENIX, AZ 85009

**MARICOPA COUNTY SHERIFF'S OFFICE
INMATE LEGAL SERVICES**

CERTIFICATION

I hereby certify that on this date July 8, 2021

In accordance with the instruction received from the inmate and the rules of this Court, I mailed the original and one (1) copy to the Clerk of the United States District Court, District of Arizona.

I further certify that copies of the original have been forwarded to:

✓ Hon James F. Metcalf United States District Court, District of Arizona.

Attorney General, State of Arizona,

Judge _____ Superior Court, Maricopa County, State of Arizona

County Attorney, Maricopa County, State of Arizona

Public Defender, Maricopa County, State of Arizona

Attorney _____

Other _____

— 1 —

Page 10 of 10

Digitized by srujanika@gmail.com

11. *Constitutive and regulatory genes in the *lactose operon* of *Escherichia coli**


LCR

INMATE LEGAL SERVICES
Maricopa County Sheriff's Office
3250 W. Lower Buckeye Rd.
Phoenix, AZ 85009

A7879
S/N

APPENDIX B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Joseph Lamont Wilson,

NO. CV-21-00038-PHX-DJH (JFM)

Plaintiff,

JUDGMENT OF DISMISSAL IN A
CIVIL CASE

v.

MCSO Legal Liaison,

Defendant.

Decision by Court. This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that pursuant to the Court's order filed June 22, 2021, judgment is hereby entered and this action is dismissed without prejudice.

Debra D. Lucas

District Court Executive/Clerk of Court

August 16, 2021

By s/ S. Strong
Deputy Clerk

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JL

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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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Joseph Lamont Wilson,

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Plaintiff,

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v.

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MCSO Legal Liaison,
Defendant.

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No. CV-21-00038-PHX-DJH (JFM)

ORDER

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On December 16, 2020, Plaintiff Joseph Lamont Wilson, who is confined in a Maricopa County Jail, filed a Complaint in the Superior Court of Maricopa County, Arizona, against Defendant "MCSO-Legal Liaison." On January 11, 2021, Defendant filed a Notice of Removal and removed the case to this Court. In a January 13, 2021 Order, the Court concluded removal was proper because Plaintiff alleged in the Complaint, among other things, that Defendant violated his rights under the First, Fourth, and Fourteenth Amendments. The Court dismissed the Complaint with leave to amend because it was not filed on a court-approved form and gave Plaintiff 30 days to file an amended complaint.

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On January 29, 2021, Plaintiff filed a Motion for Denial of Notice of Removal, and on February 1, 2021, he filed his First Amended Complaint. Plaintiff subsequently filed a Motion to Change Judge. On February 5, 2021, Defendant filed a Response to Plaintiff's Motion for Denial of Removal. On February 22, 2021, Plaintiff filed a Motion requesting that the Court consider additional arguments in support of his Motion for Denial of Removal. In a March 1, 2021 Order, the Court denied Plaintiff's Motions and dismissed

1 the First Amended Complaint with leave to amend because Plaintiff had failed to comply
2 with the Local Rules of Civil Procedure and the Federal Rules of Civil Procedure.

3 On March 11, 2021, Plaintiff filed a Motion to Reconsider Change of Judge and a
4 Motion to Reconsider Complaint Count. In a March 16, 2021 Order, the Court denied
5 Plaintiff's Motions.

6 On March 29, 2021, Plaintiff filed a Motion to Appoint Counsel, which the Court
7 denied in an April 6, 2021 Order. The Court gave Plaintiff an additional 30 days to file a
8 second amended complaint in compliance with the March 1, 2021 Order.

9 On April 26, 2021, Plaintiff filed a Motion for Reconsideration of the Order denying
10 his Motion to Appoint Counsel. In an April 30, 2021 Order, the Court denied the Motion
11 for Reconsideration. The Court reminded Plaintiff that he had until May 6, 2021, to file a
12 second amended complaint in compliance with the March 1, 2021 Order.

13 On May 14, 2021, Plaintiff filed a Notice of Interlocutory Appeal. On June 15,
14 2021, the Ninth Circuit Court of Appeals dismissed the Notice of Interlocutory Appeal for
15 lack of jurisdiction.

16 Although the filing of a notice of appeal generally divests the district court of
17 jurisdiction over those aspects of the case involved in the appeal, the district court's
18 jurisdiction is not affected when a litigant files a notice of appeal from an unappealable
19 order. *Estate of Conners v. O'Connor*, 6 F.3d 656, 658 (9th Cir. 1993). "When a Notice
20 of Appeal is defective in that it refers to a non-appealable interlocutory order, it does not
21 transfer jurisdiction to the appellate court, and so the ordinary rule that the district court
22 cannot act until the mandate has issued on the appeal does not apply." *Nascimento v.*
23 *Dummer*, 508 F.3d 905, 908 (9th Cir. 2007). In such a case, the district court "may
24 disregard the purported notice of appeal and proceed with the case, knowing that it has not
25 been deprived of jurisdiction." *Ruby v. Sec. of the U.S. Navy*, 365 F.2d 385, 389 (9th Cir.
26 1966).

27 Plaintiff's Notice of Interlocutory Appeal referred to non-appealable orders and
28 therefore did not divest this Court of jurisdiction, and his failure to file a second amended

1 complaint within the time period specified in the April 6, 2021 Order warrants dismissal
2 of this action for failure to comply with a court order. In the interest of justice, however,
3 the Court will give Plaintiff 30 days from the filing date of this Order to file a second
4 amended complaint that cures the deficiencies identified in the March 1, 2021 Order.

5 **Warnings**

6 **A. Address Changes**

7 Plaintiff must file and serve a notice of a change of address in accordance with Rule
8 83.3(d) of the Local Rules of Civil Procedure. Plaintiff must not include a motion for other
9 relief with a notice of change of address. Failure to comply may result in dismissal of this
10 action.

11 **B. Possible Dismissal**

12 If Plaintiff fails to timely comply with every provision of the March 1, 2021 Order
13 and this Order, including these warnings, the Court may dismiss this action without further
14 notice. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court
15 may dismiss an action for failure to comply with any order of the Court).

16 **IT IS ORDERED:**

17 (1) Plaintiff has **30 days** from the filing date of this Order to file a second
18 amended complaint in compliance with the March 1, 2021 Order.

19 (2) If Plaintiff fails to file a second amended complaint within 30 days, the Clerk
20 of Court must enter a judgment of dismissal of this action without prejudice and without
21 further notice to Plaintiff and deny any pending unrelated motions as moot.

22 Dated this 22nd day of June, 2021.

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Honorable Diane J. Humentewa
United States District Judge

APPENDIX C

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 21 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JOSEPH LAMONT WILSON,

Plaintiff-Appellant,

v.

MCSO LEGAL LIAISON, named as
MCSO-Legal Liason,

Defendant-Appellee.

No. 21-16293

D.C. No.
2:21-cv-00038-DJH-JFM
District of Arizona,
Phoenix

ORDER

A review of the record reflects that this appeal may be frivolous. This court may dismiss a case at any time, if the court determines the case is frivolous. *See* 28 U.S.C. § 1915(e)(2).

Within 35 days after the date of this order, appellant must:

- (1) file a motion to dismiss this appeal, *see* Fed. R. App. P. 42(b), OR
- (2) file a statement explaining why the appeal is not frivolous and should go forward.

If appellant does not respond to this order, the Clerk will dismiss this appeal for failure to prosecute, without further notice. *See* 9th Cir. R. 42-1. If appellant files a motion to dismiss the appeal, the Clerk will dismiss this appeal, pursuant to Federal Rule of Appellate Procedure 42(b). If appellant submits any response to

this order other than a motion to dismiss the appeal, the court may dismiss this appeal as frivolous, without further notice.

If the court dismisses the appeal as frivolous, this appeal may be counted as a strike under 28 U.S.C. § 1915(g).

If appellant files a statement that the appeal should go forward, appellee may file a response within 10 days after service of appellant's statement.

The briefing schedule for this appeal remains stayed. The motion for appointment of counsel will be addressed, if necessary, following resolution of this order.

The Clerk shall serve on appellant: (1) a form motion to voluntarily dismiss the appeal, and (2) a form statement that the appeal should go forward. Appellant may use the enclosed forms for any motion to dismiss this appeal or statement that the appeal should go forward.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Allison Taylor
Deputy Clerk
Ninth Circuit Rule 27-7

APPENDIX D

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

NOV 9 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JOSEPH LAMONT WILSON,

Plaintiff-Appellant,

v.

MCSO LEGAL LIAISON, named as
MCSO-Legal Liason,

Defendant-Appellee.

No. 21-16293

D.C. No.
2:21-cv-00038-DJH-JFM
District of Arizona,
Phoenix

ORDER

Before: IKUTA, OWENS, and BENNETT, Circuit Judges.

Upon a review of the record and the response to the court's September 21, 2021 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 6), *see* 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

All other pending motions are denied as moot. No further filings will be entertained in this closed case.

DISMISSED.

APPENDIX E

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 01 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JOSEPH LAMONT WILSON,
Plaintiff - Appellant,
v.
MCSO LEGAL LIAISON, named as
MCSO-Legal Liason,
Defendant - Appellee.

No. 21-16293

D.C. No. 2:21-cv-00038-DJH-JFM
U.S. District Court for Arizona,
Phoenix

MANDATE

The judgment of this Court, entered November 09, 2021, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Nixon Antonio Callejas Morales
Deputy Clerk
Ninth Circuit Rule 27-7

APPENDIX F

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Form 4. Motion and Affidavit for Permission to Proceed in Forma Pauperis

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form04instructions.pdf>

9th Cir. Case Number(s)

N/A

Case Name

2:21-00088-DSH-JPN

Affidavit in support of motion: I swear under penalty of perjury that I am financially unable to pay the docket and filing fees for my appeal. I believe my appeal has merit. I swear under penalty of perjury under United States laws that my answers on this form are true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Signature

Joseph Lament J. Gilmore

Date

5/25/21

The court may grant a motion to proceed in forma pauperis if you show that you cannot pay the filing fees and you have a non-frivolous legal issue on appeal. Please state your issues on appeal. (attach additional pages if necessary)

Judge Hunetewe shows gross neglect to honoring of "Attorney-Client" privileged materials properly attached.

Judge Hunetewe shows gross neglect to honoring SIX Amendment Right to Lawyer to represent Plaintiff Party!

Judge Hunetewe Shows gross neglect to Honoring the truth of Plaintiff being filed Complaint in District Court of Atens court approved form (BEN AS Both inmate as the Plaintiff & YLS have proof those instructions were confirmed properly).

Judge Hunetewe Shows gross neglect to honoring "ALLOWED Chances" of Stating claim (With NO PROVIAL basis of law) with case law inappropriately - Stating "Second Amended Complaint" supersedes "Original" & "First" Amended Complaint. But court AS IF CARRIERS NOT REFERENCE to the previous claim & been in place 14 years ago claim, while this Judge USED THE SAME LAW immediately ASSUME (With reference) to him giving effects to STATE claim,

Judge Hunetewe Shows (Having been assigned to 2013 of the District Court case having come to District Court of Atens) A LUDICROUS INCONSISTENCY AS IT MASTERS THE Judge & NOT THE Judge to fail to remain consistent to his ruling. Both Parties are LITIGATE TO GO TO JUDGE BY PREVIOUSLY USED CASE LAW TO DISPUTE claim with CITE LAW AS IF CLAIM IS ON ITSELF (Instead of the Plaintiff being TELLING Judge with components altered to her & INADMISSIBLE EVIDENCE to BE "PROVEN" DECEIT TELLING).

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov