

ORIGINAL

21 - 7408

NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
JAN 20 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Randy Dingle,
Petitioner

V

Talmage S. Baggett Jr.
"et al"

Respondent

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fourth Circuit

PETITION FOR WRIT OF CERTIORARI

Randy Dingle
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QUESTION PRESENTED

Although comparable occurrences appear to rehash the same thing, the conclusion should not be made that those occurrences are valid or impossible. Therefore, said occurrences can coherently uphold the induction that each of the episodes was the result of a planned action.

All Parties in the Judgment of this Case

Talmage S. Baggett, Judge; Ellen B. Hancox, Administrator Trial Clerk; Ronnie Monroe Mitchell, Attorney for Sheriff Office; Mickey Locklear deputy; Greg Morrison Officer deputy; Anthony Walden Jr., Deputy; Clavion Morning, Deputy Sergeant; William Dancy, Security Guard; Joe Utley, Tax Administrator; Timothy J. Peterkin, Attorney; Ennis W. Wright, Cumberland County Sheriff; Chris Murphy, Deputy; Tardra Adams, Chief Jailer Detention Center; Brenda Englis, Capt. Deputy Jailer Detention Center; Don William, Capt. Deputy Jailer Detention Center; Jessica Boon, Jail Administrator, CC Detention Center; Patricia Ellen Watson Dingle, Individual; Natasha Dingle, Individual; Torry Jessup, DMV Administrator Commission; Addie Lee Smallwood, Individual; Larry Freeman, Individual; Joseph Newton Callaway ll., Judge; Alonso Dingle, Individual; Jacquelyn Faye Carter, Individual; W.R. Darden, Magistrate, Megan Chavis, Clerk Deputy CSC; Bruce Bullock, Long Branch/ South Eastern Home Sale; William R. West Jr., District Attorney, (AKA Bill or Billy); Gina V. Hawkins, Chief of Police; Jeannette M. Council, County Commission; Glenn C. Adams, Board of Commission; Michael C. Boose, Board of Commission; Charles Evans, Board of Commissioners; Jimmy Keefe, Board of Commission; Larry Lancaster, Board of Commission; Michael B. Stein, Attorney For Hutchens Law Firm; Sergeant Manning, Sheriff Deputy; John Holley, Sheriff Bertie County; Carl Wall, SBI Agent; Earl Moose Butler retired sheriff; mark Rowden pastor; Joseph A Bledsoe, Ill, Trustee; Lee Warren, Register of Deeds; R. Gregg Edwards, Attorney; William Rob Lewis, Judge; Meryl Carter Maynor, Individual; Maynor, Connell, Coach, Individual; Tim Manning, Sheriff; Linwood Edwards, Individual; Johnnie Mac Spivey, Individual; James Edwards Spivey, Individual; Jeffery Jerome Spivey, Individual; Francis Keith Spivey, Individual; Linwood James, Individual; Ollie Hopkins, Individual; Arleathia Cross, Individual; Dennis Peterson, Major-Sheriff Dept.; Benjamin James, Coach; Jason L. Harrell, Agent Sheriff; Donald Melvin, Individual; Terry Ray, Major-Sheriff Dept.; Peter Ellison Dingle, Magistrate; Elizabeth James Kilgore, Individual; Maxine Denise Melvin, Individual; Darren R. Whitehurst, Individual; David E. Moore, Jr., Stephen C. Stokes, Judge; Richard Jenkins, Chief Deputy; Hubert Peterkin, Sheriff; Bill Butler, Head Marshall Agent; Danica Lawson Dingle.

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PETITION FOR WRIT OF CERTIORARI

I Randy Dingle, petitioner respectfully requests the issuance of a writ of certiorari to review the judgement of the United States Court of Appeals for the Fourth Circuit.

DECISION BELOW

The decision of the United States Court of Appeals for the Fourth Circuit was not published. Their case No.20-2041, It is listed in their opinion section on their web site. Dingle v. Baggett, Case No. 5:19-cv-00425-D (E.D.N.C. Sept. 1, 2020). PER CURIAM The United States Appeals Court agree with The United States District Court for North Carolina Eastern District.

Jurisdiction

The United State Fourth Circuit Court of Appeal enter their judgement after a rehearing was requested and was denied on November 2, 2021, under Rule 41(a) of Appellant Procedure Rules. I am filing this petition for a writ of certiorari within the time period of the ninety days after the denial.

STATUE AND FEDERAL RULES

Title 42 U.S.C. 1983- you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

Title 18 U.S.C. 242- It is a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the United States Constitution for America.

Title 18 U.S.C. 241 – Conspiracy against rights. If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

Title 18: 1961 RICO Act Statute, including bank fraud, wire fraud, kidnapping, bribery, extortion, contract murder-for-hire (aka, a Hitman), loansharking, drug trafficking, arson, arson for-hire (for intimidation, insurance fraud, etc.) and embezzlement. Was originally passed to target mob prosecutions in the 1970, RICO laws target all sorts of corrupt enterprises, both legal and illegal: street gangs, cartels, corrupt police departments, and even politicians and Judges.

FEDERAL RULES

Federal Rules Civil Procedure 1331 The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

Federal Rule 401 (b) the fact is of consequence in determining the action.

Bill of Rights 1791

Human Rights Some if not all has been violated.

STATEMENT OF THE CASES

1. Cumberland County Court, Fayetteville, North Carolina Case 16 CVD-3115 Dingle v Cumberland County

On or about 2016, we, my wife and I receive a letter in the mail from Sheriff Ennis W. Wright of the Cumberland County Sheriff Office to come down to the sheriff office. Once there we were given a notice from a company call Ditech, who was in the process of doing a repossession on our home. We inform the Sheriff office that we did a Chapter 7 Bankruptcy in 2011 and receive a discharge. This is when the attorney for the sheriff office Ronnie Mitchell, said that we needed to go see the attorney who did our bankruptcy in 2011.

We then went back to Attorney R. Gregg Edwards, who my wife Patricia Ellen Watson Dingle had hired in 2011 to take care of some Bank of America Credit Cards, at this same time he informs us then that it would be better if he did a Chapter 13 bankruptcy. With him being the Attorney, we put our trust in him on this matter. After going back to Edwards, he informs us that all he could do was put us in a Chapter 13. Attorney Edwards proceed with his plans, so that he could repair his mistakes and save our home, which was already paid for.

Judge Joseph Callaway was the judge for the Chapter 13 hearing, he, the trustee, and attorney Edwards came up with a plan for me and my wife to make payment. The court wanted me to make payment on something that was already paid for and had been discharge previously. Why would I go along with that kind of plan? When attorney Edwards saw that he could not get me to agree to the plan, he (Edwards) decided to withdraw as my attorney in the bankruptcy case, and the Cumberland County Court case, due to the facts that he, Edwards was attempting to committing bribery, fraud, embezzlement, and extortion.

So, once again my wife and I was sent another notice which was mail fraud from Sheriff Ennis W. Wright, to come back to their office. There we were giving the same paperwork again. Now attorneys Michael Stein and Natash Barone had brought us back into the Cumberland County Courts saying that they were Ditech. Stein and his partners were doing negotiation under the color of law which is a malpractice and a misrepresentation of the facts. Stein was just a debt collector, committing a fraud to the courts along with Judge Talmage Baggett and attorney Ronnie Mitchell who was participating with the fraud. Now here we are again,

back in the Cumberland County Courts, with a lawyer, my wife hired. Attorney Timothy J. Peterkin, who she met at a seminar for the Action Path Head Start. She was hiring him to do a trust for us instead he said he could help us with saving our home. He still wanted us to do a Chapter 13, however it was based on an F-150 truck, not my home. All I had was a truck to pay for, which did not have anything to do with my home. I did not need a chapter 13. This bankruptcy had nothing to do with my home. It was just another form of bribery and extortion. After deciding not to go along with Peterkin and Judge Kahn bankruptcy Plan, Peterkin decided to withdraw from my bankruptcy and county court case. Peterkin knew that he was committing a crime of extortion, bribery, and fraud, (Title 18:241) Judge Khan even saw what Peterkin was trying to do, that he had Peterkin to return my money that he had been paid to represent the fraud. Judge Khan dismiss the bankruptcy, sent the case back to the Cumberland County Court, where Judge Talmage Baggett set the bench. This is when I realize that the judicial system of the Cumberland Courthouse practicing under the color of law. Judge Talmages Baggett made the statement that "I going to make you homeless".

The Oaths that they took when becoming a Judge, attorney, sheriff, sheriff deputy, clerks, and any other judicial officer, under The Original Republic Constitution for the United States for America, The North Carolina Constitution, and The Bill of Rights did not hold up.

On or about August 30, 2018, my home was stolen by gun point by the Cumberland County Sheriff Office. I and my wife were evicted and falsely arrest without a warrant. Our human rights have been violated under the color of law, when the Cumberland County Courts, Sheriff Ennis Wright and his deputies' who trespass on private property, use threat and unlawful force by gunpoint against me, I then became the victim. *Title 18: 242.*

I am a totally and permanently disable America veteran, I was/and have been invidious discriminated against. The Cumberland County Courts Judge Talmages Baggett and Judge Robert J. Stiehl III, kept reactivating a case that was close. They kept allowing Attorney Michael B. Stein and Natash Barone of the Hutchens Law Firm, to continue to perpetrate a fraud and a misrepresentation.

II. The United States Courts of Eastern District of North Carolina, gave a ruling of Dismiss without prejudice on the Plaintiff Case.

On or about September 1, 2020, the United States District Court Eastern District of

North Carolina dismiss without prejudice my case that was file on September 24, 2019, under 5:19-CV-425-D. This was not the first case that I have file with the United State District Court for the Eastern District for North Carolina. I had file three other cases with the United States District Court for the Eastern District for North Carolina. Cases 5:19-cv-129-D, Case 5:19-cv 34-D, and case 5:19- cv- 32-D, all these cases were also dismissed, with the help of the district court magistrates Judge Gates and Judge Numbers. These cases along with case number 5:19-cv-425 was never deemed to be of any importance to this courts. Evidence once again has been ignored based on Judge Dever opinion of the cases has been frivolous. The evidence shows that the Judge/Judges are being bias, due to the facts that some of the defendants are part of their judicial circle. William Dancy and Bill Butler work for the court system. Bill Butler, who was a Marshall for the District Courts oversaw the security for the Federal Courts, whom William Dancy work for as a security guard who is being charge with alienation of affection, (*Chapter 52 – 13 of the North Carolina General Statute*) he was having an affair with my wife Patricia Ellen Watson Dingle, of course he was not the only one to interfere in our marriage, Sheriff Ennis W. Wright of Cumberland County Sheriff Office. This is also around the time that Patricia Ellen Watson Dingle disappear for 2 years.

How do they, who took an Oath under the Republic Constitution for the United States of America, and the North Carolina Constitution breach their oaths. Judge Dever was the Judge for all 4 of the case I file. There seem to be a problem with each officer of the courts holding to their oath of doing the right things, friends are not to be exempt for their wrongdoing, when the evidence clearly shows that they were acting under the “color of law”. Judge Dever in his order said I, Plaintiff fail to state a claim, I did state a claim. I had established a legal cause of action base on evidence and facts, with positive law against said defendants. *Title 18: 242, it is a crime for a person acting under the color of any law to willfully deprive a person of a right or privilege protected by the Constitution.*

The United States District Court for North Carolina for the Eastern fail to see that the *Fifth and the Fourteenth Amendments* of the Constitution has a clause for protecting it people against arbitrary denial of life, liberty, and property by their government. Due Process shall always stand. I am not an attorney; I am a living breathing totally and permanently disable veteran who knows that I have the fundamental rights to due process. *Brown v. Board of Education.*

The opposing parties, who never gave any evidence or proof of claim in the Cumberland County Courts, Bankruptcy Courts or in the United States District

Courts for North Carolina Eastern District was all found not to be guilty of any crime. Attorney Michael B. Stein, use to work with the United States District Courts, the district court also oversees the Bankruptcy Courts, Michael Stein had asked for sanction, during these hearing in which he was denied, so is this how our judicial officers supposed to work? They have failed to do their fiduciary duties for this issue. They fell to afford due process. The United States District Courts for North Carolina Eastern District took no action against some of the defendants, who did not answer their summons. The judicial official never notify anyone that did not answer their summons, which really means that you are guilty of something, and you should face the consequences *45 CFR 681.10*, If a defendant does not file any answer within 30 days after service of complaint, the reviewing official may refer the complaint to ALJ.

These courts use case laws instead of evidence and facts, which was giving to me by them also. No attorney in the area would take my case, due to the facts that Ella Hancox sent out a notice to all the bar members on how to handle service members and veterans, some of their colleagues are in my lawsuit Its call the good old boy system. "One hand washes the other hand." My case was then dismiss and published on July 28, 2020.

III. The United States Court of Appeals for the Fourth Circuit Affirming District Court Ruling

On appeal, I address the issue of the United States District Court for North Carolina Eastern District dismissal of my 5:19-CV-425-D complaint against all the defendants, to the United Stat6es Court of Appeals for the Fourth Circuit. This case and three other cases have gone up the through to the United States District Courts for North Carolina court system. I paid for each of the cases mention out of pocket, where no attorney was willing to assist me. Now, here in the Appellant court which has affirmed and agree with the United States District Court for North Carolina Eastern District on the dismissal. November 2, 2021, after refusing to my rehearing request. The facts presented in the case shows that the legal and factual evidence that my rights under the Original Republic Constitutional for the United States for America, and my rights under the North Carolina Constitution, and my Human Right has been fr ridge upon. *Title 18: 242*.

The REASON for GRANTING the WRIT

It is with my understanding that the United State District Court for North Carolina Eastern District, Clerk did not forward all the paperwork of my case, through to the Appellant courts for their review. Errors has been made by the court system in which I am the victim. There is a due process of the law in the Constitution for the United States for America to protect the people against the arbitrary denial of life, liberty, or the property by the government, who are supposed to serve and protect its people of these natural rights. The Constitution adamantly commands that no person be deprived of their life, liberty, pursue of happiness or property, without due process. *Civil Rights Act of 1866. Bolling v. Sharpe*

This court of Supreme shall grant review, due to the finding of the facts that the lower courts are not properly applying all the documents and evidence to the case, that are clear and precise which are warranted of a review. The complaint was set out for the redress of grievances that has been done upon a totally and permanently disable American Veteran. It has all the elements, showing just how the lower courts has participated in being bias, and unfair prejudice. Judge Dever written statement, that "complainant fail to state a claim". The claim was stated with sufficient and adequate evidence, a clear case of bribery, theft, fraud, and embezzlement

The scope of this case is very simple, most of the people of the United State are not attorney, have not went to law school. Most of us try to put forth the effort to understand right from wrong, follow the law as correctly as possible. When a wrong is done upon you, you try to correct the errors with asking: who? what? when? where? and why? So, we the people enlist the help of our judicial system to help correct these errors.

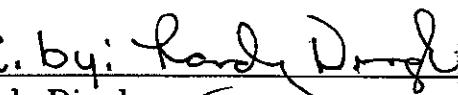
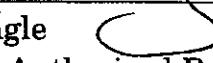
CONCLUSION

I, Randy Dingle respectfully requests that this Supreme Court issue a writ of certiorari to review the judgments of the lower court of the United States Appeal Court for the Fourth Circuit.

Respectfully submitted,

On This Day: 20th, Month: January, Year: 2022

Without Prejudice, All Right Reserved

I am V.C. by: Randy Dingle  
Randy Dingle 
Autograph Authorized Representative
In Propria Persona Sui Juris,
Natural Man, Natural Law, Common Law
All Right Reserved, Without Prejudice
Post Office Box 9485
Fayetteville, North Carolina Territory 28311
E-Mail: annielearspivey92@gmail.com
Tel: (910)-964-1236

LAW AFFIDAVIT of PROOF SERVICE

SUPREME COURT FOR THE UNITED STATES

By Special Appearance, before me, I am Lorena Andrade Affirms
that on Day 18 of January, 2022, that Randy Dingle
has affirms that he is a living breathing flesh and blood original man. Existing in his own
Proper person; meeting the laws of evidence as require and identity: confirm lawfully
Substantive and unalienable by rights: and respectfully - acknowledge begin lawfully
quantify and competent to execute this Document. Therefore, I place my hand and seal
thereto.

On this Day 18 of January, 2022

I am: V.C. by: Randy Dingle

Witness: Original man, In Propria Persona, sui juris
Authorized Representative, All Unalienable Rights Reserve, Without Prejudice
Common Law, Natural Law



NOTARY NAME

Lorena Andrade
PRINT NAME OF NOTARY

June 20, 2024
MY COMMISSION EXPIRES

NOTARY SEAL

LORENA ANDRADE
NOTARY PUBLIC
Hoke County
North Carolina
My Commission Expires June 20, 2024

